

as a tangible commodity and determines the value of software based only on the cost of the carrier media, such as compact discs, floppy disks, records, and tapes. Further, computer software is not listed on the Harmonized Tariff Schedule of the United States (HTS), a code that represents an international standard maintained by most industrialized countries as established by the International Convention on the Harmonized Commodity Description and Coding.

Throughout the Trade Act, an article is often referenced as something that can be subject to a duty. To be subject to a duty on a tariff schedule, an article will have a value that makes it marketable, fungible and interchangeable for commercial purposes. While a wide variety of tangible products are described as articles and characterized as dutiable in the HTS, informational products that could historically be sent in letter form and that can currently be electronically transmitted are not listed in the HTS. Such products are not the type of employment work products that customs officials inspect and that the TAA program was generally designed to address.

Conclusion

After reconsideration on remand, I affirm the original notice of negative determination of eligibility to apply for adjustment assistance for workers and former workers of Ericsson, Inc., Brea, California.

Signed at Washington, DC this 14th day of January 2004.

Elliott S. Kushner,

Certifying Officer, Division of Trade Adjustment Assistance.

[FR Doc. 04-1438 Filed 1-22-04; 8:45 am]

BILLING CODE 4510-30-P

DEPARTMENT OF LABOR

Employment Standards Administration; Wage and Hour Division

Minimum Wages for Federal and Federally Assisted Construction; General Wage Determination Decisions

General wage determination decisions of the Secretary of Labor are issued in accordance with applicable law and are based on the information obtained by the Department of Labor from its study of local wage conditions and data made available from other sources. They specify the basic hourly wage rates and fringe benefits which are determined to be prevailing for the described classes of

laborers and mechanics employed on construction projects of a similar character and in the localities specified therein.

The determinations in these decisions of prevailing rates and fringe benefits have been made in accordance with 29 CFR part 1, by authority of the Secretary of Labor pursuant to the provisions of the Davis-Bacon Act of March 3, 1931, as amended (46 Stat. 1494, as amended, 40 U.S.C. 276a) and of other Federal statutes referred to in 29 CFR part 1, Appendix, as well as such additional statutes as may from time to time be enacted containing provisions for the payment of wages determined to be prevailing by the Secretary of Labor in accordance with the Davis-Bacon Act. The prevailing rates and fringe benefits determined in these decisions shall, in accordance with the provisions of the foregoing statutes, constitute the minimum wages payable on Federal and federally assisted construction projects to laborers and mechanics of the specified classes engaged on contract work of the character and in the localities described therein.

Good cause is hereby found for not utilizing notice and public comment procedure thereon prior to the issuance of these determinations as prescribed in 5 U.S.C. 553 and not providing for delay in the effective date as prescribed in that section, because the necessity to issue current construction industry wage determinations frequently and in large volume causes procedures to be impractical and contrary to the public interest.

General wage determination decisions, and modifications and supersedeas decisions thereto, contain no expiration dates and are effective from their date of notice in the **Federal Register**, or on the date written notice is received by the agency, whichever is earlier. These decisions are to be used in accordance with the provisions of 29 CFR parts 1 and 5. Accordingly, the applicable decision, together with any modifications issued, must be made a part of every contract for performance of the described work within the geographic area indicated as required by an applicable Federal prevailing wage law and 29 CFR part 5. The wage rates and fringe benefits, notice of which is published herein, and which are contained in the Government Printing Office (GPO) document entitled "General Wage Determinations Issued Under The Davis-Bacon And Related Acts," shall be the minimum paid by contractors and subcontractors to laborers and mechanics.

Any person, organization, or governmental agency having an interest

in the rates determined as prevailing is encouraged to submit wage rate and fringe benefit information for consideration by the Department.

Further information and self-explanatory forms for the purpose of submitting this data may be obtained by writing to the U.S. Department of Labor, Employment Standards Administration, Wage and Hour Division, Division of Wage Determinations, 200 Constitution Avenue, NW., Room S-3014, Washington, DC 20210.

Modification to General Wage Determination Decisions

The number of the decisions listed to the Government Printing Office document entitled "General Wage Determinations Issued Under the Davis-Bacon and related Acts" being modified are listed by Volume and State. Dates of publication in the **Federal Register** are in parentheses following the decisions being modified.

Volume I

Connecticut

CT030001 (Jun. 13, 2003)
CT030003 (Jun. 13, 2003)
CT030004 (Jun. 13, 2003)
CT030005 (Jun. 13, 2003)

New Jersey

NJ030001 (Jun. 13, 2003)
NJ030003 (Jun. 13, 2003)
NJ030005 (Jun. 13, 2003)

Volume II

Maryland

MD030002 (Jun. 13, 2003)
MD030008 (Jun. 13, 2003)
MD030016 (Jun. 13, 2003)
MD030031 (Jun. 13, 2003)
MD030036 (Jun. 13, 2003)
MD030043 (Jun. 13, 2003)
MD030046 (Jun. 13, 2003)
MD030047 (Jun. 13, 2003)

Pennsylvania

PA030001 (Jun. 13, 2003)
PA030002 (Jun. 13, 2003)
PA030003 (Jun. 13, 2003)
PA030004 (Jun. 13, 2003)
PA030007 (Jun. 13, 2003)
PA030008 (Jun. 13, 2003)
PA030009 (Jun. 13, 2003)
PA030010 (Jun. 13, 2003)
PA030011 (Jun. 13, 2003)
PA030012 (Jun. 13, 2003)
PA030013 (Jun. 13, 2003)
PA030016 (Jun. 13, 2003)
PA030019 (Jun. 13, 2003)
PA030027 (Jun. 13, 2003)
PA030028 (Jun. 13, 2003)
PA030029 (Jun. 13, 2003)
PA030032 (Jun. 13, 2003)
PA030033 (Jun. 13, 2003)
PA030038 (Jun. 13, 2003)
PA30042 (Jun. 13, 2003)
PA30060 (Jun. 13, 2003)
PA30061 (Jun. 13, 2003)
PA30065 (Jun. 13, 2003)

West Virginia

WV30001 (Jun. 13, 2003)
WV30002 (Jun. 13, 2003)

WV30003 (Jun. 13, 2003)
WV30010 (Jun. 13, 2003)

Volume III

Florida

FL030001 (Jun. 13, 2003)
FL030002 (Jun. 13, 2003)
FL030009 (Jun. 13, 2003)
FL030012 (Jun. 13, 2003)
FL030014 (Jun. 13, 2003)
FL030015 (Jun. 13, 2003)
FL030017 (Jun. 13, 2003)
FL030032 (Jun. 13, 2003)
FL030034 (Jun. 13, 2003)
FL030049 (Jun. 13, 2003)
FL030053 (Jun. 13, 2003)
FL030055 (Jun. 13, 2003)
FL030096 (Jun. 13, 2003)
FL030099 (Jun. 13, 2003)
FL030100 (Jun. 13, 2003)
FL030101 (Jun. 13, 2003)

Kentucky

KY030004 (Jun. 13, 2003)

North Carolina

NC030055 (Jun. 13, 2003)

Tennessee

TN030001 (Jun. 13, 2003)

Volume IV

Illinois

IL030015 (Jun. 13, 2003)

Minnesota

MN030005 (Jun. 13, 2003)
MN030007 (Jun. 13, 2003)

Volume V

Nebraska

NE030003 (Jun. 13, 2003)
NE030004 (Jun. 13, 2003)
NE030007 (Jun. 13, 2003)
NE030010 (Jun. 13, 2003)
NE030011 (Jun. 13, 2003)
NE030025 (Jun. 13, 2003)
NE030041 (Jun. 13, 2003)

Oklahoma

OK030013 (Jun. 13, 2003)
OK030014 (Jun. 13, 2003)
OK030015 (Jun. 13, 2003)
OK030017 (Jun. 13, 2003)
OK030018 (Jun. 13, 2003)
OK030023 (Jun. 13, 2003)
OK030030 (Jun. 13, 2003)

Volume VI

Montana

MT030001 (Jun. 13, 2003)
MT030004 (Jun. 13, 2003)
MT030005 (Jun. 13, 2003)
MT030007 (Jun. 13, 2003)

Utah

UT030001 (Jun. 13, 2003)
UT030006 (Jun. 13, 2003)
UT030007 (Jun. 13, 2003)
UT030008 (Jun. 13, 2003)
UT030009 (Jun. 13, 2003)
UT030011 (Jun. 13, 2003)
UT030012 (Jun. 13, 2003)
UT030013 (Jun. 13, 2003)
UT030015 (Jun. 13, 2003)
UT030023 (Jun. 13, 2003)
UT030024 (Jun. 13, 2003)
UT030026 (Jun. 13, 2003)
UT030028 (Jun. 13, 2003)
UT030029 (Jun. 13, 2003)
UT030034 (Jun. 13, 2003)

Washington

WA030001 (Jun. 13, 2003)

WA030003 (Jun. 13, 2003)
WA030004 (Jun. 13, 2003)
WA030005 (Jun. 13, 2003)
WA030006 (Jun. 13, 2003)
WA030007 (Jun. 13, 2003)
WA030008 (Jun. 13, 2003)
WA030010 (Jun. 13, 2003)
WA030011 (Jun. 13, 2003)
WA030013 (Jun. 13, 2003)
WA030023 (Jun. 13, 2003)
WA030025 (Jun. 13, 2003)
WA030026 (Jun. 13, 2003)
WA030027 (Jun. 13, 2003)

Wyoming

WY030001 (Jun. 13, 2003)
WY030002 (Jun. 13, 2003)
WY030004 (Jun. 13, 2003)
WY030005 (Jun. 13, 2003)
WY030006 (Jun. 13, 2003)
WY030007 (Jun. 13, 2003)

Volume VII

Arizona

AR030011 (JUN. 13, 2003)
AR030016 (JUN. 13, 2003)
AR030017 (JUN. 13, 2003)

Hawaii

HI030001 (JUN. 13, 2003)

Nevada

NV030003 (JUN. 13, 2003)
NV030004 (JUN. 13, 2003)
NV030009 (JUN. 13, 2003)

General Wage Determination Publication

General wage determinations issued under the Davis-Bacon and related Acts, including those noted above, may be found in the Government Printing Office (GPO) document entitled "General Wage Determinations Issued Under the Davis-Bacon and Related Acts". This publication is available at each of the 50 Regional Government Depository Libraries and many of the 1,400 Government Depository Libraries across the country.

General wage determinations issued under the Davis-Bacon and related Acts are available electronically at no cost on the Government Printing Office site at <http://www.access.gpo.gov/davisbacon>. They are also available electronically by subscription to the Davis-Bacon Online Service (<http://davisbacon.fedworld.gov>) of the National Technical Information Service (NTIS) of the U.S. Department of Commerce at 1-800-363-2068. This subscription offers value-added features such as electronic delivery of modified wage decisions directly to the user's desktop, the ability to access prior wage decisions issued during the year, extensive Help desk Support, etc.

Hard-copy subscriptions may be purchased from: Superintendent of Documents, U.S. Government Printing Office, Washington, DC 20402, (202) 512-1800.

When ordering hard-copy subscription(s), be sure to specify the State(s) of interest, since subscriptions may be ordered for any or all of the six separate Volumes, arranged by State. Subscriptions include an annual edition (issued in January or February) which includes all current general wage determinations for the States covered by each volume. Throughout the remainder of the year, regular weekly updates will be distributed to subscribers.

Signed at Washington, DC this 16th day of January 2004.

Carl J. Poleskey,

Chief, Branch of Construction Wage Determinations.

[FR Doc. 04-1309 Filed 1-22-04; 8:45 am]

BILLING CODE 4510-27-M

**NATIONAL COMMISSION ON
TERRORIST ATTACKS UPON THE
UNITED STATES**

Public Hearing

ACTION: Notice of public hearing.

SUMMARY: The National Commission on Terrorist Attacks Upon the United States will hold its seventh public hearing on January 26-27, 2004 in Washington, DC. The two-day investigative hearing will develop facts and circumstances relating to border and aviation security—two central aspects of the Commission's mandate. Representatives of the media should register in advance of the hearing by visiting the Commission's Web site at www.9-11commission.gov. Seating for the general public will be on a first-come, first-served basis. Press availability will occur at the conclusion of the hearing.

DATE: January 26-27, 2004, 9 a.m. to 5 p.m. Press availability to follow.

Location: Hart Senate Office Building, Room 216, Washington, DC 20510.

FOR FURTHER INFORMATION CONTACT: Al Felzenberg, (202) 401-1725 or (202) 236-4878 (cellular).

SUPPLEMENTARY INFORMATION: Please refer to Public Law 107-306 (November 27, 2003), title VI (Legislation creating the Commission), and the Commission's Web site: www.9-11commission.gov.

Dated: January 15, 2004.

Philip Zelikow,

Executive Director.

[FR Doc. 04-1425 Filed 1-22-04; 8:45 am]

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