

DEPARTMENT OF LABOR**Employment and Training Administration**

[TA-W-55,340]

Ripplewood Phosphorous U.S., LLC, Formerly Akzo Nobel Functional Chemical LLC, Gallipolis Ferry, WV; Notice of Negative Determination Regarding Application for Reconsideration

By application dated September 2, 2004, a petitioner requested administrative reconsideration of the Department's negative determination regarding eligibility for workers and former workers of the subject firm to apply for Trade Adjustment Assistance (TAA) and Alternative Trade Adjustment Assistance (ATAA). The negative determination applicable to workers of Ripplewood Phosphorous U.S., LLC, Formerly Akzo Nobel Functional Chemical LLC, Gallipolis Ferry, West Virginia was issued on August 6, 2004. The Notice of determination was published in the **Federal Register** on August 20, 2004 (69 FR 51715).

Pursuant to 29 CFR 90.18(c) reconsideration may be granted under the following circumstances:

- (1) if it appears on the basis of facts not previously considered that the determination complained of was erroneous;
- (2) if it appears that the determination complained of was based on a mistake in the determination of facts not previously considered; or
- (3) if in the opinion of the Certifying Officer, a mis-interpretation of facts or of the law justified reconsideration of the decision.

The subject company produces flame-retardant chemicals, including Fyrol PCF, Fyrol FR-2, Fyroflex RDP, Fyroflex BDP, Phosphorus Trichloride, Phosphorous Oxychloride, Phosflex 4, Phosflex TBEP and Fyrol CEF. The workers are not separately identifiable by product line.

The TAA/ATAA petition was denied because during the relevant time period, subject company sales and production increased and the subject company did not shift production abroad.

In the request for reconsideration, the petitioner agrees that subject company sales and production increased during the relevant time period but contends that the increased sales were due to increased imports and infers that the increased imports were the cause of worker separations. Further, the petitioner contends that the Department should investigate imports of

phosphorous, a raw material for phosphorus trichloride.

According to the petitioner, phosphorus trichloride "was the base product for the facility; which was used in 80% of all the manufacturing products." The company confirmed that phosphorous was imported to make phosphorus trichloride and that phosphorus trichloride was, in turn, used to make the other flame-retardant chemicals. The company also stated that although some phosphorus trichloride was sold to customers, the company did not sell any phosphorus.

Increased company imports of article(s) produced at the subject facility could be a basis for TAA certification when there are decreased company sales and/or production and worker separations during the relevant period. However, increased imports of raw material used in production of articles produced at the subject facility cannot be the basis for TAA certification, since the workers do not produce that article. Thus, alleged import increases of a raw material (phosphorous) cannot be a basis for TAA certification for the subject worker group.

Conclusion

After review of the application and investigative findings, I conclude that there has been no error or misinterpretation of the law or of the facts which would justify reconsideration of the Department of Labor's prior decision. Accordingly, the application is denied.

Signed at Washington, DC, this 21st day of September, 2004.

Elliott S. Kushner,

Certifying Officer, Division of Trade Adjustment Assistance.

[FR Doc. E4-2548 Filed 10-7-04; 8:45 am]

BILLING CODE 4510-30-P

DEPARTMENT OF LABOR**Employment and Training Administration****Workforce Investment Act; Native American Employment and Training Allotments**

AGENCY: Employment and Training Administration, Labor.

ACTION: Notice.

SUMMARY: This Notice announces the Workforce Investment Act (WIA) section 166 final allotments for both the Supplemental Youth Services (SYS) and the Comprehensive Services (CS) programs for Program Year (PY) 2004. These individual grantee allotments are

based on formulas defined in the section 166 program regulations at 20 CFR 668.296(b) for the Comprehensive Services program and 20 CFR 668.440(a) for the Supplemental Youth Services program. The rationale for the formulas is the same as described in the Interim Final Rule and the Final Rule published in the **Federal Register** on April 15, 1999 at 64 FR 18683 and on August 11, 2000 at 65 FR 49373-49375, respectively, and has been in effect for prior years of section 166 funding under WIA. Barring any changes which may arise as the result of WIA reauthorization legislation, the criteria used in these funding formulas will remain in effect for the foreseeable future.

ADDRESSES: Submit any written comments on the formulas used to allot these funds to the Employment and Training Administration, Office of Financial and Administrative Management, Room N-4702, 200 Constitution Avenue, NW., Washington, DC 20210, Attention: Ms. Sherryll Bailey, (202) 693-2813 (voice), (202) 693-2859 (fax), e-mail: bailey.sherryll@dol.gov.

FOR FURTHER INFORMATION CONTACT: Mr. Greg Gross, Division of Indian and Native American Programs, Office of National Programs, (202) 693-3752 (voice) (this is not a toll-free number) or 1-800-877-8339 (TTY) or speech-to-speech at 1-877-877-8982 (these are toll-free numbers), (202) 693-3818 (fax), e-mail: gross.gregory@dol.gov.

SUPPLEMENTARY INFORMATION: The Department of Labor (DOL or Department) is announcing final WIA section 166 formula allotments for PY 2004 (July 1, 2004—June 30, 2005) for both the Supplemental Youth Services and Comprehensive Services programs. This document provides information on the amount of funds available during PY 2004 to section 166 grantees with a two-year Comprehensive Services plan as approved by the Grant Officer, Mr. Eric Luetkenhaus. These allotments are based on the funds appropriated in the Department of Labor Appropriations Act, 2004 (Division E, title I of the Consolidated Appropriations Act, 2004, Pub. L. 108-199). The attached table displays both the PY 2004 Supplemental Youth Services allotments and the PY 2004 Comprehensive Services allotments.

Supplemental Youth Services Allotments. Pursuant to WIA section 127(b)(1)(C)(i)(I), PY 2004 SYS funds are \$14,925,890, which represents 1.5 percent of the total PY 2004 WIA youth activities funding level of \$995,059,306. These funds are available and only

allotted to those section 166 grantees (usually federally-recognized tribes or consortia thereof) serving certain areas in which Native American youth reside. These are areas on or near reservations, Native areas in the State of Alaska, tribal jurisdictional areas in Oklahoma, and Native Hawaiian youth in Hawaii. There are no set-asides or other deductions from the total amount listed above, nor are any funds held in reserve. The entire amount of \$14,925,890 has been or will be awarded to the grantees listed in the accompanying table, of which \$4,037,342 has been transferred to the Department of the Interior for those grantees participating in the demonstration under Pub. L. 102-477 (see explanation below).

Comprehensive Services Allotments. WIA section 174(a)(2)(A) authorizes not less than \$55,000,000 to fund the section 166 Comprehensive Services program each program year. However, the rescissions contained in Pub. L.

108-199 reduced the total available amount for PY 2004 to \$54,675,500. Of this amount, \$540,000 was reserved for technical assistance and training purposes pursuant to the regulations at 20 CFR 668.296(e); \$54,135,500 was to be allotted to the section 166 grantees. Of this amount, \$7,936,653 was transferred to the Department of the Interior, Office of Self-Governance and Self-Determination, for grantees participating in the demonstration under Pub. L. 102-477, the Indian Employment, Training, and Related Services Demonstration Act of 1992, as amended. The tribes participating in the "477 program" are identified with an asterisk (*) in the following allotment table.

Use of 2000 Decennial Census Data. The 1990 Decennial Census data were used to calculate the PY 2004 funding formulas. The decision to postpone the implementation of 2000 Decennial Census data for a year (until PY 2005)

was recommended by the Census Work Group of the Native American Employment and Training Council and approved as a formal recommendation to the Department by the entire Council in official session. This decision was based in part on the fact that respondents to the 2000 Census had the capability to indicate multiple races/ethnic groups on their forms, requiring that the Department make decisions concerning which data set to use to calculate future section 166 funding formulas. The Department invites comments from the public on this decision, as well as recommendations or suggestions on how to utilize the 2000 Census data in the WIA section 166 program.

Signed at Washington, DC, this 1st day of October, 2004.

Emily Stover DeRocco,

Assistant Secretary, Employment and Training Administration.

U.S. DEPARTMENT OF LABOR, EMPLOYMENT & TRAINING ADMINISTRATION, WIA TITLE I SECTION 166 GRANTEES, PY 2004 FUNDING LEVELS

| State | Grantee | SYS Total \$14,925,890 | CS Total \$54,135,500 |
|---------|--|---------------------------|--------------------------|
| 1 1 AL | Inter-Tribal Council of Alabama | 0 | 231,198 |
| 2 1 AL | Poarch Band of Creek Indians | 4,815 | 91,507 |
| 3 2 AK | Aleutian/Pribilof Islands Association* | 28,085 | 25,336 |
| 4 2 AK | Illisagvik College | 53,877 | 72,663 |
| 5 2 AK | Association of Village Council Presidents* | 222,615 | 430,101 |
| 6 2 AK | Bristol Bay Native Association* | 59,035 | 104,983 |
| 7 2 AK | Central Council of Tlingit and Haida* | 171,490 | 188,717 |
| 8 2 AK | Chugachmiut* | 18,685 | 17,863 |
| 9 2 AK | Copper River Native Association* | 6,649 | 20,959 |
| 10 2 AK | Cook Inlet Tribal Council* | 289,446 | 385,804 |
| 11 2 AK | Kawerak Incorporated* | 91,476 | 161,890 |
| 12 2 AK | Kenaitze Indian Tribe | 25,104 | 20,484 |
| 13 2 AK | Kodiak Area Native Association* | 33,358 | 27,509 |
| 14 2 AK | Maniilaq Association | 78,064 | 113,302 |
| 15 2 AK | Metlakatla Indian Community* | 16,048 | 19,483 |
| 16 2 AK | Orutsararmuit Native Council* | 42,070 | 45,649 |
| 17 2 AK | Tanana Chiefs Conference, Inc | 170,802 | 311,252 |
| 18 4 AZ | Affiliation of Arizona Indian Centers | 0 | 251,067 |
| 19 4 AZ | American Indian Association of Tucson | 0 | 264,367 |
| 20 4 AZ | Colorado River Indian Tribes | 36,912 | 66,594 |
| 21 4 AZ | Gila River Indian Community | 162,663 | 593,224 |
| 22 4 AZ | Hualapai Reservation and Trust lands | 10,202 | 38,338 |
| 23 4 AZ | Hopi Tribal Council | 113,944 | 281,584 |
| 24 4 AZ | Inter Tribal Council of Arizona, Inc | 39,204 | 97,894 |
| 25 4 AZ | Native Americans for Community Action | 0 | 178,654 |
| 26 4 AZ | Navajo Nation | 2,474,561 | 6,489,199 |
| 27 4 AZ | Pasqua Yaqui Tribe | 41,611 | 110,972 |
| 28 4 AZ | Phoenix Indian Center, Inc | 0 | 809,445 |
| 29 4 AZ | Salt River Pima-Maricopa Indian Community | 58,577 | 138,079 |
| 30 4 AZ | San Carlos Apache Tribe | 111,422 | 340,269 |
| 31 4 AZ | Tohono O'Odham Nation | 148,792 | 463,532 |
| 32 4 AZ | White Mountain Apache Tribe | 149,022 | 447,733 |
| 33 5 AR | American Indian Center of Arkansas, Inc | 0 | 545,118 |
| 34 6 CA | California Indian Manpower Consortium, Inc | 161,746 | 2,706,192 |
| 35 6 CA | Candelaria American Indian Council | 0 | 240,227 |
| 36 6 CA | Indian Human Resources Center, Inc | 0 | 310,181 |
| 37 6 CA | Northern CA Indian Development Council | 7,222 | 221,558 |
| 38 6 CA | Quechan Indian Tribe | 20,175 | 42,797 |
| 39 6 CA | Southern California Indian Center, Inc | 0 | 947,097 |
| 40 6 CA | Tule River Tribal Council | 13,641 | 93,388 |
| 41 6 CA | United Indian Nations, Inc | 0 | 501,822 |
| 42 6 CA | Ya-Ka-Ama Indian Education & Development | 0 | 82,109 |

U.S. DEPARTMENT OF LABOR, EMPLOYMENT & TRAINING ADMINISTRATION, WIA TITLE I SECTION 166 GRANTEES, PY
2004 FUNDING LEVELS—Continued

| State | Grantee | SYS Total \$14,925,890 | CS Total \$54,135,500 |
|-----------|--|---------------------------|--------------------------|
| 43 8 CO | Denver Indian Center | 0 | 578,298 |
| 44 8 CO | Southern Ute Indian Tribe | 19,029 | 46,168 |
| 45 8 CO | Ute Mountain Ute Indian Tribe | 23,156 | 91,591 |
| 46 10 DE | Nanticoke Indian Association, Inc | 0 | 26,105 |
| 47 12 FL | Florida Governor's Council on Indian Affairs | 0 | 867,223 |
| 48 12 FL | Miccosukee Corporation | 4,815 | 69,664 |
| 49 12 FL | Seminole Tribe of Florida* | 24,646 | 78,431 |
| 50 15 HI | Alu Like, Inc | 2,153,706 | 1,680,225 |
| 51 16 ID | Nez Perce Tribe* | 33,587 | 72,650 |
| 52 16 ID | Shoshone-Bannock Tribes* | 44,363 | 224,642 |
| 53 18 IN | Indiana American Indian Manpower Council | 0 | 245,706 |
| 54 20 KS | Mid American All Indian Center, Inc | 0 | 151,460 |
| 55 20 KS | United Tribes of Kansas and S.E. Nebraska | 14,558 | 233,616 |
| 56 22 LA | Inter-Tribal Council of Louisiana, Inc | 3,439 | 605,578 |
| 57 23 ME | Penobscot Nation | 23,385 | 134,546 |
| 58 25 MA | Mashpee-Wampanoag Indian Tribal Council | 0 | 61,993 |
| 59 25 MA | North American Indian Center of Boston, Inc | 0 | 209,211 |
| 60 26 MI | Grand Traverse Band of Ottawa & Chippewa | 4,012 | 47,942 |
| 61 26 MI | Inter-Tribal Council of Michigan, Inc | 45,624 | 60,714 |
| 62 26 MI | MI Indian Employment & Training Services | 0 | 664,143 |
| 63 26 MI | North American Indian Association of Detroit | 0 | 247,494 |
| 64 26 MI | Potawatomi Indian Nation | 0 | 98,052 |
| 65 26 MI | Sault Ste. Marie Tribe of Chippewa Indians | 61,099 | 210,089 |
| 66 26 MI | Southeastern Michigan Indians Inc | 0 | 122,617 |
| 67 27 MN | American Indian OIC | 0 | 541,525 |
| 68 27 MN | Bois Forte R.B.C | 6,075 | 24,028 |
| 69 27 MN | Fond Du Lac R.B.C | 23,958 | 212,115 |
| 70 27 MN | Leech Lake R.B.C | 49,865 | 193,216 |
| 71 27 MN | Mille Lacs Band of Chippewa Indians* | 5,846 | 43,185 |
| 72 27 MN | Minneapolis American Indian Center | 0 | 399,650 |
| 73 27 MN | Red Lake Tribal Council* | 60,296 | 205,688 |
| 74 27 MN | White Earth R.B.C.* | 39,433 | 144,399 |
| 75 28 MS | Mississippi Band of Choctaw Indians | 65,455 | 259,376 |
| 76 29 MO | American Indian Council, Inc | 9,858 | 591,343 |
| 77 30 MT | Assiniboine & Sioux Tribes | 86,318 | 241,607 |
| 78 30 MT | Blackfeet Tribal Business Council | 98,125 | 318,592 |
| 79 30 MT | Chippewa Cree Tribe | 32,785 | 126,097 |
| 80 30 MT | Confederated Salish & Kootenai Tribes* | 92,279 | 251,527 |
| 81 30 MT | Crow Indian Tribe | 80,128 | 222,363 |
| 82 30 MT | Fort Belknap Indian Community* | 34,160 | 116,654 |
| 83 30 MT | Montana United Indian Association | 0 | 371,063 |
| 84 30 MT | Northern Cheyenne Tribe | 67,633 | 199,896 |
| 85 31 NE | Indian Center, Inc | 0 | 302,881 |
| 86 31 NE | Omaha Tribe of Nebraska | 28,085 | 91,682 |
| 87 31 NE | Winnebago Tribe* | 17,195 | 40,695 |
| 88 32 NV | Inter-Tribal Council of Nevada | 74,282 | 311,476 |
| 89 32 NV | Las Vegas Indian Center, Inc | 0 | 123,074 |
| 90 32 NV | Reno Sparks Indian Colony* | 8,827 | 11,514 |
| 91 32 NV | Shoshone-Paiute Tribes* | 13,527 | 112,046 |
| 92 34 NJ | Powhatan Renape Nation | 0 | 265,543 |
| 93 35 NM | Alamo Navajo School Board | 26,824 | 57,851 |
| 94 35 NM | Pueblo of Isleta | 38,516 | 62,296 |
| 95 35 NM | Eight Northern Indian Pueblo Council | 33,243 | 59,457 |
| 96 35 NM | Five Sandoval Indian Pueblos, Inc | 98,469 | 158,422 |
| 97 35 NM | Jicarilla Apache Tribe | 42,987 | 62,985 |
| 98 35 NM | Mescalero Apache Tribe | 39,204 | 112,428 |
| 99 35 NM | National Indian Youth Council | 0 | 1,173,839 |
| 100 35 NM | Pueblo of Acoma | 42,185 | 147,940 |
| 101 35 NM | Pueblo of Laguna* | 50,553 | 100,219 |
| 102 35 NM | Pueblo of Taos | 16,507 | 48,161 |
| 103 35 NM | Pueblo of Zuni* | 122,886 | 281,697 |
| 104 35 NM | Ramah Navajo School Board, Inc | 33,358 | 113,212 |
| 105 35 NM | Santa Clara Indian Pueblo | 19,029 | 31,023 |
| 106 35 NM | Santo Domingo Tribe | 52,043 | 70,414 |
| 107 36 NY | American Indian Community House, Inc | 8,368 | 569,061 |
| 108 36 NY | Native American Cultural Center, Inc | 13,068 | 188,741 |
| 109 36 NY | Nat. ;Am. Comm. Svcs of Erie & Niagara Ctys | 0 | 164,815 |
| 110 36 NY | St Regis Mohawk Tribe | 28,199 | 135,876 |
| 111 36 NY | Seneca Nation of Indians* | 51,126 | 200,626 |
| 112 37 NC | Cumberland County Assoc. for Indian People | 0 | 88,106 |

U.S. DEPARTMENT OF LABOR, EMPLOYMENT & TRAINING ADMINISTRATION, WIA TITLE I SECTION 166 GRANTEES, PY
2004 FUNDING LEVELS—Continued

| State | Grantee | SYS Total \$14,925,890 | CS Total \$54,135,500 |
|-----------|--|---------------------------|--------------------------|
| 113 37 NC | Eastern Band of Cherokee Indians | 94,457 | 224,829 |
| 114 37 NC | Guilford Native American Association | 0 | 53,326 |
| 115 37 NC | Haliwa-Saponi Tribe, Inc | 0 | 70,909 |
| 116 37 NC | Lumbee Regional Development Association | 0 | 931,531 |
| 117 37 NC | Metrolina Native American Association | 0 | 56,566 |
| 118 37 NC | North Carolina Commission of Indian Affairs | 0 | 213,173 |
| 119 38 ND | Spirit Lake Sioux Tribe* | 46,541 | 136,473 |
| 120 38 ND | Standing Rock Sioux Tribe | 93,310 | 232,086 |
| 121 38 ND | Three Affiliated Tribes o/t Fort Berthold Res* | 50,209 | 179,020 |
| 122 38 ND | Turtle Mountain Band of Chippewa Indians | 112,683 | 368,811 |
| 123 38 ND | United Tribes Technical College | 0 | 179,388 |
| 124 39 OH | North America Indian Cultural Center | 0 | 483,988 |
| 125 40 OK | Absentee Shawnee Tribe of Oklahoma | 19,258 | 26,350 |
| 126 40 OK | <i>Grantee to be determined</i> | 12,495 | 29,551 |
| 127 40 OK | Cherokee Nation of Oklahoma* | 1,074,102 | 1,385,789 |
| 128 40 OK | Cheyenne-Arapaho Tribes | 111,995 | 223,399 |
| 129 40 OK | Chickasaw Nation of Oklahoma* | 376,452 | 502,889 |
| 130 40 OK | Choctaw Nation of Oklahoma | 500,713 | 729,332 |
| 131 40 OK | Citizen Band of Potawatomi Indians of OK* | 381,954 | 398,229 |
| 132 40 OK | Comanche Tribe of Oklahoma | 102,940 | 158,564 |
| 133 40 OK | Creek Nation of Oklahoma | 488,332 | 658,529 |
| 134 40 OK | Delaware Tribe of Oklahoma* | 14,788 | 22,692 |
| 135 40 OK | Four Tribes Consortium of Oklahoma | 36,568 | 102,241 |
| 136 40 OK | Inter-Tribal Council of N.E. Oklahoma | 58,921 | 83,113 |
| 137 40 OK | Kiowa Tribe of Oklahoma | 96,749 | 207,497 |
| 138 40 OK | Native American Resource Center | 265,717 | 340,132 |
| 139 40 OK | Osage Tribal Council* | 77,491 | 122,529 |
| 140 40 OK | Otoe-Missouria Tribe of Oklahoma | 23,843 | 41,657 |
| 141 40 OK | Pawnee Tribe of Oklahoma* | 29,575 | 44,123 |
| 142 40 OK | Ponca Tribe of Oklahoma | 54,450 | 101,605 |
| 143 40 OK | Seminole Nation of Oklahoma | 71,874 | 128,813 |
| 144 40 OK | Tonkawa Tribe of Oklahoma | 42,070 | 73,865 |
| 145 40 OK | United Urban Indian Council, Inc | 363,384 | 522,035 |
| 146 40 OK | Wyandotte Tribe of Oklahoma | 0 | 102,747 |
| 147 41 OR | Confed. Tribes of Siletz Indians of OR* | 21,895 | 519,747 |
| 148 41 OR | Confed. Tribes of the Umatilla Indian Res | 16,736 | 37,376 |
| 149 41 OR | Confederated Tribes of Warm Springs | 50,438 | 100,804 |
| 150 41 OR | Organization of Forgotten Americans | 0 | 359,808 |
| 151 42 PA | Council of Three Rivers | 0 | 852,588 |
| 152 44 RI | Rhode Island Indian Council | 0 | 212,032 |
| 153 45 SC | South Carolina Indian Development Council | 1,719 | 155,177 |
| 154 46 SD | Cheyenne River Sioux Tribe | 86,203 | 239,955 |
| 155 46 SD | <i>Grantee to be determined</i> | 17,539 | 44,898 |
| 156 46 SD | Oglala Sioux Tribe | 187,653 | 606,638 |
| 157 46 SD | Rosebud Sioux Tribe* | 186,162 | 469,982 |
| 158 46 SD | Sisseton-Wahpeton Sioux Tribe* | 47,572 | 156,436 |
| 159 46 SD | United Sioux Tribes Development Corp | 13,068 | 462,333 |
| 160 46 SD | Yankton Sioux Tribe | 40,924 | 97,637 |
| 161 48 TX | Alabama-Coushatta Indian Tribal Council | 9,514 | 595,856 |
| 162 48 TX | Dallas Inter-Tribal Center | 0 | 306,285 |
| 163 48 TX | Ysleta del Sur Pueblo | 5,044 | 363,313 |
| 164 49 UT | Indian Training & Education Center | 4,356 | 444,857 |
| 165 49 UT | Ute Indian Tribe | 40,350 | 110,786 |
| 166 50 VT | Abenaki Self-Help Assoc./NH Indian Council | 0 | 109,166 |
| 167 51 VA | Mattaponi Pamunkey Monacan Consortium | 0 | 210,400 |
| 168 53 WA | American Indian Community Center | 38,402 | 422,308 |
| 169 53 WA | Colville Confederated Tribes* | 59,953 | 162,829 |
| 170 53 WA | Confed. Tribes & Bands o/t Yakama Nation | 107,639 | 225,743 |
| 171 53 WA | Lummi Indian Business Council | 28,429 | 96,013 |
| 172 53 WA | Makah Tribal Council | 13,068 | 28,013 |
| 173 53 WA | Puyallup Tribe of Indians | 14,558 | 138,555 |
| 174 53 WA | Seattle Indian Center | 0 | 341,642 |
| 175 53 WA | The Tulalip Tribes | 14,558 | 26,808 |
| 176 53 WA | Western WA Indian Empl. & Trng. Program | 104,888 | 715,209 |
| 177 55 WI | Ho-Chunk Nation* | 11,578 | 183,759 |
| 178 55 WI | Lac Courte Oreilles Tribal Governing Board | 37,599 | 136,477 |
| 179 55 WI | Lac Du Flambeau Band of Chippewa | 23,500 | 74,014 |
| 180 55 WI | Menominee Indian Tribe of Wisconsin* | 49,063 | 141,839 |
| 181 55 WI | Spotted Eagle, Inc. (Milwaukee AAIMC) | 0 | 208,551 |
| 182 55 WI | Oneida Tribe of Indians of Wisconsin | 36,682 | 184,124 |

U.S. DEPARTMENT OF LABOR, EMPLOYMENT & TRAINING ADMINISTRATION, WIA TITLE I SECTION 166 GRANTEES, PY
2004 FUNDING LEVELS—Continued

| State | Grantee | SYS Total \$14,925,890 | CS Total \$54,135,500 |
|-----------------|--|---------------------------|--------------------------|
| 183 55 WI | Stockbridge-Munsee Indian Community* | 6,075 | 66,783 |
| 184 55 WI | Wisconsin Indian Consortium | 29,804 | 129,848 |
| 185 56 WY | Eastern Shoshone Tribe* | 26,251 | 131,267 |
| 186 56 WY | Northern Arapaho Business Council | 63,735 | 223,161 |

[FR Doc. 04-22681 Filed 10-7-04; 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

None

Volume II

None

Volume III

Florida
FL030017 (Jun. 13, 2003)

Volume IV

Illinois
IL030002 (Jun. 13, 2003)
IL030008 (Jun. 13, 2003)
Minnesota
MN030013 (Jun. 13, 2003)

Volume V

Kansas
KS030008 (Jun. 13, 2003)
KS030016 (Jun. 13, 2003)
Oklahoma
OK030013 (Jun. 13, 2003)
OK030014 (Jun. 13, 2003)
OK030017 (Jun. 13, 2003)
OK030030 (Jun. 13, 2003)

Texas

TX030001 (Jun. 13, 2003)
TX030003 (Jun. 13, 2003)
TX030007 (Jun. 13, 2003)
TX030009 (Jun. 13, 2003)
TX030018 (Jun. 13, 2003)
TX030033 (Jun. 13, 2003)
TX030034 (Jun. 13, 2003)
TX030035 (Jun. 13, 2003)
TX030037 (Jun. 13, 2003)
TX030051 (Jun. 13, 2003)
TX030064 (Jun. 13, 2003)
TX030069 (Jun. 13, 2003)
TX030081 (Jun. 13, 2003)
TX030100 (Jun. 13, 2003)
TX030114 (Jun. 13, 2003)

Volume VI

Montana
MT030001 (Jun. 13, 2003)
MT030004 (Jun. 13, 2003)

Volume VII

California
CA030001 (Jun. 13, 2003)
CA030002 (Jun. 13, 2003)
CA030019 (Jun. 13, 2003)
CA030023 (Jun. 13, 2003)
CA030025 (Jun. 13, 2003)
CA030028 (Jun. 13, 2003)
CA030031 (Jun. 13, 2003)
CA030033 (Jun. 13, 2003)
CA030035 (Jun. 13, 2003)
CA030036 (Jun. 13, 2003)