TA–W–54,215 & A, B; Taylor Togs, Inc., Bakersville, NC, Taylorsville, NC, Micaville, NC: February 4, 2003.

TA–W–54,174; AEI Acquisitions, LLC, d/b/a Nexpak, Tucson, AZ: January 29, 2003.

TA–W–54,070 & A; Magruder Color Co., Inc., Bridgeview Div., Bridgeview, IL and Indol Carteret Div., Carteret, NJ: January 22, 2003.

TA–W–54,454; J.J. Mae, Inc., d/b/a Rainbeau, San Francisco, CA: March 5, 2003.

TA–W–54,486; Pasminco Clinch Valley Mine, Thorn Hill, TN: March 11, 2003.

TA–W–54,523; Camdett Corp., Camden, NJ: March 16, 2003.

TA–W–54,342; Aluminum Foundries, Inc., Winchester, IN: February 18, 2003.

TA–W–54,380; Senior Operations, Inc., Senior Flexonics Pathway Div., Oak Ridge Site, Oak Ridge, TN: February 26, 2003.

TA–W–54,422; Golden Star, Inc., Atchison, KS: March 2, 2003.

TA–W–54,231; 411, Warehouse Corp., a subsidiary of Arnav Industries, Inc., Madisonville, TN: September 11, 2003.

TA–W–54,304; F.E. Wood and Sons, Inc., East Baldwin, ME: January 28, 2003.

TA–W–54,290; Rubbermaid Cleaning, a div. of Rubbermaid Commercial Products, a div. of Newell-Rubbermaid, including leased workers of Kelly Services and Action Staffing Group, Greenville, NC: February 16, 2003.

TA–W–54,177; Amcast Industrial Corp., Richmond Indiana Plant, Richmond, IN: December 17, 2002.

TA–W–54,204; Missouri Steel Castings, including leased workers from Skillstaff, Employer Advantage and Moresource, Inc., Joplin, Missouri: February 5, 2003.

TA–W–54,433; Night Fashion, Inc., Los Angles, CA: February 26, 2003.

TA–W–54,443; Bloomsburg Mills, Inc., including leased workers of One Course Staffing Solutions, Bloomsburg, PA: March 22, 2004.

TA–W–54,450; Dekko Engineering, Lucas, IA: March 8, 2003.

TA–W–54,281; Chami Design, Inc., Tacoma, WA: February 12, 2003.

TA–W–54,295 & A, B, C; Sure Fit, Inc., (Marcon Blvd Facility), including leased workers of Centric Human Resources, General Temp Labor, CK Hobbie, Inc., AA Staffing, People Unlimited, ITH Staffing, and HTSS, Allentown, PA, (Industrial Blvd Facility), Allentown, PA, (Boulder Drive Facility), Breingsville, PA and New York, NY: February 26, 2003.

TA–W–54,237; Steelcase, Inc., Wood Div., Fletcher, NC: February 6, 2003.

TA–W–54,203 & A, B; Coats American, Inc., Watertown, CT, Bronx, NY and Corporate Headquarters, Charlotte, NC: February 3, 2003.

TA–W–54,127; Mid Atlantic of West Virginia, Ellenboro, WV: January 26, 2003.

TA–W–54,165; Goodman Equipment Corp., Bedford Park, IL: February 3, 2003.

TA–W–54,151; Haworth, Inc., Comforto Div., including leased workers of Lincolnton Staffing and Kelley Services, Lincolnton, NC, engaged in the production of office seating components who became totally or partially separated from employment on or after January 29, 2003.

I hereby certify that the aforementioned determinations were issued during the months of March and April 2004. Copies of these determinations are available for inspection in Room C–5311, U.S. Department of Labor, 200 Constitution Avenue, NW., Washington, DC 20210 during normal business hours or will be mailed to persons who write to the above address.

Dated: May 12, 2004.

Timothy Sullivan,

Director, Division of Trade Adjustment Assistance.

[FR Doc. 04–11622 Filed 5–21–04; 8:45 am]

BILLING CODE 4510–30–P

DEPARTMENT OF LABOR

Employment and Training Administration

[TA–W–53,798]

Mohican Mills, Inc., Lincolnton, NC; Negative Determination on Reconsideration

On April 16, 2004, the Department issued an Affirmative Determination Regarding Application for Reconsideration for the workers and former workers of the subject firm. The Department's notice was published in the **Federal Register** on April 30, 2004 (69 FR 23818).

The Department initially denied Trade Adjustment Assistance (TAA) to workers of Mohican Mills, Inc., Lincolnton, North Carolina because the ''contributed importantly'' group eligibility requirement of section 222(3) of the Trade Act of 1974 was not met. The subject worker group produces textiles, primarily warp knit products, and workers are not separately identifiable by product line. During the relevant period, the company did not import or shift production abroad. A survey of the company's major declining customers revealed insignificant amounts of warp knit fabric imports during the relevant time period. Aggregate data showed decreased imports during the relevant time.

The petitioner alleges in the request for reconsideration that lace is not the same as warp knit fabrics and that workers who make lace produces are separately identifiable from workers who make other types of warp knit fabric. The petitioner requests that the negative determination not be applied to lace producers and that the Department address only lace products in the new investigation. The petitioner also alleges that that increased imports of raw lace material has negatively impacted domestic lace production.

In the reconsideration investigation, the Department contacted the company and was informed that lace is a type of warp knit fabric and that lace production constitutes a small percentage of production (about five percent). The company also confirmed that the workers are not separately identifiable by product line. A new customer survey of lace product imports was not conducted because the initial survey of warp knit fabric was appropriate.

Conclusion

After reconsideration, I affirm the original notice of negative determination of eligibility to apply for worker adjustment assistance for workers and former workers of Mohican Mills, Inc., Lincolnton, North Carolina.

Signed at Washington, DC, this 7th day May, 2004.

Elliott S. Kushner,

Certifying Officer, Division of Trade Adjustment Assistance, Assistance.

[FR Doc. 04–11627 Filed 5–21–04; 8:45 am]

BILLING CODE 4510–30–P

DEPARTMENT OF LABOR

Employment and Training Administration

[TA–W–53,939]

Tippins, Inc., Pittsburgh, PA; Notice of Negative Determination Regarding Application for Reconsideration

By application of March 15, 2004, petitioners 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). The denial notice was signed on February 12, 2004 and published in the **Federal Register** on March 12, 2004 (69 FR 11888).

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 TAA petition, filed on behalf of workers at Tippins, Inc., Pittsburgh, Pennsylvania engaged in the refurbishing of steel and aluminum rolling mill machinery was denied because the ''contributed importantly'' group eligibility requirement of section 222(3) of the Trade Act of 1974, was not met. The ''contributed importantly'' test is generally demonstrated through a survey of the workers' firm's domestic customers. The Department conducted a survey of domestic entities to which the subject firm submitted bids in 2001, 2002, and 2003. The survey revealed that none of these companies awarded contracts to foreign sources during the relevant period. The subject firm did not increase its reliance on imports during the relevant period, nor did they shift production to a foreign source.

The petitioner alleges that in recent years all of Tippins' competitors became foreign firms and thus, any jobs Tippins lost should be considered as a loss to foreign competition.

Upon the initial investigation, the subject firm provided a list of lost bids during the relevant time period. As established in the initial investigation, the majority of these bids were for contracts on work to be done abroad. The loss of such bids could not therefore be attributed to imports and is irrelevant in this investigation. The subject firm also provided a major lost bid with a domestic contractor. It was revealed upon the contact with this entity, that the contract was awarded to another domestic firm.

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 7th day of May, 2004.

Elliott S. Kushner,

Certifying Officer, Division of Trade Adjustment Assistance.

[FR Doc. 04–11626 Filed 5–21–04; 8:45 am]

BILLING CODE 4510–30–P

DEPARTMENT OF LABOR

Employment and Training Administration

[TA–W–54,081]

The Toro Company, Oxford, MS; Dismissal of Application for Reconsideration

Pursuant to 29 CFR 90.18(c) an application for administrative reconsideration was filed with the Director of the Division of Trade Adjustment Assistance for workers at The Toro Company, Oxford, Mississippi. The application contained no new substantial information which would bear importantly on the Department's determination. Therefore, dismissal of the application was issued.

TA–W–54,081; The Toro Company Oxford, Mississippi (May 7, 2004)

Signed at Washington, DC, this 13th day of May, 2004.

Timothy Sullivan,

Director, Division of Trade Adjustment Assistance.

[FR Doc. 04–11625 Filed 5–21–04; 8:45 am]

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SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–49719; File No. SR–Amex–2004–16]

Self-Regulatory Organizations; Notice of Filing and Order Granting Accelerated Approval to a Proposed Rule Change and Amendment No. 1 Thereto by the American Stock Exchange LLC Relating to Funds of the Vanguard Stock Index Funds

May 17, 2004.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (''Act''),[1] and Rule 19b–4 thereunder,[2] notice is hereby given that on February 25, 2004, the American Stock Exchange LLC (''Amex'' or ''Exchange'') filed with the Securities and Exchange Commission (''Commission'') the proposed rule change (the ''Amex filing'') as described in Items I and II below, which Items have been prepared by the Exchange. On April 22, 2004, the Exchange filed Amendment No. 1 to the proposed rule change.[3] The Commission is publishing this notice to solicit comments on the proposed rule change, as amended, from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

The Amex proposes to list and trade under Amex Rules 1000A *et seq.* a class of shares, known as VIPER Shares, of certain index funds that are series of the Vanguard World Funds. The funds seek to track the following indices compiled by Morgan Stanley Capital International Inc. (MSCI®)(''MSCI'')[4]: the MSCI U.S. Investable Market Energy Index, the MSCI U.S. Investable Market Industrials Index and the MSCI U.S. Investable Market Telecommunications Services Index.

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the Amex included statements concerning the purpose of and basis for the proposed rule change and discussed any comments it received on the proposed rule change. The text of these statements may be examined at the places specified in Item III below. The Amex has prepared summaries, set forth in Sections A, B, and C below, of the most significant aspects of such statements.

A. Self-Regulatory Organization's Statement of the Purpose of, and the Statutory Basis for, the Proposed Rule Change

1. Purpose

The Amex Rules 1000A *et seq.* provide standards for listing Index Fund Shares, which are securities issued by an open-end management investment company (open-end mutual fund) for exchange trading. These securities are registered under the Investment Company Act of 1940 (''1940 Act'') as well as the Act. Index Fund Shares are defined in Amex Rule 1000A as securities based on a portfolio of stocks or fixed income securities that seek to

[1] 15 U.S.C 78s(b)(1)

[2] 17 CFR 240.19b–4.

[3] *See* letter from Marija Willen, Associate General Counsel, Amex, to Nancy Sanow, Assistant Director, Division of Market Regulation (''Division''), Commission, dated April 21, 2004 (''Amendment No. 1''). Amendment No. 1 replaces the original filing in its entirety.

[4] ''MSCI®'' is a service mark of Morgan Stanley & Co. Incorporated.