Dated: March 14, 2007.

Ralph DiBattista,

Director, Division of Trade Adjustment Assistance.

[FR Doc. E7–5236 Filed 3–21–07; 8:45 am]

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DEPARTMENT OF LABOR

Employment and Training Administration

[TA–W–60,688]

Lego Systems, Inc. Including Former On-Site Leased Workers of Adecco USA, Inc. Currently Employed With Staff Management, Enfield, CT; Amended Certification Regarding Eligibility To Apply for Worker Adjustment Assistance and Alternative Trade Adjustment Assistance

In accordance with Section 223 of the Trade Act of 1974 (19 U.S.C. 2273), and Section 246 of the Trade Act of 1974 (26 U.S.C. 2813), as amended, the Department of Labor issued a Certification of Eligibility to Apply for Worker Adjustment Assistance and Alternative Trade Adjustment Assistance on January 16, 2007, applicable to workers of LEGO Systems, Inc., including on-site leased workers of Staff Management, Enfield, Connecticut. The notice was published in the **Federal Register** on February 7, 2007 (72 FR 5748).

At the request of the State agency, the Department reviewed the certification for workers of the subject firm. The workers were engaged in the assembly of LEGO toy model kits.

New information shows that in February 2006, the leased workers of Adecco USA, Inc., employed on-site at the Enfield, Connecticut location of LEGO Systems, Inc., became employees of Staff Management due to a change in contracting firms.

Accordingly, the Department is amending this certification to properly reflect this matter.

The intent of the Department's certification is to include all workers employed at LEGO Systems, Inc., Enfield, Connecticut who were adversely affected by a shift in production to Mexico.

The amended notice applicable to TA–W–60,688 is hereby issued as follows:

All workers of LEGO Systems, Inc., including former on-site leased workers of Adecco USA, Inc., currently employed with Staff Management, Enfield, Connecticut, who became totally or partially separated from employment on or after January 2, 2006, through January 16, 2009, are eligible to apply for adjustment assistance under Section 223 of the Trade Act of 1974, and are also eligible to apply for alternative trade adjustment assistance under Section 246 of the Trade Act of 1974.

Signed at Washington, DC, this 14th day of March 2007.

Richard Church,

Certifying Officer, Division of Trade Adjustment Assistance.

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DEPARTMENT OF LABOR

Employment and Training Administration

[TA–W–60,078]

Weyerhaeuser Company; Lebanon Lumber Division; Lebanon, OR; Notice of Negative Determination on Reconsideration

On December 15, 2006, the Department issued an Affirmative Determination Regarding Application for Reconsideration for the workers and former workers of Weyerhaeuser Company, Lebanon Lumber Division, Lebanon, Oregon (the subject firm). The Department's Notice of affirmative determination was published in the **Federal Register** on December 21, 2006 (71 FR 76700).

The initial denial of the workers' eligibility to apply for Trade Adjustment Assistance (TAA) and Alternative Trade Adjustment Assistance (ATAA) was based on the Department's findings that the workers produce green softwood stud lumber; the subject firm neither imported green softwood stud lumber nor shifted production of green softwood stud lumber overseas during the relevant period; and the subject firm's major declining customers had negligible imports of green softwood stud lumber during the surveyed periods. The Department's Notice of determination was issued on October 19, 2006 and published in the **Federal Register** on November 6, 2006 (71 FR 65004).

The request for reconsideration, filed by the United Brotherhood of Carpenters and Joiners of America, Carpenters Industrial Council, Local 2791 (Union), alleges that Weyerhaeuser Company purchased a softwood lumber production facility in Canada, inferring that the subject firm has increased imports of lumber or articles like or directly competitive with lumber produced at the subject facility.

During the reconsideration investigation, the Department discussed the allegations with the Union, sought clarification from the subject firm regarding Weyerhaeuser Company's Canadian lumber production facilities, and conducted a customer survey regarding imports of stud lumber and articles like or directly competitive with stud lumber produced at the subject firm during the relevant period.

During the reconsideration investigation, the Department determined that kiln-dried lumber and engineered wood products are like or directly competitive with green stud lumber. As such, the Department conducted an expanded customer survey to determine whether the subject firm's major declining customers had increased import purchases of green stud lumber and articles like or directly competitive with green stud lumber produced at the subject firm. The survey revealed no increased imports of green stud lumber or articles like or directly competitive with green stud lumber during the surveyed periods.

The reconsideration investigation also revealed that, contrary to the Union's allegation, Weyerhaeuser Company has not purchased any lumber production facilities in Canada during the relevant period. Further, an August 23, 2006 Weyerhaeuser Company news release (attached to the petition) states that the subject firm was replaced by a new, ''world-class'' sawmill in the Lebanon, Oregon area.

In the request for reconsideration, the Union requested that the Department review the articles submitted with the petition and the findings by the U.S. International Trade Commission (USITC) regarding Investigation Nos. 701–TA–414 and 731–TA–928.

''Increased imports means that imports have increased either absolutely or relative to domestic production compared to a representative base period. The representative base period shall be one year consisting of the four quarters immediately preceding the date which is twelve months prior to the date of the petition.'' 29 CFR Section 90.2 Because the petition is dated September 13, 2006, the Department determines that the relevant period is September 2005 through August 2006.

While ''News Release,'' Weyerhaeuser, August 23, 2006, states that Weyerhaeuser Company ''operates lumber mills in eight states and four provinces in Canada,'' it does not infer any shift of production to Canada or increased imports from Canada. Further, the article explains that the new sawmill to which production is shifting is also in the Lebanon, Oregon area.

While Weyerhaeuser Company's ''Forward Looking Statement'' (July 25, 2006) acknowledges that Weyerhaeuser

Company has concerns about its third quarter 2006 performance, it does not infer any shift of production to Canada or increased imports from Canada.

Although ''News Release,'' Weyerhaeuser, July 25, 2006, states that second quarter 2006 earnings are lower than second quarter 2005 earnings, the article also states that costs Weyerhaeuser Company incurred on Canadian softwood lumber sold into the U.S. in the second quarter of 2006 were lower than first quarter 2006.

''Coalition for Fair Lumber Imports: WTO Again Rejects Canadian Attack on Softwood Lumber Duties,'' Coalition for Fair Lumber Imports, April 13, 2006, states that the World Trade Organization Appellate Body's decision to support an ITC determination (issued on November 24, 2004) that U.S. lumber producers are threatened with material injury by imports of dumped and subsidized softwood lumber from Canada is correct. However, because the events relevant to the ITC's determination occurred outside the relevant period, it cannot be a basis for the subject workers' eligibility to apply for TAA.

Similarly, because data in the International Trade Report, December 2004, and the USITC determination (issued July 30, 2004) regarding Investigation Nos. 701–TA–414 and 731–TA–928, fall outside the relevant time period, they cannot be a basis for the subject workers' eligibility to apply for TAA.

In order for the Department to issue a certification of eligibility to apply for ATAA, the subject worker group must be certified eligible to apply for TAA. Since the subject workers are denied eligibility to apply for TAA, the workers cannot be certified eligible for ATAA.

Conclusion

After careful reconsideration, I affirm the original notice of negative determination of eligibility to apply for worker adjustment assistance for workers and former workers of Weyerhaeuser Company, Lebanon Lumber Division, Lebanon, Oregon.

Signed at Washington, DC this 14th day of March 2007

Elliott S. Kushner,

Certifying Officer, Division of Trade Adjustment Assistance.

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DEPARTMENT OF LABOR

Employment Standards Administration

Proposed Collection; Comment Request

ACTION: Notice.

SUMMARY: The Department of Labor, as part of its continuing effort to reduce paperwork and respondent burden, conducts a preclearance consultation program to provide the general public and Federal agencies with an opportunity to comment on proposed and/or continuing collections of information in accordance with the Paperwork Reduction Act of 1995 (PRA95) [44 U.S.C. 3506(c)(2)(A)]. This program helps to ensure that requested data can be provided in the desired format, reporting burden (time and financial resources) is minimized, collection instruments are clearly understood, and the impact of collection requirements on respondents can be properly assessed. Currently, the Employment Standards Administration is soliciting comments concerning the proposed collection: 29 CFR Part 825, The Family and Medical Leave Act of 1993 (WH–380 and WH–381). A copy of the proposed information collection request can be obtained by contacting the office listed below in the **ADDRESSES** section of this Notice.

DATES: Written comments must be submitted to the office listed in the **ADDRESSES** section below on or before May 21, 2007.

ADDRESSES: Ms. Hazel M. Bell, U.S. Department of Labor, 200 Constitution Ave., NW., Room S–3201, Washington, DC 20210, telephone (202) 693–0418, fax (202) 693–1451, e-mail *bell.hazel@dol.gov*. Please use only one method of transmission for comments (mail, fax, or e-mail).

SUPPLEMENTARY INFORMATION:

I. Background

The Family and Medical Leave Act of 1993 (FMLA), 29 U.S.C. 2601, *et seq.*, requires private sector employers of 50 or more employees and public agencies to provide up to 12 weeks of unpaid, job-protected leave during any 12-month period to ''eligible'' employees for certain family and medical reasons. Leave must be granted to ''eligible'' employees because of the birth of a child and to care for the newborn child, because of the placement of a child with the employee for adoption or foster care, because the employee is needed to care for a family member (child, spouse, or parent) with a serious health condition, or because the employee's own serious health condition makes the employee unable to perform any of the essential functions of his or her job. This information collection contains recordkeeping and notification requirements associated with the Act and regulations. Implementing regulations are found at 29 CFR Part 825. Two optional forms are included in this information collection request. The WH–380, Certification of Health Care Provider, may be used to certify a serious health condition under FMLA. The WH–381, Employer Response to Employee Request for Family or Medical Leave, may be used by an employer to respond to a leave request under FMLA. Both forms are third-party notifications and they are not submitted to the Department of Labor. This information collection is currently approved for use through August 31, 2007.

II. Review Focus

The Department of Labor is particularly interested in comments which:

- evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;
- evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;
- enhance the quality, utility and clarity of the information to be collected; and
- minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submissions of responses.

III. Current Actions

The Department of Labor seeks approval for the extension of this information collection in order to ensure that both employers and employees are aware of and can exercise their rights and meet their respective obligations under FMLA, and in order for the Department of Labor to carry out its statutory obligation under FMLA to investigate and ensure employer compliance has been met.

Type of Review: Extension.

Agency: Employment Standards Administration.

Title: 29 CFR, Part 825, The Family and Medical Leave Act of 1993.