

Dated: April 17, 2007.

Robert J. Casey,

*Section Chief, Programs Support Section,
Criminal Justice Information Services
Division, Federal Bureau of Investigation.*

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Signed at Washington, DC this 27th day of April, 2007.

Linda G. Poole,

*Certifying Officer, Division of Trade
Adjustment Assistance.*

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will further relate, as appropriate, to the determination of the date on which total or partial separations began or threatened to begin and the subdivision of the firm involved.

The petitioners or any other persons showing a substantial interest in the subject matter of the investigations may request a public hearing, provided such request is filed in writing with the Director, Division of Trade Adjustment Assistance, at the address shown below, not later than May 14, 2007.

Interested persons are invited to submit written comments regarding the subject matter of the investigations to the Director, Division of Trade Adjustment Assistance, at the address shown below, not later than May 14, 2007.

The petitions filed in this case are available for inspection at the Office of the Director, Division of Trade Adjustment Assistance, Employment and Training Administration, U.S. Department of Labor, Room C-5311, 200 Constitution Avenue, NW., Washington, DC 20210.

Signed at Washington, DC, this 26th day of April 2007.

Ralph DiBattista,

Director, Division of Trade Adjustment Assistance.

DEPARTMENT OF LABOR

Employment and Training Administration

[TA-W-61,361]

Bayer Clothing Group Inc.; Target Sales Corporation; Atlanta, GA; Notice of Termination of Investigation

Pursuant to Section 221 of the Trade Act of 1974, as amended, an investigation was initiated on April 23, 2007 in response to a petition filed by a company official on behalf of workers at Bayer Clothing Group Inc., Target Sales Corporation, Atlanta, Georgia.

The petitioner has requested that the petition be withdrawn. Consequently, the investigation has been terminated.

DEPARTMENT OF LABOR

Employment and Training Administration

Investigations Regarding Certifications of Eligibility to Apply for Worker Adjustment Assistance and Alternative Trade Adjustment Assistance

Petitions have been filed with the Secretary of Labor under Section 221(a) of the Trade Act of 1974 ("the Act") and are identified in the Appendix to this notice. Upon receipt of these petitions, the Director of the Division of Trade Adjustment Assistance, Employment and Training Administration, has instituted investigations pursuant to Section 221(a) of the Act.

The purpose of each of the investigations is to determine whether the workers are eligible to apply for adjustment assistance under Title II, Chapter 2, of the Act. The investigations

APPENDIX

[TAA petitions instituted between 4/16/07 and 4/20/07]

TA-W	Subject Firm (petitioners)	Location	Date of institution	Date of petition
61313	EBM Textiles LLC (Comp)	Connelly Springs, NC	04/16/07	04/13/07
61314	Tridon (Comp)	Smyrna, TN	04/16/07	03/19/07
61315	Double-H Boots Co. (Comp)	Womelsdorf, PA	04/16/07	04/12/07
61316	Sklar Pepler (State)	Portland, OR	04/16/07	04/13/07
61317	Spacelabs Medical (Wkrs)	Irvine, CA	04/16/07	04/06/07
61318	Epic Technologies, LLC (Comp)	Johnson City, TN	04/17/07	04/16/07
61319	Sherwood Harsco Gassery (USWA)	Washington, PA	04/17/07	04/09/07
61320	TK Holdings, Inc./Moses Lake Inflator Operation (Comp)	Moses Lake, WA	04/17/07	04/16/07
61321	Starkey East Labs (State)	Mt. Laurel, NJ	04/17/07	04/16/07
61322	Oregon Cutting Systems Group (Comp)	Clackamas, OR	04/18/07	04/17/07
61323	Rapid Die & Engineering, Inc (Comp)	Grand Rapids, MI	04/18/07	04/17/07
61324	Ford Motor Company (UAW)	Wixom, MI	04/18/07	04/12/07
61325	Metro Furniture (Comp)	Oakland, CA	04/18/07	04/17/07
61326	Dana Corporation (UAW)	Syracuse, IN	04/18/07	04/12/07
61327	Freightliner LLC (UAW)	Mt. Holly, NC	04/18/07	04/13/07
61328	H.C. Starck, Inc. (Wkrs)	Latrobe, PA	04/18/07	04/16/07
61329	Fleetwood Travel Trailors of California (State)	Rialto, CA	04/18/07	04/16/07
61330	Valeo Electrical Systems (IUE)	Rochester, NY	04/18/07	04/10/07
61331	Fiber Tech Group, Inc (State)	Rogers, AR	04/18/07	04/17/07
61332	Cooper Tire and Rubber Company ()	Texarkans, AR	04/18/07	04/17/07
61333	Coats American, Inc. (Comp)	Marble, NC	04/18/07	04/16/07
61334	Cinram Manufacturing LLC (Comp)	Olyphant, PA	04/18/07	04/17/07
61335	Mr. Gasket, Inc. (Comp)	Carson City, NV	04/18/07	04/16/07
61336	Tecumseh Power (Other)	New Holstein, WI	04/19/07	04/16/07
61337	MYOB U.S. Inc. (Wkrs)	Denville, NJ	04/19/07	04/18/07
61338	Willow Hill Industries, LLC (Comp)	Willoughby, OH	04/19/07	04/18/07
61339	Klote International Corp. (State)	Maryville, TN	04/19/07	04/18/07
61340	Tube Specialties Co. Inc. (State)	Troutdale, OR	04/19/07	04/18/07
61341	Carrier Access Corp. (Wkrs)	Roanoke, VA	04/20/07	04/19/07
61342	APL, Limited (Wkrs)	Oakland, CA	04/20/07	04/19/07
61343	Wentworth Corp. dba Liberty Textiles (Comp)	Eden, NC	04/20/07	04/19/07
61344	Three-I Industries (State)	Monroe, LA	04/20/07	04/19/07

APPENDIX—Continued

[TAA petitions instituted between 4/16/07 and 4/20/07]

TA-W	Subject Firm (petitioners)	Location	Date of institution	Date of petition
61345	Acvato Services (Wkrs)	Melbourne, FL	04/20/07	04/05/07
61346	Northland Tool Corp. (Comp)	Traverse City, MI	04/20/07	04/17/07
61347	Wellman Inc. (Comp)	Fort Mill, SC	04/20/07	04/11/07
61348	Nortech Systems (State)	Bemidji, MN	04/20/07	04/19/07
61349	Revere Copper Products, Inc. (Comp)	New Bedford, MA	04/20/07	04/19/07

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DEPARTMENT OF LABOR

Employment and Training Administration

[TA-W-58,624]

Fairchild Semiconductor International; Mountain Top, PA; Notice of Negative Determination on Remand

On March 13, 2007, the United States Court of International Trade (USCIT) remanded to the Department of Labor for further investigation *Former Employees of Fairchild Semiconductor Corp. v. United States Secretary of Labor* (Court No. 06-00215).

In the January 11, 2006 petition for Trade Adjustment Assistance (TAA) and Alternative Trade Adjustment Assistance (ATAA), the company official alleged that with regards to “discrete semiconductor devices” produced at Fairchild Semiconductor International, Mountaintop, Pennsylvania (subject firm), production “deteriorated because of a transfer of production” abroad and that its customers are “purchasing similar devices from other suppliers with locations in foreign countries such as Korea and China.” AR 3-4.

The initial investigation revealed that semiconductor wafers were produced at the subject firm during the relevant period, AR 27-28, 30, 42, the subject firm shifted semiconductor wafer production to China, AR 27-28, and the subject firm did not import semiconductor wafers after the shift. AR 7, 27, 59.

The Department did not conduct a customer survey because the subject firm exported 100% of its semiconductor wafers. AR 46. Thus, since the subject firm had no domestic customer base, there could be no increased customer imports of semiconductor wafers that are like or directly competitive with those produced by the subject firm.

On February 28, 2006, the Department issued a negative determination regarding workers’ eligibility to apply for TAA and ATAA for those workers of the subject firm. AR 41. The Department’s Notice of determination was published in the **Federal Register** on March 24, 2006 (71 FR 14954). AR 55.

By application dated March 20, 2006, the petitioner requested administrative reconsideration of the Department’s negative determination. The request for reconsideration stated that the subject firm produces “semiconductor wafer chips” and that semiconductor wafer chips are like or directly competitive with discrete semiconductor devices. AR 57.

By letter dated April 26, 2006, the Department dismissed the petitioner’s request for reconsideration, stating that discrete semiconductor devices are not like or directly competitive with semiconductor wafer chips and that the subject firm was not directly impacted by increased imports of semiconductor wafers. AR 60. The Department’s Dismissal of the Application for Reconsideration for the subject firm was issued on May 1, 2006. AR 63. The Department’s Notice of dismissal was published in the **Federal Register** on May 10, 2006 (71 FR 27292). AR 64.

In a letter filed with the USCIT on June 21, 2006, the Plaintiff sought judicial review. In the complaint, the Plaintiff made several allegations, including that: semiconductor wafer production shifted to Asia, imports of “like products” have increased, the shift of semiconductor wafer production abroad was due to the need to be cost-competitive, and the workers should be certified for TAA like their predecessors (workers covered by TA-W-53,335 certification issued December 2, 2003).

On March 13, 2007, the USCIT directed the Department to explain why the Plaintiffs should be treated differently from their “similarly-situated predecessors” (semiconductor device producers who were certified under TA-W-53,335). The USCIT also directed the Department to determine whether the

subject workers are eligible to apply for TAA and to support the determination.

Worker Group Covered by TA-W-58,624 Are Different From Workers Covered by TA-W-53,335

If the subject workers “comprised 100 percent of the remaining subdivision of workers covered by defendant’s previous certification[s]” as alleged in the complaint, issuing a negative determination to them may seem unjustified. However, characterizing the subject workers as members of the worker group certified under TA-W-53,335 is not accurate because the subject workers at issue here produced a different article from the article produced by the previous TAA-certified workers.

Based on the investigation here, the subject workers were semiconductor wafer producers during the relevant period of the investigation under TA-W-58,624. The accurate characterization of the subject workers is based on the article that the subject firm produced during the relevant period of January 2005 through December 2005—semiconductor wafers, not semiconductor devices.

As stated in the previous TA-W-53,335 determination, the worker group covered by the certification consisted of workers engaged in the production of semiconductor devices because the workers were not separately identifiable by product line. While semiconductor wafers were also produced at the subject firm during the investigation period for TA-W-53,335, the workers producing the component part (semiconductor wafers) were not separately identifiable from those workers producing the finished article (semiconductor devices). As such, workers who may have been producing semiconductor wafers used in the firm’s production of semiconductor devices were treated along with the firm’s other workers as “workers producing semiconductor devices.”

When the subject firm ceased producing semiconductor devices during 2003, it became engaged in the production of another article—