

Signed at Washington, DC this 18th day of July 2007.

**Elliott S. Kushner,**

*Certifying Officer, Division of Trade Adjustment Assistance.*

[FR Doc. E7-14421 Filed 7-25-07; 8:45 am]

**BILLING CODE 4510-FN-P**

## DEPARTMENT OF LABOR

### Employment and Training Administration

[TA-W-53,648]

#### International Business Machines Corporation Tulsa, OK; Certification Regarding Eligibility To Apply for Alternative Trade Adjustment Assistance

The Department adopted a new interpretation regarding the Alternative Trade Adjustment Assistance (ATAA) program in order to provide equitable access to ATAA for worker groups whose petitions for Trade Adjustment Assistance (TAA) were still in process at the time of implementation of the ATAA program on August 6, 2003 or used an obsolete petition form that did not allow the petitioners to indicate whether or not they wished to request ATAA certification. Under this new interpretation, worker groups covered by the certification of a TAA petition that was in process on August 6, 2003 may request ATAA consideration for the TAA certified worker group. In addition, certified worker groups who filed TAA petitions after that date may also request ATAA if the petition did not include an option to apply for ATAA. The request must be made to the Department and may be made by anyone who was entitled to file the original petition under section 221(a)(1) of the Trade Act of 1974, as amended.

By letter dated June 4, 2007, five workers requested ATAA consideration for workers and former workers of International Business Machines Corporation, Tulsa, Oklahoma (subject firm) who are eligible to apply for TAA under petition TA-W-53,648.

In order for the Department to issue a certification of eligibility to apply for ATAA for the subject workers, the group eligibility requirements of section 246(a)(3)(A) of the Trade Act—(1) a significant number of adversely affected workers age 50 or over; (2) whether workers possess skills that are easily transferable; and (3) whether competitive conditions within the workers' industry are adverse—must be met. The Department has determined in this case that the requirements have been met.

The investigation revealed that at least five percent of the workforce at the subject firm is at least fifty years of age; that the subject worker group possesses skills that are not easily transferable; and that competitive conditions within the accounting industry are adverse.

#### Conclusion

After careful review of the facts obtained on investigation, I conclude that the requirements of section 246(a)(3)(A) of the Trade Act of 1974, as amended, have been met for workers at the subject firm.

In accordance with the provisions of the Act, I make the following certification:

All workers of International Business Machines Corporation, Tulsa, Oklahoma, who became totally or partially separated from employment on or after November 26, 2002 through May 2, 2009, are eligible to apply for alternative trade adjustment assistance under section 246 of the Trade Act of 1974, as amended.

Signed in Washington, DC, this 20th day of July 2007.

**Elliott S. Kushner,**

*Certifying Officer, Division of Trade Adjustment Assistance.*

[FR Doc. E7-14418 Filed 7-25-07; 8:45 am]

**BILLING CODE 4510-FN-P**

## DEPARTMENT OF LABOR

### Employment and Training Administration

[TA-W-61,751]

#### Tyco Electronics Corporation; Reading, PA; Notice of Termination of Investigation

Pursuant to Section 221 of the Trade Act of 1974, as amended, an investigation was initiated on June 26, 2007 in response to a worker petition filed by a company official on behalf of workers of Tyco Electronics Corporation, Reading, Pennsylvania.

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

Signed at Washington, DC this 17th day of July 2007.

**Richard Church,**

*Certifying Officer, Division of Trade Adjustment Assistance.*

[FR Doc. E7-14422 Filed 7-25-07; 8:45 am]

**BILLING CODE 4510-FN-P**

## DEPARTMENT OF LABOR

### Mine Safety and Health Administration

#### Notice of Affirmative Decisions on Petitions for Modification Granted in Whole or in Part

**AGENCY:** Mine Safety and Health Administration (MSHA), Labor.

**SUMMARY:** The Mine Safety and Health Administration (MSHA) enforces mine operator compliance with mandatory safety and health standards that protect miners and improve safety and health conditions in U.S. Mines. This **Federal Register** Notice (FR Notice) notifies the public that it has investigated and issued a final decision on certain mine operator petitions to modify a safety standard.

**ADDRESSES:** Copies of the final decisions are posted on MSHA's Web Site at <http://www.msha.gov/indexes/petition.htm>. The public may inspect the petitions and final decisions during normal business hours in MSHA's Office of Standards, Regulations, and Variances, 1100 Wilson Boulevard, Room 2349, Arlington, Virginia 22209. All visitors must first stop at the receptionist desk on the 21st Floor to sign-in.

**FOR FURTHER INFORMATION CONTACT:** Edward Sexauer, Chief, Regulatory Development Division at 202-693-9444 (Voice), [sexauer.edward@dol.gov](mailto:sexauer.edward@dol.gov) (e-mail), or 202-693-9441 (Telefax), or Barbara Barron at 202-693-9447 (Voice), [barron.barbara@dol.gov](mailto:barron.barbara@dol.gov) (e-mail), or 202-693-9441 (Telefax). [These are not toll-free numbers].

#### SUPPLEMENTARY INFORMATION:

##### I. Introduction

Under section 101 of the Federal Mine Safety and Health Act of 1977, a mine operator may petition and the Secretary of Labor (Secretary) may modify the application of a mandatory safety standard to that mine if the Secretary determines that: (1) An alternative method exists that will guarantee no less protection for the miners affected than that provided by the standard; or (2) that the application of the standard will result in a diminution of safety to the affected miners.

MSHA bases the final decision on the petitioner's statements, any comments and information submitted by interested persons, and a field investigation of the conditions at the mine. In some instances, MSHA may approve a petition for modification on the condition that the mine operator complies with other requirements noted in the decision.