

to include workers that Congress did not intend to cover, such as service workers. In 2002, while amending the Trade Act, the Senate explained the purpose and history of TAA:

Since it began, TAA for workers has covered mostly manufacturing workers, with a substantial portion of program participants being steel and automobile workers in the mid- to late-1970s to early 1980s, and light industry and apparel workers in the mid- to late-1990s. In fiscal years 1995 through 1999, the estimated number of workers covered by certifications under the two TAA for workers programs averaged 167,000 annually, reaching a high of about 228,000 in 1999, despite a falling overall unemployment rate. During the same period, approximately 784 firms were certified under the TAA for firms program. Participating firms represent a broad array of *industries producing manufactured products*, including auto parts, agricultural equipment, electronics, jewelry, circuit boards, and textiles, as well as some producers of agricultural and forestry products.

S. Rep. 107-134, S. Rep. No. 134, 107th Cong., 2nd Sess. 2002, 2002 WL 221903 (February 4, 2002) (emphasis added). Clearly, the language suggests that the focus of TAA is the manufacture of marketable goods.

Congress has recognized the difference between manufacturers and service firms and that an amendment to the Trade Act is needed to cover workers in service firms. It has recently rejected at least two attempts to amend the Trade Act to expand TAA coverage to service firms. It did not pass the "Trade Adjustment Assistance Equity for Service Workers Act of 2005" or the "Fair Wage, Competition, and Investment Act of 2005." Most recently, Senator Baucus introduced the "Trade and Globalization Adjustment Assistance Act of 2007" which provides for an expansion of coverage to workers in a "service sector firm" when there are increased imports of services like or directly competitive with articles produced or services provided in the United States, or a shift in provision of like or directly competitive articles or services to a foreign country, and Congressman Rangel introduced a similar bill in the House of Representatives that was discussed in late October 2007.

Until Congress amends the Trade Act to cover service workers, the worker group seeking TAA certification (or on whose behalf certification is being sought) must work for a firm or appropriate subdivision that produces an article and there must be a relationship between the workers' work and the article produced by the workers' firm or appropriate subdivision that produces an article domestically.

After careful review of the request for reconsideration and previously submitted materials, the Department determines that there is no new information that supports a finding that Section 222(a)(2) of the Trade Act of 1974 was satisfied and that there was no mistake or misinterpretation of the facts or the law.

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 6th day of November 2007.

Elliott S. Kushner,

Certifying Officer, Division of Trade Adjustment Assistance.

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DEPARTMENT OF LABOR

Employment and Training Administration

Notice of Determinations Regarding Eligibility To Apply for Worker Adjustment Assistance and Alternative Trade Adjustment Assistance

In accordance with section 223 of the Trade Act of 1974, as amended (19 U.S.C. 2273) the Department of Labor herein presents summaries of determinations regarding eligibility to apply for trade adjustment assistance for workers (TA-W) number and alternative trade adjustment assistance (ATAA) by (TA-W) number issued during the period of *October 29 through November 2, 2007*.

In order for an affirmative determination to be made for workers of a primary firm and a certification issued regarding eligibility to apply for worker adjustment assistance, each of the group eligibility requirements of section 222(a) of the Act must be met.

I. Section (a)(2)(A) all of the following must be satisfied:

A. A significant number or proportion of the workers in such workers' firm, or an appropriate subdivision of the firm, have become totally or partially separated, or are threatened to become totally or partially separated;

B. The sales or production, or both, of such firm or subdivision have decreased absolutely; and

C. Increased imports of articles like or directly competitive with articles

produced by such firm or subdivision have contributed importantly to such workers' separation or threat of separation and to the decline in sales or production of such firm or subdivision; or

II. Section (a)(2)(B) both of the following must be satisfied:

A. A significant number or proportion of the workers in such workers' firm, or an appropriate subdivision of the firm, have become totally or partially separated, or are threatened to become totally or partially separated;

B. There has been a shift in production by such workers' firm or subdivision to a foreign country of articles like or directly competitive with articles which are produced by such firm or subdivision; and

C. One of the following must be satisfied:

1. The country to which the workers' firm has shifted production of the articles is a party to a free trade agreement with the United States;

2. The country to which the workers' firm has shifted production of the articles to a beneficiary country under the Andean Trade Preference Act, African Growth and Opportunity Act, or the Caribbean Basin Economic Recovery Act; or

3. There has been or is likely to be an increase in imports of articles that are like or directly competitive with articles which are or were produced by such firm or subdivision.

Also, in order for an affirmative determination to be made for secondarily affected workers of a firm and a certification issued regarding eligibility to apply for worker adjustment assistance, each of the group eligibility requirements of section 222(b) of the Act must be met.

(1) Significant number or proportion of the workers in the workers' firm or an appropriate subdivision of the firm have become totally or partially separated, or are threatened to become totally or partially separated;

(2) The workers' firm (or subdivision) is a supplier or downstream producer to a firm (or subdivision) that employed a group of workers who received a certification of eligibility to apply for trade adjustment assistance benefits and such supply or production is related to the article that was the basis for such certification; and

(3) Either—

(A) The workers' firm is a supplier and the component parts it supplied for the firm (or subdivision) described in paragraph (2) accounted for at least 20 percent of the production or sales of the workers' firm; or

(B) A loss or business by the workers' firm with the firm (or subdivision) described in paragraph (2) contributed importantly to the workers' separation or threat of separation.

In order for the Division of Trade Adjustment Assistance to issue a certification of eligibility to apply for Alternative Trade Adjustment Assistance (ATAA) for older workers, the group eligibility requirements of Section 246(a)(3)(A)(ii) of the Trade Act must be met.

1. Whether a significant number of workers in the workers' firm are 50 years of age or older.

2. Whether the workers in the workers' firm possess skills that are not easily transferable.

3. The competitive conditions within the workers' industry (i.e., conditions within the industry are adverse).

Affirmative Determinations for Worker Adjustment Assistance

The following certifications have been issued. The date following the company name and location of each determination references the impact date for all workers of such determination.

The following certifications have been issued. The requirements of section 222(a)(2)(A) (increased imports) of the Trade Act have been met.

None.

The following certifications have been issued. The requirements of section 222(a)(2)(B) (shift in production) of the Trade Act have been met.

TA-W-62,251; *Precept Medical Products, Inc., Childersburg, AL: October 3, 2006.*

TA-W-62,291; *Compumedics USA Ltd, El Paso, TX: October 10, 2006.*

The following certifications have been issued. The requirements of section 222(b) (supplier to a firm whose workers are certified eligible to apply for TAA) of the Trade Act have been met.

None.

The following certifications have been issued. The requirements of section 222(b) (downstream producer for a firm whose workers are certified eligible to apply for TAA based on increased imports from or a shift in production to Mexico or Canada) of the Trade Act have been met.

None.

Affirmative Determinations for Worker Adjustment Assistance and Alternative Trade Adjustment Assistance

The following certifications have been issued. The date following the company name and location of each determination references the impact

date for all workers of such determination.

The following certifications have been issued. The requirements of section 222(a)(2)(A) (increased imports) and section 246(a)(3)(A)(ii) of the Trade Act have been met.

TA-W-62,128; *Weiman/Preview, A Division of Interlude Furniture LLC, Christiansburg, VA: September 5, 2006.*

TA-W-62,191; *Kurziel Iron of Rothbury, Inc., On-Site Leased Workers of Employment Giant Formerly Know as Select Employment, Rothbury, MI: September 20, 2006.*

TA-W-62,238; *Cramco, Inc., On-Site Leased Workers from Express Personnel Services, Philadelphia, PA: September 28, 2006.*

TA-W-62,241; *Blyth Homescents International, A Subsidiary of Blyth, Inc./Elkin Mfg. Distribution, Leased Workers of Mega For, Elkin, NC: September 24, 2006.*

TA-W-62,304; *EBI, dba Biomet Trauma Spine Bracing etc., Biomet Bracing Division, Marlow, OK: October 12, 2006.*

TA-W-62,335; *Krizman International, Inc., Mishawaka, IN: October 18, 2006.*

TA-W-62,305; *Kimball Electronics Hibbing, A Subsidiary of Kimball Electronics Mfg., Hibbing, MN: October 15, 2006.*

TA-W-62,313; *Stanley Furniture Company, Inc., Martinsville Division, Martinsville, VA: October 15, 2006.*

TA-W-62,313A; *Stanley Furniture Company, Inc., Stanleytown Division, Stanleytown, VA: October 15, 2006.*

TA-W-62,050; *GAF Materials Corporation, Erie, PA: August 27, 2009.*

TA-W-62,091; *Plastech Engineering Products, Inc., Core Engineering Department, Auburn Hills, MI: August 28, 2006.*

TA-W-62,233; *Burke Hosiery Mills, Inc., Hickory, NC: September 27, 2006.*

TA-W-62,221; *T.P. Corporation, Duryea, PA: November 10, 2007.*

TA-W-62,239; *Menzies Southern Hosiery Mills, Also known as Southern Hosiery Mills, Inc., Hickory, NC: October 2, 2006.*

TA-W-62,270; *San Francisco City Lights, Inc., San Francisco, CA: October 5, 2006.*

The following certifications have been issued. The requirements of section 222(a)(2)(B) (shift in production) and section 246(a)(3)(A)(ii) of the Trade Act have been met.

TA-W-61,870; *Goodrich Corporation, Landing Gears Division, Cleveland, OH: July 23, 2006.*

TA-W-62,120; *Nifco America Corp., On-Site Lease Workers from Dawson and I-Force, Canal Winchester, OH: September 6, 2006.*

TA-W-62,156; *Hypercom Corporation, Headquarters Division, Phoenix, AZ: September 14, 2006.*

TA-W-62,226; *ConAgra Foods, Edina, MN: September 28, 2006.*

TA-W-62,314; *Motorola Inc., On-Site Leased Workers of Manpower, Schaumburg, IL: December 10, 2007.*

TA-W-62,354; *GDX North America, Inc., GDX Automotive, Wabash, Indiana Division, Wabash, IN: October 22, 2006.*

TA-W-62,212; *Eastman Kodak Company, WW Thermal Media Flow Division, On-Site Leased Workers From Datrose, Adecco, Rochester, NY: September 18, 2006.*

TA-W-62,294; *Allstar Pro LLC, Division of Linear LLC, On-Site Leased Workers From Bernard, Downingtown, PA: October 10, 2006.*

TA-W-62,332; *H.L. Operating Corporation, d/b/a Hartmann, Inc., Workers Wages are Under Hartmann, On-Site Leased Workers From Chase Staffing, Lebanon, TN: October 19, 2006.*

TA-W-62,344; *Black and Decker Industrial Products Group, A Subsidiary of Black and Decker Inc., Router Bits Division, Jackson, TN: October 22, 2006.*

TA-W-62,348; *Madison Industries, Inc., Sumter, SC: October 16, 2006.*

The following certifications have been issued. The requirements of section 222(b) (supplier to a firm whose workers are certified eligible to apply for TAA) and section 246(a)(3)(A)(ii) of the Trade Act have been met.

TA-W-62,318; *R.L. Stowe Mills, Inc., Stowe Spinning Division, Belmont, NC: October 16, 2006.*

The following certifications have been issued. The requirements of section 222(b) (downstream producer for a firm whose workers are certified eligible to apply for TAA based on increased imports from or a shift in production to Mexico or Canada) and section 246(a)(3)(A)(ii) of the Trade Act have been met.

None.

Negative Determinations for Alternative Trade Adjustment Assistance

In the following cases, it has been determined that the requirements of 246(a)(3)(A)(ii) have not been met for the reasons specified.

The Department has determined that criterion (1) of section 246 has not been met. The firm does not have a significant number of workers 50 years of age or older.

TA-W-62,251; Precept Medical Products, Inc., Childersburg, AL.
TA-W-62,291; Compumedics USA Ltd, El Paso, TX.

The Department has determined that criterion (2) of section 246 has not been met. Workers at the firm possess skills that are easily transferable.

None.

The Department has determined that criterion (3) of section 246 has not been met. Competition conditions within the workers' industry are not adverse.

None.

Negative Determinations for Worker Adjustment Assistance and Alternative Trade Adjustment Assistance

In the following cases, the investigation revealed that the eligibility criteria for worker adjustment assistance have not been met for the reasons specified.

Because the workers of the firm are not eligible to apply for TAA, the workers cannot be certified eligible for ATAA.

The investigation revealed that criteria (a)(2)(A)(I.A.) and (a)(2)(B)(II.A.) (employment decline) have not been met.

TA-W-62,243; Electric Mobility Corporation, Sewell, NJ.

TA-W-62,374; VF Jeanswear Limited Partnership, Service Support Center, Greensboro, NC.

The investigation revealed that criteria (a)(2)(A)(I.B.) (Sales or production, or both, did not decline) and (a)(2)(B)(II.B.) (shift in production to a foreign country) have not been met.

None.

The investigation revealed that criteria (a)(2)(A)(I.C.) (increased imports) and (a)(2)(B)(II.B.) (shift in production to a foreign country) have not been met.

TA-W-61,854; General Automatic Machine Products Co., North Adams, MI.

TA-W-61,889; Flint Group, Sheetfed Division, Holland, MI.

TA-W-61,917; Millennium Specialty Chemicals, Inc., Baltimore, MD.

TA-W-62,093; Riverside Uniform Rentals, Inc., A Division of Riverside Mfg. Company, Prichard, WV.

TA-W-62,184; Mark Eyelet, Inc., On-Site Leased Workers of Jaci Carrol Staffing, Watertown, CT.

TA-W-62,184A; Ozzi II, Inc. (dba OC Eyelet), On-Site Leased Workers of Jaci Carrol Staffing, Watertown, CT.

TA-W-62,213; J.P. Price Lumber Company, Monticello, AR.

TA-W-61,922; Urban Industries, Inc., Bulk Bag Division, Galion, OH.

TA-W-62,220; Agrium U.S. Inc., Kenai Nitrogen Operation, Kenai, AK.

The workers' firm does not produce an article as required for certification under section 222 of the Trade Act of 1974.

TA-W-62,315; Idaho Lottery Commission, Boise, ID.

TA-W-62,363; Tweel Home Furnishings, Rock Hill, SC.

The investigation revealed that criteria of Section 222(b)(2) has not been met. The workers' firm (or subdivision) is not a supplier to or a downstream producer for a firm whose workers were certified eligible to apply for TAA.

None.

I hereby certify that the aforementioned determinations were issued during the period of *October 29 through November 2, 2007*. 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: November 8, 2007.

Ralph DiBattista,

Director, Division of Trade Adjustment Assistance.

[FR Doc. E7-22319 Filed 11-14-07; 8:45 am]

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DEPARTMENT OF LABOR

Employment and Training Administration

[**TA-W-60,055; TA-W-60,055A**]

Swift Textiles, d/b/a/ Swift Gale, Midland, GA, Including an Employee of Swift Textiles, d/b/a/ Swift Gale, Midland, GA Located in Garland, TX; Amended Notice of Revised Determination on Reconsideration

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 Notice of Revised Determination on Reconsideration on December 6, 2006, applicable to workers of Swift Textiles, d/b/a/ Swift Gale, Midland, Georgia. The notice was published in the **Federal Register** on December 12, 2006 (71 FR 74562-74563).

At the request of the State agency, the Department reviewed the certification for workers of the subject firm. New information shows that a worker separation has occurred involving an

employee of the Midland, Georgia facility of Swift Textiles, d/b/a/ Swift Gale located in Garland, Texas. Mr. Gamalief Lotez provided sales support services for the production of denim fabric that is produced at the Midland, Georgia location of the subject firm.

Based on these findings, the Department is amending this certification to include an employee of the Midland, Georgia facility of Swift Textiles, d/b/a/ Swift Gale, located in Garland, Texas.

The intent of the Department's revised determination is to include all workers of Swift Textiles, d/b/a/ Swift Gale, Midland, Georgia who were adversely affected as secondary workers.

The amended notice applicable to TA-W-60,055 is hereby issued as follows:

All workers of Swift Textile, d/b/a/ Swift Gale, Midland, Georgia (TA-W-60,055), including an employee in support of Swift Textile, d/b/a/ Swift Gale, Midland, Georgia located in Garland, Texas (TA-W-60,055A), who became totally or partially separated from employment on or after September 11, 2005, through December 6, 2008, 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 7th day of November 2007.

Elliott S. Kushner,

Certifying Officer, Division of Trade Adjustment Assistance.

[FR Doc. E7-22320 Filed 11-14-07; 8:45 am]

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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 will further relate, as appropriate, to the determination of the date on which total