location of Emerson Network Power, Embedded Computing. The Department has determined that these workers were sufficiently under the control of the subject firm to be considered leased workers.

Based on these findings, the Department is amending this certification to include workers leased from Victory Personnel Services, Coretek, SDI, and Collins working on-site at the Tempe, Arizona location of the subject firm.

The amended notice applicable to TA–W–70,066 is hereby issued as follows:

All workers of Emerson Network Power, Embedded Computing, including on-site leased workers from Manpower, QTI, ACAE, Victory Personnel Services, Coretek, SDI and Collins, Tempe, Arizona, who became totally or partially separated from employment on or after May 18, 2008, through August 5, 2011, and all workers in the group threatened with total or partial separation from employment on date of certification through two years from the date of certification, are eligible to apply for adjustment assistance under Chapter 2 of Title II of the Trade Act of 1974, as amended.

Signed at Washington, DC, this 8th day of October 2009.

Elliott S. Kushner,

Certifying Officer, Division of Trade Adjustment Assistance.

[FR Doc. E9–25161 Filed 10–19–09; 8:45 am]

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DEPARTMENT OF LABOR

Employment and Training Administration

[TA–W–70,326]

Ford Motor Company, Dearborn Truck Plant; Dearborn, MI; Notice of Affirmative Determination Regarding Application for Reconsideration

By application dated September 18, 2009, a petitioner requested administrative reconsideration of the negative determination regarding workers' eligibility to apply for Trade Adjustment Assistance (TAA) and Alternative Trade Adjustment Assistance (ATAA) applicable to workers and former workers of the subject firm. The determination was issued on August 14, 2009. The Notice of Determination was published in the **Federal Register** on September 22, 2009 (74 FR 48302).

The initial investigation resulted in a negative determination based on the finding that imports of Ford F Series pickups and Lincoln Mark LT sports-utility pickups did not contribute importantly to worker separations at the subject firm. The investigation revealed that the subject firm did not shift production of Ford F Series pickups and Lincoln Mark LT sports-utility pickups to foreign countries during the period under investigation.

In the request for reconsideration, the petitioner alleged that employment at the subject firm was negatively impacted by a shift in production of pickups from the subject firm to South Africa, Thailand, Mexico and Canada. The petitioner also alleged that imports of directly competitive products with Ford F Series pickups contributed importantly to the decline in sales at the subject facility.

The Department has carefully reviewed the request for reconsideration and the existing record and has determined that the Department will conduct further investigation to determine if the workers meet the eligibility requirements of the Trade Act of 1974.

Conclusion

After careful review of the application, I conclude that the claim is of sufficient weight to justify reconsideration of the U.S. Department of Labor's prior decision. The application is, therefore, granted.

Signed at Washington, DC, this 29th day of September 2009.

Elliott S. Kushner,

Certifying Officer, Division of Trade Adjustment Assistance.

[FR Doc. E9–25159 Filed 10–19–09; 8:45 am]

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DEPARTMENT OF LABOR

Employment and Training Administration

[TA–W–70,633]

Consuelo E. Kelly, DBA Kelly International U.S.; Overland Park, KS; Notice of Negative Determination Regarding Application for Reconsideration

By application dated September 9, 2009, a company official requested administrative reconsideration of the Department's negative determination regarding eligibility to apply for Trade Adjustment Assistance (TAA), applicable to workers and former workers of the subject firm. The denial notice was signed on August 12, 2009 and published in the **Federal Register** on September 22, 2009 (74 FR 48301).

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 negative TAA determination issued by the Department for workers of Consuelo E. Kelly, dba Kelly International U.S., Overland Park, Kansas was based on the finding that the worker group number threshold was not met in accordance with the group eligibility requirements of Section 222 of the Trade Act of 1974. Section 222 of the Trade Act defines an eligible worker ''group'' as ''three or more workers in a firm or an appropriate subdivision.'' As the total worker number at Consuelo E. Kelly, Overland Park, Kansas was two in the relevant period, the worker group did not meet the group eligibility requirements for trade adjustment assistance.

In the request for reconsideration the petitioner alleged that even though the worker group accounted for two employees during the relevant period, the number of workers in the worker group should not be a determining factor for determining of the Kelly International's eligibility for TAA.

The number of workers in the worker group and number of separated workers during the relevant period are elements that are relevant in determining workers' eligibility for TAA as established by the Trade Act of 1974. This criteria is outlined in the legislation and regulations as stated in the determination dated August 12, 2009.

When assessing eligibility for TAA, the Department exclusively considers employment numbers at the subject firm during the relevant period (one year prior to the date of the petition). Since the subject firm employed only two workers during the relevant period the workers do not meet the eligibility requirement of the trade act in the current investigation.

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.