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## DEPARTMENT OF LABOR

### Employment and Training Administration

[TA-W-80,511]

#### Specialty Bar Products Company; A Subsidiary of Doncasters, Inc., Blairsville, PA; Notice of Negative Determination on Reconsideration

On January 25, 2012, the Department of Labor issued an Affirmative Determination Regarding Application for Reconsideration for the workers and former workers of Specialty Bar Products Company, a subsidiary of Doncasters, Inc., Blairsville, Pennsylvania (subject firm). The Department's Notice was published in the **Federal Register** on February 8, 2012 (77 FR 6584). Workers at the subject firm are engaged in activities related to the production of pins, bushings, and gun blanks.

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 initial investigation resulted in a negative determination based on the findings that the subject firm did not shift the production of pins, bushings, or gun blanks (or like or directly competitive articles) to a foreign country or acquire the production of such articles from a foreign country. The investigation also revealed that neither the subject firm nor its customers imported articles like or directly competitive with those produced by the subject firm.

The initial investigation also revealed that with respect to Section 222(b)(2) of the Act, the subject firm is neither a Supplier nor Downstream Producer to a firm that employed a group of workers who received a certification of eligibility under Section 222(a) of the Act, 19 U.S.C. 2272(a).

The request for reconsideration stated that the subject firm is owned by a company located in the United Kingdom, the subject firm "provided

products to international companies such as William Cook Defense, Sheffield England" and due to "the international corporate company in the United Kingdom, a significant decrease in production orders resulted in reduction of work force within Specialty Bar Products."

Information obtained during the reconsideration investigation confirmed that the subject workers are engaged in activities related to the production of pins, bushings, and shotgun blanks, and clarified that the subject firm does not produce firearms, vehicles, or equipment that utilizes these articles.

Information obtained during the reconsideration investigation also confirmed that the subject firm is owned by Doncasters Group Ltd in Centrum, United Kingdom.

The reconsideration investigation also confirmed that the subject firm did not shift the production of pins, bushings, or shotgun blanks (or like or directly competitive articles) to a foreign country or acquire the production of such articles from a foreign country.

During the reconsideration investigation, the Department obtained information which reflects that while William Cook Defense is a customer, it was not a major declining customer. The customer surveyed during the initial investigation constituted a significant majority of the subject firm's sales declines.

During the reconsideration, the Department confirmed that neither the subject firm nor its major declining customer imported articles like or directly competitive with those produced by the subject firm. Specifically, the Department surveyed the subject firm's major declining customer in regard to imports of pins, bushings, and shotgun blanks (or like or directly competitive articles). The investigation revealed no such imports.

The investigation also revealed that with respect to Section 222(b)(2) of the Act, the subject firm is neither a Supplier nor Downstream Producer to a firm that employed a group of workers who received a certification of eligibility under Section 222(a) of the Act, 19 U.S.C. 2272(a).

Based on a careful review of information obtained during the initial and reconsideration investigations, the Department determines that 29 CFR 90.18(c) has not been met.

#### Conclusion

After careful review, I determine that the requirements of Section 222 of the Act, 19 U.S.C. 2272, have not been met and, therefore, deny the petition for group eligibility Specialty Bar Products

Company, a subsidiary of Doncasters, Inc., Blairsville, Pennsylvania, to apply for adjustment assistance, in accordance with Section 223 of the Act, 19 U.S.C. 2273.

Signed in Washington, DC, on this 26th day of June, 2012.

**Del Min Amy Chen,**

*Certifying Officer, Office of Trade Adjustment Assistance.*

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## DEPARTMENT OF LABOR

### Employment and Training Administration

[TA-W-81,047, TA-W-81,047A]

#### ERA Systems, LLC, Formerly ERA Systems Corporation, a Subsidiary of Systems Research and Applications Corporation, 6647 Old Thompson Road, Syracuse, NY; ERA Systems, LLC, Formerly ERA Systems Corporation, a Subsidiary of Systems Research and Applications Corporation, 6712 Brooklawn Parkway, Suite 106, Syracuse, NY; Notice of Revised Determination on Reconsideration

The initial investigation, initiated on November 2, 2011, resulted in a negative determination, issued on January 13, 2012. The determination was applicable to workers and former workers of Era Systems, LLC, formerly Era Systems Corporation, a subsidiary of Systems Research and Applications Corporation, Syracuse, New York. The notice of the Affirmative Determination Regarding the Application for Reconsideration was published in the **Federal Register** on February 28, 2012 (77 FR 12080).

During the reconsideration investigation, the Department clarified the worker group. Specifically, the Department determined that the subject worker group consists of workers and former workers of Era Systems, LLC, formerly Era Systems Corporation, a subsidiary of Systems Research and Applications Corporation, 6647 Old Thompson Road, Syracuse, New York (TA-W-81,047) and Era Systems, LLC, formerly Era Systems Corporation, a subsidiary of Systems Research and Applications Corporation, 6712 Brooklawn Parkway, Suite 106, Syracuse, New York (TA-W-81,047A). Both locations are engaged in activities related to the supply of research and development services for air traffic components and software used for tracking and transmitting flight-related data.

To support the request for reconsideration, the petitioner supplied additional information regarding a possible shift to/acquisition from a foreign country by the subject firm in the supply of like or directly competitive services.

Based on information provided during the reconsideration investigation, the Department determines that worker separations at the subject firm are related to a shift in the supply of research and development services (or like or directly competitive services) to a foreign country and that the shift in the supply of research and development services (or like or directly competitive services) contributed importantly to the worker separations at both 6647 Old Thompson Road, Syracuse, New York and 6712 Brooklawn Parkway, Suite 106, Syracuse, New York locations.

### Conclusion

After careful review of the additional facts obtained on reconsideration, I determine that workers of Era Systems, LLC, formerly Era Systems Corporation, a subsidiary of Systems Research and Applications Corporation, 6647 Old Thompson Road, Syracuse, New York (TA-W-81,047) and Era Systems, LLC, formerly Era Systems Corporation, a subsidiary of Systems Research and Applications Corporation, 6712 Brooklawn Parkway, Suite 106, Syracuse, New York (TA-W-81,047A), who were engaged in employment related to the supply of research and development services for air traffic components and software used for tracking and transmitting flight-related data, meet the worker group certification criteria under Section 222(a) of the Act, 19 U.S.C. 2272(a). In accordance with Section 223 of the Act, 19 U.S.C. 2273, I make the following certification:

All workers of Era Systems, LLC, formerly Era Systems Corporation, a subsidiary of Systems Research and Applications Corporation, 6647 Old Thompson Road, Syracuse, New York (TA-W-81,047) and Era Systems, LLC, formerly Era Systems Corporation, a subsidiary of Systems Research and Applications Corporation, 6712 Brooklawn Parkway, Suite 106, Syracuse, New York (TA-W-81,047A) who became totally or partially separated from employment on or after February 13, 2010, through two years from the date of certification, and all workers in the group threatened with total or partial separation from employment on the 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 26th day of June, 2012.

**Del Min Amy Chen,**

*Certifying Officer, Office of Trade Adjustment Assistance.*

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## DEPARTMENT OF LABOR

### Office of Workers' Compensation Programs

#### Proposed Extension of Existing 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 Office of Workers' Compensation Programs is soliciting comments concerning the proposed collection: Overpayment Recovery Questionnaire (OWCP-20). 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 September 10, 2012.

**ADDRESSES:** Ms Yoon Ferguson, U.S. Department of Labor, 200 Constitution Ave. NW., Room S-3201, Washington, DC 20210, telephone (202) 693-0701, fax (202) 693-2447, Email [ferguson.yoon@dol.gov](mailto:ferguson.yoon@dol.gov). Please use only one method of transmission for comments (mail, fax, or Email).

#### SUPPLEMENTARY INFORMATION

##### I. Background

The Office of Workers' Compensation Programs (OWCP) is the agency responsible for administration of the Federal Employees' Compensation Act (FECA), 5 U.S.C. 8101 *et seq.*, the Black Lung Benefits Act (BLBA), 30 U.S.C. 901 *et seq.*, and the Energy Employees Occupational Illness Compensation

Program Act of 2000 (EEOICPA), 42 U.S.C. 7384 *et seq.* This information collection is used by OWCP examiners to ascertain the financial condition of the beneficiary to determine if the overpayment or any part can be recovered; to identify the possible concealment or improper transfer of assets; and to identify and consider present and potential income and current assets for enforced collection proceedings. The questionnaire provides a means for the beneficiary to explain why he/she is without fault in an overpayment matter. If this information were not collected BLBA, EEOICPA and FECA would have little basis to determine appropriate collection proceedings. This information collection is currently approved for use through November 30, 2012.

##### 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 the approval of the extension of this currently approved information collection in order to determine whether or not the recovery of any Black Lung Benefits Act (BLBA), Energy Employees Occupational Illness Compensation Program Act (EEOICPA) or Federal Employees' Compensation Act (FECA) overpayment may be waived, compromised, terminated, or collected in full.

*Type of Review:* Extension.

*Agency:* Office of Workers' Compensation Programs.

*Title:* Overpayment Recovery Questionnaire.