

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 TAA petition, which was filed on behalf of workers at Thomasville Furniture Industries, Inc., Upholstery Plant 9, Hickory, North Carolina engaged in the production of upholstered furniture, was denied based on the findings that sales and production of upholstered furniture at the subject firm did not decrease from 2006 to 2007, and during the period of January through May 2008 when compared to the same period in 2007. Furthermore, there was no shift in production from the subject firm to a foreign country during the relevant period.

In the request for reconsideration, the petitioner stated that in order to reveal the negative trend in sales and production, the Department should investigate the time period prior to 2006 and compare current data with 2005. To support his allegation, the petitioner attached financial information for sister plants from 2004, 2005 and 2006. The information was submitted to the Department in previous investigations, which led to certifications of those facilities. The petitioner seems to allege that because those facilities were previously certified eligible for TAA, the workers of the subject firm should be also eligible for TAA.

When assessing eligibility for TAA, the Department exclusively considers employment, production and sales during the relevant time period (one year prior to the date of the petition). Therefore, events occurring in 2005 are outside of the relevant time period and are not relevant in this investigation.

Should conditions change in the future, the company is encouraged to file a new petition on behalf of the worker group which will encompass an investigative period that will include any changing conditions.

After careful review of the request for reconsideration, the Department determines that 29 CFR 90.18(c) has not been met.

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 31st day of July, 2008.

Elliott S. Kushner,

Certifying Officer, Division of Trade Adjustment Assistance.

[FR Doc. E8-18171 Filed 8-6-08; 8:45 am]

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DEPARTMENT OF LABOR

Employment and Training Administration

[TA-W-63,420A]

Bernhardt Furniture Company, Bernhardt Central Warehouse, Lenoir, NC; Notice of Negative Determination Regarding Application for Reconsideration

By application dated July 17, 2008, a petitioner 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 June 13, 2008 and published in the **Federal Register** on June 27, 2008 (73 FR 36576).

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 misinterpretation of facts or of the law justified reconsideration of the decision.

The negative TAA determination issued by the Department for workers of Bernhardt Furniture Company, Bernhardt Central Warehouse, Lenoir, North Carolina was based on the finding that the subject firm did not separate or threaten to separate a significant number or proportion of workers as required by Section 222 of the Trade Act of 1974.

The petitioner states that the workers of the subject firm warehouse and sell products exclusively manufactured by Bernhardt in China. The petitioner further states that the exported products from China have poor quality and require longer delivery periods. As a result, customers of the subject firm choose to purchase furniture manufactured in the United States, thus negatively impacting business at the

subject firm. The petitioner seems to allege that because Chinese products are less competitive than American-made, workers of the subject firm, who distribute foreign-made products should be eligible for TAA.

To establish workers' eligibility for TAA, the Department determines whether increased imports of foreign manufactured products negatively impact domestic production of those products. In this case, however, the workers state that imports of upholstered furniture from China do not have an impact on domestic production of upholstered furniture. Moreover, the petitioner states that domestic customers actually prefer buying domestic products. Therefore, based on worker allegations, foreign imports cannot negatively impact domestic production of upholstered furniture.

The petitioner did not supply facts not previously considered; nor provide additional documentation indicating that there was either (1) a mistake in the determination of facts not previously considered or (2) a misinterpretation of facts or of the law justifying reconsideration of the initial determination.

After careful review of the request for reconsideration, the Department determines that 29 CFR 90.18(c) has not been met.

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 in Washington, DC, this 1st day of August 2008.

Elliott S. Kushner,

Certifying Officer, Division of Trade Adjustment Assistance.

[FR Doc. E8-18169 Filed 8-6-08; 8:45 am]

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DEPARTMENT OF LABOR

Employment and Training Administration

TA-W-63,164

SB Acquisition, LLC, d/b/a Saunders Brothers, Fryeburg, ME; Notice of Termination of Investigation

Pursuant to Section 221 of the Trade Act of 1974, as amended, an investigation was initiated on April 9, 2008 in response to a worker petition filed by the Maine State Workforce

Office on behalf of workers at SB Acquisition, LLC, d/b/a Saunders Brothers, Fryeburg, Maine.

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

Signed in Washington, DC, this 29th day of July 2008.

Linda G. Poole,

Certifying Officer, Division of Trade Adjustment Assistance.

[FR Doc. E8-18167 Filed 8-6-08; 8:45 am]

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DEPARTMENT OF LABOR

Employment and Training Administration

[TA-W-62,864]

Ametek, Inc., Measurement and Calibration Technology Division, Sellersville, PA; Notice of Revised Determination on Reconsideration

On June 16, 2008, the Department issued an Affirmative Determination Regarding Application for Reconsideration applicable to workers and former workers of the subject firm. The notice was published in the **Federal Register** on June 25, 2008 (73 FR 36119).

The previous investigation initiated on February 21, 2008, resulted in a negative determination issued on April 18, 2008. The decision was based on the finding that the number of workers separated from the subject did not constitute a significant number or proportion of the subject worker group (at least 5 percent) and there was no threat of future separations. The denial notice was published in the **Federal Register** on May 2, 2008 (73 FR 24318).

To support the request for reconsideration, the petitioner supplied additional information regarding employment at the subject firm and indicated that a sufficient number of employees have been separated from the subject firm during November 2007.

It was subsequently revealed by the company official, that the subject firm separated a significant number of workers during the relevant period and there was a threat of future separations.

Upon further investigation it was determined that Ametek, Inc., Measurement and Calibration Technology Division, Sellersville, Pennsylvania supplied gauge component parts, including electrical cord reels, constant force springs, mechanical reels, and power springs that were used in the production of electronic instrumentation and gauges, and a loss of business with domestic manufacturers (whose workers were

certified eligible to apply for adjustment assistance) contributed importantly to the workers' separation or threat of separation. The parts supplied were related to the articles that were the basis of certification.

In accordance with Section 246 of the Trade Act of 1974 (26 U.S.C. 2813), as amended, the Department of Labor herein presents the results of its investigation regarding certification of eligibility to apply for alternative trade adjustment assistance (ATAA) for older workers.

In order for the Department to issue a certification of eligibility to apply for ATAA, the group eligibility requirements of Section 246 of the Trade Act must be met. The Department has determined in this case that the requirements of Section 246 have been met.

A significant number of workers at the firm are age 50 or over and possess skills that are not easily transferable. Competitive conditions within the industry are adverse.

Conclusion

After careful review of the additional facts obtained on reconsideration, I determine that workers of Ametek, Inc., Measurement and Calibration Technology Division, Sellersville, Pennsylvania qualify as adversely affected secondary workers under Section 222 of the Trade Act of 1974, as amended. In accordance with the provisions of the Act, I make the following certification:

All workers of Ametek, Inc., Measurement and Calibration Technology Division, Sellersville, Pennsylvania, who became totally or partially separated from employment on or after February 8, 2007, through two years from the date of this certification, 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 in Washington, DC this 30th day of July 2008.

Elliott S. Kushner,

Certifying Officer, Division of Trade Adjustment Assistance.

[FR Doc. E8-18166 Filed 8-6-08; 8:45 am]

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DEPARTMENT OF LABOR

Employment and Training Administration

[SGA/DFA-PY 08-04]

Solicitation for Grant Applications (SGA); Technology-Based Learning (TBL) Initiative

AGENCY: Employment and Training Administration (ETA), Labor.

ACTION: Notice: Amendment to SGA/DFA-PY 08-04.

SUMMARY: The Employment and Training Administration published a document in the **Federal Register** on June 20, 2008, announcing the availability of funds and solicitation for grant applications (SGA) under the TBL Initiative to be awarded through a competitive process. This notice is a third amendment to the SGA and it amends "Part III. Eligibility Information," under the specific heading "Eligible Applicants."

FOR FURTHER INFORMATION CONTACT: James Stockton, Grant Officer, Division of Federal Assistance, at (202) 693-3335.

SUPPLEMENTARY INFORMATION

CORRECTION: In the **Federal Register** of June 20, 2008, in FR Doc. E8-13967. On page 35158 under the second (2nd) paragraph, is amended to add a subparagraph to read: "A Workforce Investment Board, in partnership with representatives from the education and training community and industry in high-growth/high demand fields."

EFFECTIVE DATE: This notice is effective August 7, 2008.

Signed in Washington, DC, this 1st day of August, 2008.

James W. Stockton,
Grant Officer.

[FR Doc. E8-18172 Filed 8-6-08; 8:45 am]

BILLING CODE 4510-FN-P

DEPARTMENT OF LABOR

Employment and Training Administration

[TA-W-63,632]

Luxmovera, dba Uplinkearth, Somerset, NJ; Notice of Termination of Investigation

Pursuant to Section 221 of the Trade Act of 1974, as amended, an investigation was initiated on July 1, 2008, in response to a worker petition filed on behalf of workers at Luxmovera, dba Uplinkearth, Somerset, New Jersey.