

A copy of the proposed information collection request (ICR) can be obtained by contacting the office listed above 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 April 1, 2002.

**ADDRESSES:** Anderson Glasgow, U.S. Department of Labor, Human Resource Policy and Accountability Center, 200 Constitution Ave. NW., Room N-5470, Washington, DC 20210; Phone: (202) 693-7738; Written comments limited to 10 pages or fewer may also be transmitted by facsimile to: (202) 693-7631; Internet; *glasgow-william@dol.gov*.

#### SUPPLEMENTARY INFORMATION:

##### I. Background

The Department of Labor, as part of its obligation to provide equal employment opportunities, is charged with ensuring that qualified individuals in groups that are underrepresented in various occupations, are included in applicant pools for the Department's positions. See 5 U.S.C. 7201(c); 29 U.S.C. 791; 29 U.S.C. 2000e-16; 5 CFR 720.204; 29 CFR 1614.101(a). To achieve this goal, DOL employment offices have conducted targeted outreach to a variety of sources, including educational institutions, professional organizations, newspapers and magazines. DOL has also participated in career fairs and conferences that reach high concentrations of Hispanics, African Americans, Native Americans, Asians, and persons with disabilities.

Without the data provided by this collection, DOL does not have the ability to evaluate the effectiveness of any of these targeted recruiting strategies because collection of racial and national origin information only occurs at the point of hiring. DOL needs to collect data on the pools of applicants which result from the various targeted recruitment strategies listed above. After the certification and selection process has been completed, it is necessary to cross-reference the data collected with the outcome of the qualifications review in order to evaluate the quality of applicants from various recruitment sources. With the information from this collection, DOL can adjust and redirect its targeted recruitment to achieve the best result. DOL will also be able to respond to requests for information received from the Office of Personnel Management (OPM) in the course of OPM's evaluation and oversight activities.

##### II. Desired Focus of the Comments

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;
- Enhance the quality, utility, and clarity of the information to be collected; and
- 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;
- 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

This notice requests an extension of the current Office of Management and Budget approval of the Applicant Background Questionnaire. Extension is necessary to continue to evaluate the effectiveness of agency recruitment programs in attracting applicants from underrepresented sectors of the population.

*Type of Review:* Extension of a currently approved collection Agency: U.S. Department of Labor, Office of the Assistant Secretary for Administration and Management.

*Title:* Applicant Background Questionnaire.

*OMB Number:* 1225-0072.

*Affected Public:* Applicants for positions recruited in the Department of Labor.

*Total Respondents:* 3,000.

*Frequency:* one time per respondent.

*Total Responses:* 3,000.

*Average Time per Response:* 5 minutes.

*Estimated Total Burden Hours:* 250 hours.

*Total Burden Cost (capital/startup):* \$0.

*Total Burden Cost (operating/maintaining):* \$0.

Comments submitted in response to this notice will be summarized and/or included in the request for Office of Management and Budget approval of the information collection request; they will also become a matter of public record.

Dated: January 18, 2002.

**Tali R. Stepp,**

*Director of Human Resources.*

[FR Doc. 02-2322 Filed 1-30-02; 8:45 am]

**BILLING CODE 4510-23-M**

#### DEPARTMENT OF LABOR

##### Employment and Training Administration

[TA-W-39,449A and NAFTA-04955A and TA-W-39,437A and NAFTA-04954]

##### Agere Systems Optoelectronics Division, Reading and Breinigsville, PA; Notice of Negative Determination Regarding Application for Reconsideration

By application of October 5, 2001 and October 8, 2001, the International Brotherhood of Electrical Workers, Local 1560 and the International Brotherhood of Electrical Workers, Local 1898, respectively requested administrative reconsideration of the Department's negative determination regarding eligibility for workers and former workers of the subject firm to apply for Trade Adjustment Assistance (TAA) under petition TA-W-39,449A and North American Free Trade Agreement-Transitional Adjustment Assistance (NAFTA-TAA) under petition NAFTA-4955A and Trade Adjustment Assistance (TAA) under petition TA-W-39,437A and North American Free Trade Agreement-Transitional Adjustment Assistance (NAFTA-TAA) under petition NAFTA-4954, respectively. The denial notices applicable to workers of Agere Systems, Optoelectronics Division, Breinigsville, Pennsylvania, were signed on August 29, 2001 (TA-W-4937A and TA-W-39,449A), and August 23, 2001 (NAFTA-4955A and NAFTA-4954) and published in the **Federal Register** on September 11, 2001 (66 FR 47241) and (66 FR 47243), respectively.

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 TAA petitions, filed on behalf of workers at Agere Systems, Optoelectronics Division, Breinigsville,

Pennsylvania, and Agere Systems, Optoelectronics Division, Reading, Pennsylvania producing optoelectronics, were denied because the "contributed importantly" group eligibility requirement of section 222(3) of the Trade Act of 1974, as amended, was not met. The "contributed importantly" test is generally demonstrated through a survey of the workers' firm's customers. The survey revealed no increased customer imports of optoelectronics during the relevant period. The investigation further revealed that imports of optoelectronics by the company were negligible.

The NAFTA-TAA petitions for the same worker groups were denied because criteria (3) and (4) of the group eligibility requirements in paragraph (a)(1) of section 250 of the Trade Act, as amended, were not met. A survey was conducted and revealed that customers did not increase their imports of optoelectronics from Mexico or Canada during the relevant period. The subject firm did not import optoelectronics from Mexico or Canada, nor was production of optoelectronics shifted from the workers' firm to Mexico or Canada.

The petitioners allege that plant production is being shifted to Asia and Mexico and that the products will be imported back to the United States.

The petitioners supplied information concerning the company's manufacturing strategy concerning the transfer of plant production to Asia, in conjunction with various other factors that are scheduled to occur. The planned transfer and potential imports are beyond the relevant period of the initial investigation and thus could not be considered during the investigation.

The petitioners further allege that certain products produced by the subject plant were being outsourced to Canada and/or Mexico.

Based on data supplied by the company, only negligible amounts of products produced by the subject plant were being outsourced to foreign sources.

The petitioners also indicated that some modulators, similar to those produced by the subject plant, are scheduled to be made in Singapore.

The shift in production to Singapore does not meet the "contributed importantly" test unless the product was imported back to the United States during the investigation period.

The majority of the information recently provided by the petitioners concerns a time period following the initial decision. The petitioner with their request for reconsideration, attached new TAA and NAFTA-TAA

petitions for the Breinigsville, Pennsylvania plant. Those petitions will be instituted shortly. The Department based on the information provided during reconsideration is also initiating new TAA and NAFTA-TAA investigations for the Reading, Pennsylvania location.

#### 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 decisions. Accordingly, the application is denied.

Signed at Washington, DC, this 15th day of January, 2002.

**Edward A. Tomchick,**

*Director, Division of Trade Adjustment Assistance.*

[FR Doc. 02-2341 Filed 1-30-02; 8:45 am]

**BILLING CODE 4510-30-M**

## DEPARTMENT OF LABOR

### Employment and Training Administration

[TA-W-38,893 and NAFTA-04613]

#### The Budd Company Stamping and Frame Division Philadelphia, PA; Notice of Negative Determination of Reconsideration

On November 30, 2001, the Department issued an Affirmative Determination Regarding Application for Reconsideration for the workers and former workers of the subject firm. The notice was published in the **Federal Register** on December 26, 2001 (66 FR 66467).

The Department initially denied TAA to workers of The Budd Company, Stamping and Frame Division, Philadelphia, Pennsylvania because the "contributed importantly" group eligibility requirement of section 222(3) of the Trade Act of 1974, as amended, was not met. None of the respondents increased their import purchases of automotive stampings and assemblies, while reducing their purchases from the subject firm.

The Department denied NAFTA-TAA because the "contributed importantly" group eligibility requirement of section 250 was not met and because there was no shift in production to either Mexico or Canada. None of the customers increased their import purchases of automotive stampings and assemblies from Canada or Mexico, while reducing their purchases from the subject firm during the relevant period.

The workers at the subject firm were engaged in employment related to the production of automotive stampings and assemblies.

The petitioner indicated that the subject firm opened a new stamping plant in Silao, Mexico during the fall of 2000. The petitioner further stated that the opening of the Mexican plant resulted in a significant shift in plant production to Mexico.

On reconsideration, the Department contacted the company for an explanation of the alleged shift in plant production to Mexico. The company indicated that no work performed at The Budd Company, Stamping and Frame Division, Philadelphia, Pennsylvania was shifted to their joint venture facility located in Mexico. The company further indicated that they did not import products like and directly competitive with what the subject plant produced back to the United States during the relevant period.

#### Conclusion

After reconsideration, I affirm the original notice of negative determinations regarding eligibility to apply for worker adjustment assistance and NAFTA-Transitional Adjustment Assistance for workers and former workers of The Budd Company, Stamping and Frame Division, Philadelphia, Pennsylvania.

Dated: Signed at Washington, DC, this 2nd day of January 2002.

**Edward A. Tomchick,**

*Director, Division of Trade Adjustment Assistance.*

[FR Doc. 02-2335 Filed 1-30-02; 8:45 am]

**BILLING CODE 4510-30-M**

## DEPARTMENT OF LABOR

### Employment and Training Administration

[TA-W-38,424 and NAFTA-4441]

#### Georgia Pacific Chip and Saw Plant, Baileyville, ME; Notice of Revised Determination on Reconsideration

By letter dated April 12, 2001, the Paper, Allied-Industrial, Chemical and Energy Workers International Union, Local 1-1367 (PACE), requested administrative reconsideration of the Department's denial of TAA and NAFTA-TAA for workers of the subject firm. Workers at Georgia Pacific Corporation, Chip-and-Saw, Baileyville, Maine, are engaged in the production of softwood dimensional lumber.