

DEPARTMENT OF LABOR**Employment and Training
Administration****Trade Adjustment Assistance
Program; Designation of Certifying
Officers**

AGENCY: Employment and Training
Administration; Labor.

ACTION: Notice of designation of
certifying officers.

SUMMARY: The trade adjustment
assistance program operates under the
Trade Act of 1974 to furnish program
benefits to domestic workers adversely
affected in their employment by imports
of articles which are like or are directly
competitive with articles produced by
the firm employing the workers. The
Trade Adjustment Assistance Reform

Act of 2002 amended the Trade Act of
1974, to extend eligibility to those
workers whose firm shifted production
to certain foreign countries; to workers
of upstream supplier firms selling
components to firms whose workers
have received a certification of
eligibility to apply for trade adjustment
assistance; to workers of downstream
producer firms engaged in assembly or
finishing for firms whose workers have
received a certification of eligibility to
apply for trade adjustment assistance
based on a shift in production or
increased imports from Mexico or
Canada; and added the program option
of alternative trade adjustment
assistance for older workers over age 50
years. Workers become eligible for
program benefits only if the worker
group is certified under the Act as
eligible to apply for adjustment

assistance and/or alternative trade
adjustment assistance. From time to
time the agency issues an Order
designating or redesignating officials of
the agency authorized to act as
certifying officers, responsible for
reviewing and signing adjustment
assistance determinations. Employment
and Training Order No. 1-05, was
issued to revise the listing of officials
designated as certifying officers,
superseding the previous Order.
Employment and Training Order No. 1-
05, is published below.

Signed at Washington, DC, this 31st day of
January 2005.

Emily Stover DeRocco,

*Assistant Secretary of Labor, Employment
and Training Administration.*

BILLING CODE 4510-30-P

EMPLOYMENT AND TRAINING ADMINISTRATION ADVISORY SYSTEM U.S. DEPARTMENT OF LABOR Washington, D.C. 20210	CLASSIFICATION TAA
	CORRESPONDENCE SYMBOL ONR
	DATE February 1, 2005

EMPLOYMENT AND TRAINING ORDER NO. 1-05

TO: NATIONAL AND REGIONAL OFFICES

FROM: EMILY STOVER DeROCCO
Assistant Secretary

SUBJECT: Trade Adjustment Assistance Program (Trade Act of 1974) –
Designation of Certifying Officers

1. **Purpose.** To designate certifying officers to carry out functions required for the worker adjustment assistance program under the Trade Act of 1974, as amended (the Act), including the Alternative Trade Adjustment Assistance program, and the regulations in the Code of Federal Regulations (CFR) at title 29, part 90.
2. **Directive Affected.** Employment and Training Order No. 1-01, February 14, 2001, 66 Fed. Reg. 29593 (May 31, 2001), is superseded.
3. **Background.** Persons designated as certifying officers are vested with certain authority and assigned to carry out responsibilities under 29 CFR part 90. Such authority and responsibilities include making determinations and issuing certifications with respect to the eligibility of groups of workers to apply for adjustment assistance under the Act and the program benefit regulations at 20 CFR part 617. The operating instructions for the Trade Adjustment Assistant Reform Act of 2002 amendments to the Trade Act of 1974 are contained in Training and Employment Guidance Letter, TEGL 11-02, and Change 1. The operating instructions for the alternative trade adjustment assistance provisions of the Reform Act are contained in Training and Employment Guidance Letter, TEGL 2-03, and Change 1. The Secretary of Labor's Order 3-81, June 1, 1981 (46 Fed. Reg. 31117-01 (June 12, 1981)), among other things- -

delegated authority and assigned responsibility [to the Assistant Secretary for Employment and Training] for coordinating, monitoring, and insuring that the functions of the Secretary of Labor under the Trade Act of 1974 are carried out, including but not limited to. . .[d]eveloping and promulgating program performance standards relating to the conduct of certification investigations, public hearings, issuance of notice of certification decisions, delivery of program benefits, and other processes involved in the administration of the trade

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adjustment assistance program. . .[and] determining eligibility of groups of workers to apply for adjustment assistance.

4. **Designation of Officials.** By virtue of the authority vested in me by Secretary's Order 3-81, the following officials of the Employment and Training Administration, United States Department of Labor, are hereby designated and/or redesignated as certifying officers for the trade adjustment assistance programs.
 - a. Linda G. Poole, Program Analyst, Division of Trade Adjustment Assistance
 - b. Elliott S. Kushner, Program Analyst, Division of Trade Adjustment Assistance
 - c. Richard Church, Program Analyst, Division of Trade Adjustment Assistance

The foregoing designated certifying officers are delegated authority and assigned responsibility, subject to the general direction and control of the Assistant Secretary and Deputy Assistant Secretaries of the Employment and Training Administration, the Administrator of the Office of National Response, and the Program Manager for the Division of Trade Adjustment Assistance, to carry out the duties and functions of certifying officers under 29 CFR part 90 and any succeeding regulations.

5. **Effective Date.** This Order is effective on date of issuance.