

receive written comments and oral testimony from the public to assist USTR in formulating positions and proposals with respect to all aspects of the negotiations (71 FR, 14558) (March 22, 2006). USTR intends to launch the negotiations in June, 2006.

The Trade Act of 2002 (Pub. L. 107-210) (the Trade Act) sets forth special procedures (Trade Promotion Authority) for approval and implementation of Agreements subject to meeting conditions and requirements in Division B of the Trade Act, "Bipartisan Trade Promotion Authority." Section 2102(a)-(c) of the Trade Act includes negotiating objectives and a listing of priorities for the President to promote in order to "address and maintain United States competitiveness in the global economy" in pursuing future trade agreements. The President assigned several of the functions in section 2102(c) to the Secretary of Labor. (E.O. 13277). These include the functions set forth in section 2102(c)(8), which requires that the President "in connection with any trade negotiations entered into under this Act, submit to the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate a meaningful labor rights report of the country, or countries, with respect to which the President is negotiating," and the function in section 2102(c)(9), which requires that the President "with respect to any trade agreement which the President seeks to implement under trade authorities procedures, submit to the Congress a report describing the extent to which the country or countries that are parties to the agreement have in effect laws governing exploitative child labor."

## II. Information Sought

Interested parties are invited to submit written information as specified below to be taken into account in drafting the required reports. Materials submitted are expected to be confined to the specific topics of the reports. In particular, agencies are seeking written submissions on the following topics:

1. Labor laws of Malaysia, including laws governing exploitative child labor, and that country's implementation and enforcement of its labor laws and regulations;
2. The situation in Malaysia with respect to core labor standards;
3. Steps taken by Malaysia to comply with International Labor Organization Convention No. 182 on the worst forms of child labor; and
4. The nature and extent, if any, of exploitative child labor in Malaysia.

Section 2113(6) of the Trade Act defines "core labor standards" as:

- (A) The right of association;
- (B) The right to organize and bargain collectively;
- (C) A prohibition on the use of any form of forced or compulsory labor;
- (D) A minimum age for the employment of children; and
- (E) Acceptable conditions of work with respect to minimum wages, hours of work, and occupational safety and health.

## III. Requirements for Submissions

This document is a request for facts or opinions submitted in response to a general solicitation of comments from the public. To ensure prompt and full consideration of submissions, it is strongly recommended that interested persons submit comments by electronic mail to the following e-mail address: [FRFTAMalaysia@dol.gov](mailto:FRFTAMalaysia@dol.gov). Persons making submissions by e-mail are expected to use the following subject line: "Malaysia: Labor Rights and Child Labor Reports." Documents must be submitted in WordPerfect, MSWord, or text (.TXT) format. Supporting documentation submitted as spreadsheets is acceptable in Quattro Pro or Excel format. Persons who make submissions by e-mail need not provide separate cover letters; information that might appear in a cover letter is expected to be included in the submission itself. Similarly, to the extent possible, any attachments to the submission are expected to be included in the same file as the submission itself, and not as separate files. Written comments will be placed in a file open to public inspection at the Department of Labor, Room S-5317, 200 Constitution Avenue, NW., Washington, DC 20210, and in the USTR Reading Room in Room 3 of the annex of the Office of the USTR, 1724 F Street, NW., Washington, DC 20508. An appointment to review the file at the Department of Labor may be made by contacting Howard R. Dobson at (202) 693-4871. An appointment to review the file at USTR may be made by calling (202) 395-6186. The USTR Reading Room is generally open to the public from 10 a.m.-12 noon and 1 p.m.-4 p.m., Monday through Friday. Appointments must be scheduled at least 48 hours in advance.

Signed at Washington, DC this 7th day of April 2006.

**James Carter,**

*Deputy Under Secretary for International Labor Affairs.*

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## DEPARTMENT OF LABOR

### Employment and Training Administration

[TA-W-56,431]

#### **Kennedy Die Castings, Inc., Currently Known as Thermalcast LLC, Including On-Site Leased Workers From Excel Staffing, Worcester, MA; Amended Certification Regarding Eligibility To Apply for Worker Adjustment Assistance and Alternative Trade Adjustment Assistance**

In accordance with section 223 of the Trade Act of 1974 (19 U.S.C. 2273), and section 246 of the Trade Act of 1974 (19 U.S.C. 2813), as amended, the Department of Labor issued a Certification of Eligibility To Apply for Worker Adjustment Assistance and Alternative Trade Adjustment Assistance on February 23, 2005, applicable to all workers of Kennedy Die Castings, Inc., Worcester, Massachusetts, including on-site leased workers from Excel Staffing. The notice was published in the **Federal Register** on March 9, 2005 (70 FR 11704).

At the request of a petitioner, the Department reviewed the certification for workers of the subject firm. The workers produced aluminum and zinc die cast components.

New information provided to the Department by a company official shows that in December 2004, Kennedy Die Castings, Inc., Worcester, Massachusetts, was purchased by Thermalcast LLC, and continued the production of aluminum and zinc die cast components. Therefore, the Department is amending the certification to reflect the new ownership.

The intent of the certification is to include all workers of the firm adversely affected by increased imports of aluminum and zinc die cast components.

The amended notice applicable to TA-W-56,431 is hereby issued as follows:

"All workers of Kennedy Die Castings, Inc., currently known as Thermalcast LLC, Worcester, Massachusetts, including on-site leased workers from Excel Staffing, who became totally or partially separated from employment on or after January 3, 2004, through February 23, 2007, 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 at Washington, DC, this 23rd day of March, 2006.

**Linda G. Poole,**

*Certifying Officer, Division of Trade Adjustment Assistance.*

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## DEPARTMENT OF LABOR

### Employment and Training Administration

[TA-W-56,802]

#### **Molex, Inc., New England Operations, Gilford, NH; Amended Certification Regarding Eligibility To Apply for Worker Adjustment Assistance and Alternative Trade Adjustment Assistance**

In accordance with Section 223 of the Trade Act of 1974 (19 U.S.C. 2273) the Department of Labor issued a Certification of Eligibility to Apply for Worker Adjustment Assistance on April 14, 2005, applicable to workers of Molex, Inc., New England Operations, Gilford, New Hampshire. The workers are engaged in the production of electrical connectors.

New information provided by the petitioners show their intention was to apply for all available Trade Act benefits at the time of the filing. Therefore, the Department has made a decision to investigate further to determine if the workers are eligible to apply for Alternative Trade Adjustment Assistance.

Information obtained from the company states that a significant number of workers of the subject firm are age 50 or over, workers have skills that are not easily transferable, and conditions in the industry are adverse.

Review of this information shows that all eligibility criteria under Section 246 of the Trade Act of 1974 (26 U.S.C. 2813), as amended have been met for workers at the subject firm.

Accordingly, the Department is amending the certification to reflect its finding.

The amended notice applicable to TA-W-56,802 is hereby issued as follows:

"All workers of Molex, Inc., New England Operations, Gilford, New Hampshire, who became totally or partially separated from employment on or after March 23, 2004 through April 14, 2007, 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 at Washington, DC, this 29th day of March 2006.

**Elliott S. Kushner**

*Certifying Officer, Division of Trade Adjustment Assistance.*

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## DEPARTMENT OF LABOR

### Employment and Training Administration

#### **Notice of Determinations Regarding Eligibility To Apply for Worker Adjustment Assistance**

In accordance with section 223 of the Trade Act of 1974, as amended, (19 U.S.C. 2273), the Department of Labor herein presents summaries of determinations regarding eligibility to apply for trade adjustment assistance for workers (TA-W) number and alternative trade adjustment assistance (ATAA) by (TA-W) number issued during the periods of March 2006.

In order for an affirmative determination to be made and a certification of eligibility to apply for directly-impacted (primary) worker adjustment assistance to be issued, each of the group eligibility requirements of section 222(a) of the Act must be met.

I. Section (a)(2)(A) all of the following must be satisfied:

A. A significant number or proportion of the workers in such workers' firm, or an appropriate subdivision of the firm, have become totally or partially separated, or are threatened to become totally or partially separated;

B. The sales or production, or both, of such firm or subdivision have decreased absolutely; and

C. Increased imports of articles like or directly competitive with articles produced by such firm or subdivision have contributed importantly to such workers' separation or threat of separation and to the decline in sales or production of such firm or subdivision; or

II. Section (a)(2)(B) both of the following must be satisfied:

A. A significant number or proportion of the workers in such workers' firm, or an appropriate subdivision of the firm, have become totally or partially separated, or are threatened to become totally or partially separated;

B. There has been a shift in production by such workers' firm or subdivision to a foreign county of articles like or directly competitive with articles which are produced by such firm or subdivision; and

C. One of the following must be satisfied:

1. The country to which the workers' firm has shifted production of the articles is a party to a free trade agreement with the United States;

2. The country to which the workers' firm has shifted production of the articles to a beneficiary country under the Andean Trade Preference Act, African Growth and Opportunity Act, or the Caribbean Basin Economic Recovery Act; or

3. There has been or is likely to be an increase in imports of articles that are like or directly competitive with articles which are or were produced by such firm or subdivision.

Also, in order for an affirmative determination to be made and a certification of eligibility to apply for worker adjustment assistance as an adversely affected secondary group to be issued, each of the group eligibility requirements of section 222(b) of the Act must be met.

(1) Significant number or proportion of the workers in the workers' firm or an appropriate subdivision of the firm have become totally or partially separated, or are threatened to become totally or partially separated;

(2) The workers' firm (or subdivision) is a supplier or downstream producer to a firm (or subdivision) that employed a group of workers who received a certification of eligibility to apply for trade adjustment assistance benefits and such supply or production is related to the article that was the basis for such certification; and

(3) Either—

(A) The workers' firm is a supplier and the component parts it supplied for the firm (or subdivision) described in paragraph (2) accounted for at least 20 percent of the production or sales of the workers' firm; or

(B) A loss or business by the workers' firm with the firm (or subdivision) described in paragraph (2) contributed importantly to the workers' separation or threat of separation.

#### **Affirmative Determinations for Worker Adjustment Assistance and Alternative Trade Adjustment Assistance**

The following certifications have been issued; the date following the company name and location of each determination references the impact date for all workers of such determination.

The following certifications have been issued. The requirements of (a)(2)(A) (increased imports) of section 222 have been met, and section 246(a)(3)(A)(ii) of the Trade Act have been met.

*A-W-58,726; Nelson Acquisition, LLC, Logansport, IN: January 26, 2005.*