

A company official was contacted for clarification in regard to the nature of the work performed at the subject facility. The official stated that workers of the subject firm were employed by Connecticut General Life Insurance Company (CGLIC) that supports CIGNA's Disability Management Business at Intracorp, CIGNA disability management company. The official clarified that Intracorp is not in the business of manufacturing Disability Management software for sale to third parties. Workers of the subject firm provided system support for Intracorp, which sells case management services to workers' compensation insurers, employers who self fund workers' compensation and disability benefits, and third party administrator. All software developed by workers of the subject firm is used to support this service business. In addition to case management, Intracorp developed its own automated medical bill review service and this software program is also used externally by the subject firm for its business. The official further clarified that there is only one instance when a customer temporarily leases software developed by Intracorp to perform its own bill review services. This customer did not purchase this software. When the software was leased to this customer, some modifications were done to existing Audit Plus software, however these enhancements are not a new "product" but rather are enhancements to an existing system.

The sophistication of the work involved is not an issue in ascertaining whether the petitioning workers are eligible for trade adjustment assistance, but whether they produce an article within the meaning of section 222 of the Trade Act of 1974.

Research, development and technical support of the existing software is not considered production of an article within the meaning of Section 222 of the Trade Act. Further, while the provision of services may result in creation of software, as outlined by the petitioner, it is incidental to the provision of services. The Department has consistently determined that those items which are created incidental to the provision of services are not considered articles for purposes of the Trade Act.

The investigation on reconsideration supported the findings of the primary investigation that the petitioning group of workers does not produce an article.

Service workers can be certified only if worker separations are caused by a reduced demand for their services from a parent or controlling firm or subdivision whose workers produce an

article domestically who meet the eligibility requirements, or if the group of workers are leased workers who perform their duties at a facility that meet the eligibility requirements.

The petitioner's alleges that the work performed by the workers of the subject firm has been shifted to India.

The company official stated that developments for the Audit Plus bill review system enhancements or fixes are currently performed on-site and have not been moved abroad. The official also stated that there are currently no firm target dates to move this work offshore.

### 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 25th day of October, 2006.

**Elliott S. Kushner,**

*Certifying Officer, Division of Trade Adjustment Assistance.*

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## DEPARTMENT OF LABOR

### Employment and Training Administration

[TA-W-59,520]

#### LeeMAH Electronics, Inc., San Francisco, CA; Notice of Revised Determination on Reconsideration

By letter dated August 23, 2006, a petitioner requested administrative reconsideration regarding the Department's Negative Determination Regarding Eligibility to Apply for Worker Adjustment Assistance, applicable to the workers of the subject firm.

The initial investigation resulted in a negative determination signed on July 20, 2006 was based on the finding that there were no increased imports of printed circuit boards and cable assemblies and there was no shift of production to a foreign source during the relevant period. The workers were separately identifiable by product. The denial notice was published in the **Federal Register** on August 4, 2006 (71 FR 44320).

To support the request for reconsideration, the petitioner supplied additional information regarding company imports of like or directly

competitive products with those produced at the subject firm.

The review of the case revealed that workers of the subject firm produce printed circuit boards at a plant on Folsom Street and cable assemblies at a plant on Pacific Avenue and that workers are separately identifiable by product line and location.

Upon further contact with the subject firm's company official, it was revealed that the subject firm decreased domestic production of printed circuit boards, while increasing its reliance on imports of printed circuit boards from 2004 to 2005 and from January through May of 2006 when compared with the same period in 2005.

The investigation also revealed that workers of LeeMAH Electronics, Inc., San Francisco, California, may be eligible for TAA on the basis of a secondary upstream supplier impact. The Department conducted an investigation of subject firm workers on the basis of secondary impact. It was revealed that LeeMAH Electronics, Inc., San Francisco, California supplied cable assemblies for production of test, measurement and radio equipment, and at least 20 percent of its production or sales is supplied to a manufacturer whose workers were certified eligible to apply for adjustment assistance.

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 conclude that increased imports of articles like or directly competitive with circuit boards produced at LeeMAH Electronics, Inc., San Francisco, California, contributed importantly to the declines in sales or production and to the total or partial separation of workers at the subject firm. Also, after careful review of the facts obtained in the investigation, I determine that

workers of Electronics, Inc., San Francisco, California engaged the production of cable assemblies 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 LeeMAH Electronics, Inc., San Francisco, California, who became totally or partially separated from employment on or after June 2, 2005 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 eligible to apply for alternative trade adjustment assistance under Section 246 of the Trade Act of 1974.

Signed in Washington, DC, this 25th day of October 2006.

**Elliott S. Kushner,**

*Certifying Officer, Division of Trade Adjustment Assistance.*

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**DEPARTMENT OF LABOR**

**Employment and Training Administration**

**Investigations Regarding Certifications of Eligibility To Apply For Worker Adjustment Assistance And Alternative Trade Adjustment Assistance**

Petitions have been filed with the Secretary of Labor under Section 221(a) of the Trade Act of 1974 (“the Act”) and are identified in the Appendix to this notice. Upon receipt of these petitions, the Director of the Division of Trade Adjustment Assistance, Employment and Training Administration, has instituted investigations pursuant to Section 221(a) of the Act.

The purpose of each of the investigations is to determine whether the workers are eligible to apply for adjustment assistance under Title II, Chapter 2, of the Act. The investigations will further relate, as appropriate, to the determination of the date on which total or partial separations began or

threatened to begin and the subdivision of the firm involved.

The petitioners or any other persons showing a substantial interest in the subject matter of the investigations may request a public hearing, provided such request is filed in writing with the Director, Division of Trade Adjustment Assistance, at the address shown below, not later than November 13, 2006. Interested persons are invited to submit written comments regarding the subject matter of the investigations to the Director, Division of Trade Adjustment Assistance, at the address shown below, not later than November 13, 2006.

The petitions filed in this case are available for inspection at the Office of the Director, Division of Trade Adjustment Assistance, Employment and Training Administration, U.S. Department of Labor, Room C-5311, 200 Constitution Avenue, NW., Washington, DC 20210.

Signed at Washington, DC, this 26th day of October 2006.

**Richard Church,**

*Certifying Officer, Division of Trade Adjustment Assistance.*

**APPENDIX—30 TAA**

[Petitions Instituted Between 10/16/06 and 10/20/06]

TA-W	Subject firm (petitioners)	Location	Date of institution	Date of petition
60245	R.L. Stowe Mills, Inc. (Comp).	Belmont, NC	10/16/06	10/12/06
60246	Weyerhaeuser Cosmopolis Pulp Mill (Union).	Cosmopolis, WA	10/16/06	10/12/06
60247	Advanced Technology Services (Wkrs).	Vinita, OK	10/16/06	10/13/06
60248	Werner Co. (Comp).	Franklin Park, IL	10/16/06	10/13/06
60249	ADVO (Comp).	Pittsburgh, PA	10/16/06	10/16/06
60250	Senco Products (Wkrs).	Cincinnati, OH	10/17/06	09/21/06
60251	Canvas Products (Union).	Detroit, MI	10/17/06	10/16/06
60252	Shogren Hosiery Mfg. Co., Inc. (Comp).	Concord, NC	10/17/06	10/17/06
60253	Metaldyne (Comp).	St. Marys, PA	10/18/06	10/12/06
60254	Consolidated Metco, Inc. (IAM).	Clackamas, OR	10/18/06	10/17/06
60255	Textron Fastening Systems (Wkrs).	Wytheville, VA	10/18/06	10/16/06
60256	Eaton Corporation (Wkrs).	Auburn, IN	10/18/06	10/16/06
60257	Benchmark Electronics (Wkrs).	Hudson, NH	10/18/06	10/16/06
60258	Woodbridge Corporation (Wkrs).	Lithonia, GA	10/18/06	10/18/06
60259	Burris Manufacturing, Inc. (Comp).	Albemarle, NC	10/18/06	10/18/06
60260	Georgia Pacific Corp. (State).	Crossett, AR	10/18/06	10/17/06
60261	Clout Financial Services, Inc. (Wkrs).	Bloomington, IN	10/18/06	10/18/06
60262	Paramount Cards, Inc. (State).	Pawtucket, RI	10/19/06	10/18/06
60263	Freedom Industries (Comp).	Liberty, MS	10/19/06	10/18/06
60264	Ibase (Comp).	Austin, TX	10/19/06	10/10/06
60265	Physical Rehab Works (State).	Herrin, IL	10/19/06	10/18/06
60266	Hanesbrands, Inc. (Comp).	Winston-Salem, NC	10/19/06	10/13/06
60267	Guide Corp. (State).	Monroe, LA	10/20/06	10/19/06
60268	Harte Hanks Marketing Intelligence (Wkrs).	Troy, MI	10/20/06	09/22/06
60269	AAR Cargo Systems (Comp).	Livonia, MI	10/20/06	10/17/06
60270	Beard Hosiery Co., Inc. (Comp).	Lenoir, NC	10/20/06	10/19/06
60271	Town of Hartland (Comp).	Hartland, ME	10/20/06	10/18/06
60272	Elder Manufacturing, Inc. (Wkrs).	St. Louis, MO	10/20/06	10/19/06
60273	Micro Motion, Inc. (State).	Boulder, CO	10/20/06	10/19/06
60274	Southern Glove Manufacturing Co., Inc. (Comp).	Conover, NC	10/20/06	10/20/06