

and, if so, whether the facility(s) had imported articles like or directly competitive with the printed circuit board assemblies produced by the subject firm.

During the remand investigation, the Department contacted the former subject firm official who completed the Business Confidential Data Request form, SAR 1–5, and the former subject firm employee who handled the foreign customer's contract for information about where the articles were shipped. SAR 7. The Department confirmed that the subject firm sent the articles purchased by the foreign customer to a facility located outside of the United States and obtained the foreign address to where the articles were shipped. SAR 3, 5, 7.

Because the subject firm did not send printed circuit boards to a domestic facility of the foreign customer, the Department determines that the foreign customer did not import articles like or directly competitive with the printed circuit boards produced by the subject firm, and affirms the negative determination.

In order for the Department to issue a certification of eligibility to apply for ATAA, the subject worker group must be certified eligible to apply for TAA. Since the subject workers are not eligible to apply for TAA, the workers cannot be certified eligible for ATAA.

### Conclusion

After careful reconsideration, I affirm the original notice of negative determination of eligibility to apply for worker adjustment assistance for workers and former workers of Advanced Electronics, Inc., Boston, Massachusetts.

Signed at Washington, DC, this 19th day of December, 2007.

**Elliott S. Kushner,**

*Certifying Officer, Division of Trade Adjustment Assistance.*

[FR Doc. E7–25362 Filed 12–28–07; 8:45 am]

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## DEPARTMENT OF LABOR

### Employment and Training Administration

[TA–W–62,364; TA–W–62,364A]

#### **Cellular Express, Inc., d/b/a Boston Communications Group, Inc., Bedford, Massachusetts; Including an Employee of Cellular Express, Inc., d/b/a Boston Communications Group, Inc., Bedford, Massachusetts, Located in Cumberland Furnace, Tennessee; Amended Certification Regarding Eligibility To Apply for Worker Adjustment Assistance and Negative Determination Regarding Eligibility to Apply for 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 (26 U.S.C. 2813), as amended, the Department of Labor issued a Certification Regarding Eligibility to Apply for Worker Adjustment Assistance and a Negative Determination Regarding Eligibility to Apply for Alternative Trade Adjustment Assistance on November 14, 2007, applicable to workers of Cellular Express, Inc., d/b/a Boston Communications Group, Inc., Bedford, Massachusetts. The notice was published in the **Federal Register** on December 10, 2007 (72 FR 69710).

At the request of a company official, the Department reviewed the certification for workers of the subject firm.

New information shows that worker separation has occurred involving an employee of the Bedford, Massachusetts facility of Cellular Express, Inc., d/b/a Boston Communications Group, Inc., working out of Cumberland Furnace, Tennessee. Mr. Edward C. Butcher performed support duties for the firm's Bedford, Massachusetts, software development, testing, and monitoring.

Based on these findings, the Department is amending this certification to include an employee of the Bedford, Massachusetts facility of Cellular Express, Inc., d/b/a Boston Communications Group, Inc. working out of Cumberland Furnace, Tennessee.

The intent of the Department's certification is to include all workers of Cellular Express, Inc., d/b/a Boston Communications Group, Inc., Bedford, Massachusetts, who were adversely affected by increased imports following a shift in production to India.

The amended notice applicable to TA–W–62,364 is hereby issued as follows:

“All workers of Cellular Express, Inc., d/b/a Boston Communications Group, Inc. Bedford, Massachusetts (TA–W–62,364), including an employee of Cellular Express, Inc., d/b/a Boston Communications Group, Inc., Bedford, Massachusetts located in Cumberland Furnace, Tennessee (TA–W–62,364A), who became totally or partially separated from employment on or after October 25, 2006, through November 14, 2009, are eligible to apply for adjustment assistance under Section 223 of the Trade Act of 1974.”

I further determine that workers of Cellular Express, Inc., d/b/a Boston Communications Group, Inc., Bedford, Massachusetts (TA–W–62,364), including an employee of Cellular Express, Inc., d/b/a Boston Communications Group, Inc., Bedford, Massachusetts, located in Cumberland Furnace, Tennessee (TA–W–62,364A), are denied eligibility to apply for alternative trade adjustment assistance under Section 246 of the Trade Act of 1974.

Signed at Washington, DC, this 20th day of December 2007.

**Linda G. Poole,**

*Certifying Officer, Division of Trade Adjustment Assistance.*

[FR Doc. E7–25358 Filed 12–28–07; 8:45 am]

**BILLING CODE 4510-FN-P**

## DEPARTMENT OF LABOR

### Employment and Training Administration

[TA–W–62,310]

#### **Healthcare Management Partners, LLC, Santa Ana, CA; Notice of Negative Determination Regarding Application for Reconsideration**

By application postmarked November 20, 2007, the 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 October 23, 2007 and published in the **Federal Register** on November 6, 2007 (72 FR 62682). 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 mis-interpretation of facts or

of the law justified reconsideration of the decision.

The negative TAA determination issued by the Department for workers of Healthcare Management Partners, LLC, Santa Ana, California, was based on the finding that the worker group does not produce an article within the meaning of Section 222 of the Trade Act of 1974. The investigation revealed that workers of the subject firm are engaged in medical billing and medical practice management. The investigation further revealed that no production of article(s) occurred within the firm or appropriate subdivision within the Healthcare Management Partners, LLC during the relevant time period.

The petitioner contends that the Department erred in its interpretation of the work performed by the workers of the subject firm. The petitioner states that the workers of the subject firm "produced medical coding, appeals on claims, resubmitted claims, bills, medical records and other documents for patients, insurance companies, or other third parties." The petitioner alleges that because the work was done in a "production environment in which workers submitted weekly reports" and because the written documents and codes should be considered "intangible products", workers of the subject firm should be considered as engaged in production of articles.

The investigation revealed that Healthcare Management Partners, LLC, Santa Ana, California, provide medical billing and practice management services to physicians and medical professional practices and the workers were engaged in data processing, payment posting, following up on accounts receivable for the company's medical billing clients. These functions, as described above, are not considered production of an article within the meaning of Section 222 of the Trade Act. Claims, medical records, bills and other correspondence are documents used by the subject firm as incidental to services provided by the subject firm. No production took place at the subject facility nor did the workers support production of an article for at any domestic affiliated location during the relevant period.

The petitioner also alleges that job functions have been shifted from the subject firm to overseas contractors.

The allegation of a shift to another country might be relevant if it was determined that workers of the subject firm produced an article. However, the investigation determined that workers of Healthcare Management Partners, LLC, Santa Ana, California, do not produce

an article within the meaning of Section 222 of the Trade Act of 1974.

### 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 18th day of December, 2007.

**Elliott S. Kushner,**

*Certifying Officer, Division of Trade Adjustment Assistance.*

[FR Doc. E7-25365 Filed 12-28-07; 8:45 am]

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## DEPARTMENT OF LABOR

### Employment and Training Administration

#### Notice of Determinations Regarding Eligibility To Apply for Worker Adjustment Assistance and Alternative Trade 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 period of *December 10 through December 14, 2007*.

In order for an affirmative determination to be made for workers of a primary firm and a certification issued regarding eligibility to apply for worker adjustment assistance, 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 country 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 for secondarily affected workers of a firm and a certification issued regarding eligibility to apply for worker adjustment assistance, 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.

In order for the Division of Trade Adjustment Assistance to issue a certification of eligibility to apply for Alternative Trade Adjustment