predominant reason for the workers' separations is the shift of pre-production activities to Asia and Malaysia. The Department has consistently held that a shift of non-production activities cannot be a basis for certification.

In order to receive a secondary certification, a significant number or proportion of workers in the subject firm have been, or are threatened to become, totally or partially separated and that the subject firm is a supplier or downstream producer (finisher or assembler) to a firm that employed a group of workers who received a TAA certification, and such supply or production is related to the article that was the basis for such certification.

In addition, if the subject firm is a supplier to a TAA-certified company, either the component parts supplied to that company must account for at least 20 percent of the subject firm's sales or production, or a loss of business by the subject firm with the TAA-certified firm contributed importantly to the petitioning workers' separations or threat of separation; and, if the subject firm is a downstream producer, the TAA certification of the primary firm must be based on a shift of production to Canada or Mexico or import impact from Canada or Mexico and a loss of business by the subject firm with the TAA-certified firm contributed importantly to the petitioning workers' separations or threat of separation.

Even if NPI workers developed test codes for a semiconductor chip that was produced and sold to a TAA-certified customer, the pre-production research and development work does not constitute production, and the workers did not produce an article within the meaning of Section 222 of the Trade Act of 1974. As such, the subject workers are not eligible under secondary impact.

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 29th day of May 2008.

Elliott S. Kushner,

Certifying Officer, Division of Trade Adjustment Assistance.

[FR Doc. E8–12390 Filed 6–3–08; 8:45 am]

BILLING CODE 4510–FN–P

DEPARTMENT OF LABOR

Employment and Training Administration

[TA–W–62,964]

G–III Apparel Group, Starlo Dresses Division, Computer Patterns Team, New York, NY; Notice of Negative Determination Regarding Application for Reconsideration

By application dated April 22, 2008, petitioners 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 March 24, 2008 and published in the **Federal Register** on April 11, 2008 (73 FR 19900).

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 initial investigation resulted in a negative determination signed on March 24, 2008 was based on the finding that imports of electronically marked and graded patterns did not contribute importantly to worker separations at the subject plant and there was no shift of production to a country that is a party to a free trade agreement with the United States or a beneficiary country. The ''contributed importantly'' test is generally demonstrated through a survey of the workers' firm's declining domestic customers. In this instance, the subject firm did not sell electronically marked and graded patterns to outside domestic customers, thus a survey was not conducted. The subject firm did not import electronically marked and graded patterns into the United States during the relevant period.

In the request for reconsideration the petitioner refers to the events which have occurred at the subject facility since 1998.

When assessing eligibility for TAA, the Department exclusively considers import impact during the relevant time period (one year prior to the date of the petition). Events occurring prior to February 19, 2007 are outside of the relevant time period and thus cannot be considered in this investigation.

The petitioner also alleges that the statement in the initial investigation ''* * * the patterns were used exclusively in China* * *'' is erroneous and that some patterns were manufactured for a domestic market. To support this allegation, the petitioner provided the name of a domestic retail company, which allegedly purchased products from the subject firm in the relevant time period.

The Department contacted a company official to address these allegations. The company official stated that G–III Apparel Group, Starlo Dresses Division, Computer Patterns Team, New York, New York does not sell any electronically marked and graded patterns to the retailers or any other companies. All patterns are the property of the subject firm and are used in the in-house factories to create dresses. The company official also clarified that the customer mentioned by the petitioner is a retailer who buys dresses from the subject firm and not electronically marked and graded patterns.

The petitioner stated that jobs were shifted from the subject facility to China.

The investigation confirmed that production of electronically marked and graded patterns indeed was shifted to China. However, the investigation also revealed that the subject firm did not import electronically marked and graded patterns from China back into the United States during the relevant period.

The petitioner further stated that workers of the subject firm were previously employed at other companies, which were certified for TAA.

The two companies indicated by the petitioner were certified eligible for TAA in August 2001 and April 2007 since the companies increased imports of samples of dresses, and wedding and bridesmaid gowns. The certifications of these companies are not relevant to this investigation.

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 29th day of May, 2008.

Elliott S. Kushner,

Certifying Officer, Division of Trade Adjustment Assistance.

[FR Doc. E8–12389 Filed 6–3–08; 8:45 am]

BILLING CODE 4510–FN–P

DEPARTMENT OF LABOR

Employment and Training Administration

[TA–W–62,858]

Household Utilities, Inc., Kiel, WI; Notice of Revised Determination on Reconsideration

On April 17, 2008, the Department issued an Affirmative Determination Regarding Application on Reconsideration applicable to workers and former workers of the subject firm. The notice was published in the **Federal Register** on April 23, 2008 (73 FR 21988).

The previous investigation initiated on February 15, 2008, resulted in a negative determination issued on March 5, 2008, was based on the finding that sales and production of industrial parts, medical carts and medical cabinets increased in 2007 as compared to 2006 and no shift in production to a foreign source occurred. The denial notice was published in the **Federal Register** on March 21, 2008 (73 FR 15218).

In the request for reconsideration, the petitioner alleged that sales and production decreased in 2008 and customers of the subject firm shifted production abroad.

The Department requested from the subject firm sales and production information for January and February 2008. New information revealed that sales and production of industrial parts, medical carts and medical cabinets decreased in January and February 2008 when compared with the same period in 2007.

Upon further investigation it has also been determined that Household Utilities, Inc., Kiel, Wisconsin, supplied industrial parts for marine outboard motors and plastic molded parts, 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. The parts supplied were related to the article that was the basis of certification.

In accordance with Section 246 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 determine that workers of Household Utilities, Inc., Kiel, Wisconsin, 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 Household Utilities, Inc., Kiel, Wisconsin, who became totally or partially separated from employment on or after February 13, 2007, 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 also eligible to apply for alternative trade adjustment assistance under Section 246 of the Trade Act of 1974.

Signed in Washington, DC, this 29th day of May 2008.

Elliott S. Kushner,

Certifying Officer, Division of Trade Adjustment Assistance.

[FR Doc. E8–12391 Filed 6–3–08; 8:45 am]

BILLING CODE 4510–FN–P

DEPARTMENT OF LABOR

Employment Standards Administration

Proposed Extension of the Approval of Information Collection Requirements

ACTION: Notice.

SUMMARY: The Department of Labor, as part of its continuing effort to reduce paperwork and respondent burden, conducts a preclearance consultation program to provide the general public and Federal agencies with an opportunity to comment on proposed and/or continuing collections of information in accordance with the Paperwork Reduction Act of 1995 (PRA95) [44 U.S.C. 3506(c)(2)(A)]. This program helps to ensure that requested data can be provided in the desired format, reporting burden (time and financial resources) is minimized, collection instruments are clearly understood, and the impact of collection requirements on respondents can be properly assessed. Currently, the Employment Standards Administration is soliciting comments concerning its proposal to extend OMB approval of the information collection: Payment of Compensation Without Award (LS–206). A copy of the proposed information collection request can be obtained by contacting the office listed below 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 August 4, 2008.

ADDRESSES: Ms. Hazel M. Bell, U.S. Department of Labor, 200 Constitution Ave., NW., Room S–3201, Washington, DC 20210, telephone (202) 693–0418, fax (202) 693–1451, e-mail *bell.hazel@dol.gov.* Please use only one method of transmission for comments (mail, fax, or e-mail).

SUPPLEMENTARY INFORMATION: I. *Background:* The Office of Workers' Compensation Programs (OWCP) administers the Longshore and Harbor Workers' Compensation Act (LHWCA). The Act provides benefits to workers injured in maritime employment on the navigable waters of the United States or in adjoining areas customarily used by an employer in loading, unloading, repairing or building a vessel. Under sections 914(b) and (c) of the Longshore Act, a self-insured employer or insurance carrier is required to pay compensation within 14 days after the employer has knowledge of the injury or death. Upon making the first payment, the employer or carrier shall immediately notify the district director of payment. Form LS–206 has been designated as the proper form on which report of first payment is to be made. The LS–206 is also used by OWCP district offices to determine the payment status of a given case. This information collection is currently approved for use through December 31, 2008.

II. *Review Focus:* 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;

- 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;