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Mauricio J. Tamargo,
Chairman.

[FR Doc. E8-20879 Filed 9-4-08; 4:15 pm]

BILLING CODE 4410-01-P

DEPARTMENT OF LABOR

Employment and Training Administration

[TA-W-63,448]

Prestolite Wire LLC, Including On-Site Leased Workers From Talent Tree, Tifton, GA; 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 (26 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 June 10, 2008, applicable to workers of Prestolite Wire LLC, including on-site leased workers of Talent Tree, Tifton, Georgia. The notice was published in the **Federal Register** on June 27, 2008 (73 FR 36575).

At the request of the State agency, the Department reviewed the certification for workers of the subject firm. The workers were engaged in the production of automotive ignition wire assemblies.

Findings show that there was a previous certification, TA-W-59,531, issued on July 13, 2006, for the workers of Prestolite Wire LLC, Tifton, Georgia. That certification expired on July 13, 2008. To avoid an overlap in worker group coverage for the workers of the Tifton, Georgia location, the certification is being amended to change the impact date from May 29, 2007 to July 14, 2008.

Accordingly, the Department is amending the certification to properly reflect this matter.

The intent of the Department's certification is to include all workers of Prestolite Wire LLC who were adversely affected by a shift in production of

automotive ignition wire assemblies to Mexico.

The amended notice applicable to TA-W-63,448 is hereby issued as follows:

All workers of Prestolite Wire LLC, including on-site leased workers from Talent Tree, Tifton, Georgia, who became totally or partially separated from employment on or after July 14, 2008, through June 10, 2010, 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 28th day of August 2008.

Elliott S. Kushner,

Certifying Officer, Division of Trade Adjustment Assistance.

[FR Doc. E8-20690 Filed 9-5-08; 8:45 am]

BILLING CODE 4510-FN-P

DEPARTMENT OF LABOR

Employment and Training Administration

[TA-W-54,455]

Weirton Steel Corporation, Weirton, WV; Negative Determination on Remand

On April 30, 2008, the U.S. Court of International Trade (USCIT) remanded *United Steel, Paper and Forestry, Rubber, Manufacturing, Energy, Allied Industrial and Service Workers International Union, Local 2911 v. United States Secretary of Labor*, Court No. 04-00492, to the U.S. Department of Labor (Department) for further investigation.

On March 9, 2004, an official of Weirton Steel Corporation (subject firm) filed a petition for Trade Adjustment Assistance (TAA) and Alternative Trade Adjustment Assistance (ATAA) on behalf of workers of Weirton Steel Corporation, Weirton, West Virginia (subject facility). AR 2. Workers at the subject facility produce hot-rolled, cold-rolled, tin-plate and hot-dipped, and electrolytic galvanized steel. AR 2, 48. The workers are not separately identifiable by specific product. AR 48.

On April 23, 2002, workers at Weirton Steel Corporation, Weirton, West Virginia were certified eligible to apply for TAA (TA-W-39,657; certification was issued on April 23, 2002 and expired on April 23, 2004). SAR 18.

The initial investigation revealed that the subject firm neither imported steel products nor shifted steel production to a foreign country in the one year prior to the petition date (March 9, 2003 through March 9, 2004). AR 102. The

initial investigation also revealed that although subject firm production declined in 2003 from 2002 levels and declined during January through February 2004 compared with the corresponding period in 2003, subject firm sales increased in 2003 compared with 2002, and increased in January through February 2004 compared with the corresponding period in 2003. AR 102.

The Department surveyed fifteen of the subject firm's major declining customers regarding their purchases of the principal product types of steel sold by the subject firm in 2002, 2003, January through March 2003, and January through March 2004. The majority of respondents reported either no imports or declining imports. The survey also revealed that for those customers that did increase import purchases, the imports were substantially less than one percent of the subject firm's sales or production. AR 102.

Aggregate data of the major steel products manufactured by the subject facility during the relevant period (hot-rolled carbon sheet, cold-rolled carbon sheet, hot-dipped galvanized sheet and strip, galvanized electrolytic carbon sheet and strip, and tin mill products) indicated that imports of these products declined, both absolutely and relative to shipments, in 2003 compared with 2002, and continued to decline in the first quarter of 2004 compared with the corresponding period of 2003. AR 102.

The Department's negative determination regarding the subject workers' eligibility to apply for worker adjustment assistance was issued on May 14, 2004. AR 103. The Department's Notice of determination was published in the **Federal Register** on June 2, 2004 (69 FR 31135). AR 104.

By letter dated June 18, 2004, the Independent Steelworkers Union (ISU), via their counsel, requested administrative reconsideration of the Department's negative determination applicable to the subject workers. AR 119. The ISU requested that the investigation period be extended in order to include information regarding subject firm sales declines and import impact that were the basis for an expired TAA certification (TA-W-39,657; certified on April 23, 2002). AR 119-194.

The Notice of Negative Determination Regarding Application for Reconsideration (issued on July 23, 2004) stated that information on events that occurred before the relevant period cannot be the basis for TAA certification in the immediate case. AR 195. The Department's Notice of determination