

affected by the shift in production of semiconductor equipment to Singapore.

The amended notice applicable to TA-W-71,447 is hereby issued as follows:

All workers of Applied Materials, Inc., including on-site leased workers from Adecco Employment Services, Aerotek, Inc., CDI IT Solutions, Inc. (CDI Corporation), D&Z Microelectronics, Pentagon Technology, Proactive Business Solution, Inc., Technical Resources, SQA Services, and NSTAR, Austin, Texas, who became totally or partially separated from employment on or after June 25, 2008 through September 30, 2011, and all workers in the group threatened with total or partial separation from employment on date of certification through two years from the date of certification, are eligible to apply for adjustment assistance under Chapter 2 of Title II of the Trade Act of 1974, as amended.

Signed at Washington, DC this 15th day of December 2009.

**Michael W. Jaffe,**

*Certifying Officer, Division of Trade Adjustment Assistance.*

[FR Doc. E9-31391 Filed 1-4-10; 8:45 am]

**BILLING CODE 4510-FN-P**

## DEPARTMENT OF LABOR

### Employment and Training Administration

[TA-W-72,048]

**FLSMidth, Inc., Cement Division, Product Engineering, Including On-Site Leased Workers of Aerotek Contract Engineering, Allied Personnel Services, Eastern Engineering, Hobbie Professional Services, Mccallion Staffing Specialists, Peak Technical Services, Inc., Yoh Engineering, and Clarke Consulting, Inc., Bethlehem, PA; Amended Certification Regarding Eligibility To Apply for Worker Adjustment Assistance**

In accordance with Section 223 of the Trade Act of 1974, as amended ("Act"), 19 U.S.C. 2273, the Department of Labor issued a Certification of Eligibility to Apply for Worker Adjustment Assistance on November 3, 2009, applicable to workers of FLSmidth, Inc., Cement Division, Product Engineering, including on-site leased workers of Aerotek Contract Engineering, Allied Personnel Services, Eastern Engineering, Hobbie Professional Services, McCallion Staffing Specialists, Peak Technical Services, Inc., and Yoh Engineering, Bethlehem, Pennsylvania. The notice will be published soon in the **Federal Register**.

At the request of the petitioner, the Department reviewed the certification for workers of the subject firm. The

workers are engaged in employment related to the supply of product engineering services.

The company reports that on-site leased workers from Clarke Consulting, Inc. were also employed on-site at FLSmidth, Inc., Cement Division, Product Engineering, Bethlehem, Pennsylvania. The Department has determined that these workers were sufficiently under the control of the subject firm to be considered leased workers.

Based on these findings, the Department is amending this certification to include workers leased from Clarke Consulting, Inc. working on-site at FLSmidth, Inc., Cement Division, Product Engineering, Bethlehem, Pennsylvania.

The amended notice applicable to TA-W-72, 048 is hereby issued as follows:

All workers of FLSmidth, Inc., Cement Division, Product Engineering, including on-site leased workers of Aerotek Contract Engineering, Allied Personnel Services, Eastern Engineering, Hobbie Professional Services, McCallion Staffing Specialists, Peak Technical Services, Inc., Yoh Engineering, and Clarke Consulting, Inc., Bethlehem, Pennsylvania, who became totally or partially separated from employment on or after August 14, 2008, through November 3, 2011, and all workers in the group threatened with total or partial separation from employment on date of certification through two years from the date of certification, are eligible to apply for adjustment assistance under Chapter 2 of Title II of the Trade Act of 1974, as amended.

Signed at Washington, DC, this 27th day of December 2009.

**Richard Church,**

*Certifying Officer, Division of Trade Adjustment Assistance.*

[FR Doc. E9-31392 Filed 1-4-10; 8:45 am]

**BILLING CODE 4510-FN-P**

## DEPARTMENT OF LABOR

### Employment and Training Administration

**Request for Certification of Compliance—Rural Industrialization Loan and Grant Program**

**AGENCY:** Employment and Training Administration, Labor.

**ACTION:** Notice.

**SUMMARY:** The Employment and Training Administration is issuing this notice to announce the receipt of a "Certification of Non-Relocation and Market and Capacity Information Report" (Form 4279-2) for the following:

*Applicant/Location:* Pevafersa America, Inc./Punta Santiago, Puerto Rico.

*Principal Product/Purpose:* The loan, guarantee, or grant application is to enable a new business venture to purchase and install the machinery and equipment needed to manufacture and assemble photo voltaic panels. The NAICS industry code for this enterprise is: 334413 Semiconductor and Related Device Manufacturing.

**DATES:** All interested parties may submit comments in writing no later than January 19, 2010. Copies of adverse comments received will be forwarded to the applicant noted above.

**ADDRESSES:** Address all comments concerning this notice to Anthony D. Dais, U.S. Department of Labor, Employment and Training Administration, 200 Constitution Avenue, NW., Room S-4231, Washington, DC 20210; or e-mail [Dais.Anthony@dol.gov](mailto:Dais.Anthony@dol.gov); or transmit via fax (202) 693-3015 (this is not a toll-free number).

**FOR FURTHER INFORMATION CONTACT:** Anthony D. Dais, at telephone number (202) 693-2784 (this is not a toll-free number).

**SUPPLEMENTARY INFORMATION:** Section 188 of the Consolidated Farm and Rural Development Act of 1972, as established under 29 CFR part 75, authorizes the United States Department of Agriculture to make or guarantee loans or grants to finance industrial and business activities in rural areas. The Secretary of Labor must review the application for financial assistance for the purpose of certifying to the Secretary of Agriculture that the assistance is not calculated, or likely, to result in: (a) A transfer of any employment or business activity from one area to another by the loan applicant's business operation; or, (b) an increase in the production of goods, materials, services, or facilities in an area where there is not sufficient demand to employ the efficient capacity of existing competitive enterprises unless the financial assistance will not have an adverse impact on existing competitive enterprises in the area. The Employment and Training Administration within the Department of Labor is responsible for the review and certification process. Comments should address the two bases for certification and, if possible, provide data to assist in the analysis of these issues.

Signed at Washington, DC, this 30th day of December 2009.

**Jane Oates,**

*Assistant Secretary for Employment and Training.*

[FR Doc. E9-31262 Filed 1-4-10; 8:45 am]

**BILLING CODE 4510-FN-P**

## DEPARTMENT OF LABOR

### Employment and Training Administration

#### Request for Certification of Compliance—Rural Industrialization Loan and Grant Program

**AGENCY:** Employment and Training Administration, Labor.

**ACTION:** Notice.

**SUMMARY:** The Employment and Training Administration is issuing this notice to announce the receipt of a "Certification of Non-Relocation and Market and Capacity Information Report" (Form 4279-2) for the following:

*Applicant/Location:* Frazier & Frazier Industries, Inc./Coolidge, Texas.

*Principal Product/Purpose:* The loan, guarantee, or grant application is to refinance an existing loan to preserve current employment and to create additional working capital for new jobs, machinery, and equipment. The NAICS industry code for this enterprise is: 331111 Iron and Steel Mills.

**DATES:** All interested parties may submit comments in writing no later than January 19, 2010. Copies of adverse comments received will be forwarded to the applicant noted above.

**ADDRESSES:** Address all comments concerning this notice to Anthony D. Dais, U.S. Department of Labor, Employment and Training Administration, 200 Constitution Avenue, NW., Room S-4231, Washington, DC 20210; or e-mail [Dais.Anthony@dol.gov](mailto:Dais.Anthony@dol.gov); or transmit via fax (202) 693-3015 (this is not a toll-free number).

**FOR FURTHER INFORMATION CONTACT:** Anthony D. Dais, at telephone number (202) 693-2784 (this is not a toll-free number).

**SUPPLEMENTARY INFORMATION:** Section 188 of the Consolidated Farm and Rural Development Act of 1972, as established under 29 CFR Part 75, authorizes the United States Department of Agriculture to make or guarantee loans or grants to finance industrial and business activities in rural areas. The Secretary of Labor must review the application for financial assistance for the purpose of certifying to the Secretary of Agriculture

that the assistance is not calculated, or likely, to result in: (a) A transfer of any employment or business activity from one area to another by the loan applicant's business operation; or, (b) an increase in the production of goods, materials, services, or facilities in an area where there is not sufficient demand to employ the efficient capacity of existing competitive enterprises unless the financial assistance will not have an adverse impact on existing competitive enterprises in the area. The Employment and Training Administration within the Department of Labor is responsible for the review and certification process. Comments should address the two bases for certification and, if possible, provide data to assist in the analysis of these issues.

Signed at Washington, DC, this 30th day of December 2009.

**Jane Oates,**

*Assistant Secretary for Employment and Training.*

[FR Doc. E9-31261 Filed 1-4-10; 8:45 am]

**BILLING CODE 4510-FN-P**

## DEPARTMENT OF LABOR

### Employment and Training Administration

[TA-W-64,591]

#### Gensym Corporation, a Subsidiary of Versata Enterprises, Inc.; Burlington, MA; Notice of Revised Determination on Remand

On August 25, 2009, the U.S. Court of International Trade (USCIT) remanded to the U.S. Department of Labor (Department) for further review *Former Employees of Gensym Corporation v. United States Secretary of Labor*, Court No. 09-00240.

The group eligibility requirements for directly-impacted (primary) workers under Section 222(a) the Trade Act of 1974, as amended, can be satisfied in either of two ways:

Under Section 222(a)(2)(A), the following criteria 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

Under Section 222(a)(2)(B), the following criteria 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 is 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.

On December 2, 2008, a State Workforce Office filed a petition for Trade Adjustment Assistance (TAA) and Alternative Trade Adjustment Assistance (ATAA) on behalf of workers and former workers of Gensym Corporation, a subsidiary of Versata Enterprises, Inc., Burlington, Massachusetts (Gensym-MA).

The initial investigation revealed that, during the relevant period, a significant number or proportion of workers at Gensym-MA was totally or partially separated from employment, the subject worker group performed information technology sales, consulting, and support services, and Gensym Corporation, a subsidiary of Versata Enterprises, Inc. (Gensym), did not produce an article within the meaning of Section 222(a)(2) of the Trade Act of 1974, as amended (the Trade Act).

The Department issued a Negative Determination Regarding Eligibility to Apply for Worker Adjustment Assistance and Alternative Trade Adjustment Assistance on February 4, 2009. The Department's Notice of Determination was published in the **Federal Register** on March 3, 2009 (74 FR 9283).

By application dated February 20, 2009, the Division of Career Services, Trade Program Manager, Massachusetts,