

The investigation resulted in a negative determination based on the finding that workers' separations or threat of separations were not related to an increase in imports or shift/acquisition of production of locomotives, locomotive parts, marine and stationary engines, and various propulsion systems to/from a foreign country. The subject firm did not import locomotives, locomotive parts, marine and stationary engines, and various propulsion systems and did not shift production of these articles abroad.

In the request for reconsideration the petitioner alleged that General Electric operates facilities in Brazil, China and Kazakhstan, and that General Electric has been shifting production and "employment levels" from the subject firm offshore "in order to produce locomotives in country for specific customers."

The Department contacted an official of General Electric to address the above allegations. The company official confirmed that General Electric has several manufacturing facilities abroad, which were established to supply new markets of those countries because of the localization requirements as well as to satisfy the demand of new markets. The company official further stated that there was no shift in production from the Erie facility to any foreign country during the relevant period. The official also confirmed that the layoffs at the subject firm were due to volume reductions in the U.S. market and that there was no employment increase at General Electric foreign facilities during the relevant period.

To support their allegations, the petitioners attached several newspaper articles citing company's expansion plans into the emerging markets. The articles do not imply that General Electric is planning or is in process of shifting production from the Erie, Pennsylvania facility abroad. Rather the articles confirm the statements made by the company official and describe the growth of General Electric on a global scale, its ability to sustain competition via advanced technology and innovation, and outline company's successful penetration into the new markets through joint ventures.

The petitioners further alleged that General Electric imports like or directly competitive articles into the United States.

According to the data collected from General Electric during the initial investigation, the subject firm did report imports of locomotives and like or directly competitive articles with products manufactured at the subject firm. However, the data analysis

illustrates that imports have decreased during the period under investigation.

The petitioner did not supply facts not previously considered; nor provide additional documentation indicating that there was either (1) a mistake in the determination of facts not previously considered or (2) a misinterpretation of facts or of the law justifying reconsideration of the initial determination.

After careful review of the request for reconsideration, the Department determines that 29 CFR 90.18(c) has not been met.

#### Conclusion

After reconsideration, I affirm the original notice of negative determination of eligibility to apply for worker adjustment assistance for workers and former workers of General Electric Company, Transportation Division, Erie, Pennsylvania.

Signed at Washington, DC, this 22nd day of January 2010.

**Elliott S. Kushner,**

*Certifying Officer, Division of Trade Adjustment Assistance.*

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## DEPARTMENT OF LABOR

### Employment and Training Administration

[TA-W-71,251]

#### **Ancor Specialties: A Division of Hoeganaes Corporation Ridgway, PA; Notice of Revised Determination on Reconsideration**

On November 25, 2009, the Department issued an Affirmative Determination Regarding Application for Reconsideration applicable to workers and former workers of the subject firm. The notice was published in the **Federal Register** on December 11, 2009 (73 FR 65790).

The previous investigation initiated on June 17, 2009, resulted in a negative determination issued on October 15, 2009, was based on the finding that imports of alloyed powders and powder metal parts did not contribute importantly to worker separations at the subject firm and no shift of production to a foreign source occurred.

In the request for reconsideration, the petitioners supplied additional information regarding products manufactured by workers of the subject firm and customers of the subject firm.

Upon further investigation, it was revealed that Ancor Specialties, a division of Hoeganaes Corporation,

Ridgway, Pennsylvania manufactured and supplied alloyed powders for powder metal parts and a loss of business with a manufacturer of powder metal parts whose workers were certified eligible to apply for adjustment assistance contributed importantly to the separation or threat of separation of workers at the subject firm.

#### Conclusion

After careful review of the additional facts obtained on reconsideration, I determine that workers of Ancor Specialties, a division of Hoeganaes Corporation, Ridgway, Pennsylvania, who are engaged in activities related to the production of alloyed powders meet the worker group certification criteria under Section 222(a) of the Act, 19 U.S.C. 2272(a). In accordance with Section 223 of the Act, 19 U.S.C. 2273, I make the following certification:

All workers of Ancor Specialties, a division of Hoeganaes Corporation, Ridgway, Pennsylvania, who became totally or partially separated from employment on or after June 12, 2008, through two years from the date of this certification, 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 in Washington, DC, this 15th day of January 2010.

**Elliott S. Kushner,**

*Certifying Officer, Division of Trade Adjustment Assistance.*

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## SECURITIES AND EXCHANGE COMMISSION

### Submission for OMB Review; Comment Request

Upon Written Request, Copies Available From: Securities and Exchange Commission, Office of Investor Education and Advocacy, Washington, DC 20549-0213.

#### Extension:

Rule 17j-1; SEC File No. 270-239; OMB Control No. 3235-0224.

Notice is hereby given that, pursuant to the Paperwork Reduction Act of 1995 (44 U.S.C. 3501-3520), the Securities and Exchange Commission (the "Commission") has submitted to the Office of Management and Budget a request for extension of the previously approved collection of information discussed below.

Conflicts of interest between investment company personnel (such as