domestic industry in an investigation resulting in an affirmative finding of serious injury, market disruption, or material injury, or threat thereof. As such, the Department issued a Negative Determination Regarding Eligibility to Apply for Worker Adjustment Assistance on October 16, 2012.

Reconsideration investigation

By application dated November 8, 2012, the petitioner requested administrative reconsideration of the Department's negative determination regarding the eligibility of the subject worker group to apply for adjustment assistance.

In the application, the petitioner stated that foreign competition had an impact on the subject firm, as well as its suppliers and downstream vendors, and that the subject firm outsourced components and manufacturing mining equipment that were previously made in the United States. The petitioner also alleged that TA–W–81,929 is similar to TA–W–57,700 and TA–W–71,174. Additionally, the petitioner stated that the shift in manufacturing of parts to Mexico and China caused the cessation of manufacturing of these parts at the subject facility and referred to a vendor in Mexico that supplies the subject firm with component parts.

On December 6, 2012, the Department issued a Notice of Affirmative Determination Regarding Application for Reconsideration in order to conduct further investigation to determine worker eligibility. The Department's Notice was published in the **Federal Register** on January 4, 2013 (78 FR 774).

In the course of the reconsideration investigation, the Department confirmed previously-collected information, sought clarification of previously-submitted information, and obtained additional facts and data from the subject firm.

The Department confirmed that Section 222(a)(1) has been met because a significant number or proportion of the workers at the subject facility have become totally separated.

The Department confirmed that Section 222(a)(2)(A)(i) was not met because sales and production at the subject facility did not decline during the period under investigation. Rather, sales and production either increased or remained stable in 2011 from 2010 levels and during January through August 2012 when compared to the corresponding period in 2011. As such, any increase in imports is irrelevant. Consequently, the Department did not conduct a survey of the subject firm's major customers and did not contact the vendor in Mexico identified in the request for reconsideration.

Further, the Department confirmed that Section 222(a)(2)(B) was not met because the subject firm did not shift the production of mining equipment or components, or like or directly competitive articles, to a foreign country or acquire the production of such articles, or like or directly competitive articles, from a foreign country. Although the subject firm confirmed the existence of affiliated production facilities in foreign countries, some foreign facilities did not produce like or directly competitive articles during the relevant period and others produced articles that are like or directly competitive with articles produced at the subject facility prior to the start of the period under investigation.

The petitioner alleges that the case at hand is similar to TA–W–57,700 (Joy Technologies, Inc., DBA Joy Mining Machinery, Mt. Vernon Plant, Mt. Vernon, Illinois; certification issued on January 26, 2009). The certification of TA–W–57,700 was based on a shift in production of mining machinery components (crawler track frames) to Mexico which contributed importantly to subject worker group separations.

During the reconsideration investigation, the Department confirmed that no shift in production of mobile underground mining machines or component parts (or the repair of component parts) to a foreign country contributed importantly to worker separations at the subject facility. Production at affiliated foreign facilities is either of neither like nor directly competitive articles, or exclusively for specific foreign markets. Additionally, the articles that shifted to Mexico in TA–W–57,700 (crawler track frames) are not like or directly competitive with those produced at the subject facility.

The petitioner also alleged that the case at hand is similar to TA–W–71,174 (General Electric Company, Transportation Division, Erie, Pennsylvania; certification issued on July 23, 2010). The certification of TA–W–71,174 was based on a relative shift in production of like or directly competitive articles to a foreign country which contributed importantly to subject worker group separations.

In TA–W–71,174, General Electric Company operated foreign facilities that produced articles like or directly competitive with those produced by the subject worker group and production at the foreign facilities increased during the same period that domestic production of these articles declined.

During the reconsideration investigation, the Department requested that the subject firm provides information regarding its foreign facilities that produce articles like or directly competitive with those manufactured by the workers of the subject facility during the relevant period.

The subject firm produced information that revealed that continuous miners are also produced at a facility of the subject firm in South Africa. Production at the South African facility, however, increased only marginally. As such, the Department determined that the production at the foreign facility did not contribute importantly to subject worker group separations at the subject facility.

During the reconsideration investigation, the Department did not receive information that either Joy Global, Inc. or Joy Technologies, Inc. was publically identified by name by the International Trade Commission as a member of a domestic industry in an investigation resulting in an affirmative finding of serious injury, market disruption, or material injury, or threat thereof.

Conclusion

After careful review of the Trade Act of 1974, as amended, applicable regulation, and information obtained during the initial and reconsideration investigations, I determine that workers and former workers of Joy Global, Inc., also known as Joy Technologies, Inc., including on-site leased workers from All Seasons Temporaries and Manpower, Franklin, Pennsylvania, are ineligible to apply for adjustment assistance.

Signed in Washington, DC, on this 8th day of May, 2013.

Del Min Amy Chen,

Certifying Officer, Office of Trade Adjustment Assistance.

[FR Doc. 2013–12383 Filed 5–23–13; 8:45 am]

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DEPARTMENT OF LABOR

Employment and Training Administration

[TA–W–82,371]

T-Mobile Usa, Inc., Core Fault Isolation Team, Engineering Division, Bethlehem, Pennsylvania; Notice of Affirmative Determination Regarding Application for Reconsideration

By application received on May 1, 2013, three workers requested administrative reconsideration of the negative determination regarding workers' eligibility to apply for Trade

Adjustment Assistance (TAA) applicable to workers and former workers of T-Mobile USA, Inc., Core Fault Isolation Team, Engineering Division, Bethlehem, Pennsylvania (subject firm). The determination was issued on March 15, 2013 and the Department's Notice of determination was published in the **Federal Register** on April 1, 2013 (78 FR 19533).

The negative determination is based on the Department's findings that the subject firm did not shift the provision of services for a foreign country; during the relevant period, imports of services like or directly competitive with those provided by the subject firm did not increase; the subject firm was neither a Supplier nor Downstream Producer to a firm (or subdivision, whichever is applicable) that employed a group of workers who received a certification of eligibility under Section 222(a) of the Act, 19 U.S.C. 2272(a); and the subject firm has not been publically identified by name by the International Trade Commission as a member of a domestic industry in an investigation resulting in an affirmative finding of serious injury, market disruption, or material injury, or threat thereof.

The request for reconsideration alleges that the subject firm is a downstream producer to a firm who employed worker groups eligible to apply for TAA under TA–W–81,520 and TA–W–81,520G; and the worker separations are due to the shift in the supply of services to another country.

The Department has carefully reviewed the request for reconsideration and the existing record, and will conduct further investigation to determine if the workers meet the eligibility requirements of the Trade Act of 1974, as amended.

Conclusion

After careful review of the application, I conclude that the claim is of sufficient weight to justify reconsideration of the U.S. Department of Labor's prior decision. The application is, therefore, granted.

Signed at Washington, DC, this 8th day of May, 2013.

Del Min Amy Chen,

Certifying Officer, Office of Trade Adjustment Assistance.

[FR Doc. 2013–12381 Filed 5–23–13; 8:45 am]

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DEPARTMENT OF LABOR

Employment and Training Administration

[TA–W–82,388]

Aleris Recycling Bens Run, LLC, Including On-Site Leased Workers From Winans Extras Support Staffing and CDI Corporation, Friendly, West Virginia; Notice of Affirmative Determination Regarding Application for Reconsideration

By application dated April 24, 2013, United Steelworkers, Local 5724–2, requested administrative reconsideration of the negative determination regarding workers' eligibility to apply for Trade Adjustment Assistance (TAA) applicable to workers and former workers of Aleris Recycling Bens Run, LLC, Friendly, West Virginia. The determination was issued on March 13, 2013. The workers' firm is engaged in activities related to the production of aluminum ingots, sows, cones, and salt cakes.

The initial investigation resulted in a negative determination based on the findings that imports of articles like or directly competitive with the articles produced by the workers did not increase during the relevant period; the subject firm or its major customers did not import articles like or directly competitive with the articles produced by the workers; the subject firm did not shift production of the articles produced by the workers to a foreign country, and did not acquire production of like or directly competitive articles from a foreign country; the subject firm is neither a Supplier nor Downstream Producer to a firm (or subdivision, whichever is applicable) that employed a group of workers who received a certification of eligibility under Section 222(a) of the Act, 19 U.S.C. 2272(a); and the subject firm has not been publically identified by name by the International Trade Commission as a member of a domestic industry in an investigation resulting in an affirmative finding of serious injury, market disruption, or material injury, or threat thereof.

The request for reconsideration included new information regarding the articles produced at the subject firm and possible certification as secondarily-affected workers.

The Department has carefully reviewed the request for reconsideration and the existing record, and will conduct further investigation to determine if workers have met the eligibility requirements of the Trade Act of 1974, as amended.

Conclusion

After careful review of the application, I conclude that the claim is of sufficient weight to justify reconsideration of the U.S. Department of Labor's prior decision. The application is, therefore, granted.

Signed at Washington, DC, this 8th day of May, 2013.

Del Min Amy Chen,

Certifying Officer, Office of Trade Adjustment Assistance.

[FR Doc. 2013–12382 Filed 5–23–13; 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

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 by (TA–W) number issued during the period of *April 29, 2013 through May 3, 2013.*

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. Under Section 222(a)(2)(A), the following must be satisfied:

(1) A significant number or proportion of the workers in such workers' firm have become totally or partially separated, or are threatened to become totally or partially separated;

(2) The sales or production, or both, of such firm have decreased absolutely; and

(3) One of the following must be satisfied:

(A) Imports of articles or services like or directly competitive with articles produced or services supplied by such firm have increased;

(B) imports of articles like or directly competitive with articles into which one or more component parts produced by such firm are directly incorporated, have increased;

(C) imports of articles directly incorporating one or more component parts produced outside the United States that are like or directly competitive with imports of articles incorporating one or more component