

Kelly Services. Accordingly, the Department is amending this certification to include on-site leased workers from Kelly Services.

The amended notice applicable to TA-W-62,053 is hereby issued as follows:

All workers of Sunrise Medical, Incorporated, Devilbiss Healthcare, including on-site leased workers of Kelly Services, Somerset, Pennsylvania, who became totally or partially separated from employment on or after August 27, 2006, through October 10, 2009, 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 17th day of October 2007.

Linda G. Poole,

Certifying Officer, Division of Trade Adjustment Assistance.

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DEPARTMENT OF LABOR

Employment and Training Administration

[TA-W-61,530]

Track Corporation Including On-Site Leased Workers of Forge Industrial Spring Lake, Michigan; Notice of Revised Determination on Reconsideration

On June 18, 2007, the Department of Labor (Department) issued a Negative Determination Regarding Eligibility to Apply for Worker Adjustment Assistance and Alternative Trade Adjustment Assistance applicable to the Trade Adjustment Assistance (TAA) and Alternative Trade Adjustment Assistance (ATAA) petition filed by a company official on behalf of workers and former workers of Track Corporation, Spring Lake, Michigan (subject firm). The Department's Notice of negative determination was published in the **Federal Register** on July 9, 2007 (72 FR 37266). The subject firm produces seat adjusters for the automotive industry and public seating for stadiums and theaters. Workers are separately identifiable by product line. The TAA/ATAA petition was filed on behalf of workers engaged in the production of seat adjusters.

The negative determination was based on the Department's findings that the subject firm did not shift production of seat adjusters abroad and does not import seat adjusters. A survey revealed that the subject firm's major customer

did not import seat adjusters during the relevant period.

By letter dated July 16, 2007, a company official requested administrative reconsideration of the Department's negative determination. The request for reconsideration stated that the subject firm's major customer replaced subject firm purchases with imported seat adjusters.

During the reconsideration investigation, the Department carefully reviewed the administrative file, contacted the company official for clarification, and contacted the subject firm's major customer for more information about its import purchases.

Previously-submitted information revealed that subject firm sales, production, and employment levels declined during the relevant period. Information obtained during the reconsideration investigation revealed that the subject firm's major customer began using foreign-made seat adjusters in 2006 and replacing subject firm purchases with foreign-made seat adjusters during 2007.

In accordance with section 246 the Trade Act of 1974 (26 U.S.C. 2813), as amended, the Department herein presents the results of its investigation regarding certification of eligibility to apply for ATAA. The Department has determined in this case that the group eligibility requirements of section 246 have been met.

A significant number of workers at the firm are age 50 or over. Workers possess skills that are not easily transferable. Competitive conditions within the industry are adverse.

Conclusion

After careful review of the information obtained in the initial and reconsideration investigations, I determine that the subject workers are adversely-impacted by increased imports of articles like or directly competitive with those produced at the subject firm. In accordance with the provisions of the Act, I make the following certification:

All workers of Track Corporation, including on-site workers of Forge Industrial, Spring Lake, Michigan, engaged in the production of seat adjusters, who became totally or partially separated from employment on or after May 16, 2006 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 eligible to apply for alternative trade adjustment assistance under section 246 of the Trade Act of 1974.

Signed at Washington, DC this 23rd day of August 2007.

Elliott S. Kushner,

Certifying Officer, Division of Trade Adjustment Assistance.

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MORRIS K. UDALL SCHOLARSHIP AND EXCELLENCE IN NATIONAL ENVIRONMENTAL POLICY FOUNDATION

Request for Comment on Draft Convening Report Regarding Negotiated Rulemaking and Bureau of Indian Affairs Funded School Facilities Repair, Renovation, & Construction

AGENCY: United States Institute for Environmental Conflict Resolution, Morris K. Udall Foundation.

ACTION: Notice of draft convening report and request for comment.

SUMMARY: The U.S. Institute for Environmental Conflict Resolution invites comments on its draft convening report regarding Department of the Interior's (DOI) Bureau of Indian Affairs (BIA)-funded school facilities construction as identified in the No Child Left Behind Act of 2001 (NCLB Act). The draft report was prepared at the request of the DOI, BIA, and Bureau of Indian Education (BIE). Such a convening report is described generally in the Negotiated Rulemaking Act of 1996, Pub. L. 104-320, section 563(b).

As a neutral, independent federal program, the U.S. Institute and its impartial contractor team, Consensus Building Institute (CBI) conducted two-hundred (200) interviews of people with an interest in BIA-funded school facilities construction. The purpose of the interviews was to explore the opportunities for, and barriers to, using negotiated rulemaking to develop regulations implementing the requirements of the NCLB Act related to BIA-funded school facilities. The draft report covers school facility topics identified from the NCLB Act:

- Methods to catalog school facilities;
- Determining formulas for priority and funding for school replacement construction and new construction
- Determining formulas for priority and funding for school renovation and repair;
- Facilities standards for home living (dormitory) situations.

In the draft report, CBI identified several key themes from its interviews:

- There is a strong willingness to go forward with a negotiated rulemaking, as it is required by statute.