

epoxy plastic, leaving only the solder balls exposed. While the final package (also called a finished semiconductor chip) can be sold "as is," it is usually connected to other circuit boards so it can be connected to a wide variety of electronic devices (such as cell phones and personal digital assistants).

According to subject firm, the subject facility was engaged in only steps one and two, and step three took place outside the United States. According to the request for reconsideration, "dies are cut from the wafer and then packaged * * * It should be noted, the manufactured wafer can be sold and the 'test and assembly' of the chip can take place elsewhere."

Because the reconsideration investigation revealed that only wafer fabrication took place at the subject firm, the Department determines that the subject firm produced silicon wafers and that the focus of the initial TAA investigation was proper.

Under section 113 of the Trade Adjustment Assistance Reform Act of 2002, workers may be eligible to apply for TAA if they were laid-off if their company shifted production abroad to a country that is either a party to a free trade agreement with the United States or named as a beneficiary under the Andean Trade Preferences Act, the African Growth and Opportunity Act or the Caribbean Basin Economic Recovery Act.

Because Taiwan is not a country that is a party to a free trade agreement with the United States or named as a beneficiary under any of the aforementioned acts, the subject workers cannot be certified for TAA based on a shift of production abroad. Further, the subject workers cannot be certified as eligible to apply for TAA because the articles that are being imported following the shift of production to Taiwan are not like or directly competitive with the silicon wafers produced at the subject firm.

In order to make an affirmative determination that the subject workers qualify as secondary workers, the following group eligibility requirements under section 222(b) must be met:

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

(2) The workers' firm (or subdivision) is a supplier or downstream producer to a firm (or subdivision) that employed a group of workers who received a certification of eligibility to apply for trade adjustment assistance benefits and such supply or production is related to

the article that was the basis for such certification; and

(3) either—

(A) The workers' firm is a supplier and the component parts it supplied for the firm (or subdivision) described in paragraph (2) accounted for at least 20 percent of the production or sales of the workers' firm; or

(B) A loss of business by the workers' firm with the firm (or subdivision) described in paragraph (2) contributed importantly to the workers' separation or threat of separation.

The subject workers are not considered secondary workers because the subject firm neither supplied a component part to the buyer nor finished or assembled a final product for the buyer. Further, the buyer of the "Hermon" line of chips is not a company that employs a group of workers who received a certification of eligibility to apply for TAA benefits.

In order for the Department to issue a certification of eligibility to apply for ATAA, the subject worker group must be certified eligible to apply for TAA. Since the subject workers are denied eligibility to apply for TAA, the workers cannot be certified eligible for ATAA.

Conclusion

After careful reconsideration, I affirm the original notice of negative determination of eligibility to apply for worker adjustment assistance for workers and former workers of Intel Corporation, Fab 23, Colorado Springs, Colorado.

Signed at Washington, DC, this 26th day of September 2007

Elliott S. Kushner,

Certifying Officer, Division of Trade Adjustment Assistance.

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DEPARTMENT OF LABOR

Employment and Training Administration

[TA-W-60,857]

ASEC Manufacturing, a Subsidiary of Delphi Corporation Now Known as Umicore Autocat USA, Inc., Catoosa, Oklahoma; 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 Regarding Eligibility to Apply for Worker Adjustment Assistance and Alternative Trade Adjustment Assistance on May 7, 2007, applicable to workers of ASEC Manufacturing, a subsidiary of Delphi Corporation, Catoosa, Oklahoma. The notice was published in the **Federal Register** on May 24, 2007 (72 FR 29182).

At the request of the UAW, Local 286, the Department reviewed the certification for workers of the subject firm. The workers are engaged in the production of automotive catalysts.

New information shows that as the result of a change in ownership, ASEC Manufacturing, a subsidiary of Delphi Corporation, will become known as Umicore AutoCat USA, Inc. on September 28, 2007. Workers separated from employment at the subject firm had their wages reported under a separate unemployment insurance (UI) tax account for Umicore AutoCat USA, Inc.

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

The intent of the Department's certification is to include all workers of ASEC Manufacturing, a subsidiary of Delphi Corporation, now known as Umicore AutoCat USA, Inc. who were adversely affected by increased customer imports of automotive catalysts.

The amended notice applicable to TA-W-60,857 is hereby issued as follows:

"All workers of ASEC Manufacturing, a subsidiary of Delphi Corporation, now known as Umicore AutoCat USA, Inc., Catoosa, Oklahoma, who became totally or partially separated from employment on or after January 22, 2006, through May 7, 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 25th day of September 2007.

Richard Church,

Certifying Officer, Division of Trade Adjustment Assistance.

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NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

[Notice (07-080)]

Privacy Act of 1974; Privacy Act System of Records

AGENCY: National Aeronautics and Space Administration (NASA).