

Signed in Washington, DC this 20th day of October 2004.

Linda G. Poole,

Certifying Officer, Division of Trade Adjustment Assistance.

[FR Doc. E4-3025 Filed 11-4-04; 8:45 am]

BILLING CODE 4510-30-P

DEPARTMENT OF LABOR

Employment and Training Administration

[TA-W-55,709]

Facilities Management and Maintenance Services of Conway, Inc. Conway, AR; Notice of Termination of Investigation

Pursuant to Section 221 of the Trade Act of 1974, as amended, an investigation was initiated on September 30, 2004, in response to a petition filed by the state on behalf of workers at Facilities Management and Maintenance Services of Conway, Inc., Conway, Arkansas.

The petitioner has requested that the petition be withdrawn. Consequently, further investigation in this case would serve no purpose, and the investigation has been terminated.

Signed at Washington, DC this 20th day of October, 2004.

Linda G. Poole,

Certifying Officer, Division of Trade Adjustment Assistance.

[FR Doc. E4-3024 Filed 11-4-04; 8:45 am]

BILLING CODE 4510-30-P

DEPARTMENT OF LABOR

Employment and Training Administration

[TA-W-55,587]

General Electric Hickory Facility Conover, NC; Notice of Termination of Investigation

Pursuant to Section 221 of the Trade Act of 1974, as amended, an investigation was initiated on September 9, 2004 in response to a petition filed on behalf of workers of General Electric, Hickory Facility, Conover, North Carolina.

The Department has deemed the petition invalid because the three petitioners belong to different business groups within the corporate structure of General Electric. When filed by workers, a petition must contain a defined worker group to be deemed acceptable for consideration of adjustment assistance eligibility. Consequently, further investigation in this case would

serve no purpose, and the investigation has been terminated.

Signed at Washington, DC, this 19th day of October, 2004.

Linda G. Poole,

Certifying Officer, Division of Trade Adjustment Assistance.

[FR Doc. E4-3021 Filed 11-4-04; 8:45 am]

BILLING CODE 4510-30-P

DEPARTMENT OF LABOR

Employment and Training Administration

[TA-W-55,662]

JDS Uniphase, Ewing, NJ; Notice of Termination of Investigation

Pursuant to Section 221 of the Trade Act of 1974, as amended, an investigation was initiated on September 23, 2004 in response to a petition filed by a State agency representative on behalf of workers at JDS Uniphase, Ewing, New Jersey. Workers at the subject firm produced advanced fiber optics components.

The petitioner has requested that the petition be withdrawn. Consequently, further investigation in this case would serve no purpose, and the investigation has been terminated.

Signed in Washington, DC this 19th day of October 2004.

Richard Church,

Certifying Officer, Division of Trade Adjustment Assistance.

[FR Doc. E4-3022 Filed 11-4-04; 8:45 am]

BILLING CODE 4510-30-P

DEPARTMENT OF LABOR

Employment and Training Administration

[TA-W-55,427]

Kincaid Furniture Taylorsville, NC; Notice of Negative Determination Regarding Application for Reconsideration

By application of September 23, 2004, a petitioner requested administrative reconsideration of the Department's negative determination regarding eligibility for workers and former workers of the subject firm to apply for Trade Adjustment Assistance (TAA). The denial notice was signed on September 8, 2004 and published in the **Federal Register** on September 23, 2004 (69 FR 57093).

Pursuant to 29 CFR 90.18(c) reconsideration may be granted under the following circumstances:

(1) If it appears on the basis of facts not previously considered that the determination complained of was erroneous;

(2) if it appears that the determination complained of was based on a mistake in the determination of facts not previously considered; or

(3) if in the opinion of the Certifying Officer, a mis-interpretation of facts or of the law justified reconsideration of the decision.

The TAA petition, which was filed on behalf of workers at Kincaid Furniture, Taylorsville, North Carolina engaged in the production of upholstered furniture products (sofas and chairs), was denied because criterion (1) was not met. The investigation revealed no decline in employment during the relevant time period.

In the request for reconsideration, the petitioner alleges that the company official of the subject firm did not report accurate employment data and that there was a significant number of layoffs among the administrative support at Kincaid Furniture in Taylorsville, North Carolina. The petitioner also stated upon further contact that a big portion of production employees has been recently separated from the subject firm.

A company official was contacted in regards to these allegations. Two of the company officials confirmed the accuracy of the employment numbers provided by the subject firm during the original investigation and verified that employment at the subject firm increased by approximately fifteen percent during the relevant time period. The company official also stated that there were no recent separations at the subject firm as alleged by the petitioner.

The petitioner further alleges that because workers of several sister companies at various locations were granted certification for TAA, workers of the subject firm should also be eligible for TAA.

When assessing eligibility for TAA, the Department makes its determinations based on the requirements as outlined in Section 222 of the Trade Act. In particular, the Department considers the relevant employment data for the facility where the petitioning worker group was employed. As employment levels at the subject facility did not decline in the relevant period, criteria (I.A.) of Section (a)(2)(A) has not been met.

Conclusion

After review of the application and investigative findings, I conclude that there has been no error or misinterpretation of the law or of the facts which would justify

reconsideration of the Department of Labor's prior decision. Accordingly, the application is denied.

Signed at Washington, DC, this 27th day of October, 2004.

Elliott S. Kushner,

Certifying Officer, Division of Trade Adjustment Assistance.

[FR Doc. E4-3020 Filed 11-4-04; 8:45 am]

BILLING CODE 4510-30-P

DEPARTMENT OF LABOR

Employment and Training Administration

[TA-W-55,782]

Kurdziel Industries, Inc. Sparta, MI; Notice of Termination of Investigation

Pursuant to Section 221 of the Trade Act of 1974, as amended, an investigation was initiated on October 13, 2004 in response to a petition filed by a company official on behalf of workers at Kurdziel Industries, Inc., Sparta, Michigan.

The petitioner has requested that the petition be withdrawn. Consequently, the investigation has been terminated.

Signed in Washington, DC, this 20th day of October, 2004.

Linda G. Poole,

Certifying Officer, Division of Trade Adjustment Assistance.

[FR Doc. E4-3026 Filed 11-4-04; 8:45 am]

BILLING CODE 4510-30-P

DEPARTMENT OF LABOR

Employment and Training Administration

[TA-W-55,785]

Polysort, LLC, Akron, OH; Notice of Termination of Investigation

Pursuant to Section 221 of the Trade Act of 1974, an investigation was initiated on October 13, 2004 in response to a worker petition which was filed by a company official on behalf of workers at Polysort, LLC, Akron, Ohio.

The petitioner has requested that the petition be withdrawn. Consequently, the investigation has been terminated.

Signed in Washington, DC this 19th day of October, 2004.

Richard Church,

Certifying Officer, Division of Trade Adjustment Assistance.

[FR Doc. E4-3027 Filed 11-4-04; 8:45 am]

BILLING CODE 4510-30-P

DEPARTMENT OF LABOR

Employment And Training Administration

Proposed Information Collection Request Submitted for Public Comment and Recommendations; Disaster Unemployment Assistance Handbook and Operating Forms

ACTION: Notice.

SUMMARY: The Department of Labor, as part of its continuing effort to reduce paperwork and respondent burden, conducts a preclearance consultation program to provide the general public and Federal agencies with an opportunity to comment on proposed and/or continuing collections of information in accordance with the Paperwork Reduction Act of 1995 (PRA95) (44 U.S.C. 3506(c)(2)(A)). This program helps to ensure that requested data can be provided in the desired format, reporting burden (time and financial resources) is minimized, collection instruments are clearly understood, and the impact of collection requirements on respondents can be properly assessed. Currently, the Employment and Training Administration (ETA) is soliciting comments concerning the proposed extension of the Disaster Unemployment Assistance (DUA) Handbook and Program Operating forms, including the ETA 90-2, Disaster Payment Activities under the Stafford Disaster Relief Act. A copy of the proposed information collection request (ICR) can be obtained by contacting the office listed below in the addressee section of this notice.

DATES: Submit comments on or before January 4, 2004.

ADDRESSES: Send comments to Miriam Thompson, Office of Workforce Security, Division of Unemployment Insurance Operations, U.S. Department of Labor, Room S4231, 200 Constitution Avenue, NW., Washington, DC 20210, telephone: 202-693-3226 (this is not a toll-free number) or thompson.miriam@dol.gov.

SUPPLEMENTARY INFORMATION:

I. Background

Public Law 100-707 (Sections 410 and 423) provides for benefit assistance to "any individual unemployed as a result of a major disaster." The President is directed by the Act to provide DUA through agreements with states that in his judgment have an

adequate system for administering DUA. Through agreements between the states and the Secretary of Labor, act as agents of the Secretary for the purpose of providing assistance to applicants in the various states who are unemployed as a result of a major disaster. Without the data obtained from these reports, ETA would have insufficient information about the program as it is administered by the states.

II. Desired Focus of Comments

Currently, the Department of Labor is soliciting comments concerning the proposed extension for the collection of the DUA Handbook and Program Operating forms. Comments are requested to:

- Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;
- Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;
- Enhance the quality, utility, and clarity of the information to be collected; and
- Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submissions of responses.

A copy of the proposed information collection request (ICR) can be obtained by contacting the office listed above in the addressee section of this notice.

III. Current Actions

Type of Review: Extension without change of currently approved collection.

Agency: Employment and Training Administration.

Title: Employment and Training Administration (ETA) Disaster Unemployment Assistance (DUA) Handbook and Program Operating Forms, Including the ETA 90-2, Disaster Payment Activities under the Stafford Disaster Relief Act.

OMB Number: 1205-0051.

Agency Number(s): DUA Handbook and Program Operating Forms, including the ETA 90-2.

Affected Public: Individuals, State Governments.