

will be published soon in the **Federal Register**.

At the request of the State agency and the company, the Department reviewed the certification for workers of the subject firm. New information shows that leased workers of Tek Systems and National Engineering Service Corp. were employed on-site at the Amesbury, Massachusetts location of Andrew Corporation FMA, Andrew Facility Massachusetts Division.

Based on these findings, the Department is amending this certification to include leased workers of Tek Systems and National Engineering Service Corp. working on-site at Andrew Corporation AFMA, Andrew Facility Massachusetts Division, Amesbury, Massachusetts.

The intent of the Department's certification is to include all workers employed at Andrew Corporation AFMA, Andrew Facility Massachusetts Division, who were adversely affected by a shift in production to Mexico and China.

The amended notice applicable to TA-W-60,167 is hereby issued as follows:

All workers of Andrew Corporation, AFMA, Andrew Facility Massachusetts Division, including on-site leased workers of Andover Personnel, John Galt Services, MMD Temps, Footbridge Engineering, Spherion, Tek Systems and National Engineering Service Corp. who became totally or partially separated from employment on or after September 26, 2005, through October 6, 2008, 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 October 2006.

Richard Church,

Certifying Officer, Division of Trade Adjustment Assistance.

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DEPARTMENT OF LABOR

Employment and Training Administration

[TA-W-60,150]

Celestica Corporation, Including On-Site Workers of Securitas Security, Including On-Site Leased Workers of Adecco Westminster, Colorado; 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 of Eligibility to Apply for Worker Adjustment Assistance and Alternative Trade Adjustment Assistance on October 13, 2006, applicable to workers of Celestica, Westminster, Colorado. The notice was published in the **Federal Register** on October 25, 2006 (71 FR 62489).

At the request of a company official, the Department reviewed the certification for workers of the subject firm. The workers were engaged in warehousing and distribution operations.

New information shows that workers of Securitas Security were employed on-site at the Westminster, Colorado location of Celestica.

Based on these findings, the Department is amending this certification to include workers of Securitas Security working on-site at Celestica, Westminster, Colorado.

The intent of the Department's certification is to include all workers employed at Celestica, Westminster, Colorado who were adversely affected by a shift in production to Mexico, Canada and Israel.

The amended notice applicable to TA-W-60,150 is hereby issued as follows:

All workers of Celestica Corporation, including on-site workers of Securitas Security and on-site leased workers of Adecco, Westminster, Colorado, who became totally or partially separated from employment on or after September 25, 2005, through October 13, 2008, 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 October 2006.

Richard Church,

Certifying Officer, Division of Trade Adjustment Assistance.

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DEPARTMENT OF LABOR

Employment and Training Administration

[TA-W-59,500]

Connecticut General Life Insurance Company (CGLIC), Cigna Healthcare Service Operations, Philadelphia, PA; Notice of Negative Determination Regarding Application for Reconsideration

By application dated August 17, 2006 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 applicable to workers of Connecticut General Life Insurance Company (CGLIC), Cigna Healthcare Service Operations, Philadelphia, Pennsylvania was signed on July 24, 2006 and published in the **Federal Register** on August 14, 2006 (71 FR 46519).

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 filed on behalf of workers at Connecticut General Life Insurance Company (CGLIC), Cigna Healthcare Service Operations, Philadelphia, Pennsylvania engaged in computer support for CIGNA's Disability Management IT (support, basic Application development support, coding and systems testing, and customer help desk support) was denied because the petitioning workers did not produce an article within the meaning of Section 222 of the Act.

The petitioner contends that the Department erred in its interpretation of work performed at the subject facility as providing a service and further conveys that workers of the subject firm created various software for sale or lease to customers. The petitioner included the name of a customer who purchased/leased Disability Management software from the subject firm, thus concluding that workers of the subject firm were supporting this customer.

A company official was contacted for clarification in regard to the nature of the work performed at the subject facility. The official stated that workers of the subject firm were employed by Connecticut General Life Insurance Company (CGLIC) that supports CIGNA's Disability Management Business at Intracorp, CIGNA disability management company. The official clarified that Intracorp is not in the business of manufacturing Disability Management software for sale to third parties. Workers of the subject firm provided system support for Intracorp, which sells case management services to workers' compensation insurers, employers who self fund workers' compensation and disability benefits, and third party administrator. All software developed by workers of the subject firm is used to support this service business. In addition to case management, Intracorp developed its own automated medical bill review service and this software program is also used externally by the subject firm for its business. The official further clarified that there is only one instance when a customer temporarily leases software developed by Intracorp to perform its own bill review services. This customer did not purchase this software. When the software was leased to this customer, some modifications were done to existing Audit Plus software, however these enhancements are not a new "product" but rather are enhancements to an existing system.

The sophistication of the work involved is not an issue in ascertaining whether the petitioning workers are eligible for trade adjustment assistance, but whether they produce an article within the meaning of section 222 of the Trade Act of 1974.

Research, development and technical support of the existing software is not considered production of an article within the meaning of Section 222 of the Trade Act. Further, while the provision of services may result in creation of software, as outlined by the petitioner, it is incidental to the provision of services. The Department has consistently determined that those items which are created incidental to the provision of services are not considered articles for purposes of the Trade Act.

The investigation on reconsideration supported the findings of the primary investigation that the petitioning group of workers does not produce an article.

Service workers can be certified only if worker separations are caused by a reduced demand for their services from a parent or controlling firm or subdivision whose workers produce an

article domestically who meet the eligibility requirements, or if the group of workers are leased workers who perform their duties at a facility that meet the eligibility requirements.

The petitioner's alleges that the work performed by the workers of the subject firm has been shifted to India.

The company official stated that developments for the Audit Plus bill review system enhancements or fixes are currently performed on-site and have not been moved abroad. The official also stated that there are currently no firm target dates to move this work offshore.

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 25th day of October, 2006.

Elliott S. Kushner,

Certifying Officer, Division of Trade Adjustment Assistance.

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DEPARTMENT OF LABOR

Employment and Training Administration

[TA-W-59,520]

LeeMAH Electronics, Inc., San Francisco, CA; Notice of Revised Determination on Reconsideration

By letter dated August 23, 2006, a petitioner requested administrative reconsideration regarding the Department's Negative Determination Regarding Eligibility to Apply for Worker Adjustment Assistance, applicable to the workers of the subject firm.

The initial investigation resulted in a negative determination signed on July 20, 2006 was based on the finding that there were no increased imports of printed circuit boards and cable assemblies and there was no shift of production to a foreign source during the relevant period. The workers were separately identifiable by product. The denial notice was published in the **Federal Register** on August 4, 2006 (71 FR 44320).

To support the request for reconsideration, the petitioner supplied additional information regarding company imports of like or directly

competitive products with those produced at the subject firm.

The review of the case revealed that workers of the subject firm produce printed circuit boards at a plant on Folsom Street and cable assemblies at a plant on Pacific Avenue and that workers are separately identifiable by product line and location.

Upon further contact with the subject firm's company official, it was revealed that the subject firm decreased domestic production of printed circuit boards, while increasing its reliance on imports of printed circuit boards from 2004 to 2005 and from January through May of 2006 when compared with the same period in 2005.

The investigation also revealed that workers of LeeMAH Electronics, Inc., San Francisco, California, may be eligible for TAA on the basis of a secondary upstream supplier impact. The Department conducted an investigation of subject firm workers on the basis of secondary impact. It was revealed that LeeMAH Electronics, Inc., San Francisco, California supplied cable assemblies for production of test, measurement and radio equipment, and at least 20 percent of its production or sales is supplied to a manufacturer whose workers were certified eligible to apply for adjustment assistance.

In accordance with Section 246 of the Trade Act of 1974 (26 U.S.C. 2813), as amended, the Department of Labor herein presents the results of its investigation regarding certification of eligibility to apply for alternative trade adjustment assistance (ATAA) for older workers.

In order for the Department to issue a certification of eligibility to apply for ATAA, the group eligibility requirements of Section 246 of the Trade Act must be met. The Department has determined in this case that the requirements of Section 246 have been met.

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

Conclusion

After careful review of the additional facts obtained on reconsideration, I conclude that increased imports of articles like or directly competitive with circuit boards produced at LeeMAH Electronics, Inc., San Francisco, California, contributed importantly to the declines in sales or production and to the total or partial separation of workers at the subject firm. Also, after careful review of the facts obtained in the investigation, I determine that