

of their right to forward their comments to such office.

- *Pre-Approval.* A copy of the notice and a description of the method by which it will be distributed must be approved in advance by the regional or district office of the Department that negotiated the settlement.

*PTE 03–39.* Granted on December 31, 2005, PTE 03–39 exempts from certain restrictions of ERISA and certain taxes imposed by the Code, transactions arising out of the settlement of litigation that involve the release of claims against parties in interest in exchange for payment by or on behalf of the party in interest, provided that certain conditions are met, including the following information collections:

- *Written Agreement.* The terms of the settlement must be specifically described in a written agreement or consent decree. Because it is usual and customary business practice to reduce the terms of a settlement agreement to writing, there is no additional burden associated with this requirement.

- *Acknowledgement by Fiduciary.* The fiduciary acting on behalf of the plan must acknowledge in writing that s/he is a fiduciary with respect to the settlement of the litigation. It is anticipated that this acknowledgement will be included in the written investment management or trustee agreement outlining the terms and conditions of the fiduciary's retention as a plan service provider. Therefore, no measurable burden is attached to this requirement.

For additional information, see related notice published at Vol. 74 FR 4977 on January 28, 2009.

*Agency:* Employee Benefits Security Administration.

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

*Title of Collection:* Voluntary Fiduciary Correction Program.

*OMB Control Number:* 1210–0118.

*Affected Public:* Businesses or other for-profits.

*Estimated Number of Respondents:* 1,525.

*Total Estimated Annual Burden Hours:* 6,863.

*Total Estimated Annual Costs Burden (excludes hourly wage costs):* \$273,403.

*Description:* The Voluntary Fiduciary Correction Program provides a method for voluntary correction of specified types of transactions that violate (or are suspected of violating) the prohibited transaction provisions of the Employee Retirement Income Security Act of 1974 and for securing the Department's assurance that it will take no further action with respect to the corrected

transaction. For additional information, see related notice published at Vol. 74 FR 4979 on January 28, 2009.

*Agency:* Employee Benefits Security Administration.

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

*Title of Collection:* Notice of Blackout Period Under ERISA.

*OMB Control Number:* 1210–0122.

*Affected Public:* Businesses or other for-profits.

*Estimated Number of Respondents:* 45,218.

*Total Estimated Annual Burden Hours:* 183,342.

*Total Estimated Annual Costs Burden (excludes hourly wage costs):* \$1,628,760.

*Description:* Public Law 107–204 amended section 101 of the Employee Retirement Income Security Act of 1974 to require plan administrators to furnish affected participants and beneficiaries of individual account pension plans with advance written notice of a “blackout period” during which their right to direct or diversify investments or obtain a loan or distributions, may be temporarily suspended. For additional information, see related notice published at Vol. 74 FR 4978 on January 28, 2009.

*Agency:* Employee Benefits Security Administration.

*Type of Review:* Revision of currently approved collection.

*Title of Collection:* Annual Funding Notice for Defined Benefit Pension Plans.

*OMB Control Number:* 1210–0126.

*Affected Public:* Businesses or other for-profits.

*Estimated Number of Respondents:* 30,458.

*Total Estimated Annual Burden Hours:* 1,093,173.

*Total Estimated Annual Costs Burden (excludes hourly wage costs):* \$21,630,572.

*Description:* Public Law 108–218 amended section 101(f) of the Employee Retirement Income Security Act of 1974 (ERISA) to require plan administrators of a defined benefit plan which is a multiemployer plan to each plan year furnish a plan funding notice to each plan participant and beneficiary, to each labor organization representing such participants or beneficiaries, to each employer that has an obligation to contribute under the plan, and to the Pension Benefit Guaranty Corporation.

In August 2006, section 501(a) of the Pension Protection Act of 2006 (PPA) expanded the annual notice requirement to single-employer defined benefit plans. Section 501(c) of the PPA directs

the Department to publish a model of the notice required by section 101(f) of ERISA, as amended, not later than one year after the date of enactment of the PPA.

Recently, concerns have been expressed about the imminent compliance date of the new annual funding notice requirements, the absence of regulatory guidance from the Department, and the cost and burdens attendant to annual funding notice compliance efforts prior to the adoption of annual funding notice regulations and the issuance of model annual funding notices by the Department. In recognition of the foregoing, on February 10, 2009, the Department issued a Field Assistance Bulletin 2009–1 (the FAB) concerning the disclosure requirements mandated by the PPA, which provides model notices. The FAB addresses the need for interim guidance pending the adoption of regulations or other guidance under section 101(f) of ERISA by providing that pending further guidance, the Department will, as a matter of enforcement policy, treat a plan administrator as satisfying the requirements of section 101(f), if the administrator complies with the guidance contained in the FAB (and appropriately uses a completed model notice) and has acted in accordance with a good faith, reasonable interpretation of those requirements with respect to matters not specifically addressed in the FAB.

The Department is revising its information collection under OMB Control Number 1210–0126 to reflect the issuance of the FAB at this time. For additional information, see related notices published at Vol. 73 FR 70676 on November 21, 2008 and 74 FR 7489 on February 17, 2009.

**Darrin A. King,**

*Departmental Clearance Officer.*

[FR Doc. E9–10640 Filed 5–6–09; 8:45 am]

**BILLING CODE 4510–29–P**

## DEPARTMENT OF LABOR

### Employment and Training Administration

#### Notice of Determinations Regarding Eligibility To Apply for Worker Adjustment Assistance and Alternative Trade 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 (TA–W) number and alternative

trade adjustment assistance (ATAA) by (TA-W) number issued during the period of April 20 through April 24, 2009.

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. Section (a)(2)(A) all of the following must be satisfied:

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

B. The sales or production, or both, of such firm or subdivision have decreased absolutely; and

C. Increased imports of articles like or directly competitive with articles produced by such firm or subdivision have contributed importantly to such workers' separation or threat of separation and to the decline in sales or production of such firm or subdivision; or

II. Section (a)(2)(B) both of the following must be satisfied:

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

B. There has been a shift in production by such workers' firm or subdivision to a foreign country of articles like or directly competitive with articles which are produced by such firm or subdivision; and

C. One of the following must be satisfied:

1. The country to which the workers' firm has shifted production of the articles is a party to a free trade agreement with the United States;

2. The country to which the workers' firm has shifted production of the articles to a beneficiary country under the Andean Trade Preference Act, African Growth and Opportunity Act, or the Caribbean Basin Economic Recovery Act; or

3. There has been or is likely to be an increase in imports of articles that are like or directly competitive with articles which are or were produced by such firm or subdivision.

Also, in order for an affirmative determination to be made for secondarily affected workers of a firm and a certification issued regarding eligibility to apply for worker adjustment assistance, each of the group

eligibility requirements of Section 222(b) of the Act must be met.

(1) 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;

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

In order for the Division of Trade Adjustment Assistance to issue a certification of eligibility to apply for Alternative Trade Adjustment Assistance (ATAA) for older workers, the group eligibility requirements of Section 246(a)(3)(A)(ii) of the Trade Act must be met.

1. Whether a significant number of workers in the workers' firm are 50 years of age or older.

2. Whether the workers in the workers' firm possess skills that are not easily transferable.

3. The competitive conditions within the workers' industry (i.e., conditions within the industry are adverse).

#### **Affirmative Determinations for Worker Adjustment Assistance**

The following certifications have been issued. The date following the company name and location of each determination references the impact date for all workers of such determination.

The following certifications have been issued. The requirements of Section 222(a)(2)(A) (increased imports) of the Trade Act have been met.

*None.*

The following certifications have been issued. The requirements of Section 222(a)(2)(B) (shift in production) of the Trade Act have been met.

*None.*

The following certifications have been issued. The requirements of Section 222(b) (supplier to a firm whose workers

are certified eligible to apply for TAA) of the Trade Act have been met.

*None.*

The following certifications have been issued. The requirements of Section 222(b) (downstream producer for a firm whose workers are certified eligible to apply for TAA based on increased imports from or a shift in production to Mexico or Canada) of the Trade Act have been met.

*None.*

#### **Affirmative Determinations for Worker Adjustment Assistance and Alternative Trade Adjustment Assistance**

The following certifications have been issued. The date following the company name and location of each determination references the impact date for all workers of such determination.

The following certifications have been issued. The requirements of Section 222(a)(2)(A) (increased imports) and Section 246(a)(3)(A)(ii) of the Trade Act have been met.

TA-W-65,228; Carthuplas, Inc.,

Gaffney, SC: January 7, 2008

TA-W-64,526A; North American

Lighting, Salem, IL Plant, Westaff,

Manpower, & Select, Salem, IL:

November 21, 2007

TA-W-64,526B; North American

Lighting, Flora, IL Plant, Westaff,

Flora, IL: November 21, 2007

TA-W-64,526C; North American

Lighting, Corporate Headquarters,

Paris, IL: November 21, 2007

TA-W-64,526; North American

Lighting, Paris, IL Plant, Manpower,

Select & Trillium, Paris, IL:

November 21, 2007

TA-W-64,702; DESA, LLC, Manpower,

Inc., Bowling Green, KY: December

12, 2007

TA-W-65,527; Alcoa Wenatchee Works,

Global Primary Products US

Division, Malaga, WA: March 6,

2008

TA-W-65,607; The Mazer Corporation,

Printing Services, At Work

Temporary Agency, Johnson City,

TN: March 13, 2008

TA-W-65,564; General Motors

Corporation, Global Purchasing &

Supply Chain Div., Warren, MI:

February 12, 2008

The following certifications have been issued. The requirements of Section 222(a)(2)(B) (shift in production) and Section 246(a)(3)(A)(ii) of the Trade Act have been met.

TA-W-65,596; Nortech Systems,

Bemidji, MN: March 13, 2008

TA-W-65,637; Continental Sprayers

International, Continental AFA, St.

Peters, MO: March 18, 2008

TA-W-65,702; GM Nameplate, Inc.,  
Washington Division, Seattle, WA:  
March 26, 2008

TA-W-65,576; SGL Carbon, LLC, A  
Subsidiary of SGL Group—The  
Carbon Company, St. Marys, PA:  
March 11, 2008

TA-W-65,608; WestPoint Home, Inc.,  
Bed Products Division, Abbeville,  
AL: March 8, 2009

The following certifications have been  
issued. The requirements of Section  
222(b) (supplier to a firm whose workers  
are certified eligible to apply for TAA)  
and Section 246(a)(3)(A)(ii) of the Trade  
Act have been met.

TA-W-65,257; The Crown Group,  
Detroit, MI: January 13, 2008

TA-W-65,600; Isonics Vancouver, Inc.,  
Isonics Corp., Vancouver, WA:  
March 11, 2008

TA-W-65,656; Commercial Vehicle  
Group, Cab Systems Div.,  
Vancouver, WA: March 28, 2009

The following certifications have been  
issued. The requirements of Section  
222(b) (downstream producer for a firm  
whose workers are certified eligible to  
apply for TAA based on increased  
imports from or a shift in production to  
Mexico or Canada) and Section  
246(a)(3)(A)(ii) of the Trade Act have  
been met.

TA-W-65,302; Miller Products  
Corporation, Grand Rapids, MI:  
February 16, 2008

#### **Negative Determinations for Alternative Trade Adjustment Assistance**

In the following cases, it has been  
determined that the requirements of  
246(a)(3)(A)(ii) have not been met for  
the reasons specified.

The Department has determined that  
criterion (1) of Section 246 has not been  
met. The firm does not have a  
significant number of workers 50 years  
of age or older.

*None.*

The Department has determined that  
criterion (2) of Section 246 has not been  
met. Workers at the firm possess skills  
that are easily transferable.

*None.*

The Department has determined that  
criterion (3) of Section 246 has not been  
met. Competition conditions within the  
workers' industry are not adverse.

*None.*

#### **Negative Determinations for Worker Adjustment Assistance and Alternative Trade Adjustment Assistance**

In the following cases, the  
investigation revealed that the eligibility  
criteria for worker adjustment assistance  
have not been met for the reasons  
specified.

Because the workers of the firm are  
not eligible to apply for TAA, the  
workers cannot be certified eligible for  
ATAA.

The investigation revealed that  
criteria (a)(2)(A)(I.A.) and (a)(2)(B)(II.A.)  
(employment decline) have not been  
met.

*None.*

The investigation revealed that  
criteria (a)(2)(A)(I.B.) (Sales or  
production, or both, did not decline)  
and (a)(2)(B)(II.B.) (shift in production  
to a foreign country) have not been met.

TA-W-64,665A; Alcoa Howmet

Castings, Plant #5, Whitehall, MI.

TA-W-64,665; Alcoa Howmet Castings,  
Thermatch Coatings & Titanium,  
Plant #4, Whitehall, MI.

The investigation revealed that  
criteria (a)(2)(A)(I.C.) (increased  
imports) and (a)(2)(B)(II.B.) (shift in  
production to a foreign country) have  
not been met.

TA-W-64,561; Nilfisk Advance,  
Plymouth Div., Plymouth, MN.

TA-W-64,909; American National  
Rubber, Ceredo, WV.

TA-W-65,183; National Bearings  
company, Lancaster, PA.

TA-W-65,191; Rockwell Automation,  
Ladysmith, WI.

TA-W-65,360; MVP RV, Inc., Moreno  
Valley, CA.

TA-W-65,383; Plastic Engineering,  
Sheboygan, WI.

TA-W-65,594; Brunswick Bowling and  
Billiard Corporation, Muskegon, MI.

The workers' firm does not produce  
an article as required for certification  
under Section 222 of the Trade Act of  
1974.

TA-W-65,219; Thomasville Furniture  
Industries, Thomasville Furniture  
Outlet Store, Hudson, NC.

TA-W-65,529; Active USA/ATC  
Leasing, Pleasant Prairie, WI.

TA-W-65,614; Auto Truck  
Transportation, Cleveland, NC.

TA-W-65,624; SpringBoard Technology  
Corporation, Springfield MA.

TA-W-65,693; Bergstrom Saturn of Eau  
Claire, Bergstrom Corp, Eau Claire,  
WI.

The investigation revealed that  
criteria of Section 222(b)(2) has not been  
met. The workers' firm (or subdivision)  
is not a supplier to or a downstream  
producer for a firm whose workers were  
certified eligible to apply for TAA.

*None.*

I hereby certify that the  
aforementioned determinations were  
issued during the period of April 20  
through April 24, 2009. Copies of these  
determinations are available for  
inspection in Room N-5428, U.S.

Department of Labor, 200 Constitution  
Avenue, NW., Washington, DC 20210  
during normal business hours or will be  
mailed to persons who write to the  
above address.

Date: April 30, 2009.

**Linda G. Poole**

*Certifying Officer, Division of Trade  
Adjustment Assistance.*

[FR Doc. E9-10563 Filed 5-6-09; 8:45 am]

**BILLING CODE 4510-FN-P**

## **DEPARTMENT OF LABOR**

### **Employment and Training Administration**

[TA-W-65,652]

#### **Aida America Corporation, Dayton, OH; Notice of Termination of Investigation**

Pursuant to Section 221 of the Trade  
Act of 1974, as amended, an  
investigation was initiated on March 23,  
2009 in response to a petition filed by  
a company official on behalf of workers  
of Aida America Corporation, Dayton,  
Ohio.

The petitioner has requested that the  
petition be withdrawn. Therefore, the  
investigation under this petition has  
been terminated.

Signed at Washington, DC, this 3rd day of  
April 2009.

**Linda G. Poole,**

*Certifying Officer, Division of Trade  
Adjustment Assistance.*

[FR Doc. E9-10590 Filed 5-6-09; 8:45 am]

**BILLING CODE 4510-FN-P**

## **DEPARTMENT OF LABOR**

### **Employment and Training Administration**

[TA-W-65,445]

#### **ASML, Boise, ID; Notice of Termination of Investigation**

Pursuant to Section 221 of the Trade  
Act of 1974, as amended, an  
investigation was initiated on March 2,  
2009 in response to a petition filed on  
behalf of workers of ASML, Boise,  
Idaho. Workers perform on-site services  
in support of semiconductor  
manufacturers.

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