

Investment, Attention: Mrs. Evangeline M. Campbell, Manager, Indian and Native American Program, Room N-4209, 200 Constitution Avenue, NW., Washington, DC 20210. Telephone number: 202-693-3737 (this is not a toll-free number).

#### SUPPLEMENTARY INFORMATION:

##### I. Background

Each Indian and Native American (INA) grantee receiving WIA Section 166 funds to administer the Comprehensive Services Program (CSP) is required to submit a CSP Report (ETA Form 9084) on a quarterly basis.

Grantees receiving WIA Section 166 Supplemental Youth Services Program (SYSP) funds currently submit SYSP Report (ETA Form 9085) semi-annually. However, the request to modify and extend the existing ETA Form 9085 report submitted each quarter by INA grantees is based on the following:

The ETA requires the collection and reporting of data on eligible persons served under the WIA, Section 166 SYSP to assess the performance and delivery of services. The recent release of additional funds under the Recovery Act is intended to serve a greater number of youth and requires the collection and reporting of participant data to evaluate program performance.

INA grantees are now required to submit quarterly participant data reports on all youth served by the SYSP (see Frequency of Reporting below) and to distinguish between youth served with Recovery Act funds and youth served with regular WIA Section 166 funds and report "Recovery Act" youth through a supplemental (monthly) youth report. In this supplemental report, INA grantees report aggregate counts of all Recovery Act youth participants, including the characteristics of participants, the number of participants in summer employment, services received, attainment of a work readiness skill, required by the Recovery Act, and successful completion of summer youth employment.

The Recovery Act made it necessary to create additional fields in ETA Form 9085 because of: (1) A change in eligibility, increasing the age limit to 24; and (2) an emphasis on using funds for summer employment. By aligning Recovery Act with regular program reporting in ETA Form 9085, the grantees are reporting critical information with a minimal additional burden.

##### *Changes to Youth Reporting*

Changes made to the SYSP Report (ETA Form 9085) are provided below. Copies of ETA Forms 9084 and 9085 can

be reviewed at: <http://wdr.doleta.gov/directives/attach/TEGL/TEGL05-09a1.pdf>.

##### *Changes Made in Order To Incorporate Recovery Act Participants*

- Reporting frequency will be monthly (Recovery Act Report only);
- Age requirement for eligibility has been increased to 24 (Recovery Act participants only);
- Collect information on participants in summer employment;
- Collect information on participants that exited summer employment;
- Collect information on participants that successfully completed work readiness;
- Collect information on participants that successfully completed summer employment;
- Work Readiness Attainment Rate added as an indicator; and
- Summer Employment Completion Rate added as an indicator.

##### *Non-Recovery Act Changes To Apply to the Regular SYSP*

- Reporting frequency changed from semi-annual to quarterly;
- Collect information on number of youth served with disabilities;
- Collect information on number of in-school youth served;
- Collect information on number of out-of-school youth served;
- Collect information on the number of youth served between the ages 14–18, 19–21; and
- Collect information on number of eligible veterans served.

##### II. Review Focus

The DOL is particularly interested in comments which:

- 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.

##### III. Current Actions

*Type of Review:* Extension without changes.

*Title:* "Financial and Program Reporting and Performance Standards System for INA Programs under WIA Title I–D, Section 166.

*OMB Number:* 1205–0422.

*Affected Public:* Tribal Governments and Non-Profit Tribal Organizations.

*Total respondents:* 127 and 85.

*Frequency of collection:* Monthly and quarterly.

*Total responses:* 22,148.

*Average time in hours per respondent:* 24 for ETA Form 9084, 26 for ETA Form 9085 and 2.5 for the SPIR.

*Estimated total burden hours:* 90,262.

*Total annual costs burden:* \$0.

Comments submitted in response to this request will be summarized and included in the request for OMB's approval of the information collection request and will become a matter of public record.

Signed at Washington, DC, this 15th day of October 2009.

**Jane Oates,**

*Assistant Secretary, Employment and Training Administration.*

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#### 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 *August 17 through October 16, 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-65,058; Swan Dyeing Finishing Corp., Fall River, MA: January 21, 2008*

*TA-W-65,679; Metal Powder Products—Ridgeway Division, Including on-site leased workers from Spherion, Ridgway, PA: March 24, 2008*

*TA-W-65,742A; Sigma Stamping, Division of Koppu Corp., Leased workers from of HCS Capital, Select Staffing, Auburn Hills, MI: March 4, 2008*

*TA-W-65,742B; Sigma Manufacturing, Auburn Hills, MI: March 4, 2008*

*TA-W-65,742; Koppu Corporation, Orion, MI: March 4, 2008*

*TA-W-65,900; Biederlack of America, Cumberland, MD: May 5, 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-65,667; Tekni-Plex, Inc., d/b/a Dolco Packaging, including leased workers from Patrick Staffing, Troy, OH: March 23, 2008*

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.

*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) and Section 246(a)(3)(A)(ii) of the Trade Act have been met.

*None.*

#### **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-65,595; Freeport McMoran Safford, Inc., Safford, AZ*

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.

*None.*

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

*None.*

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 *August 17 through October 16, 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.

Dated: October 21, 2009.

**Richard Church,**

*Certifying Officer, Division of Trade Adjustment Assistance.*

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## **DEPARTMENT OF LABOR**

### **Employment and Training Administration**

#### **Notice of Determinations Regarding Eligibility To Apply for Worker Adjustment Assistance**

In accordance with Section 223 of the Trade Act of 1974, as amended (19 USC 2273) the Department of Labor herein presents summaries of determinations regarding eligibility to apply for trade adjustment assistance for workers by (TA-W) number issued during the period of *September 7 through September 18, 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. Under Section 222(a)(2)(A), the following must be satisfied:

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

(2) The sales or production, or both, of such firm have decreased absolutely; and

(3) One of the following must be satisfied:

(A) Imports of articles or services like or directly competitive with articles produced or services supplied by such firm have increased;

(B) Imports of articles like or directly competitive with articles into which one or more component parts produced by such firm are directly incorporated, have increased;

(C) Imports of articles directly incorporating one or more component parts produced outside the United States that are like or directly competitive with imports of articles incorporating one or more component parts produced by such firm have increased;

(D) Imports of articles like or directly competitive with articles which are produced directly using services supplied by such firm, have increased; and

(4) The increase in imports contributed importantly to such workers' separation or threat of separation and to the decline in the sales or production of such firm; or

II. Section 222(a)(2)(B) all of the following must be satisfied:

(1) A significant number or proportion of the workers in such workers' firm have become totally or partially

separated, or are threatened to become totally or partially separated;

(2) One of the following must be satisfied:

(A) There has been a shift by the workers' firm to a foreign country in the production of articles or supply of services like or directly competitive with those produced/supplied by the workers' firm;

(B) There has been an acquisition from a foreign country by the workers' firm of articles/services that are like or directly competitive with those produced/supplied by the workers' firm; and

(3) The shift/acquisition contributed importantly to the workers' separation or threat of separation.

In order for an affirmative determination to be made for adversely affected workers in public agencies 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) A significant number or proportion of the workers in the public agency have become totally or partially separated, or are threatened to become totally or partially separated;

(2) The public agency has acquired from a foreign country services like or directly competitive with services which are supplied by such agency; and

(3) The acquisition of services contributed importantly to such workers' separation or threat of separation.

In order for an affirmative determination to be made for adversely affected secondary 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(c) of the Act must be met.

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

(2) The workers' firm is a Supplier or Downstream Producer to a firm that employed a group of workers who received a certification of eligibility under Section 222(a) of the Act, and such supply or production is related to the article or service that was the basis for such certification; and

(3) Either—

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