

salary, they were employees of Sherwood Forest Family Golf and performed services supporting business and activities of the amusement park.

The petitioner further alleges that the petitioning workers "produced and mass produced items such as flyers, pamphlets, guides, rule books, manuals, instruction sets" etc. The petitioner stated that "he was in charge of production strategies/marketing of many promotional items".

The company official clarified that the petitioning workers "in no way produced, created, designed nor mass produced" any of the above mentioned articles for the subject firm. The official stated that Family Entertainment has a management team which completes all these tasks and that the petitioning workers were only in charge of the way they sold Everything Goes passes and distributed flyers.

To support his allegations, the petitioner enclosed a copy of the Georgia Department of Labor Unemployment Claims Examiner's Determination which states that the reason behind the petitioner's separation from the subject firm was a lack of work, and a stub reflecting information concerning the final unemployment check. For the purposes of this investigation, these documents do not contain any evidence that the workers of the subject firm created an article and that there was a shift in production of an article by the subject firm abroad.

The petitioner also enclosed various flyers, brochures, coupons, pass cards and promotional advertisements and stated that workers of the subject firm created and produced these articles.

The company official verified that these pass cards, coupons and advertisements were designed by the subject firm's previous manager and were prepared and sent to a professional local printing company. The official further confirmed that the rest of the promotional material was typed as a word document and printed on a computer printer by the administrative staff of either Family Entertainment or another domestic company, Atlanta Cutlery. The administrative employees of the subject firm continue to perform these functions to support and promote business activities of the amusement park.

The petitioner further alleges that the subject firm shifted production of the articles to India and "the fact that these articles are no longer produced here is the reason that we are no longer employed". To support these allegations, the petitioner enclosed copies of handwritten "Weekly Sales

Report" and "Business Contact Form" stating that the workers performed telemarketing calls and that these tasks are now performed in India.

The company official stated that Family Entertainment dba Sherwood Forest did not shift any job functions to India and is not importing any articles from the foreign source. The official further stated that "the only relation Family Entertainment has with India is the fact that it is owned by a U.S. Citizen from India" and that the previous manager of the subject firm who is no longer affiliated with the company, resides in India with his family at the present time. The company official confirmed that the subject firm is in the business of entertainment services and whatever printed material might be designed or produced by the administrative staff of the subject firm as incidental to these services continues to be designed and produced by the subject firm or other domestic companies.

The company official further stated that the petitioning workers were separated from the subject firm after the management evaluated the promotional program and made a decision to discontinue the program due to low profitability.

In the request for reconsideration, the petitioner doubts the accuracy of the information provided by Family Entertainment.

The Department has no evidence that would suggest that the officials of the Family Entertainment had any reason to mislead the investigation or that they had any interest in the outcome of this determination that might have been adverse to the former employees of the subject firm.

#### 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 16th day of October 2007.

**Elliott S. Kushner,**

*Certifying Officer, Division of Trade Adjustment Assistance.*

[FR Doc. E7-20726 Filed 10-19-07; 8:45 am]

**BILLING CODE 4510-FN-P**

## DEPARTMENT OF LABOR

### Employment and Training Administration

[TA-W-62,190]

#### Steelcase Incorporated Grand Rapids, Michigan; Notice of Termination of Investigation

Pursuant to section 221 of the Trade Act of 1974, as amended, an investigation was initiated on September 24, 2007 in response to a petition filed by a company official on behalf of workers at Steelcase Incorporated, Grand Rapids, Michigan.

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

Signed in Washington, DC, this 12th day of October 2007.

**Linda G. Poole,**

*Certifying Officer, Division of Trade Adjustment Assistance.*

[FR Doc. E7-20723 Filed 10-19-07; 8:45 am]

**BILLING CODE 4510-FN-P**

## DEPARTMENT OF LABOR

### Employment and Training Administration

[TA-W-62,053]

#### Sunrise Medical, Incorporated Devilbiss Healthcare Including On-Site Leased Workers of Kelly Services Somerset, PA; 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 10, 2007, applicable to workers of Sunrise Medical, Incorporated, Devilbiss Healthcare, Somerset, Pennsylvania. The notice will be published soon in the **Federal Register**.

At the request of the State agency, the Department reviewed the certification for workers of the subject firm. The workers are engaged in the production of respiratory care products, such as compressor nebulizers, oxygen concentrators and aspirators.

The review of the investigation record shows that the Department inadvertently excluded from the certification on-site leased workers from

Kelly Services. Accordingly, the Department is amending this certification to include on-site leased workers from Kelly Services.

The amended notice applicable to TA-W-62,053 is hereby issued as follows:

All workers of Sunrise Medical, Incorporated, Devilbiss Healthcare, including on-site leased workers of Kelly Services, Somerset, Pennsylvania, who became totally or partially separated from employment on or after August 27, 2006, through October 10, 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 17th day of October 2007.

**Linda G. Poole,**

*Certifying Officer, Division of Trade Adjustment Assistance.*

[FR Doc. E7-20727 Filed 10-19-07; 8:45 am]

BILLING CODE 4510-FN-P

## DEPARTMENT OF LABOR

### Employment and Training Administration

[TA-W-61,530]

#### Track Corporation Including On-Site Leased Workers of Forge Industrial Spring Lake, Michigan; Notice of Revised Determination on Reconsideration

On June 18, 2007, the Department of Labor (Department) issued a Negative Determination Regarding Eligibility to Apply for Worker Adjustment Assistance and Alternative Trade Adjustment Assistance applicable to the Trade Adjustment Assistance (TAA) and Alternative Trade Adjustment Assistance (ATAA) petition filed by a company official on behalf of workers and former workers of Track Corporation, Spring Lake, Michigan (subject firm). The Department's Notice of negative determination was published in the **Federal Register** on July 9, 2007 (72 FR 37266). The subject firm produces seat adjusters for the automotive industry and public seating for stadiums and theaters. Workers are separately identifiable by product line. The TAA/ATAA petition was filed on behalf of workers engaged in the production of seat adjusters.

The negative determination was based on the Department's findings that the subject firm did not shift production of seat adjusters abroad and does not import seat adjusters. A survey revealed that the subject firm's major customer

did not import seat adjusters during the relevant period.

By letter dated July 16, 2007, a company official requested administrative reconsideration of the Department's negative determination. The request for reconsideration stated that the subject firm's major customer replaced subject firm purchases with imported seat adjusters.

During the reconsideration investigation, the Department carefully reviewed the administrative file, contacted the company official for clarification, and contacted the subject firm's major customer for more information about its import purchases.

Previously-submitted information revealed that subject firm sales, production, and employment levels declined during the relevant period. Information obtained during the reconsideration investigation revealed that the subject firm's major customer began using foreign-made seat adjusters in 2006 and replacing subject firm purchases with foreign-made seat adjusters during 2007.

In accordance with section 246 the Trade Act of 1974 (26 U.S.C. 2813), as amended, the Department herein presents the results of its investigation regarding certification of eligibility to apply for ATAA. The Department has determined in this case that the group eligibility requirements of section 246 have been met.

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

#### Conclusion

After careful review of the information obtained in the initial and reconsideration investigations, I determine that the subject workers are adversely-impacted by increased imports of articles like or directly competitive with those produced at the subject firm. In accordance with the provisions of the Act, I make the following certification:

All workers of Track Corporation, including on-site workers of Forge Industrial, Spring Lake, Michigan, engaged in the production of seat adjusters, who became totally or partially separated from employment on or after May 16, 2006 through two years from the date of this certification, are eligible to apply for adjustment assistance under section 223 of the Trade Act of 1974, and are eligible to apply for alternative trade adjustment assistance under section 246 of the Trade Act of 1974.

Signed at Washington, DC this 23rd day of August 2007.

**Elliott S. Kushner,**

*Certifying Officer, Division of Trade Adjustment Assistance.*

[FR Doc. E7-20725 Filed 10-19-07; 8:45 am]

BILLING CODE 4510-FN-P

## MORRIS K. UDALL SCHOLARSHIP AND EXCELLENCE IN NATIONAL ENVIRONMENTAL POLICY FOUNDATION

### Request for Comment on Draft Convening Report Regarding Negotiated Rulemaking and Bureau of Indian Affairs Funded School Facilities Repair, Renovation, & Construction

**AGENCY:** United States Institute for Environmental Conflict Resolution, Morris K. Udall Foundation.

**ACTION:** Notice of draft convening report and request for comment.

**SUMMARY:** The U.S. Institute for Environmental Conflict Resolution invites comments on its draft convening report regarding Department of the Interior's (DOI) Bureau of Indian Affairs (BIA)-funded school facilities construction as identified in the No Child Left Behind Act of 2001 (NCLB Act). The draft report was prepared at the request of the DOI, BIA, and Bureau of Indian Education (BIE). Such a convening report is described generally in the Negotiated Rulemaking Act of 1996, Pub. L. 104-320, section 563(b).

As a neutral, independent federal program, the U.S. Institute and its impartial contractor team, Consensus Building Institute (CBI) conducted two-hundred (200) interviews of people with an interest in BIA-funded school facilities construction. The purpose of the interviews was to explore the opportunities for, and barriers to, using negotiated rulemaking to develop regulations implementing the requirements of the NCLB Act related to BIA-funded school facilities. The draft report covers school facility topics identified from the NCLB Act:

- Methods to catalog school facilities;
- Determining formulas for priority and funding for school replacement construction and new construction
- Determining formulas for priority and funding for school renovation and repair;
- Facilities standards for home living (dormitory) situations.

In the draft report, CBI identified several key themes from its interviews:

- There is a strong willingness to go forward with a negotiated rulemaking, as it is required by statute.