

those produced by the subject worker group.

The intent of the Department is for a certification to cover all workers of a subject firm or appropriate subdivision who were adversely affected by increased imports of an article produced by the firm or a shift in production of the article, based on the investigation of the TAA petition. Therefore, the Department requested voluntary remand to address the allegations made by the two sets of plaintiffs, to determine whether the subject worker group is eligible to apply for TAA under the Trade Act of 1974, as amended (hereafter referred to as the Act), and to issue an appropriate remand determination.

To apply for worker adjustment assistance under Section 222(a) of the Act, 19 U.S.C. 2272(a), the following criteria must be met:

I. The first criterion (set forth in section 222(a)(1) of the Act, 19 U.S.C. 2272(a)(1)) requires that a significant number or proportion of the workers in the workers' firm must have become totally or partially separated or be threatened with total or partial separation.

II. The second criterion (set forth in section 222(a)(2) of the Act, 19 U.S.C. 2272(a)(2)) may be satisfied if either:

(i)(I) 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; or

(i)(II) 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.

III. The third criterion requires that the shift/acquisition must have contributed importantly to the workers' separation or threat of separation. See section 222(a)(2)(B)(ii) of the Act, 19 U.S.C. 2272(a)(2)(B)(ii).

As amended by the Trade and Globalization Adjustment Assistance Act of 2009, section 222 of the Act (19 U.S.C. 2272) covers foreign contracting scenarios, where a company closes a domestic operation and contracts with a company in a foreign country for the goods or services that had been produced in the United States.

During the remand investigation, the Department obtained information from the subject firm, solicited input from the two sets of Plaintiffs, and addressed all of the Plaintiffs' allegations.

Based on the information collected during the remand investigation, the Department determined that the subject worker group was impacted by a shift in

production of articles like or directly competitive with the locomotives, locomotive kits, and propulsion and specialty parts produced at the subject facility.

The Department's findings on remand revealed that the subject firm engages in practices that entail the transfer of work to foreign countries under "localization" agreements in which the subject firm penetrates into foreign markets under joint ventures with entities in the foreign country. Further, although the subject firm asserts that the articles manufactured at the facilities abroad are not identical in nature to the articles manufactured at the subject facility, upon close examination of data collected on remand, the Department has determined that the articles manufactured abroad are like or directly competitive with those produced by the subject worker group. The regulations implementing the Act, at 29 CFR 90.2, provide that "like or directly competitive articles" include those which are substantially identical in inherent or intrinsic characteristics, as well as those which are substantially equivalent for commercial purposes.

After a painstaking review on remand, the Department has determined that a significant number or proportion of the workers in the appropriate subdivision of the subject firm was separated. Further, the Department has determined that a shift in production abroad of articles like or directly competitive with the articles produced by the subject worker group contributed importantly to worker group separations. Therefore, the Department has determined that the group eligibility requirements under section 222(a)(2)(B) of the Trade Act of 1974, as amended, have been met.

Conclusion

After careful review of the facts during the remand investigation, I determine that the workers' firm has shifted to foreign countries the production of articles like or directly competitive with those produced by the subject firm or appropriate subdivision, and such shift of production contributed importantly to worker group separations at the subject facility. In accordance with section 223 of the Act, 19 U.S.C. 2273, I make the following certification:

All workers of General Electric Company, Transportation Division, including on-site leased workers from Adecco Technical, Erie, Pennsylvania, who became totally or partially separated from employment on or after June 10, 2008, through two years from the date of certification, and all workers in the group threatened with total or partial separation from employment on the date of certification through two years from the date

of certification, are eligible to apply for adjustment assistance under Chapter 2 of Title II of the Trade Act of 1974, as amended.

Signed at Washington, DC, this 23rd day of July 2010.

Del Min Amy Chen,
Certifying Officer, Division of Trade Adjustment Assistance.

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NATIONAL LABOR RELATIONS BOARD

Sunshine Act Meetings

TIME AND DATES:

All meetings are held at 2:30 p.m.
Tuesday, August 3;
Thursday, August 12;
Wednesday, August 18;
Wednesday, August 25;
Thursday, August 26;
Friday, August 27, 2010.

PLACE: Board Agenda Room, No. 11820, 1099 14th St., NW., Washington, DC 20570.

STATUS: Closed.

MATTERS TO BE CONSIDERED: Pursuant to § 102.139(a) of the Board's Rules and Regulations, the Board or a panel thereof will consider "the issuance of a subpoena, the Board's participation in a civil action or proceeding or an arbitration, or the initiation, conduct, or disposition * * * of particular representation or unfair labor practice proceedings under section 8, 9, or 10 of the [National Labor Relations] Act, or any court proceedings collateral or ancillary thereto." See also 5 U.S.C. 552b(c)(10).

CONTACT PERSON FOR MORE INFORMATION: Lester A. Heltzer, Executive Secretary, (202) 273-1067.

Dated: August 4, 2010.

Lester A. Heltzer,
Executive Secretary.

[FR Doc. 2010-19538 Filed 8-4-10; 11:15 am]

BILLING CODE 7545-01-P

NATIONAL SCIENCE FOUNDATION

Agency Information Collection Activities: Proposed Collection, Comment Request

AGENCY: National Science Foundation.

ACTION: Notice.

SUMMARY: The National Science Foundation (NSF) is announcing plans to request clearance for this collection. In accordance with the requirement of Section 3506(c)(2)(A) of the Paperwork Reduction Act of 1995, we are providing