

completed, and a contractor's invoice and payment record.

- 5. On occasion.
- 6. Businesses or other for-profit.
- 7. 312,000 responses.
- 8. 156,000 hours.
- 9. Not applicable.

1. Department of Veterans Benefits.
2. Application for Ordinary Life Insurance (at age 65) and Information About Modified Life Insurance Reduction Replacement Features (age 65).

- 3. VA Forms 29-8485 and 29-8700.

4. This information is obtained from insured persons and is used to determine eligibility when applying for replacement insurance to replace the amount of modified life insurance that was reduced at age 65.

- 5. On occasion.
- 6. Individuals or households.
- 7. 5,892 responses.

- 8. 491 hours.
- 9. Not applicable.

- 1. Department of Veterans Benefits.
- 2. Application for Education Loan.
- 3. VA Form 22-8725.

4. This information is used to determine eligibility for an education loan and to compute the amount of loan authorized.

- 5. On occasion.
- 6. Individuals or households.
- 7. 200 responses.
- 8. 133 hours.
- 9. Not applicable.

- 1. Department of Veterans Benefits.
- 2. Request for Employment Information in Connection With Claim for Disability Benefits.

- 3. VA Form 21-4192.

4. This information is used to determine employability for the purpose of granting disability benefits or for increasing current benefits.

- 5. On occasion.
- 6. Businesses or other for-profit.
- 7. 65,000 responses.
- 8. 16,250 hours.
- 9. Not applicable.

- 1. Department of Veterans Benefits.
- 2. Request for Supplemental Information on Medical and Non-Medical Applications.

- 3. VA Form Letter 29-615.

4. This information is required from the requested insured to establish eligibility for obtaining, reinstating, converting or changing a plan of Government life insurance.

- 5. On occasion.
- 6. Individuals or households.
- 7. 14,010 responses.
- 8. 4,670 hours.
- 9. Not applicable.

[FR Doc. 87-13998 Filed 6-18-87; 8:45 am]
BILLING CODE 8320-01-M

Sunshine Act Meetings

Federal Register

Vol. 52, No. 118

Friday, June 19, 1987

This section of the FEDERAL REGISTER contains notices of meetings published under the "Government in the Sunshine Act" (Pub. L. 94-409) 5 U.S.C. 552b(e)(3).

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

DATE AND TIME: 2:00 p.m. (eastern time)
Monday, June 29, 1987.

PLACE: Clarence M. Mitchell, Jr., Conference Room No. 200-C on the 2nd Floor of the Columbia Plaza Office Building, 2401 E Street, NW., Washington, DC 20507.

STATUS: Part will be open to the public and part will be closed to the public.

MATTERS TO BE CONSIDERED:

Open

1. Announcement of Notation Vote(s)
2. Report on Commission Operations (Optional)
3. Proposed Federal Sector Complaint Processing Manual

Closed

1. Litigation Authorization; General Counsel Recommendations
2. Agency Adjudication and Determination on the Record of Federal Agency Discrimination Complaint Appeals

NOTE.—Any matter not discussed or concluded may be carried over to a later meeting. (In addition to publishing notices on EEOC Commission meetings in the *Federal Register*, the Commission also provides a recorded announcement a full week in advance on future Commission sessions.)

Please telephone (202) 634-6748 at all times for information on these meetings.

CONTACT PERSON FOR MORE

INFORMATION: Cynthia C. Matthews, Executive Officer at (202) 634-6748.

Dated and issued: June 17, 1987.

Cynthia C. Matthews,
Executive Officer, Executive Secretariat.
[FR Doc. 87-14127 Filed 6-17-87; 3:56 pm]
BILLING CODE 6750-06-M

FEDERAL MINE SAFETY AND HEALTH REVIEW COMMISSION

June 16, 1987.

"FEDERAL REGISTER" CITATION OF PREVIOUS ANNOUNCEMENT: Vol. 52, No. _____.

PREVIOUSLY ANNOUNCED TIME AND DATE OF MEETING: 10:00 a.m., Thursday, June 18, 1987.

PLACE: Room 600, 1730 K St., NW., Washington, DC.

STATUS: Open.

CHANGES IN THE MEETING: The meeting regularly scheduled for June 18, 1987 has now been rescheduled for June 25, 1987. The Commission will consider and act upon the following:

1. Westmoreland Coal Company, Docket No. WEVA 81-256-C. (Issues include consideration of petitions for interlocutory review).
2. Ronald Tolbert v. Chaney Creek Coal Corp., Docket No. KENT 86-123-D has been cancelled.
3. Wilfred Bryant v. Dingess Mine Services, Docket No. WEVA 85-43-D has been cancelled.

Any person intending to attend this meeting who requires special accessibility features and/or auxiliary aids, such as sign language interpreters, must inform the Commission in advance of those needs. Subject to 20 CFR 2706.150(a)(3) and 2706.160(e).

It was determined by a unanimous vote of Commissioners that these changes be made and no earlier announcement of the changes was possible.

CONTACT PERSON FOR MORE

INFORMATION: Jean Ellen (202) 653-5629.

Jean H. Ellen,

Agenda Clerk.

[FR Doc. 87-14123 Filed 6-17-87; 3:50 pm]

BILLING CODE 6735-01-M

FEDERAL RESERVE SYSTEM BOARD OF GOVERNORS

TIME AND DATE: 10:00 a.m., Wednesday, June 24, 1987.

PLACE: Marriner S. Eccles Federal Reserve Board Building, C Street entrance between 20th and 21st Streets, NW., Washington, DC 20551.

STATUS: Closed.

MATTERS TO BE CONSIDERED:

1. Personnel actions (appointments, promotions, assignments, reassignments; and salary actions) involving individual Federal Reserve System employees.
2. Any items carried forward from a previously announced meeting.

CONTACT PERSON FOR MORE

INFORMATION: Mr. Joseph R. Coyne, Assistant to the Board; (202) 452-3204. You may call (202) 452-3207, beginning at approximately 5 p.m. two business days before this meeting, for a recorded announcement of bank and bank holding company applications scheduled for the meeting.

Dated: June 16, 1987.

James McAfee,

Associate Secretary of the Board.

[FR Doc. 87-14045 Filed 6-16-87; 4:46 p.m.]

BILLING CODE 6210-01-M

Corrections

Federal Register

Vol. 52, No. 118

Friday, June 19, 1987

This section of the FEDERAL REGISTER contains editorial corrections of previously published Presidential, Rule, Proposed Rule, and Notice documents and volumes of the Code of Federal Regulations. These corrections are prepared by the Office of the Federal Register. Agency prepared corrections are issued as signed documents and appear in the appropriate document categories elsewhere in the issue.

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 761

[OPTS 62051; FRL 3179-1]

Polychlorinated Biphenyls Spill Cleanup Policy

Correction

In rule document 87-7262, beginning on page 10688, in the issue of Thursday, April 2, 1987, make the following corrections:

1. On page 10688, in the second column, under the **SUPPLEMENTARY INFORMATION**, in the 10th line, "Policy of" should read "Policy to", and in the 17th line "1b" should read "1b".
2. On page 10691, in the first column, in paragraph 6., in the eighth line, "761.30(1)(1)(ii)" should read "761.30(1)(1)(ii)".
3. On page 10692, in the second column, in paragraph d, in the first line, "of" should read "or", and in the third line, after "must" insert "be".
4. On page 10699, in the second column, in paragraph b, in the 14th line, "10" should read "100".

§ 761.123 [Corrected]

5. In § 761.123, on page 10707, in the first column, in the first complete paragraph, in the eighth line, "§ 761.30(1)(1)(ii)" should read "§ 761.30(1)(1)(ii)".
6. On the same page, in the second column, in the second complete paragraph, in the last line, "concentration" should read "contamination".

BILLING CODE 1505-01-D

ENVIRONMENTAL PROTECTION AGENCY

[OPP-30000/27E;FRL-3191-6]

Intent To Cancel Registrations of Pesticide Products Containing 2,4,5-Trichlorophenol or Its Salts; Notice of Final Determination

Correction

In notice document 87-9155 beginning on page 15549 in the issue of Wednesday, April 29, 1987, make the following corrections:

1. On page 15549:
 - a. In the second column, in **FOR FURTHER INFORMATION CONTACT**, in the second paragraph, in the second line, "Crystal" was misspelled.
 - b. In the same column, in **SUPPLEMENTARY INFORMATION**, in the second paragraph, in the second line, insert "of" before "indices".
 - c. In the same column, under the heading "Introduction", in the 15th line, "fetotoxic" was misspelled; in the 18th line, "sales" should read "salts"; in the 20th line, remove the first period; in the 21st line, "review" was misspelled.
 - d. In the third column, in the first complete paragraph, in the 17th line, "nay" should read "any".
 - e. In the same column, in the second complete paragraph, in the 10th line, "fluids" was misspelled.
 - f. In the same column, in the last paragraph, in the fourth line, "fetotoxicity" was misspelled.
2. On page 15551, in the table, in the first column, the eighth entry should read "Rat/Sprague-Dawley"; the ninth entry should read "Rat/Wistar".
3. On page 15552:
 - a. In the first column, in the third paragraph, in the third line, "and" should read "the".
 - b. In the table, in the fourth column, in the seventh entry, "0.0" should read "0.1".
4. On page 15553:
 - a. In the first column of the table, the sixth entry should read "Oral".
 - b. In the seventh column of the table, in the 16th, 17th, 18th, and 19th entries, the fourth line should read, "carcinoma of the tongue".
 - c. In the ninth column of the table, the second entry, "(32)" should be removed.
5. On page 15554:
 - a. In the first column, in the first paragraph, in the fourth line, "Polychlorinated" was misspelled.
 - b. In the same column, in the second paragraph, in the 16th line, "turbines" was misspelled.
6. On page 15558:
 - a. In the first column, in reference 17, in the first line, insert ";" before "Halperin".
 - b. In the same column, in reference 25, in the first line, "O.G." should read "D.G."

BILLING CODE 1505-01-D

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

21 CFR Part 510

New Animal Drugs; Change of Sponsor Address

Correction

In rule document 87-11837 appearing on page 19501 in the issue of Tuesday, May 26, 1987, make the following correction:

1. In the second column, in the last line, "HVF" should read "HFV".

BILLING CODE 1505-01-D

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Health Care Financing Administration

42 CFR Part 405

[BERC-325-FC]

Medicare Program; Changes to the Return on Equity Capital Provisions and the Exemption From Cost Limits for Newly Established Home Health Agencies

Correction

In rule document 87-12602 beginning on page 21216 in the issue of Thursday, June 4, 1987, make the following corrections:

1. On page 21217, in the third column, in the second line from the bottom, remove "[30 days after publication]" and insert "July 6, 1987".
2. On page 21218, in the third column, in the first complete response, in the ninth line, "our" should read "out".
3. On page 21222, in the second column, in the first complete paragraph, in the fourth line, "after" should read

"alter"; in the 13th line, "payment" should read "payments".

4. On the same page, in the same column, two lines from the bottom, "of" should read "or".

5. On the same page, in the third column, in the first line, "cities" should read "cites".

6. On page 21223, in the first column, in the first complete paragraph, in the fifth line, "or" should read "on"; in the ninth line, "on" should read "of".

§ 413.5 [Corrected]

7. On page 21225, in the first column, in § 413.5(c), in the third line, "interests" should read "interest"; in the 11th line, "proprietary" was misspelled.

§ 413.157 [Corrected]

8. On the same page, in the second column, in § 413.157(b), in the sixth line, "proprietary" was misspelled; in the third column, in § 413.157(b)(4), in the

heading, "service" should read "services"; in the same column, in § 413.157(c)(1)(ii), in the 14th line, "in" should read "is", and in the 16th line, insert a comma after "cost".

BILLING CODE 1505-01-D

DEPARTMENT OF THE TREASURY

Internal Revenue Service

26 CFR Part 1

[T.D. 8142]

Income Tax; Taxable Years Beginning After December 31, 1953; Notice to Employees of Earned Income Credit

Correction

In rule document 87-13364 beginning on page 22301 in the issue of Thursday, June 11, 1987, make the following correction:

On page 22302, in the third column, in the last paragraph, in the sixth line, "section 353" should read "section 553".

BILLING CODE 1505-01-D

DEPARTMENT OF THE TREASURY

Internal Revenue Service

Condensed Hardcopy To Automate Manual Processing System (Project Champs)

Correction

In notice document 87-12842 beginning on page 21403 in the issue of Friday, June 5, 1987, make the following correction:

On page 21403, in the second column, in the **SUMMARY**, in the 13th line, insert "application" before "forms".

BILLING CODE 1505-01-D

Register Federal Register

Friday
June 19, 1987

Part II

Department of Labor

Employment and Training Administration

29 CFR Part 90

**Certification of Eligibility To Apply for
Worker Adjustment Assistance; Final Rule**

DEPARTMENT OF LABOR

Employment and Training
Administration

29 CFR Part 90

Certification of Eligibility To Apply for
Worker Adjustment Assistance

AGENCY: Employment and Training
Administration, Labor.

ACTION: Final rule.

SUMMARY: This document contains a final rule amending the regulations on certifications of eligibility to apply for worker adjustment assistance under Chapter 2 of Title II of the Trade Act of 1974 (Pub. L. 93-618), as amended. The final rule is intended to reduce the time required for completing factfinding investigations and issuing determinations on petitions by reassigning the responsibility for certifying worker groups for adjustment assistance and by making other changes that will facilitate administrative efficiency and flexibility.

EFFECTIVE DATE: June 19, 1987.

FOR FURTHER INFORMATION CONTACT:
Glenn M. Zech, Deputy Director, Office of Trade Adjustment Assistance, Employment and Training Administration, 601 D Street, NW., Washington, DC 20213; telephone (202) 376-2646 (this is not a toll-free number).

SUPPLEMENTARY INFORMATION: The trade adjustment assistance (TAA) for workers program provides trade readjustment allowance (TRA) payments and reemployment services including training, job search allowances, and relocation allowances to workers whose separation from employment is linked to import competition. To qualify for TAA, workers must file a petition with the Department of Labor. A factfinding investigation is conducted to substantiate that increase imports of articles like or directly competitive with those produced by the workers' firm have contributed importantly to decreased company sales and/or production and to worker separations.

Regulations at 29 CFR Part 90 establish the procedures and processes for filing petitions, conducting factfinding investigations, issuing determinations on petitions, requesting administrative reconsideration or judicial review of negative determinations, and other pertinent information.

On February 20, 1987, a document was published in the *Federal Register* (52 FR 5310) proposing to revise the regulations at 29 CFR Part 90 and providing that

interested persons could submit comments regarding the proposed revision on or before March 23, 1987.

Discussion of Comments and Changes

The Department received timely written responses from four State employment security agencies. The Maryland and Vermont agencies endorsed the regulations. The Minnesota and Wisconsin agencies submitted comments and suggestions which were given full consideration before preparing final regulations.

1. Minnesota noted that regulations at 29 CFR 90.16 provide that the Department announce decisions on worker petitions for adjustment assistance promptly in the *Federal Register*. It stated that frequently the public will direct questions to the State agency about entitlement under a certification before the State is aware of the decision issued by the Department in response to the petition. Minnesota recommended that the Department inform the appropriate State agency immediately of a decision certifying or denying adjustment assistance benefits to a worker group.

The practice of the Department is to inform the appropriate State agency, the worker group, and the subject company immediately upon issuing a decision on a worker petition. Notices of decisions on petitions issued by the Department are published in the FR twice weekly. Because there are time delays in preparing notices once decisions are issued, in transmitting the notices to the FR and the twice weekly publication schedule, decisions on petitions are ordinarily announced to the worker group, subject company and the appropriate State agency at least 7 days before the notice is published in the FR.

The situation described by Minnesota can best be addressed by prompt distribution of decision documents from the Department's Office of Trade Adjustment Assistance to the Regional Office, to the appropriate State agency, and to local offices of the State agency where services are delivered to workers certified for adjustment assistance. This system will be reviewed to ensure that it is functioning as intended.

No change is made to § 90.16 of the final regulations.

2. Wisconsin commented on § 90.16(a) of the regulations, providing that where a certifying officer has not made a determination within 60 days after the filing of a petition, the certifying officer shall make a determination "as soon thereafter as possible." Wisconsin suggested if 100 percent achievement of the 60 day time provision is not realistic,

a standard should be established that is realistic.

Section 223(a) of the Trade Act, providing for a determination on a worker petition not later than 60 days after the filing date, is directory, not mandatory. This position has been supported by the courts. The Department's Office of Trade Adjustment Assistance has taken extraordinary actions in recent months to reduce the time required to complete factfinding investigations in response to worker petitions and to issue timely decisions. Because of the requirement to issue decisions based on a thorough and complete investigation, there will continue to be situations where more time is required.

No change is made in § 90.16(a) of the final regulations.

3. A typographical error appearing in the proposed rule in the first sentence of § 90.19(c) is corrected by changing the word "by" to "be".

4. Other clarifying and technical changes have been made.

Immediate Effective Date

This final rule is effective upon publication. The rule alters no substantive rights but rather makes procedural changes to facilitate administrative efficiency and flexibility. Accordingly, delaying the effective date of the final rule for 30 days after publication is not required. 5 U.S.C. 553(d).

Classification—Executive Order 12291

The final rule in this document is not classified as a "major rule" under Executive Order 12291 on Federal Regulations, because it is not likely to result in (1) an annual effect on the economy of \$100 million or more; (2) a major increase in costs or prices for consumers, individual industries, Federal, State, or local government agencies, or geographic regions; or (3) significant adverse effects on competition, employment, investment, productivity, innovation, or the ability of United States-based enterprises to compete with foreign-based enterprises in domestic or export markets.

Regulatory Flexibility Act

The Department believes that this final rule will have no "significant economic impact on a substantial number of small entities" within the meaning of 5 U.S.C. 605(b), as provided in the Regulatory Flexibility Act. This rule will affect only the procedures of the Labor Department in processing petitions for trade adjustment assistance for workers. The Secretary of Labor has

certified to the Chief Counsel for Advocacy of the Small Business Administration to this effect. Accordingly, no regulatory flexibility analysis is required.

Catalogue of Federal Domestic Assistance Number

This program is listed in the *Catalog of Federal Domestic Assistance* as No. 17.245, "Trade Adjustment Assistance—Workers."

List of Subjects in 29 CFR Part 90

Administrative practice and procedure, Employment, Foreign trade, Labor, Trade adjustment assistance, Unemployment.

Words of Issuance

For the reasons set out in the preamble, Part 90 of Title 29 of the Code of Federal Regulations is amended as set forth below.

Signed at Washington, DC, on June 15, 1987.

Roberts T. Jones,

Deputy Assistant Secretary of Labor.

PART 90—CERTIFICATION OF ELIGIBILITY TO APPLY FOR WORKER ADJUSTMENT ASSISTANCE

1. The authority citation for Part 90 is revised to read as follows:

Authority: 19 U.S.C. 2320; Secretary's Order No. 3-81, 46 FR 31117.

2. Section 90.1 is revised to read as follows:

§ 90.1 Purpose.

The purpose of this Part 90 is to set forth regulations relating to the responsibilities vested in the Secretary of Labor by the Trade Act of 1974 (Pub. L. 93-618), as amended, concerning petitions and determinations of eligibility to apply for worker adjustment assistance. Section 248 of the Act directs the Secretary of Labor to prescribe regulations which will implement the provisions relating to adjustment assistance for workers. This Part will provide for the prompt and effective disposition of workers' petitions for certification of eligibility to apply for adjustment assistance.

3. Section 90.2 is amended by revising the definitions for "Act," "Certifying officer," "Date of filing," "Director," and "Increased imports" and by adding the definition for "Deputy Director" to read as follows:

§ 90.2 Definitions.

"Act" means the Trade Act of 1974, Pub. L. 93-618, 88 Stat. 1978, 2011-2030 (19 U.S.C. 2271-2321, 2395), as amended.

"Certifying officer" means an official, including the Director, Office of Trade Adjustment Assistance, in the Employment and Training Administration, United States Department of Labor, who has been delegated responsibility to make determinations and issue certifications of eligibility to apply for adjustment assistance, and to perform such further duties as may be required by the Secretary or by this Part 90.

"Date of filing" means the date on which petitions and other documents are received by the Office of Trade Adjustment Assistance, Employment and Training Administration, United States Department of Labor, 601 D Street, NW., Washington, DC 20213.

"Deputy Director" means the Deputy Director of the Office of Trade Adjustment Assistance, Employment and Training Administration, United States Department of Labor, Washington, DC.

"Director" means the Director of the Office of Trade Adjustment Assistance, Employment and Training Administration, United States Department of Labor, Washington, DC.

"Increased imports" means that imports have increased either absolutely or relative to domestic production compared to a representative base period. The representative base period shall be one year consisting of the four quarters immediately preceding the date which is twelve months prior to the date of the petition.

4. The first two sentences of paragraph (c) of § 90.11 are revised to read as follows:

§ 90.11 Petitions.

(c) *Contents.* Petitions may be filed on a U.S. Department of Labor form. Copies of the form may be obtained at a local office of a State Employment Security Agency or by writing to the Office of Trade Adjustment Assistance, Employment and Training Administration, U.S. Department of Labor, 601 D Street, NW., Washington, DC 20213.

5. Section 90.12 is revised to read as follows:

§ 90.12 Investigation.

Upon receipt of a petition, properly filed and verified, the Director of the Office of Trade Adjustment Assistance shall promptly publish notice in the *Federal Register* that the petition has been received. The Director shall initiate, or order to be initiated, such investigation as he determines to be necessary and appropriate. The investigation may include one or more field visits to confirm information furnished by the petitioner(s) and to elicit other relevant information. In the course of any investigation, representatives of the Department shall be authorized to contact and meet with responsible officials of firms, union officials, employees, and any other persons, or organizations, both private and public, as may be necessary to marshal all relevant facts to make a determination on the petition.

(Approved by the Office of Management and Budget under OMB control nos. 1205-0197, 1205-0190, 1205-0191)

6. The first sentence of paragraph (a)(2) and paragraph (d) of § 90.13 are revised to read as follows:

§ 90.13 Public hearings.

(a) * * *

(2) Any other person found by the Director or Deputy Director to have a substantial interest in the proceedings. * * *

(d) *Presiding officer.* The Director or Deputy Director shall conduct and preside over public hearings.

7. Paragraphs (a), (b) and (d) of § 90.14 are revised to read as follows:

§ 90.14 Subpoena power.

(a) The Director or Deputy Director may require, by subpoena, in connection with any investigation or hearing, the attendance and testimony of witnesses and the production of evidence the issuing official in his or her discretion deems necessary to make a determination.

(b) If a person refuses to obey a subpoena issued under paragraph (a) of this section, the Director or Deputy Director may petition the United States District Court within the jurisdiction of which the proceeding is being conducted requesting an order requiring compliance with such subpoena.

(d) Subpoenas issued under paragraph (a) of this section shall be signed by the Director or Deputy Director and shall be served either in person by an authorized representative of the Department of

Labor or by certified mail, return receipt requested. The date for compliance shall be not earlier than seven (7) calendar days following service of the subpoena.

8. Section 90.15 is removed and reserved.

§ 90.15 [Removed and reserved]

9. Paragraph (a) of § 90.16 and that part of paragraph (b) of such section preceding the subordinate clauses of such paragraph are revised to read as follows:

§ 90.16 Determinations and certifications of eligibility to apply for adjustment assistance.

(a) *General.* Within 60 days after the date of filing of a petition, a certifying officer shall make a determination on the petition. If, however, for any reason, a certifying officer has not made a determination in 60 days after the date of filing of the petition, the certifying officer shall make the determination as soon thereafter as possible. If the determination is affirmative, the certifying officer shall issue a certification of eligibility as provided in paragraphs (b), (c), (d) and (g) of this section. If the determination is negative, the certifying officer shall issue a notice of negative determination as provided in paragraphs (b) and (f) of this section.

(b) *Requirements for determinations.* After reviewing the relevant information necessary to make a determination, the certifying officer shall make findings of fact concerning whether: * * *

10. Section 90.17 is amended by removing and reserving paragraph (c) of such section, and by revising the first sentence of paragraph (d) of such section as follows:

§ 90.17 Termination of certification of eligibility.

(c) [Reserved]

(d) *Notice of termination.* A certifying officer shall determine whether or not such certification shall be terminated. * * *

11. Paragraphs (a), (e), (h) and (i) of § 90.18 are revised to read as follows:

§ 90.18 Reconsideration of determinations.

(a) *Determinations subject to reconsideration; time for filing.* Any worker, group of workers, certified or recognized union, or authorized representative of such worker or group, aggrieved by a determination issued pursuant to the Act and § 90.16(c), 90.16(f), 90.16(g), or 90.17(d) may file an application for reconsideration of the

determination with the Office of Trade Adjustment Assistance, Employment and Training Administration, U.S. Department of Labor, 601 D Street, NW., Washington, DC 20213. All applications must be in writing and must be filed no later than thirty (30) days after the notice of the determination has been published in the **Federal Register**.

(e) *Notice of negative determination regarding application for reconsideration.* Upon reaching a determination that an application for reconsideration does not meet the requirements of paragraph (c) of this section, the certifying officer shall issue a negative determination regarding the application and shall promptly publish in the **Federal Register** a summary of the determination, including the reasons therefor. Such summary shall constitute a Notice of Negative Determination Regarding Application for Reconsideration. A determination issued pursuant to this paragraph shall constitute a final determination for purposes of judicial review pursuant to section 284 of the Act, 19 U.S.C. 2395, and § 90.19(a).

(h) *Notice of revised certification of eligibility and notice of revised determination.* Upon reaching a determination on reconsideration that a group of workers has met all the requirements set forth in section 222 of the Act and paragraph (b) of § 90.16, the certifying officer shall issue a revised determination concerning certification of eligibility to apply for adjustment assistance and shall promptly publish in the **Federal Register** a summary of the revised determination together with the reasons for making such revised determination (with the exception of information which the certifying officer determines to be confidential). Such summary shall include a certification of eligibility in accordance with paragraph (d) of § 90.16. The summary shall constitute a Notice of Revised Certification of Eligibility when the determination under reconsideration was a certification of eligibility. The summary shall constitute a Notice of Revised Determination when the determination under reconsideration was a negative determination or a certification containing a negative determination. A determination issued pursuant to this paragraph shall constitute a final determination for purposes of judicial review pursuant to section 284 of the Act, 19 U.S.C. 2395, and § 90.19(a).

(i) *Notice of negative determination on reconsideration.* Upon reaching a

determination on reconsideration that a group of workers has not met all the requirements set forth in section 222 of the Act and paragraph (b) of § 90.16, the certifying officer shall issue a negative determination on reconsideration and shall promptly publish in the **Federal Register** a summary of the determination together with the reasons for making such determination (with the exception of information which the certifying officer determines to be confidential). Such summary shall constitute a Notice of Negative Determination on Reconsideration. A determination issued pursuant to this paragraph shall constitute a final determination for purposes of judicial review pursuant to section 284 of the Act, 19 U.S.C. 2395, and § 90.19(a).

12. Section 90.19 is revised to read as follows:

§ 90.19 Judicial review of determinations.

(a) *General.* Pursuant to section 284 of the Act, 19 U.S.C. 2395, any worker, group of workers, certified or recognized union, or authorized representative of such worker or group, aggrieved by a final determination issued pursuant to the Act and § 90.16(c), § 90.16(f), § 90.16(g), § 90.17(d), § 90.18(e), § 90.18(h) or § 90.18(i) may commence a civil action for review of such determination with the United States Court of International Trade. The party seeking judicial review must file for review in the Court of International Trade within sixty (60) days after the notice of determination has been published in the **Federal Register**.

(b) *Certified record of the Secretary.* Upon receiving a copy of the summons and complaint from the clerk of the Court of International Trade, the certifying officer shall promptly certify and file in such court the record on which the determination was based. The record shall include transcripts of any public hearings, the findings of fact made pursuant to § 90.16(b), § 90.18(e), § 90.18(h) or § 90.18(i), and other documents on which the determination was based.

(c) *Further proceedings.* If a case is remanded to the Secretary by the Court of International Trade for the taking of further evidence, the Director or Deputy Director shall direct that further proceedings be conducted in accordance with the provisions of Subpart B of this Part, including the taking of further evidence. A certifying officer, after the conduct of such further proceedings, may make new or modified findings of fact and may modify or affirm the previous determination. Upon the completion of such further proceedings,

the certifying officer shall certify and file in the Court of International Trade the record of such further proceedings.

(d) *Substantial evidence.* The findings of fact by the certifying officer shall be conclusive if the Court of International Trade determines that such findings of fact are supported by substantial evidence.

13. Paragraph (a) of § 90.31 is revised to read as follows:

§ 90.31 Filing of documents.

(a) *Where to file; date of filing.* Petitions and all other documents shall be filed at the Office of Trade

Adjustment Assistance, Employment and Training Administration, U.S. Department of Labor, 601 D Street, NW., Washington, DC 20213. If properly filed, such documents shall be deemed filed on the date on which they are actually received in the Office of Trade Adjustment Assistance.

* * * * *

14. Paragraph (a) of § 90.32 is revised to read as follows:

§ 90.32 Availability of information.

(a) *Information available to the public.* Upon request to the Director of the Office of Trade Adjustment

Assistance, members of the public may inspect petitions and other documents filed with the Director under the provisions of this Part 90, transcripts of testimony taken and exhibits submitted at public hearings held under the provisions of this Part 90, public notices concerning worker assistance under the Act and other reports and documents issued for general distribution.

* * * * *

[FR Doc. 87-13950 Filed 6-18-87; 8:45 am]

BILLING CODE 4510-30-M