

assistance for the subject worker group was issued on June 10, 2003 and the Notice of determination was published in the **Federal Register** on June 19, 2003 (68 FR 36846). Workers produced paper patterns and sample garments at the subject facility. The investigation revealed that worker separations at the subject facility are not attributable to either increased in imports or a shift of production abroad of paper patterns and sample garments, but are attributable to a change in the company's production technology which resulted in substitution of the manual labor by computer design programs.

By application of July 2, 2003, the workers requested administrative reconsideration of the negative determination. In the request for reconsideration, the workers assert that the subject company could not have replaced the manual labor with a computer program (due to the complexity of decision making required in pattern making and the physical demands required to construct sample garments) and that the subject company must have outsourced production (possibly to a foreign source).

The Department contacted a company official and was informed that the computer program had reduced the need for manpower and that the work performed by the petitioners had not been outsourced, domestically or abroad.

The Notice of Negative Determination Regarding Application for Reconsideration was issued on August 19, 2003 and published in the **Federal Register** on September 30, 2003 (68 FR 56327). The workers' request was denied because there was no error or misunderstanding of the law or facts in the investigation.

By letter dated September 24, 2003, the petitioners appealed to the USCIT for judicial review. In the appeal, the petitioners alleged that a computer pattern making program cannot replace human pattern makers, but was merely a tool to be used by the subject workers, and stated that it is their belief that their jobs were being outsourced abroad since the subject firm has not reduced the number of styles produced.

On February 7, 2005, the USCIT directed the Department to investigate into the petitioner's allegation that the new computer program cannot replace the human pattern makers, to determine the reason(s) for the subject firm's reduced need for garment samples and patterns in the period prior to the subject workers' separations, and to determine the subject workers' eligibility to apply for trade adjustment

assistance as provided by the Trade Act of 1974.

In response to the petitioners' claim that the new computer program could not have replaced the manual pattern makers, the Department contacted a company official for clarification about the pattern making process. The company official described the process and explained how the need for manual pattern making was reduced by new pattern making technology. The company official also clarified that the sample makers made samples from manually created patterns and not the computer-generated patterns.

Prior to the new technology, technical pattern design teams created new patterns with the pattern makers drawing each new pattern by hand based on the designers' advice. The new pattern making technology enabled the technical designers to access a library of electronically-stored patterns and utilize those patterns in creating new patterns, thereby reducing the need for hand-drawn patterns. As the technology became more efficient, the need for manual pattern makers decreased.

Prior to the workers' separations in January 2003, the subject company had conducted a productivity analysis and concluded that there was not enough work to justify the then-current staffing levels of manual pattern makers and sample makers. There was a reduced need for the manual pattern makers due to increased productivity in other areas of production and decreased need for new patterns as existing patterns stored in the computer could be recalled and utilized. The company determined that one manual pattern maker could manage the workload of four manual pattern makers, and reduced the staff accordingly. Since the manual sample makers created samples from the patterns drawn by the manual pattern makers, the need for manual sample makers decreased as the number of hand-drawn patterns decreased. Thus, the level of manual staffing was reduced to match the level of manual pattern makers.

While sample imports increased after the implementation of new technology in March 2003, the company's submissions clearly show that the separations were not due to the subject company shifting production abroad or increasing imports of patterns or samples during the relevant period, but due to the subject company's institution of production improvement measures which resulted in the reduced need for manual labor in general. As such, the Department has determined that the workers have not met the criteria set forth in Section 222 of the Trade Act of

1974, as amended, and are not eligible to apply for worker adjustment assistance.

Conclusion

After reconsideration on remand, I affirm the original notice of negative determination of eligibility to apply for adjustment assistance for workers and former workers of Federated Merchandising Group, a Part of Federated Department Stores, New York, New York.

Signed at Washington, DC, this 6th day of July, 2005.

Elliott S. Kushner,

Certifying Officer, Division of Trade Adjustment Assistance.

[FR Doc. E5-3735 Filed 7-13-05; 8:45 am]

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DEPARTMENT OF LABOR

Employment and Training Administration

[TA-W-57,232]

Ingram Micro, Santa Ana, CA; Notice of Termination of Investigation

Pursuant to Section 221 of the Trade Act of 1974, as amended, an investigation was initiated on May 23, 2005 in response to a worker petition filed by a company official on behalf of workers at Ingram Micro, Santa Ana, California.

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

Signed at Washington, DC, this 17th day of June, 2005.

Richard Church,

Certifying Officer, Division of Trade Adjustment Assistance.

[FR Doc. E5-3744 Filed 7-13-05; 8:45 am]

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DEPARTMENT OF LABOR

Employment and Training Administration

[TA-W-57,121]

J.E. Morgan Knitting Mills (Sara Lee) Tamaqua, PA; Notice of Termination of Investigation

Pursuant to Section 221 of the Trade Act of 1974, an investigation was initiated on May 5, 2005 in response to a petition filed by a company official on behalf of workers at J.E. Morgan Knitting Mills (Sara Lee), Tamaqua, Pennsylvania.

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

Signed in Washington, DC, this 17th day of June, 2005.

Elliott S. Kushner,

Certifying Officer, Division of Trade Adjustment Assistance.

[FR Doc. E5-3741 Filed 7-13-05; 8:45 am]

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DEPARTMENT OF LABOR

Employment and Training Administration

Investigations Regarding Certifications of Eligibility To Apply for Worker Adjustment Assistance

Petitions have been filed with the Secretary of Labor under Section 221(a) of the Trade Act of 1974 ("the Act") and

are identified in the Appendix to this notice. Upon receipt of these petitions, the Director of the Division of Trade Adjustment Assistance, Employment and Training Administration, has instituted investigations pursuant to Section 221(a) of the Act.

The purpose of each of the investigations is to determine whether the workers are eligible to apply for adjustment assistance under Title II, Chapter 2, of the Act. The investigations will further relate, as appropriate, to the determination of the date on which total or partial separations began or threatened to begin and the subdivision of the firm involved.

The petitioners or any other persons showing a substantial interest in the subject matter of the investigations may request a public hearing, provided such request is filed in writing with the Director, Division of Trade Adjustment

Assistance, at the address shown below, not later than June 25, 2005.

Interested persons are invited to submit written comments regarding the subject matter of the investigations to the Director, Division of Trade Adjustment Assistance, at the address shown below, not later than June 25, 2005.

The petitions filed in this case are available for inspection at the Office of the Director, Division of Trade Adjustment Assistance, Employment and Training Administration, U.S. Department of Labor, Room C-5311, 200 Constitution Avenue, NW., Washington, DC 20210.

Signed at Washington, DC, this 28th day of June, 2005.

Timothy Sullivan,

Director, Division of Trade Adjustment Assistance.

APPENDIX

[Petitions instituted between 06/06/2005 and 06/10/2005]

TA-W	Subject firm (petitioners)	Location	Date of institution	Date of petition
57,315	Magruder Color (State)	Elizabeth, NJ	06/06/2005	06/06/2005
57,316	Flow Robotic Systems, Inc. (Wkrs)	Wixom, MI	06/06/2005	06/06/2005
57,317	Power-One (Wkrs)	Andover, MA	06/06/2005	06/06/2005
57,318	Seneca Foods Corp. (Wkrs)	Dayton, WA	06/06/2005	06/03/2005
57,319	L.R. Nelson Corporation (State)	Peoria, IL	06/06/2005	06/02/2005
57,320	Sabre Inc. (NPS)	Southlake, TX	06/06/2005	06/03/2005
57,321	Reum Corporation (State)	Waukegan, IL	06/07/2005	06/06/2005
57,322	Danaher Tool Group (State)	West Hartford, CT	06/07/2005	06/07/2005
57,323	American Safety Razor Company (Comp)	Knoxville, TN	06/07/2005	06/01/2005
57,324	Plymouth Rubber Co., Inc. (Comp)	Canton, MA	06/07/2005	06/06/2005
57,325	Danly IEM (AFLCIO)	Beaver Dam, WI	06/07/2005	06/02/2005
57,326	Intel Corporation (Wkrs)	Hillsboro, OR	06/08/2005	06/03/2005
57,327	WestPoint Stevens (Comp)	Lanett, AL	06/08/2005	06/06/2005
57,328	REHAU, Inc. (Comp)	Sturgis, MI	06/08/2005	06/01/2005
57,329	Kimberly-Clark (Comp)	Fort Worth, TX	06/08/2005	04/01/2005
57,330	Davy Manufacturing (Wkrs)	Collingdale, PA	06/08/2005	06/01/0005
57,331	Ready Fixtures (MCIW)	Shell Lake, WI	06/08/2005	05/31/2005
57,332	Fabry Industries (Wkrs)	Green Bay, WI	06/08/2005	06/07/2005
57,333	Ready Metal Manufacturing, Co. (Comp)	Chicago, IL	06/08/2005	06/07/2005
57,334	Century Furniture Ind. (Comp)	Longview, NC	06/08/2005	06/07/2005
57,335	Teledyne Instruments (State)	City of Industry, CA	06/08/2005	06/07/2005
57,336	United Machine Works, Inc. (Comp)	Bethel, NC	06/08/2005	06/03/2005
57,337	Bernhardt (Wkrs)	Lenoir, NC	06/08/2005	05/25/2005
57,338	Cardinal Home Products (Comp)	Linesville, PA	06/08/2005	06/08/2005
57,339	Frazer and Jones Co. (Comp)	Soway, NY	06/08/2005	05/23/2005
57,340	Top Ride Fashion (Comp)	S. El Monte, CA	06/08/2005	05/16/2005
57,341	Haggar Clothing Co. (Wkrs)	Weslaco, TX	06/08/2005	05/26/2005
57,342	Bemis Company, Inc. (Comp)	Dallas, TX	06/09/2005	06/07/2005
57,343	IBM OS Systems Support (NPS)	Royston, GA	06/09/2005	06/06/2005
57,344	Kulicke and Soffa Industries (Comp)	San Jose, CA	06/09/2005	06/08/2005
57,345	Merrimac Paper Co., Inc. (Comp)	Lawrence, MA	06/09/2005	06/02/2005
57,346	Linn, Inc. (Comp)	Parsons, TN	06/09/2005	06/03/2005
57,347	Hart Furniture Mfg. Company (State)	Corning, AR	06/09/2005	06/08/2005
57,348	Magnus Group (The) (Comp)	Emigsville, PA	06/09/2005	06/09/2005
57,349	PMC—Sierra (Comp)	Santa Clara, CA	06/09/2005	06/06/2005
57,350	Motor Appliance Corporation (IBT)	Washington, MO	06/09/2005	06/09/2005
57,351	Medicare Assoc. of United Gov't Srvs, LLC (Wkrs).	Ashland, WI	06/09/2005	06/04/2005
57,352	Specialty Filaments, Inc. (Wkrs)	Burlington, VT	06/09/2005	05/23/2005
57,353	WestPoint Stevens (Comp)	Wagram, NC	06/10/2005	06/10/2005
57,354	Visteon Systems, LLC (IUE)	Connerville, IN	06/10/2005	06/10/2005
57,355	FEMDS, Inc. (Comp)	Gaithersburg, MD	06/10/2005	06/10/2005
57,356	KeyTronicEMS (Comp)	Las Cruces, NM	06/10/2005	06/08/2005