

During the remand investigation, the Department confirmed that the material created by the workers and produced at the Merrill printing facilities is unique to each order. Supp. AR at 10–11, 36. No two orders for one customer are alike because the material captures legal and financial information which is unique unto itself. Similarly, one customer's order cannot be intrinsically similar to another customer's. Accordingly, there are no articles which are "like" or "directly competitive" to any single "article" created by Merrill because each electronic file is a unique document which is created for the sole purpose of satisfying a specific customer's particular need at a particular point in time. Thus, there are no articles which are essentially interchangeable or can be adapted to the same use as a Merrill document, and there are no articles "like or directly competitive" with any Merrill "article." See *Former Employees of Murray Engineering, Inc. v. Chao*, 2005 WL 1527642 (CIT 2005) (articles that are "neither interchangeable with nor substitutable" for the petitioner's designs are not considered directly competitive.) (citing *Machine Printers & Engravers Ass'n v. Marshall*, 595 F.2d 860, 862 (DC Cir. 1979)). Since there are no articles which are like or directly competitive with those produced by the subject company, there cannot be any imports, much less increased imports. Therefore, neither section 222(a)(2)(A) nor section 222(a)(2)(B) of the Trade Act, as amended, has been satisfied.

The plaintiffs argue that the Department's interpretation ignores the fact that the workers' jobs were shifted to India. Supp. AR at 62. In fact, the Department recognizes that the workers' jobs were shifted overseas. The Trade Act, however, does not provide benefits to every person whose job was shifted overseas. First, there must be the shift of production of an "article," which did not occur here. Supp. AR at 65. Second, the Trade Act requires, in a case such as this one, that there be an increase of imports of articles "like or directly competitive" to the articles whose production was shifted overseas. The plaintiffs argue that the "process" shifted overseas was identical to the "process" that had been done in the United States. Supp. AR at 62. However, it is not enough for the *process* to be "like or directly competitive." As discussed above, each individual electronic document transmitted to the United States is inherently *unlike* and *not* competitive with any other electronic transmission.

The Department's investigation has demonstrated that some of Merrill's

customers ask that the SEC filings be placed on a physical medium. For those customers, Merrill delivered the electronic creations of the plaintiffs to an in-house printer who puts the SEC filing in book form. Therefore, the plaintiffs could be viewed as supporting production of an article. The Department has determined, however, that no printing was transferred to another country. Supp. AR at 65. Therefore, there was no shift of production of an article.

#### 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 Merrill Corporation, St. Paul, Minnesota.

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

**Elliott S. Kushner,**

*Certifying Officer, Division of Trade Adjustment Assistance.*

[FR Doc. E5–6991 Filed 12–6–05; 8:45 am]

**BILLING CODE 4510–30–P**

## DEPARTMENT OF LABOR

### Employment and Training Administration

[TA–W–57,960]

#### Solectron Corporation a Subsidiary of Solectron USA, Inc., Lumberton, NJ; Notice of Termination of Certification

This notice terminates the Certification Regarding Eligibility to Apply for Worker Adjustment Assistance and Alternative Trade Adjustment Assistance issued by the Department on October 24, 2005, applicable to all workers of the subject firm. The notice will soon be published in the **Federal Register**.

The Department, at the request of the State agency, reviewed the certification for workers of Solectron Corporation, a Subsidiary of Solectron USA, Inc., Lumberton, New Jersey. The workers produce computer storage equipment.

In response to the petition filed by a company official, the certification was issued based on the investigation finding that there were worker separations and the production of computer storage equipment was shifted from the Lumberton, New Jersey plant to Mexico.

New information provided by an official of Solectron Corporation to the State agency reveals that the subject firm has not shifted production of computer storage equipment to Mexico. The company official confirmed with

the Department that the plant is closing and the production is being shifted to another domestic location.

Since the production at the Lumberton, New Jersey location has not been shifted to Mexico, this certification has been terminated.

Signed at Washington, DC, this 14th day of November, 2005.

**Linda G. Poole,**

*Certifying Officer, Division of Trade Adjustment Assistance.*

[FR Doc. E5–6998 Filed 12–6–05; 8:45 am]

**BILLING CODE 4510–30–P**

## NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

[05–160]

### Notice of Information Collection

**AGENCY:** National Aeronautics and Space Administration (NASA).

**ACTION:** Notice of information collection.

**SUMMARY:** The National Aeronautics and Space Administration, as part of its continuing effort to reduce paperwork and respondent burden, invites the general public and other Federal agencies to take this opportunity to comment on proposed and/or continuing information collections, as required by the Paperwork Reduction Act of 1995 (Pub. L. 104–13, 44 U.S.C. 3506(c)(2)(A)).

**DATES:** All comments should be submitted within 30 calendar days from the date of this publication.

**ADDRESSES:** All comments should be addressed to the Desk Officer for NASA, Office of Information and Regulatory Affairs, Room 10236, New Executive Office Building, Washington, DC 20503.

**FOR FURTHER INFORMATION CONTACT:** Requests for additional information or copies of the information collection instrument(s) and instructions should be directed to Mr. Walter Kit, Reports Officer, Office of the Chief Information Officer, NASA Headquarters, 300 E Street SW., Mail Suite JA00, Washington, DC 20546, 202–358–1350, [walter.kit-1@nasa.gov](mailto:walter.kit-1@nasa.gov).

#### SUPPLEMENTARY INFORMATION:

##### I. Abstract

The NASA Contractor Financial Management Reporting System is the basic financial medium for contractor reporting of estimated and incurred costs, providing essential data for projecting costs and hours to ensure that contractor performance is realistically planned and supported by dollar and labor resources. The data provided by