of the law justified reconsideration of the decision.

The TAA petition filed on behalf of a worker at UITS Support Center, a division of NBC Universal, Universal City, California, engaged in technical support for the employees of the Universal Studios and Universal Music was denied because the petitioning workers did not produce an article within the meaning of section 222 of the Act.

The petitioner contends that the Department erred in its interpretation of work performed at the subject facility as a service and further conveys that movies which are filmed and taped at the Universal Studios lot should be considered a product and workers dealing with the technological aspects such as soundstage locations, wardrobe inventory and actors' contracts should be considered workers engaged in production.

A company official was contacted for clarification in regard to the nature of the work performed at the subject facility. The official stated that the role of the petitioning group of workers at the subject firm was that of information technology help desk analyst. In particular, workers of the subject firm provided assistance pertaining to computer problems over the telephone to the workers at Universal Studios, Universal City, California. The official further clarified that workers of the University Studios, University City, California, do not manufacture articles, and are engaged in activities related to making movies and television shows.

The company official further stated that the position of help desk analyst was transferred from the subject facility to India.

Technical support is not considered production within the context of TAA eligibility requirements, so there are no imports of products nor was there a shift in production of an ''article'' abroad within the meaning of the Trade Act of 1974 in this instance.

Service workers can be certified only if worker separations are caused by a reduced demand for their services from a parent or controlling firm or subdivision whose workers produce an article domestically who meet the eligibility requirements, or if the group of workers are leased workers who perform their duties on-site at a facility that meet the eligibility requirements.

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 in Washington, DC, this 15th day of July, 2005.

Elliott S. Kushner,

Certifying Officer, Division of Trade Adjustment Assistance.

[FR Doc. E5–4293 Filed 8–8–05; 8:45 am]

BILLING CODE 4510–30–P

DEPARTMENT OF LABOR

Employment and Training Administration

[TA–W–57,253]

Vision Knits, Inc., Albemarle, NC; Notice of Negative Determination Regarding Application for Reconsideration

By application of June 28, 2005, a company official requested administrative reconsideration of the Department's negative determination regarding eligibility to apply for Trade Adjustment Assistance (TAA), applicable to workers and former workers of the subject firm. The denial notice was signed on June 16, 2005, and published in the **Federal Register** on July 14, 2005 (70 FR 40741).

Pursuant to 29 CFR 90.18(c) reconsideration may be granted under the following circumstances:

(1) If it appears on the basis of facts not previously considered that the determination complained of was erroneous;

(2) If it appears that the determination complained of was based on a mistake in the determination of facts not previously considered; or

(3) If in the opinion of the Certifying Officer, a mis-interpretation of facts or of the law justified reconsideration of the decision.

The petition for the workers of Vision Knits, Inc., Albemarle, North Carolina engaged in production of unfinished knit fabric was denied because the ''contributed importantly'' group eligibility requirement of section 222 of the Trade Act of 1974, as amended, was not met, nor was there a shift in production from that firm to a foreign country. The ''contributed importantly'' test is generally demonstrated through a survey of the workers' firm's customers. The survey revealed no imports of unfinished knit fabric during the relevant period. The subject firm did not import unfinished knit fabric nor did it shift production to a foreign country during the relevant period.

The petitioner states that even though the subject firm produces fabric, this fabric is further used in the production of garments. The petitioner alleges that because final customers purchase garments from foreign countries, the subject firm lost its business due to the imports of finished garments.

The petitioner attached two letters from customers to support the allegations. The letters state that increased imports of finished garments resulted in customers' loss of business.

The petitioner concludes that, because the production of garments occurs abroad, the subject firm workers producing fabric are import impacted.

In order to establish import impact, the Department must consider imports that are like or directly competitive with those produced at the subject firm. Imports of garments cannot be considered like or directly competitive with unfinished fabric produced by Vision Knits, Inc.

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 in Washington, DC, day 28th of July, 2005.

Linda G. Poole,

Certifying Officer, Division of Trade Adjustment Assistance.

[FR Doc. E5–4295 Filed 8–8–05; 8:45 am]

BILLING CODE 4510–30–P

DEPARTMENT OF LABOR

Employment and Training Administration

[TA–W–57,327]

Westpoint Stevens, Bed Products Division, Lanett, AL; Notice of Termination of Investigation

Pursuant to section 221 of the Trade Act of 1974, as amended, an investigation was initiated on June 8, 2005, in response to a petition filed by a company official on behalf of workers at WestPoint Stevens, Bed Products Division, Lanett, Alabama.

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

Signed in Washington, DC, this 20th day of July, 2005.

Elliott S. Kushner,

Certifying Officer, Division of Trade Adjustment Assistance.

[FR Doc. E5–4298 Filed 8–8–05; 8:45 am]

BILLING CODE 4510–30–P

LIBRARY OF CONGRESS

Copyright Royalty Board

[Docket No. 2005–2 CRB SD 2001–2003]

Distribution of the 2001, 2002, and 2003 Satellite Royalty Funds

AGENCY: Copyright Royalty Board, Library of Congress.

ACTION: Request for comments.

SUMMARY: The Interim Chief Copyright Royalty Judge, on behalf of the Copyright Royalty Board, is requesting comments on the existence of controversies to the distribution of the 2001, 2002, and 2003 satellite royalty funds.

DATES: Written comments should be received no later than September 8, 2005.

ADDRESSES: If hand delivered by a private party, an original and five copies of comments must be brought to Room LM–401 of the James Madison Memorial Building, Monday through Friday, between 8:30 a.m. and 5 p.m., and the envelope must be addressed as follows: Copyright Royalty Board, Library of Congress, James Madison Memorial Building, LM–401, 101 Independence Avenue, SE., Washington, DC 20559–6000. If delivered by a commercial courier (excluding overnight delivery services such as Federal Express, United Parcel Service and similar overnight delivery services), an original and five copies of comments must be delivered to the Congressional Courier Acceptance Site located at 2nd and D Street, NE., Monday through Friday, between 8:30 a.m. and 4 p.m., and the envelope must be addressed as follows: Copyright Royalty Board, Library of Congress, James Madison Memorial Building, LM–403, 101 Independence Avenue, SE., Washington, DC 20559–6000. If sent by mail (including overnight delivery using United States Postal Service Express Mail), an original and five copies of comments must be addressed to: Copyright Royalty Board, P.O. Box 70977, Southwest Station, Washington, DC 20024–0977. Comments may not be delivered by means of overnight delivery services such as Federal Express, United Parcel Service, etc., due to delays in processing receipt of such deliveries.

FOR FURTHER INFORMATION CONTACT: William J. Roberts, Jr., Senior Attorney, or Abioye E. Oyewole, CRB Program Specialist. Telephone (202) 707–8380. Telefax: (202) 252–3423.

SUPPLEMENTARY INFORMATION: Each year satellite carriers submit royalties to the Copyright Office under the section 119 statutory license for the retransmission to their subscribers of distant over-the-air television broadcast signals. 17 U.S.C. 119. These royalties are, in turn, distributed in one of two ways to copyright owners whose works were included in a retransmission of an over-the-air television broadcast signal and who timely filed a claim for royalties with the Copyright Office. The copyright owners may either negotiate the terms of a settlement as to the division of the royalty funds, or the Copyright Royalty Board may conduct a proceeding to determine the distribution of the royalties that remain in controversy. *See* 17 U.S.C. Chapter 8.

By Motion received on June 20, 2005, representatives of the Phase I claimant categories (the ''Phase I Parties'') [1] have asked the Board to authorize a partial distribution of 50% of each of the 2001, 2002, and 2003 satellite royalty funds, asserting that 50% of those funds is not in controversy. As set forth in the Motion, the proposed partial distribution would be preceded by a notice in the **Federal Register**, seeking comments with respect to the premise of the Motion that 50% of the relevant royalty funds is not in controversy. The Phase I Parties also indicated that, ''in the event that the final percentage shares to Phase I Parties differ from the distributions made pursuant to this Motion, any overpayment that results from the final distribution shall be repaid * * * with interest * * *.'' Motion, at 4 (internal quotation and citation omitted).

In support of their Motion, the Phase I Parties invoked the Board's authority under Copyright Act sections 801(b)(3)(C) and 119(b)(4)(C). Because no distribution proceeding with respect to the 2001–2003 satellite funds was ''pending,'' the Board was concerned that it might lack authority to act favorably on the requested 50% partial distribution. Accordingly, on July 1, 2005, the Board invited supplemental briefing from the Phase I Parties on this issue. In their supplemental brief, filed July 26, 2005, the Phase I Parties rely heavily on section 801(b)(3)(A). 17 U.S.C. 801(b)(3)(A), which was enacted as part of the Copyright Royalty and Distribution Reform Act of 2004, Public Law 108–419, 118 Stat. 2341 (November 30, 2004), ''authorize[s] the distribution'' of satellite and other royalty funds ''to the extent that the Copyright Royalty Judges have found that the distribution of such fees is not subject to controversy.'' In arguing that section 801(b)(3)(A) should be construed to permit partial distributions prior to the formal initiation of distribution proceedings, the Phase I Parties point to the historic practices of the Copyright Royalty Tribunal and the Copyright Arbitration Royalty Panel system and demonstrate that Congress did not intend to alter that flexibility in adopting the current language of Copyright Act section 801(b)(3). After considering the arguments made by the Phase I Parties, the Board agrees with the Phase I Parties that section 801(b)(3)(A) should be construed to authorize the partial distribution of royalties not in controversy prior to the initiation of proceedings under sections 803(b)(1).

Accordingly, through this **Federal Register** notice, the Board is seeking comments on whether any controversy exists that would preclude the distribution of 50% of the satellite royalty funds to the Phase I Parties. If no controversy exists with respect to 50% of the funds, or no comments are received, the Board will grant the Phase I Parties' Motion for the partial distribution of the 2001–2003 satellite royalty funds, subject to the protective refund conditions required for partial distributions.

The Board also seeks comment on the existence and extent of any controversies to the 2001–2003 satellite royalty funds, either at Phase I or Phase II, with respect to the 50% of the 2001–2003 satellite royalty funds that would remain, if the partial distribution is granted. In Phase I of a satellite royalty distribution, royalties are distributed to certain categories of broadcast programming that have been retransmitted by satellite carriers. The categories have traditionally been movies and syndicated television series, sports programming, commercial and noncommercial broadcaster-owned programming, religious programming, music programming and Canadian programming. In Phase II of a satellite royalty distribution, royalties are distributed to claimants within each of the Phase I categories. Any party submitting comments on the existence

[1] The ''Phase I Parties'' are the Program Suppliers, the Joint Sports Claimants, the Public Television Claimants, the Broadcaster Claimants Group, the American Society of Composers, Authors and Publishers, Broadcast Music, Inc., SESAC, Inc., and the Devotional Claimants.