

**DEPARTMENT OF LABOR****Employment and Training  
Administration**

[TA-W-57,162]

**Gulf Fibers, Inc., Axis, AL; Dismissal of  
Application for Reconsideration**

Pursuant to 29 CFR 90.18(C) an application for administrative reconsideration was filed with the Director of the Division of Trade Adjustment Assistance for workers at Gulf Fibers, Inc., Axis, Alabama. The application contained no new substantial information which would bear importantly on the Department's determination. Therefore, dismissal of the application was issued.

TA-W-57,162; Gulf Fibers, Inc., Axis, Alabama (July 18, 2005).

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

**Timothy Sullivan,***Director, Division of Trade Adjustment Assistance.*

[FR Doc. E5-4216 Filed 8-4-05; 8:45 am]

BILLING CODE 4510-30-P

**DEPARTMENT OF LABOR****Employment and Training  
Administration**

[TA-W-57,118]

**Lucerne Textiles, Inc., New York, NY;  
Dismissal of Application for  
Reconsideration**

Pursuant to 29 CFR 90.18(C) an application for administrative reconsideration was filed with the Director of the Division of Trade Adjustment Assistance for workers at Lucerne Textiles, Inc., New York, New York. The application contained no new substantial information which would bear importantly on the Department's determination. Therefore, dismissal of the application was issued.

TA-W-57,118; Lucerne Textiles, Inc., New York, New York (July 21, 2005).

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

**Timothy Sullivan,***Director, Division of Trade Adjustment Assistance.*

[FR Doc. E5-4215 Filed 8-4-05; 8:45 am]

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**DEPARTMENT OF LABOR****Employment and Training  
Administration**

[TA-W-57,351]

**Medicare Association of UGS, LLC, a  
Subsidiary of United Government  
Services, LLC, Ashland, WI; Dismissal  
of Application for Reconsideration**

Pursuant to 29 CFR 90.18(C) an application for administrative reconsideration was filed with the Director of the Division of Trade Adjustment Assistance for workers at Medicare Association of UGS, LLC, a subsidiary of United Government Services, LLC, Ashland, Wisconsin. The application contained no new substantial information which would bear importantly on the Department's determination. Therefore, dismissal of the application was issued.

TA-W-57,351; Medicare Association of UGS, LLC, a subsidiary of United Government Services, LLC, Ashland, Wisconsin (July 27, 2005).

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

**Timothy Sullivan,***Director, Division of Trade Adjustment Assistance.*

[FR Doc. E5-4217 Filed 8-4-05; 8:45 am]

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**DEPARTMENT OF LABOR****Employment and Training  
Administration**

[TA-W-53,026]

**Metaldyne Driveline/Hydraulics Group  
Currently Known As Lester Precision  
Die Casting, LLC, Bedford Heights,  
Ohio; Amended Certification  
Regarding Eligibility To Apply For  
Worker Adjustment Assistance and  
Alternative Trade Adjustment  
Assistance**

In accordance with section 223 of the Trade Act of 1974 (19 U.S.C. 2273), the Department of Labor issued a Certification of Eligibility to Apply for Worker Adjustment Assistance on November 14, 2003, applicable to workers of Metaldyne Driveline/Hydraulics Group, Bedford Heights, Ohio. The notice was published in the **Federal Register** on December 29, 2003 (68 FR 74979). On June 17, 2005, in accordance with in accordance with Section 246 of the Trade Act of 1974 (26 U.S.C. 2813), the same worker group was issued a Certification of Eligibility to Apply for Alternative Trade Adjustment Assistance.

At the request of the State Agency, the Department reviewed the certification for workers of the subject firm. The workers are engaged in the production of die cast transmission parts.

The State agency provided documentation that as of February 1, 2004, Lester Precision Die Casting, LLC became the successor firm to Metaldyne Driveline/Hydraulics Group.

It is the Department's intent to include all adversely affected workers of the firm. Accordingly, the Department is amending the certification to reflect the new ownership.

The amended notice applicable to TA-W-53,026 is hereby issued as follows:

All workers of Metaldyne Driveline/Hydraulics Group, currently known as Lester Precision Die Casting, LLC, Bedford Heights, Ohio, who became totally or partially separated from employment on or after September 17, 2002, through November 14, 2005, are eligible to apply for adjustment assistance under section 223 of the Trade Act of 1974, and are also eligible to apply for alternative trade adjustment assistance under section 246 of the Trade Act of 1974.

Signed in Washington, DC, this 19th day of July 2005.

**Linda G. Poole,***Certifying Officer, Division of Trade Adjustment Assistance.*

[FR Doc. E5-4210 Filed 8-4-05; 8:45 am]

BILLING CODE 4510-30-P

**DEPARTMENT OF LABOR****Employment and Training  
Administration**

[TA-W-55,830]

**Modine Manufacturing Aftermarket  
Business, Currently Known As  
Proliance International, Emporia,  
Kansas; Amended Certification  
Regarding Eligibility to Apply for  
Worker Adjustment Assistance and  
Alternative Trade Adjustment  
Assistance**

In accordance with section 223 of the Trade Act of 1974 (19 U.S.C. 2273) the Department of Labor issued Amended Certification Regarding Eligibility to Apply for Worker Adjustment Assistance and Alternative Trade Adjustment Assistance on November 5, 2004, applicable to workers of Modine Manufacturing, Emporia, Kansas. The notice was published in the **Federal Register** on December 9, 2004 (69 FR 71429).

At the request of the State agency, the Department reviewed the certification for workers of the subject firm. The workers were engaged in the production of aftermarket automotive radiators.

New information from the company and the State agency shows that on July 23, 2005, the Aftermarket Business of Modine Manufacturing merged with Transpro, Inc. and formed a combined company named Proliance International. Workers separated from employment at the subject firm had their wages reported under a separated unemployment insurance (UI) tax account for Proliance International.

Accordingly, the Department is amending this certification to properly reflect this matter.

The intent of the Department's certification is to include all workers of the Aftermarket Business, Modine Manufacturing who were adversely affected by increased imports.

The amended notice applicable to TA-W-55,830 is hereby issued as follows:

All workers of the Aftermarket Business of Modine Manufacturing, which became known as Proliance International, Emporia, Kansas, who became totally or partially separated from employment on or after October 18, 2003, through November 5, 2006, are eligible to apply for adjustment assistance under section 223 of the Trade Act of 1974, and are also eligible to apply for alternative trade adjustment assistance under section 246 of the Trade Act of 1974.

Signed in Washington, DC this 26th day of July 2005.

**Richard Church,**

*Certifying Officer, Division of Trade Adjustment Assistance.*

[FR Doc. E5-4212 Filed 8-4-05; 8:45 am]

BILLING CODE 4510-30-P

## DEPARTMENT OF LABOR

### Employment and Training Administration

[TA-W-55,495]

#### **Tesco Technologies, LLC, Headquarters Office, Auburn Hills, Michigan; Notice of Negative Determination on Remand**

On May 25, 2005, the United States Court of International Trade (USCIT) granted the Department of Labor's motion for voluntary remand in *Former Employees of Tesco Technologies, LLC v. United States* (Court No. 05-00264).

In the August 19, 2004 petition, three workers identified the subject company as Tesco Engineering, Headquarters, Auburn Hills, Michigan and the article produced as "designs for tooling and production lines for General Motors automotive assembly plants." The petitioners alleged that Tesco Engineering was shifting production to a foreign country (India).

During the investigation, it was revealed that Tesco Engineering manufactured production and assembly line equipment, while workers at Tesco Technologies, LLC ("Tesco Technologies"), a subsidiary of Tesco Engineering, created mechanical design drawings which are used to build machinery for the production of automotive parts. Given that the petitioners created designs and did not produce equipment, the Department identified Tesco Technologies as the proper subject company.

Because the Department considered design work not to be production work, the designers of Tesco Technologies could be certified only if they supported an affiliated, TAA-certifiable, domestic, production facility. Although Tesco Technologies' designs accounted for an insignificant portion of the equipment produced at Tesco Engineering, the Department nonetheless fully investigated whether during the relevant period, there were increased imports of production/assembly equipment or a shift of production from Tesco Engineering to overseas.

The expanded investigation revealed that Tesco Engineering neither shifted production to a foreign country nor imported any equipment during the relevant period. Further, a survey of Tesco Engineering's major declining customers revealed that, during the relevant period, none of the customers increased their import purchases while decreasing their purchases from the subject firm.

On September 27, 2004, the Department issued a negative determination regarding workers' eligibility to apply for TAA and ATAA for those workers of Tesco Technologies, LLC, Headquarters Office, Auburn Hills, Michigan. The negative determination was based on the findings that there was neither an increase in imports of equipment by Tesco Engineering or its major declining customers, nor a shift of production overseas by Tesco Engineering. The Department published the Notice of determination in the **Federal Register** on October 26, 2004 (69 FR 62460).

By application dated October 22, 2004, the petitioner requested administrative reconsideration of the Department's negative determination. Because factual discrepancies were identified during the careful review of the request for reconsideration and the previously-submitted documents, the Department issued a Notice of Affirmative Determination Regarding Application for Reconsideration for workers of the subject company on December 7, 2004. The notice was

published in the **Federal Register** on December 20, 2004 (69 FR 76017).

In the request for reconsideration, the petitioner identified the subject company as "Tesco Technologies, LLC, Auburn Hills, Michigan" and asserted that "we the petitioners are connected to General Motors tooling only," reiterated that designs are a product ("the physical drawings themselves should apply as a downline manufactured product required to build the tooling" and designers are "directly connected to the manufacturing process") and inferred that designers are de facto production workers producing automobile parts for General Motors. The petitioner also inferred that the subject company's major customer, General Motors, had outsourced work to India.

During the reconsideration investigation, the Department contacted a Tesco Technologies official, the General Motors officials identified by the petitioner, and the General Motors official who supervised the design contract at issue.

As a result of the reconsideration investigation, the Department confirmed that the petitioners use application software, such as Unigraphics, to develop tooling designs which are used to build equipment for the production of automobile parts for General Motors. The design drawings are developed at Tesco Technologies, Auburn Hills, Michigan and sent to the customer via electronic means (such as the Internet) and tangible means (such as CD-Rom and paper), with the mode of delivery to be determined by the customer.

According to one General Motors official identified by the petitioner, General Motors did not outsource design work to any foreign source. Another General Motors official contacted by the Department stated that design work was awarded to another domestic company and that some design work was moved in-house.

On January 11, 2005, the Department issued a Notice of Negative Determination Regarding Application for Reconsideration which provided that there was neither a shift of production abroad by Tesco Technologies nor any outsourcing of design work overseas by General Motors. On January 21, 2005, the notice was published in the **Federal Register** (70 FR 3228).

By letter dated February 8, 2005, the petitioners appealed to the USCIT for judicial review. On May 25, 2005, the USCIT granted the Department's motion for voluntary remand to clarify the Department's basis for the negative determination on reconsideration and to request additional information in the