

Lung Benefits Act, at 20 CFR 725.701, establishes miner eligibility for medical services and supplies for the length of time required by the miner's condition and disability. 20 CFR.706 stipulates there must be prior approval before ordering an apparatus where the purchase price exceeds \$300.00. 20 CFR 725.707 provides for the ongoing supervision of the miner's medical care, including the necessity, character and sufficiency of care to be furnished; gives the authority to request medical reports and indicates the right to refuse payment for failing to submit any report required. Because of the above legislation and regulations, it was necessary to devise a form to collect the required information. The CM-893, Certificate of Medical Necessity is completed by the coal miner's doctor and is used by the Division of Coal Mine Worker's Compensation to determine if the miner meets impairment standards to qualify for durable medical equipment, home nursing, and/or pulmonary rehabilitation. This information collection is currently approved for use through November 30, 2005.

## II. Review Focus

The Department of Labor is particularly interested in comments which:

- Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;
- Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;
- Enhance the quality, utility and clarity of the information to be collected; and
- Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submissions of responses.

## III. Current Actions

The Department of Labor seeks the extension of approval to collect this information in order to carry out its responsibility to determine the eligibility for reimbursement of medical benefits to Black Lung recipients.

*Type of Review:* Extension.

*Agency:* Employment Standards Administration.

*Title:* Certificate of Medical Necessity.  
*OMB Number:* 1215-0113.  
*Agency Number:* CM-893.  
*Affected Public:* Individuals or households; Business or other for profit, Not-for-profit institutions.

*Total Respondents:* 4,000.

*Total Annual responses:* 4,000.

*Estimated Total Burden Hours:* 1,567.

*Time Per Response:* 20 to 40 minutes.

*Frequency:* On occasion.

*Total Burden Cost (capital/startup):* \$0.

*Total Burden Cost (operating/maintenance):* \$0.

Comments submitted in response to this notice will be summarized and/or included in the request for Office of Management and Budget approval of the information collection request; they will also become a matter of public record.

Dated: May 19, 2005.

### Bruce Bohanon,

*Chief, Branch of Management Review and Internal Control, Division of Financial Management, Office of Management, Administration and Planning, Employment Standards Administration.*

[FR Doc. E5-2639 Filed 5-24-05; 8:45 am]

BILLING CODE 4510-CK-P

## DEPARTMENT OF LABOR

### Employment and Training Administration

[TA-W-56,536, TA-W-56,536A, and TA-W-56,536B]

### Butler Manufacturing Company, Subsidiary of Bluescope Steel, Ltd, Buildings Division, Wall and Roof Panels Production, Trim and Components Production and Secondaries Production, Galesburg, IL; Negative Determination on Reconsideration

On April 6, 2005, the Department issued an Affirmative Determination Regarding Application for Reconsideration for the workers and former workers of the subject firm. The notice of determination was published on April 25, 2005 in the **Federal Register** (70 FR 21247). Workers of the subject firm produce pre-engineered metal building system parts, including wall and roof panels, trim and components, and secondaries (non-structural parts).

The Department initially denied Trade Adjustment Assistance (TAA) to workers of Butler Manufacturing Company, Subsidiary of Bluescope Steel, LTD, Building Division, Wall and Roof Panels Production, Trim and Components Production, and Secondaries Production, Galesburg,

Illinois, because neither the shift of production or the "contributed importantly" group eligibility requirements of the Trade Act of 1974, as amended, were met.

The petitioners requesting reconsideration questioned the Department's determination that criterion (a)(2)(A)(I.B.) was not met. The Department concurs and corrects that finding to read that criterion (a)(2)(A)(I.C.) was not met. Criterion (a)(2)(A)(I.C.) requires that increased imports of articles like or directly competitive with articles produced by such firm or subdivision have contributed importantly to such workers' separation or threat of separation and to the decline in sales or production of such firm or subdivision.

In response to the petitioners' allegation that workers are not separately identifiable by product line, the Department contacted company officials and petitioners to address the issue. The determination that the workers are separately identifiable by product line was based on information provided by the subject company during the initial investigation. Based on information provided during the reconsideration investigation, the Department finds that workers are interchangeable and are not separately identifiable by production line.

The initial investigation also revealed that during the investigation period of 2003 through 2004, the subject company did not import products like or directly competitive with wall and roof panels, trim and components, or secondaries, nor did it shift production of these articles abroad.

A survey of the subject company's major declining customers conducted during the initial investigation revealed no imports of products like or directly competitive with those produced by the subject company during the investigatory period.

In the request for reconsideration, the petitioners also allege that the subject company will open foreign manufacturing facilities which would incorporate a Butler manufacturing facility for pre-engineered buildings: three facilities in India by May-June 2005, and two facilities in China by mid-2006.

While the alleged shifts of production fall outside the scope of the investigation, the Department contacted the subject company and the workers to address the petitioners' allegations.

A careful review of the information obtained from the subject company and the workers during the reconsideration investigation confirmed that during 2003 and 2004, the subject firm did not

shift either wall and roof panels, trim and components, or secondaries production abroad, and revealed that beginning in 2005, production of these articles is shifting to affiliated production facilities in Tennessee, Texas, and North Carolina.

In order for the Department to issue a certification of eligibility to apply for ATAA, the worker group must be certified eligible to apply for trade adjustment assistance (TAA). Since the workers are denied eligibility to apply for TAA, the workers cannot be certified eligible for ATAA.

#### Conclusion

After reconsideration, I affirm the original notice of negative determination of eligibility to apply for worker adjustment assistance and alternative trade adjustment assistance for workers and former workers of Butler Manufacturing Company, Subsidiary of Bluescope Steel, LTD, Building Division, Wall and Roof Panels Production, Trim and Components Production, and Secondaries Production, Galesburg, Illinois.

Signed at Washington, DC, this 11th day of May 2005.

**Linda G. Poole,**

*Certifying Officer, Division of Trade Adjustment Assistance.*

[FR Doc. E5-2646 Filed 5-24-05; 8:45 am]

BILLING CODE 4510-30-P

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#### DEPARTMENT OF LABOR

##### Employment and Training Administration

[TA-W-57,110]

##### Compeq International, Salt Lake City, UT; Notice of Termination of Investigation

Pursuant to Section 221 of the Trade Act of 1974, an investigation was initiated on May 4, 2005 in response to a petition filed by a company official on behalf of workers of Compeq International, Salt Lake City, Utah.

The petitioner has requested that the petition be withdrawn. Consequently, further investigation in this case would serve no purpose, and the investigation has been terminated.

Signed in Washington, DC this 11th day of May, 2005.

**Linda G. Poole,**

*Certifying Officer, Division of Trade Adjustment Assistance.*

[FR Doc. E5-2640 Filed 5-24-05; 8:45 am]

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#### DEPARTMENT OF LABOR

##### Employment and Training Administration

[TA-W-56,778]

##### Eagle Picher Automotive, Hillsdale Division, Including On-Site Leased Workers of Hamilton-Ryker, Staffing Solutions and Randstad, Manchester, TN; 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 and Alternative Trade Adjustment Assistance on March 25, 2005, applicable to workers of Eagle Picher Automotive, Hillsdale Division, including on-site leased workers of Hamilton-Ryker and Staffing Solutions, Manchester, Tennessee. The notice was published in the **Federal Register** on May 2, 2005 (70 FR 22711).

At the request of a company official, the Department reviewed the certification for workers of the subject firm. New information shows that leased workers of Randstad were employed on-site at the Manchester, Tennessee location of Eagle Picher Automotive, Hillsdale Division.

Based on these findings, the Department is amending this certification to include leased workers of Randstad working at Eagle Picher Automotive, Hillsdale Division, Manchester, Tennessee.

The intent of the Department's certification is to include all workers employed at Eagle Picher Automotive, Hillsdale Division who was adversely affected by increased imports.

The amended notice applicable to TA-W-56,778 is hereby issued as follows:

"All workers of the Hillsdale Division of Eagle Picher Automotive, including on-site leased workers of Hamilton-Ryker, Staffing Solutions, and Randstad, Manchester, Tennessee, who became totally or partially separated from employment on or after March 16, 2004, through March 25, 2007, 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 at Washington, DC this 13th day of May 2005.

**Richard Church,**

*Certifying Officer, Division of Trade Adjustment Assistance.*

[FR Doc. E5-2644 Filed 5-24-05; 8:45 am]

BILLING CODE 4510-30-P

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#### DEPARTMENT OF LABOR

##### Employment and Training Administration

[TA-W-57,069]

##### Eaton Corporation, Fluid Power Group, Vinita, OK; Notice of Termination of Investigation

Pursuant to Section 221 of the Trade Act of 1974, an investigation was initiated on April 28, 2005 in response to petition filed by a company official on behalf of workers at Eaton Corporation, Fluid Power Group, Vinita, Oklahoma.

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

Signed in Washington, DC, this 11th day of May, 2005.

**Richard Church,**

*Certifying Officer, Division of Trade Adjustment Assistance.*

[FR Doc. E5-2641 Filed 5-24-05; 8:45 am]

BILLING CODE 4510-30-P

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#### DEPARTMENT OF LABOR

##### Employment and Training Administration

[TA-W-56,944]

##### Johnson Controls, Inc., Controls SP Division, Goshen, IN; Notice of Revised Determination of Alternative Trade Adjustment Assistance on Reconsideration

In a letter dated May 3, 2005, a company official requested administrative reconsideration regarding Alternative Trade Adjustment Assistance (ATAA) for workers of the subject firm. The certification for Trade Adjustment Assistance was signed on April 21, 2005. The Department's notice of determination will soon be published in the **Federal Register**.

The initial investigation determined that the subject worker group possesses skills that are easily transferable.

In the request for reconsideration, the company official stated that the ATAA question regarding transferable skills was misunderstood and provided new information regarding the skills