

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 13, 2011.

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 13, 2011.

Copies of these petitions may be requested under the Freedom of Information Act. Requests may be submitted by fax, courier services, or mail, to FOIA Disclosure Officer, Office

of Trade Adjustment Assistance (ETA), U.S. Department of Labor, 200 Constitution Avenue, NW., Washington, DC 20210 or to foiarequest@dol.gov.

Signed at Washington, DC, this 25th day of May 2011.

Michael W. Jaffe,

Certifying Officer, Office of Trade Adjustment Assistance.

APPENDIX

[TAA petitions instituted between 5/16/11 and 5/20/11]

TA-W	Subject firm (Petitioners)	Location	Date of institution	Date of petition
80181	L'Oreal, USA (Workers)	Clark, NJ	05/16/11	05/09/11
80182	Palmer Johnson Yachts, LLC (Company)	Sturgeon Bay, WI	05/16/11	05/04/11
80183	Century Furniture Casegoods (Company)	Hickory, NC	05/19/11	05/18/11
80184	Unigram (State/One-Stop)	Carson, CA	05/19/11	05/11/11
80185	Iron Mountain Information Management, Inc. (Company).	Boston, MA	05/19/11	05/17/11
80186	Colville Tribal Construction (State/One-Stop)	Nespelem, WA	05/19/11	05/18/11
80187	Bendonfield Management Services (Company).	Voorhees, NJ	05/20/11	04/18/11
80188	Berkline/Benchcraft, LLC (Company)	Morristown, TN	05/20/11	05/17/11
80189	Bristol Products Corporation (Company)	Bristol, TN	05/20/11	05/20/11
80190	Rankin Manufacturing, Inc. (Company)	New London, OH	05/20/11	05/20/11
80191	Tegant Corporation (Company)	New Brighton, PA	05/20/11	05/19/11

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DEPARTMENT OF LABOR

Employment and Training Administration

[TA-W-74,364]

International Business Machines (IBM), Sales and Distribution Business Unit, Global Sales Solution Department, Division 91, Off-Site Teleworker in Armonk, NY; Notice of Negative Determination on Reconsideration

On April 6, 2011, the Department of Labor issued an Affirmative Determination Regarding Application for Reconsideration for the workers and former workers of International Business Machines (IBM), Sales and Distribution Business Unit, Global Sales Solution Department, off-site teleworker, Centerport, New York. The Department's Notice was published in the **Federal Register** on April 14, 2011 (76 FR 21033). The request for reconsideration alleges that IBM outsourced to India and China.

During the reconsideration investigation, it was revealed that the subject firm was mischaracterized. During the reconsideration investigation, the Department determined that the correct subject firm name and location is International

Business Machines (IBM), Sales and Distribution Business Unit, Global Sales Solution Department, Division 91, off-site teleworker, Armonk, New York. The subject worker group supply computer software development and maintenance services to the Sales and Distribution Business Unit within IBM.

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 initial negative determination was based on the findings that Section 222(a) and Section 222(c) of the Trade Act of 1974, as amended (the Act) have not been satisfied because fewer than three workers were totally or partially separated and further separations are not threatened. The investigation also revealed that the group eligibility requirements under Section 222(f) of the Act have not been satisfied because the workers' firm has not been identified by name in an affirmative finding of injury by the International Trade Commission.

29 CFR 90.2 states that a significant number or proportion of the workers means at least three (3) workers in a firm (or appropriate subdivision thereof) with a workforce of fewer than 50 workers, or five (5) percent of the workers or 50 workers, whichever is less, in a workforce of 50 or more workers.

A careful review of the administrative record and additional information obtained by the Department during the reconsideration investigation confirmed that the group eligibility requirements under Section 222(a) and (c) of the Act have not been met because fewer than three workers were totally or partially separated from IBM, Sales and Distribution Business Unit, Global Sales Solution Department, Division 91, or threatened with such separation. Moreover, new information obtained during the reconsideration investigation confirmed that only one person worked within Division 91 of the Sales and Distribution Department (working on-site at Armonk, New York or reporting remotely to Armonk, New York).

Conclusion

After reconsideration, I affirm the original notice of negative determination of eligibility to apply for worker adjustment assistance for workers and former workers of International Business Machines (IBM), Sales and Distribution Business Unit, Global Sales Solution Department,

Division 91, off-site teleworker,
Armonk, New York.

Signed in Washington, DC, on this 23rd
day of May, 2011.

Del Min Amy Chen,

*Certifying Officer, Office of Trade Adjustment
Assistance.*

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DEPARTMENT OF LABOR

Employment and Training Administration

Employment and Training Administration Program Year (PY) 2011 Workforce Investment Act (WIA) Allotments to Outlying Areas

AGENCY: Employment and Training
Administration, Labor.

ACTION: Notice.

SUMMARY: This Notice announces PY 2011 WIA Title I Youth, Adult and Dislocated Worker Activities program allotments for outlying areas. The WIA allotments for the outlying areas are based on a formula determined by the Secretary. As required by WIA section 182(d), on February 17, 2000, a Notice of the discretionary formula for allocating PY 2000 funds for the outlying areas (American Samoa, Guam, Marshall Islands, Micronesia, Northern Marianas, Palau, and the Virgin Islands) was published in the **Federal Register** at 65 FR 8236 (February 17, 2000). The rationale for the formula and methodology was fully explained in the February 17, 2000, **Federal Register** Notice. The formula for PY 2011 is the same as used for PY 2000 and is described in the section on Youth Activities program allotments.

Comments are invited on the formula used to allot funds to the outlying areas.

DATES: Comments on the formula used to allot funds to the outlying areas must be received by July 5, 2011.

ADDRESSES: Submit written comments to the Employment and Training Administration, Office of Financial and Administrative Management, 200 Constitution Ave., NW., Room N-4702, Washington, DC 20210, Attention: Mr. Kenneth Leung, Telephone: (202) 693-3471 (this is not a toll-free number). Fax: (202) 693-2859. E-mail: Leung.Kenneth@dol.gov.

FOR FURTHER INFORMATION CONTACT: WIA Youth Activities allotments—Evan Rosenberg at (202) 693-3593 or LaSharn Youngblood at (202) 693-3606; WIA Adult and Dislocated Worker Activities allotments—Mike Qualter at (202) 693-

3014; Workforce Information Grant allotments—Anthony Dais at (202) 693-2784.

SUPPLEMENTARY INFORMATION: The Department of Labor (DOL or Department) is announcing PY 2011 WIA Youth, Adult and Dislocated Worker program allotments to outlying areas. The allotments are based on the funds appropriated in the Full-Year Continuing Appropriations Act, 2011, Public Law 112-10, signed April 15, 2011. This appropriation requires an across-the-board rescission of 0.2 percent to all Federal Fiscal Year (FY) 2011 discretionary program funding. Included in this Notice are tables listing the PY 2011 allotments (including the 0.2 percent rescission) for programs under WIA Title I Youth Activities (Table A), Adult Activities (Table B) and Dislocated Worker Employment and Training Activities (Table C).

On December 17, 2003, Public Law 108-188, the Compact of Free Association Amendments Act of 2003 (“the Compact”), was signed. The Compact provided for consolidation of WIA Title I funding for the Marshall Islands and Micronesia into supplemental education grants provided from the Department of Education’s appropriation. See 48 USC 1921d(f)(1)(B)(iii). The Compact also specified that the Republic of Palau remained eligible for WIA Title I funding. See 48 USC 1921d(f)(1)(B)(ix). The Consolidated Appropriations Act, 2010 (Pub. L. 111-117) (in the Department Of Education’s General Provisions at Section 309, Title III, Division D) amended the Compact to extend the availability of WIA Title I funding to Palau through FY 2010. Section 1104 of the Full-Year Continuing Appropriations Act, 2011, further extended the same funding to Palau through FY 2011.

Youth Activities Allotments. PY 2011 Youth Activities funds for outlying areas total \$2,064,785 (including the 0.2 percent rescission). Table A includes a breakdown of the Youth Activities program allotments for States (as previously shared) and each of the five outlying areas. Before determining the amount available for States, the total funding available for the outlying areas was reserved at 0.25 percent of the full amount appropriated for Youth Activities (after the 0.2 percent rescission).

The methodology for distributing funds to all outlying areas is not specified by WIA, but is at the Secretary’s discretion. The methodology used is the same as used since PY 2000, i.e., funds are distributed among the

remaining outlying areas by formula based on relative share of number of unemployed, a 90 percent hold-harmless of the prior year share, a \$75,000 minimum, and a 130 percent stop-gain of the prior year share. As in PY 2010, data for the relative share calculation in the PY 2011 formula were from 2000 Census data for all outlying areas, obtained from the Bureau of the Census (Bureau) and are based on 2000 Census surveys for those areas conducted either by the Bureau or the outlying areas under the guidance of the Bureau.

Adult Employment and Training Activities Allotments. The total appropriated funds for PY 2011 for Adult Activities are \$770,921,920 of which \$1,927,305 is for outlying areas (including the 0.2 percent rescission). Table B includes a breakdown of the Adult Activities program allotments for States (as previously shared) and each of the five areas. Table B shows the PY 2011 Adult Employment and Training Activities allotments and comparison to PY 2010 allotments by State. Like the Youth Activities program, the total available for the outlying areas was reserved at 0.25 percent of the full amount appropriated for Adult Activities (after the 0.2 percent rescission). As discussed in the Youth Activities paragraph, beginning in PY 2005, WIA funding for the Marshall Islands and Micronesia is no longer provided; instead, funding is provided in the Department of Education’s appropriation. The Adult Activities funds for grants to the remaining outlying areas, for which the distribution methodology is at the Secretary’s discretion, were distributed among the areas by the same principles, formula and data as used for outlying areas for Youth Activities.

Dislocated Worker Employment and Training Activities Allotments. Appropriated funds for PY 2011 for the Dislocated Worker Activities program total \$1,287,544,000, with \$3,218,860 for outlying areas (including the 0.2 percent rescission). Table C includes a breakdown of the Dislocated Worker program allotments for States (as previously shared) and each of the five outlying areas. The total appropriation includes formula funds for the States, National Reserve funds for the distribution of National Emergency Grants, technical assistance and training, demonstration projects, and the outlying areas’ Dislocated Worker allotments. Like the Youth and Adult Activities programs, the total available for the outlying areas was reserved at 0.25 percent of the full amount appropriated for Dislocated Worker