

- 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 submission of responses.

*Agency:* Employee Benefits Security Administration.

*Type of Review:* Extension of currently approved collection.

*Title:* Definition of Plan Assets—Participant Contributions.

*OMB Number:* 1210-0100.

*Frequency:* On occasion.

*Type of Response:* Reporting and Third party disclosure.

*Affected Public:* Business or other for-profit and Not-for-profit institutions.

*Number of Respondents:* 1.

*Number of Annual Responses:* 251.

*Estimated Time Per Respondent:*

Ranges from 1 hour clerical time to prepare a notice for the Secretary of Labor to 4 hours of an attorney's time prepare the notice to plan participants and the certification for the Secretary of Labor.

*Total Burden Hours:* 1.

*Total Annualized capital/startup costs:* \$0.

Total Annual Costs (operating/maintaining systems or purchasing services): \$1,007.

*Description:* The Department of Labor's (the Department's) regulation at 29 CFR 2510.3-102 states that monies that a participant pays to, or has withheld by, an employer for contribution to an employee benefit plan become "plan assets" for purposes of Title I of Employee Retirement Income Security Act (ERISA) and the related prohibited transaction provisions of the Internal Revenue Code as of the earliest date on which such monies can be reasonably segregated from the employer's general assets. With respect to employee pension benefit plans, the regulation further sets a maximum time limit for such contributions: the 15th business day following the end of the month in which the participant contribution amounts are received or withheld by the employer. Under ERISA, "plan assets" cannot be held by the employer as part of its general assets, but must be contributed to the employee benefit plan to which they belong and, with few exceptions, held in trust.

The regulation includes a procedure through which an employer receiving or withholding participant contributions

for an employee pension benefit plan may obtain a 10-business-day extension of the 15-day maximum time period if certain requirements, including information collection requirements, are met. The regulation requires, among other things, that the employer provide written notice to plan participants, within 5 business days after the end of the extension period and the employer's transfer of the contributions to the plan, that the employer elected to take the extension for that month. The notice must explain why the employer could not transfer the participant contributions within the maximum time period, state that the participant contributions in question have in fact been transmitted to the plan, and provide the date on which this was done. The employer must also provide a copy of the participant notice to the Secretary, along with a certification that the notice was distributed to participants and that the other requirements under the extension procedure were met, within 5 business days after the end of the extension period.

The information collections imposed under the regulation include third-party disclosures and disclosures to the government. The information collection is intended to protect participants by ensuring that they and the Department are aware of an employer's failure to meet the regulatory time limits for transferring participant contributions to the employee pension benefit plan they are intended to fund. The Department and the affected participants can then take appropriate action to protect the plan assets. Requiring employers to make the disclosures also ensures that they follow the protective requirements that are part of the extension procedure.

**Ira L. Mills,**

*Departmental Clearance Officer.*

[FR Doc. E6-4852 Filed 4-3-06; 8:45 am]

**BILLING CODE 4510-29-P**

## **DEPARTMENT OF LABOR**

### **Employment and Training Administration**

#### **Notice of Determinations Regarding Eligibility To Apply for Worker Adjustment Assistance**

In accordance with section 223 of the Trade Act of 1974, as amended, (19 U.S.C. 2273), the Department of Labor herein presents summaries of determinations regarding eligibility to apply for trade adjustment assistance for workers (TA-W) number and alternative trade adjustment assistance (ATAA) by

(TA-W) number issued during the periods of March 2006.

In order for an affirmative determination to be made and a certification of eligibility to apply for directly-impacted (primary) worker adjustment assistance to be issued, each of the group eligibility requirements of Section 222(a) of the Act must be met.

I. Section (a)(2)(A) all of the following must be satisfied:

A. A significant number or proportion of the workers in such workers' firm, or an appropriate subdivision of the firm, have become totally or partially separated, or are threatened to become totally or partially separated;

B. The sales or production, or both, of such firm or subdivision have decreased absolutely; and

C. 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; or

II. Section (a)(2)(B) both of the following must be satisfied:

A. A significant number or proportion of the workers in such workers' firm, or an appropriate subdivision of the firm, have become totally or partially separated, or are threatened to become totally or partially separated;

B. There has been a shift in production by such workers' firm or subdivision to a foreign country of articles like or directly competitive with articles which are produced by such firm or subdivision; and

C. One of the following must be satisfied:

1. The country to which the workers' firm has shifted production of the articles is a party to a free trade agreement with the United States;

2. The country to which the workers' firm has shifted production of the articles to a beneficiary country under the Andean Trade Preference Act, African Growth and Opportunity Act, or the Caribbean Basin Economic Recovery Act; or

3. There has been or is likely to be an increase in imports of articles that are like or directly competitive with articles which are or were produced by such firm or subdivision.

Also, in order for an affirmative determination to be made and a certification of eligibility to apply for worker adjustment assistance as an adversely affected secondary group to be issued, each of the group eligibility requirements of Section 222(b) of the Act must be met.

(1) Significant number or proportion of the workers in the workers' firm or an appropriate subdivision of the firm have become totally or partially separated, or are threatened to become totally or partially separated;

(2) The workers' firm (or subdivision) is a supplier or downstream producer to a firm (or subdivision) that employed a group of workers who received a certification of eligibility to apply for trade adjustment assistance benefits and such supply or production is related to the article that was the basis for such certification; and

(3) Either—

(A) The workers' firm is a supplier and the component parts it supplied for the firm (or subdivision) described in paragraph (2) accounted for at least 20 percent of the production or sales of the workers' firm; or

(B) A loss or business by the workers' firm with the firm (or subdivision) described in paragraph (2) contributed importantly to the workers' separation or threat of separation.

In order for the Division of Trade Adjustment Assistance to issue a certification of eligibility to apply for Alternative Trade Adjustment Assistance (ATAA) for older workers, the group eligibility requirements of Section 246(a)(3)(A)(ii) of the Trade Act must be met.

I. Whether a significant number of workers in the workers' firm are 50 years of age or older.

II. Whether the workers in the workers' firm possess skills that are not easily transferable.

III. The competitive conditions within the workers' industry (i.e., conditions within the industry are adverse).

#### **Affirmative Determinations for Worker Adjustment Assistance and Alternative Trade Adjustment Assistance**

The following certifications have been issued; the date following the company name and location of each determination references the impact date for all workers of such determination.

The following certifications have been issued. The requirements of (a)(2)(A) (increased imports) of Section 222, and Section 246(a)(3)(A)(ii) of the Trade Act have been met.

TA-W-58,713; A.T. Cross Company, Lincoln, RI: December 25, 2005

TA-W-58,731; Hospital Specialty Company, Div. of the Tranzonic Companies, Tempe, AZ: January 25, 2005

TA-W-58,721; Federal Mogul, Boyertown, PA: January 25, 2005

TA-W-58,736; Honeywell Chemicals, Claymont, DE: January 24, 2005

TA-W-58,799; Commonwealth Aluminum Concast, Inc., Carson Plant, Prime Personnel, Human Personnel, Voit, Long Beach, CA: February 3, 2005

TA-W-58,668; Lear Corporation, Design Group within the LearTech Group, Southfield, MI: January 18, 2005

TA-W-58,668A; Lear Corporation, Design Group within the LearTech Group, Troy, MI: January 18, 2005

TA-W-58,668B; Lear Corporation, Design Group within the LearTech Group, Dearborn, MI: January 18, 2005

TA-W-58,668C; Lear Corporation, Design Group within the LearTech Group, Rochester Hills, MI: January 18, 2005

TA-W-58,837; ATEK Manufacturing, Command Labor & Doherty Staffing, Brainerd, MN: February 13, 2005

TA-W-58,732; Jesco Athletic Company, James E. Short Div., Williamsport, PA: January 26, 2005

The following certifications have been issued. The requirements of (a)(2)(B) (shift in production) of Section 222, and Section 246(a)(3)(A)(ii) of the Trade Act have been met.

TA-W-58,763; Spartech Polycor, Donora Plant #2, Washington, PA: January 31, 2005

TA-W-58,794; Kyocera Wireless Corp., Boulder, CO: February 6, 2005

TA-W-58,860; St. John Companies, Inc. (The), Volt Temporaries and Apple One, Valencia, CA: February 15, 2005

TA-W-58,889; Visteon Climate Control Systems, Independent Aftermarket Div., West Seneca, NY: February 17, 2005

TA-W-58,853; Pressed Steel Tank Co., Inc., Milwaukee, WI: February 15, 2005

The following certification has been issued.

The requirement of supplier to a trade certified firm, and Section 246(a)(3)(A)(ii) of the Trade Act have been met.

TA-W-58,699; Winzen Film, Inc., Super Sack Bag, Inc., Manufacturing Div. Qualified, Sulphur Springs, TX: January 13, 2005

TA-W-58,717; GKN Sinter Metals, Industrial Products Group Division, Owosso, MI: January 16, 2005

TA-W-58,886; Hampson Corporation, MK Staffing, North Ridgeville, OH: February 14, 2005

The following certification has been issued. The requirement of downstream producer to a trade certified firm and Section 246(a)(3)(A)(ii), and Section 246(a)(3)(A)(ii) of the Trade Act have been met.

None

#### **Negative Determinations for Worker Adjustment Assistance**

In the following cases, the investigation revealed that the criteria for eligibility have not been met for the reasons specified.

The investigation revealed that criterion (a)(2)(A)(I.A) and (a)(2)(B)(II.A) (no employment decline) has not been met.

None

The investigation revealed that criteria (a)(2)(A)(I.B.) (Sales or production, or both, did not decline) and (a) (2) (B) (II.B) (shift in production to a foreign country) have not been met.

TA-W-58,716; IBM Corp., Workers at Dana Corp., Danville, KY.

TA-W-58,770; Thomasville Furniture Ind., Plant #5, Conover, NC.

The investigation revealed that criteria (a)(2)(A)(I.C.) (increased imports) and (a)(2)(B)(II.B) (No shift in production to a foreign country) have not been met.

TA-W-58,820; Flexible Flyer Acquisition Wheel Goods Corp., West Point, MS.

The investigation revealed that criteria (a)(2)(A)(I.C.) (Increased imports and (a)(2)(B)(II.C) (has shifted production to a foreign country) have not been met.

None

The workers firm does not produce an article as required for certification under Section 222 of the Trade Act of 1974.

TA-W-58,839; Dan River, Inc., Calhoun Falls, SC.

TA-W-58,857; Core Source, Brooklyn Park, MN.

TA-W-58,903; Bunker Hill Commercial Warehouse, Paterson, NJ.

TA-W-58,904; Block Corporation, Amory, MS.

TA-W-58,904A; Block Corp., Block Sportswear Division, Amory, MS.

TA-W-58,904B; Block Corp., American Trouser Division, Columbus, MS.

The investigation revealed that criteria (2) has not been met. The workers firm (or subdivision) is not a supplier or downstream producer to trade-affected companies.

TA-W-58,772; PGP Corporation, Voss Lantz Division, Detroit, MI.

#### **Negative Determinations for Alternative Trade Adjustment Assistance**

In order for the Division of Trade Adjustment Assistance to issue a certification of eligibility to apply for Alternative Trade Adjustment Assistance (ATAA) for older workers, the group eligibility requirements of

Section 246(a)(3)(A)(ii) of the Trade Act must be met.

In the following cases, it has been determined that the requirements of Section 246(a)(3)(ii) have not been met for the reasons specified.

Since the workers are denied eligibility to apply for TAA, the workers cannot be certified eligible for ATAA.

*TA-W-58,855; Crown, Cork, and Seal USA, Inc., Crown Holdings, Inc., Abilene, TX.*

*TA-W-58,716; IBM Corp., Workers at Dana Corp., Danville, KY.*

*TA-W-58,770; Thomasville Furniture Ind., Plant #5, Conover, NC.*

*TA-W-58,820; Flexible Flyer Acquisition Wheel Goods Corp., West Point, MS.*

*TA-W-58,839; Dan River, Inc., Calhoun Falls, SC.*

*TA-W-58,857; Core Source, Brooklyn Park, MN.*

*TA-W-58,903; Bunker Hill Commercial Warehouse, Paterson, NJ.*

*TA-W-58,904; Block Corporation, Amory, MS.*

*TA-W-58,904A; Block Corp., Block Sportswear Division, Amory, MS.*

*TA-W-58,904B; Block Corp., American Trouser Division, Columbus, MS.*

*TA-W-58,772; PGP Corporation, Voss Lantz Division, Detroit, MI.*

The Department as determined that criterion (1) of Section 246 has not been met. Workers at the firm are 50 years of age or older.

*None*

The Department as determined that criterion (2) of Section 246 has not been met. Workers at the firm possess skills that are easily transferable.

*TA-W-58,763; Spartech Polycom, Donora Plant #2, Washington, PA*

The Department as determined that criterion (3) of Section 246 has not been met. Competition conditions within the workers' industry are not adverse.

*None*

I hereby certify that the aforementioned determinations were issued during the month of March 2006. Copies of These determinations are available for inspection in Room C-5311, U.S. Department of Labor, 200 Constitution Avenue, NW., Washington, DC 20210 during normal business hours or will be mailed to persons who write to the above address.

Dated: March 23, 2006.

**Richard Church,**

*Acting Director, Division of Trade Adjustment Assistance.*

[FR Doc. E6-4858 Filed 4-3-06; 8:45 am]

BILLING CODE 4510-30-P

## DEPARTMENT OF LABOR

### Employment and Training Administration

[TA-W-56,674]

#### **CTS Corporation, CTS Communications Components, Inc., Including On-Site Leased Workers of Excel and Spherion; Albuquerque, New Mexico; Notice of Revised Determination on Remand**

In an Order issued on February 7, 2006, the United States Court of International Trade (USCIT) granted the motion filed by the Department of Labor (Department) for voluntary remand in *Former Employees of CTS Communication Components, Inc. v. United States Secretary of Labor*, Court No. 05-00372.

On April 15, 2005, the Department issued a negative determination regarding workers eligibility to apply for Trade Adjustment Assistance (TAA) and Alternative Trade Adjustment Assistance (ATAA) for workers and former workers of CTS Corporation, CTS Communications Components, Inc., Including On-Site Leased Workers of Excel and Spherion, Albuquerque, New Mexico, (CTS). Workers produce ceramic blocks/filters and sensors and are not separately identifiable by product line. The Department's Notice of determination was published in the **Federal Register** on May 16, 2005 (70 FR 25859).

The determination was based on the findings that the subject company neither imported ceramic blocks/filters or sensors in 2003, 2004, or during the period of January through February 2005, nor shifted production of ceramic blocks/filters or sensors abroad during the relevant period, and that the subject company's major declining customers did not increase imports of ceramic blocks/filters or sensors during the relevant period.

On June 7, 2005, the Department dismissed a request for administrative reconsideration based upon a lack of substantial new information. In the request for reconsideration, the petitioner alleged that production shifted to China and that the customer are unknowingly importing ceramic blocks/filters and/or sensors from China. The dismissal stated that while production did shift to China, as alleged, neither the subject company nor its customers had increased imports of ceramic blocks/filters or sensors. The Department's Notice of Dismissal of Application for Reconsideration was issued on June 8, 2005 and published in

the **Federal Register** on June 20, 2005 (70 FR 35455).

By letter dated May 7, 2005, the Plaintiffs applied to the USCIT for judicial review. On February 7, 2006, the USCIT granted the Department's request for voluntary remand and directed the Department to conduct further investigation regarding the workers' eligibility to apply for TAA and ATAA.

During the remand investigation, the Department contacted the subject company to ascertain what products were produced at the subject facility during the relevant period and whether the subject company or its customers had imported those articles during the relevant period.

A careful review of the newly-obtained information has revealed that the subject company had produced ceramic filters and ceramic sensors during 2003, 2004, and 2005 and that the workers were not separately identifiable by product line. The new information also revealed that some production of ceramic sensors shifted to China and that finished ceramic sensors manufactured in China were shipped to customers in the United States.

Additional investigation has determined that the workers possess skills that are not easily transferable. A significant number or proportion of the worker group are age fifty years or over. Competitive conditions within the industry are adverse.

### Conclusion

After careful review of the facts generated through the remand investigation, I determine that increased imports of ceramic sensors like or directly competitive with those produced by the subject firm contributed importantly to the total or partial separation of a significant number of workers at the subject facility. In accordance with the provisions of the Act, I make the following certification:

"All workers of CTS Corporation, CTS Communications Components, Inc., Including On-Site Leased Workers of Excel and Spherion, Albuquerque, New Mexico, who became totally or partially separated from employment on or after February 28, 2004, through two years from the issuance of this revised determination, are eligible to apply for Trade 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."