

sales or production of such firm or subdivision.

The Department has previously determined that because the subject firm closed on September 2005, criteria (A) and (B) have been met. Therefore, the only issue at hand is whether criterion (C) has been met.

29 CFR Section 90.16(b)—Requirements for determinations—states, in part, that “the certifying officer shall make findings of fact concerning whether \* \* \* (3) increases (absolute or relative) of imports of articles like or directly competitive with articles like or directly competitive with articles produced by such workers’ firm or appropriate subdivision thereof contributed importantly to such total or partial separation, or threat thereof, and to such decline in sales or production.”

The corollary to the regulation is that if the certifying officer finds no such increased imports, whether or not the absent factor “contributed importantly” to “such total or partial separation, or threat thereof, and to such decline in sales or production” is moot.

29 CFR Section 90.2—Definitions—states that “Increased imports means that imports have increased either absolutely or relative to domestic production compare to a representative base period. The representative base period shall be one year consisting of the four quarters immediately preceding the date which is twelve months prior to the date of the petition.”

Because the date of the petition is June 5, 2006, the investigatory period is June 2005 through May 2006 and the representative base period is June 2004 through May 2005.

During the second remand investigation, the Department obtained new information that shows that when the subject firm ceased operations in 2005, the foreign customer replaced printed circuit boards produced by the subject firm with those produced by a preferred vendor. The preferred vendor is another domestic company. The new information also shows that the printed circuit boards supplied by the preferred vendor was produced outside the United States and shipped from the foreign production facility to the foreign customer.

The Department determines that while the foreign customer did switch its order from the subject firm to another domestic vendor, the domestic vendor that replaced the subject firm did not import into the United States any of the printed circuit boards it sold to the subject firm’s foreign customer.

Because there was no finding of increased imports of article like or

directly competitive with the printed circuit boards produced by the subject firm, it is moot whether or not the “contributed importantly” portion of the regulation has been satisfied. Therefore, the Department determines that TAA criterion (C) has not been met.

In order for the Department to issue a certification of eligibility to apply for ATAA, the subject worker group must be certified eligible to apply for TAA. Since the subject workers are not eligible to apply for TAA, the workers cannot be certified eligible for ATAA.

#### Conclusion

After careful reconsideration, I affirm the original notice of negative determination of eligibility to apply for worker adjustment assistance for workers and former workers of Advanced Electronics, Inc., Boston, Massachusetts.

Signed at Washington, DC this 19th day of February 2009.

**Elliott S. Kushner,**

*Certifying Officer, Division of Trade Adjustment Assistance.*

[FR Doc. E9-4389 Filed 3-2-09; 8:45 am]

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## DEPARTMENT OF LABOR

### Employment and Training Administration

[TA-W-65,018]

#### National Vacuum Equipment, Traverse City, MI; Notice of Termination of Investigation

Pursuant to Section 221 of the Trade Act of 1974, as amended, an investigation was initiated on January 29, 2009 in response to a worker petition filed by a company official on behalf of workers of National Vacuum Equipment, Traverse City, Michigan.

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

Signed at Washington, DC, this 18th day of February 2009.

**Richard Church,**

*Certifying Officer, Division of Trade Adjustment Assistance.*

[FR Doc. E9-4403 Filed 3-2-09; 8:45 am]

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## DEPARTMENT OF LABOR

### Employment and Training Administration

[TA-W-65,091]

#### Westpoint Home, Calhoun Falls, SC; Notice of Termination of Investigation

Pursuant to Section 221 of the Trade Act of 1974, as amended, an investigation was initiated on February 3, 2009 in response to a worker petition filed by a company official, on behalf of workers of WestPoint Home, Calhoun Falls, South Carolina.

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

Signed at Washington, DC, this 20th day of February 2009.

**Richard Church,**

*Certifying Officer, Division of Trade Adjustment Assistance.*

[FR Doc. E9-4404 Filed 3-2-09; 8:45 am]

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## DEPARTMENT OF LABOR

### Employment and Training Administration

[TA-W-65,164]

#### Bradington-Young, LLC, Cherryville, NC; Notice of Termination of Investigation

Pursuant to Section 221 of the Trade Act of 1974, as amended, an investigation was initiated on February 9, 2009 in response to a petition filed by a company official on behalf of workers of Bradington-Young, LLC, Cherryville, North Carolina.

The workers at the subject facility are covered by an earlier petition (TA-W-65,147) filed on February 5, 2009 that is the subject of an ongoing investigation for which a determination has not been issued. Further investigation in this case would duplicate efforts and serve no purpose; therefore the investigation under this petition has been terminated.

Signed at Washington, DC, this 18th day of February 2009.

**Richard Church,**

*Certifying Officer, Division of Trade Adjustment Assistance.*

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