

APPENDIX—Continued

[TAA petitions instituted between 12/22/08 and 12/24/08]

TA-W	Subject firm (petitioners)	Location	Date of institution	Date of petition
64777	AD Graphics (State)	Lino Lakes, MN	12/24/08	12/23/08
64778	Hamilton Sundsland (State)	Windsor Locks, CT	12/24/08	12/23/08

[FR Doc. E9-639 Filed 1-13-09; 8:45 am]

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DEPARTMENT OF LABOR**Employment and Training Administration**

[TA-W-64,645]

Columbian Chemicals Company Marshall Plant Proctor, WV; Notice of Termination of Investigation

Pursuant to Section 221 of the Trade Act of 1974, as amended, an investigation was initiated on December 11, 2008, in response to a petition filed by the International Chemical Workers Union/United Food and Commercial Workers International Union, Local 888C, on behalf of workers of Columbian Chemicals Company, Marshall Plant, Proctor, West Virginia.

The Department has determined that this petition is a photocopy of petition number TA-W-64,606 that was instituted on December 8, 2008. The Department, on December 29, 2008, issued a certification of eligibility to apply for trade adjustment assistance and alternative trade adjustment assistance, applicable to all workers of the subject firm separated from employment on or after December 8, 2007 through December 29, 2010.

Therefore, further investigation in this petition would serve no purpose, and the investigation is terminated.

Signed at Washington, DC, this 30th day of December 2008.

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

[FR Doc. E9-637 Filed 1-13-09; 8:45 am]

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DEPARTMENT OF LABOR**Employment and Training Administration**

[TA-W-64,516]

JDSU Uniphase, Inc., San Jose, CA; Notice of Termination of Investigation

Pursuant to Section 221 of the Trade Act of 1974, as amended, an

investigation was initiated on November 24, 2008, in response to a worker petition on behalf of workers at JDSU Uniphase, Inc., San Jose, California.

The petitioning group of workers is covered by an earlier petition (TA-W-64,440) filed on November 17, 2008 that is the subject of an ongoing investigation for which a determination has not yet 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 7th day of January 2009.

Richard Church,*Certifying Officer, Division of Trade Adjustment Assistance.*

[FR Doc. E9-642 Filed 1-13-09; 8:45 am]

BILLING CODE 4510-FN-P

DEPARTMENT OF LABOR**Employment and Training Administration**

[TA-W-64,542]

Mannatech, Inc., Coppell, TX; Notice of Termination of Investigation

Pursuant to Section 221 of the Trade Act of 1974, as amended, an investigation was initiated on November 26, 2008 in response to a petition filed by workers at Mannatech, Inc., Coppell, Texas.

The petitioning group of workers is covered by an earlier petition (TA-W-64,511) filed on November 21, 2008 that is the subject of an ongoing investigation for which a determination has not yet 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 30th day of December 2008.

Richard Church,*Certifying Officer, Division of Trade Adjustment Assistance.*

[FR Doc. E9-643 Filed 1-13-09; 8:45 am]

BILLING CODE 4510-FN-P

DEPARTMENT OF LABOR**Employment and Training Administration**

[TA-W-64,613]

Mt. Pleasant Hosiery Mills, Inc.; Mt. Pleasant, NC; Notice of Termination of Investigation

Pursuant to Section 221 of the Trade Act of 1974, as amended, an investigation was initiated on December 8, 2008 in response to a petition filed by a company official on behalf of workers of Mt. Pleasant Hosiery Mills, Inc., Mt. Pleasant, North Carolina.

The workers are covered under an existing certification (TA-W-64,466) issued for all workers of Mt. Pleasant Hosiery Mills, Inc., Mt. Pleasant, North Carolina, which expires on December 16, 2010. Consequently, further investigation in this case would serve no purpose and the investigation has been terminated.

Signed at Washington, DC, this 18th day of December 2008.

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

[FR Doc. E9-644 Filed 1-13-09; 8:45 am]

BILLING CODE 4510-FN-P

OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE**Determination of Eligibility for Retroactive Duty Treatment Under the Dominican Republic-Central America-United States Free Trade Agreement**

AGENCY: Office of the United States Trade Representative.

ACTION: Notice.

SUMMARY: Pursuant to Section 205(b) of the Dominican Republic-Central America-United States Free Trade Agreement Implementation Act (the Act), the United States Trade Representative (USTR) is providing notice of her determination that Costa Rica is an eligible country for purposes of retroactive duty treatment as provided in Section 205 of the Act.

DATES: *Effective Date:* January 14, 2009.

ADDRESSES: Inquiries may be mailed, delivered, or faxed to Caroyl Miller, Deputy Special Textile Negotiator, Office of the United States Trade Representative, 600 17th Street, NW., Washington, DC 20508, fax number, (202) 395-5639.

FOR FURTHER INFORMATION CONTACT: Caroyl Miller, Office of the United States Trade Representative, 202-395-3026.

SUPPLEMENTARY INFORMATION: Section 205(a) of the Act (Pub. L. 109-53; 119 Stat. 462, 483; 19 U.S.C. 4034) provides that certain entries of textile or apparel goods of designated eligible countries that are parties to the Dominican Republic-Central America-United States Free Trade Agreement (CAFTA-DR) made on or after January 1, 2004 may be liquidated or reliquidated at the applicable rate of duty for those goods established in the Schedule of the United States to Annex 3.3 of the CAFTA-DR. Section 205(b) of the Act requires the USTR to determine, in accordance with Article 3.20 of the CAFTA-DR, which CAFTA-DR countries are eligible countries for purposes of Section 205(a). Article 3.20 provides that importers may claim retroactive duty treatment for imports of certain textile or apparel goods entered on or after January 1, 2004 and before the entry into force of CAFTA-DR from those CAFTA-DR countries that will provide reciprocal retroactive duty treatment or a benefit for textile or apparel goods that is equivalent to retroactive duty treatment.

Pursuant to Section 205(b) of the Act, I have determined that Costa Rica will provide an equivalent benefit for textile or apparel goods of the United States within the meaning of Article 3.20 of the CAFTA-DR. I therefore determine that Costa Rica is an eligible country for purposes of Section 205 of the Act.

Susan C. Schwab,

U.S. Trade Representative.

[FR Doc. E9-493 Filed 1-13-09; 8:45 am]

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SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-59218; File No. 4-575]

Program for Allocation of Regulatory Responsibilities Pursuant to Rule 17d-2; Order Approving and Declaring Effective a Plan for the Allocation of Regulatory Responsibilities Between the Financial Industry Regulatory Authority, Inc. and the Boston Stock Exchange, Incorporated

January 8, 2009.

On December 8, 2008, the Financial Industry Regulatory Authority, Inc. ("FINRA") and the Boston Stock Exchange, Incorporated ("BX") (together with FINRA, the "Parties") filed with the Securities and Exchange Commission ("Commission") a plan for the allocation of regulatory responsibilities, dated December 5, 2008 ("17d-2 Plan" or the "Plan"). The Plan was published for comment on December 22, 2008.¹ The Commission received no comments on the Plan. This order approves and declares effective the Plan.

I. Introduction

Section 19(g)(1) of the Securities Exchange Act of 1934 ("Act"),² among other things, requires every self-regulatory organization ("SRO") registered as either a national securities exchange or national securities association to examine for, and enforce compliance by, its members and persons associated with its members with the Act, the rules and regulations thereunder, and the SRO's own rules, unless the SRO is relieved of this responsibility pursuant to Section 17(d) or Section 19(g)(2) of the Act.³ Without this relief, the statutory obligation of each individual SRO could result in a pattern of multiple examinations of broker-dealers that maintain memberships in more than one SRO ("common members"). Such regulatory duplication would add unnecessary expenses for common members and their SROs.

Section 17(d)(1) of the Act⁴ was intended, in part, to eliminate unnecessary multiple examinations and regulatory duplication.⁵ With respect to a common member, Section 17(d)(1)

authorizes the Commission, by rule or order, to relieve an SRO of the responsibility to receive regulatory reports, to examine for and enforce compliance with applicable statutes, rules, and regulations, or to perform other specified regulatory functions.

To implement Section 17(d)(1), the Commission adopted two rules: Rule 17d-1 and Rule 17d-2 under the Act.⁶ Rule 17d-1 authorizes the Commission to name a single SRO as the designated examining authority ("DEA") to examine common members for compliance with the financial responsibility requirements imposed by the Act, or by Commission or SRO rules.⁷ When an SRO has been named as a common member's DEA, all other SROs to which the common member belongs are relieved of the responsibility to examine the firm for compliance with the applicable financial responsibility rules. On its face, Rule 17d-1 deals only with an SRO's obligations to enforce member compliance with financial responsibility requirements. Rule 17d-1 does not relieve an SRO from its obligation to examine a common member for compliance with its own rules and provisions of the federal securities laws governing matters other than financial responsibility, including sales practices and trading activities and practices.

To address regulatory duplication in these and other areas, the Commission adopted Rule 17d-2 under the Act.⁸ Rule 17d-2 permits SROs to propose joint plans for the allocation of regulatory responsibilities with respect to their common members. Under paragraph (c) of Rule 17d-2, the Commission may declare such a plan effective if, after providing for appropriate notice and comment, it determines that the plan is necessary or appropriate in the public interest and for the protection of investors; to foster cooperation and coordination among the SROs; to remove impediments to, and foster the development of, a national market system and a national clearance and settlement system; and is in conformity with the factors set forth in Section 17(d) of the Act. Commission approval of a plan filed pursuant to Rule 17d-2 relieves an SRO of those regulatory responsibilities allocated by the plan to another SRO.

¹ See Securities Exchange Act Release No. 59101 (December 15, 2008), 73 FR 78402.

² 15 U.S.C. 78s(g)(1).

³ 15 U.S.C. 78q(d) and 15 U.S.C. 78s(g)(2), respectively.

⁴ 15 U.S.C. 78q(d)(1).

⁵ See Securities Act Amendments of 1975, Report of the Senate Committee on Banking, Housing, and Urban Affairs to Accompany S. 249, S. Rep. No. 94-75, 94th Cong., 1st Session 32 (1975).

⁶ 17 CFR 240.17d-1 and 17 CFR 240.17d-2, respectively.

⁷ See Securities Exchange Act Release No. 12352 (April 20, 1976), 41 FR 18808 (May 7, 1976).

⁸ See Securities Exchange Act Release No. 12935 (October 28, 1976), 41 FR 49091 (November 8, 1976).