

(ii) Reporting Obligations: The PFJ includes, in the definition of each Defendant, their respective successors and assigns, and any subsidiaries, divisions, groups, affiliates, partnerships and joint ventures under its control, and their directors, officers, managers, agents, and employees, presumably at the time of the entry of the Final Judgment. However, the PFJ should specify that any new entities associated with any of the Defendants, even those which were formed or acquired after entry of the PFJ, should be subject to the same reporting obligations in case of acquisitions of "hop-on hop off" businesses in New York. The risk is, in fact, that the Defendants will form new entities to bypass their reporting obligations pursuant to the PFJ.

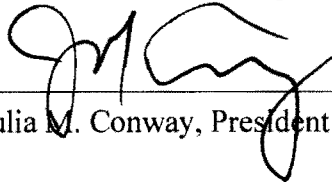
E. Retention of Jurisdiction

Section XIII of the PFJ provides that "[t]his Court retains jurisdiction to enable any party to this Final Judgment to apply to this Court at any time for further orders and directions as may be necessary or appropriate to carry out or construe this Final Judgment, to modify any of its provisions, to enforce compliance, and to punish violations of its provisions."

However, this Section should also indicate a process whereby third parties may directly report violations of the Final Judgment by the Defendants.

Very truly yours,

Taxi Tours, Inc. dba Big Bus Tours New York



Julia M. Conway, President

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DEPARTMENT OF LABOR

Employment and Training Administration

Workforce Information Advisory Council

AGENCY: Employment and Training Administration, Labor.

ACTION: Notice of Establishment of the Workforce Information Advisory Council and Solicitation of Nominations for Membership.

SUMMARY: The Department of Labor (Department) announces the establishment of the Workforce Information Advisory Council (WIAC), invites interested parties to submit nominations for individuals to serve on the WIAC, and announces the procedures for those nominations.

DATES: Nominations for individuals to serve on the WIAC must be submitted (postmarked, if sending by mail; submitted electronically; or received, if hand delivered) by October 6, 2015.

ADDRESSES: You may submit nominations and supporting materials described in this **Federal Register** Notice by any one of the following methods:

Electronically: Submit nominations, including attachments, by email using the following address: WIAC@dol.gov (use subject line "Nomination—Workforce Information Advisory Council").

Mail, express delivery, hand delivery, messenger, or courier service: Submit one copy of the nominations and supporting materials to the following address: Workforce Information Advisory Council Nominations, Office of Workforce Investment, U.S. Department of Labor, 200 Constitution Ave. NW., Room C-4526, Washington, DC 20210. Deliveries by hand, express

mail, messenger, and courier service are accepted by the Office of Workforce Investment during the hours of 9:00 a.m.–5:00 p.m., Eastern Daylight Time, Monday through Friday. Due to security-related procedures, submissions by regular mail may experience significant delays.

Facsimile: The Department will not accept nominations submitted by fax.

FOR FURTHER INFORMATION CONTACT: Kimberly Vitelli, Division of National Programs, Tools, and Technical Assistance, Office of Workforce Investment (address above); (202) 693-3045; or use email address for the WIAC, WIAC@dol.gov.

SUPPLEMENTARY INFORMATION:

I. Background and Authority

Section 15 of the Wagner-Peyser Act, 29 U.S.C. 491-2, as amended by section 308 of the Workforce Innovation and Opportunity Act of 2014 (WIOA), Public Law #113-128 requires the Secretary of Labor (Secretary) to establish the WIAC.

The statute, as amended, requires the Secretary, acting through the Commissioner of Labor Statistics and the Assistant Secretary for Employment and Training, to formally consult at least twice annually with the WIAC to address: (1) Evaluation and improvement of the nationwide workforce and labor market information system established by the Wagner-Peyser Act, and of the statewide systems that comprise the nationwide system, and (2) how the Department and the States will cooperate in the management of those systems. The Secretary, acting through the Bureau of Labor Statistics (BLS) and the Employment and Training Administration (ETA), and in consultation with the WIAC and appropriate Federal agencies, must also develop a 2-year plan for management of the system, with subsequent updates every two years thereafter. The statute generally prescribes how the plan is to be developed and implemented, outlines the contents of the plan, and requires the Secretary to submit the plan to designated authorizing committees in the House and Senate.

By law, the Secretary must “seek, review, and evaluate” recommendations from the WIAC, and respond to the recommendations in writing to the WIAC. The WIAC must make written recommendations to the Secretary on the evaluation and improvement of the workforce and labor market information system, including recommendations for the 2-year plan. The 2-year plan, in turn, must describe WIAC recommendations and the extent to which the plan incorporates them.

The Department anticipates that the WIAC will accomplish its objectives by, for example: (1) Studying workforce and labor market information issues; (2) seeking and sharing information on innovative approaches, new technologies, and data to inform employment, skills training, and workforce and economic development decision making and policy; and (3) advising the Secretary on how the workforce and labor market information system can best support workforce development, planning, and program development.

II. Structure

The Wagner-Peyser Act at section 15(d)(2)(B), requires the WIAC to have representative 14 members, appointed by the Secretary, consisting of:

(i) Four members who are representatives of lead State agencies with responsibility for workforce investment activities, or State agencies described in Wagner-Peyser Act section 4 (agency designated or authorized by

Governor to cooperate with the Secretary), who have been nominated by such agencies or by a national organization that represents such agencies;

(ii) Four members who are representatives of the State workforce and labor market information directors affiliated with the State agencies responsible for the management and oversight of the workforce and labor market information system as described in Wagner-Peyser Act section 15(e)(2), who have been nominated by the directors;

(iii) One member who is a representative of providers of training services under WIOA section 122 (Identification of Eligible Providers of Training Services);

(iv) One member who is a representative of economic development entities;

(v) One member who is a representative of businesses, who has been nominated by national business organizations or trade associations;

(vi) One member who is a representative of labor organizations, who has been nominated by a national labor federation;

(vii) One member who is a representative of local workforce development boards, who has been nominated by a national organization representing such boards; and

(viii) One member who is a representative of research entities that use workforce and labor market information.

The Secretary must ensure that the membership of the WIAC is geographically diverse, and that no two members appointed under clauses (i), (ii), and (vii), above, represent the same State. Each member will be appointed for a term of three years, except that the initial terms for members may be one, two, or three years in order to establish a rotation in which one-third of the members are selected each year. The Secretary will not appoint a member for any more than two consecutive terms. Any member whom the Secretary appoints to fill a vacancy occurring before the expiration of the predecessor’s term will be appointed only for the remainder of that term. Members of the WIAC will serve on a voluntary and generally uncompensated basis, but will be reimbursed for travel expenses to attend WIAC meetings, including per diem in lieu of subsistence, as authorized by the Federal travel regulations.

III. Nominations Process

Of the seven types of members listed above and at section 15(d)(2), the

Secretary may consider all nominations for three types, but for the other four, the Secretary may only appoint individuals nominated by particular organizations. Type (i) requires nomination from “lead State agencies with responsibility for workforce investment activities” and type (ii) requires nomination from “State workforce and labor market information directors.” Type (v) requires nomination by national business organizations or trade associations and type (vi) requires nomination by a national labor federation. But for types (iii), (iv), and (vii), any interested person or organization may nominate one or more qualified individuals for membership. If you would like to nominate an individual or yourself for appointment to the WIAC, please submit, to one of the addresses listed below, the following information:

- A copy of the nominee’s biographical information and resume;
- A cover letter that provides your reason(s) for nominating the individual, the constituency area that they represent (as outlined above in the WIAC membership identification discussion), and their particular expertise for contributing to the national policy discussion on: (1) The evaluation and improvement of the nationwide workforce and labor market information system and statewide systems that comprise the nationwide system, and (2) how the Department and the States will cooperate in the management of those systems, including programs that produce employment-related statistics and State and local workforce and labor market information; and
- Contact information for the nominee (name, title, business address, business phone, fax number, and business email address).

In addition, the cover letter must state that the nomination is being made in response to this **Federal Register** Notice and that the nominee (if nominating someone other than oneself) has agreed to be nominated and is willing to serve on the WIAC.

Authority: Pursuant to the Wagner-Peyser Act of 1933, as amended, 29 U.S.C. 49 *et seq.*; Workforce Innovation and Opportunity Act, Pub. L. 113–128; Federal Advisory Committee Act, as amended, 5 U.S.C. App.

Portia Wu,

Assistant Secretary, Employment and Training Administration.

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