

The last notification was filed with the Department on January 6, 2021. A notice was published in the **Federal Register** pursuant to Section 6(b) of the Act on January 19, 2021 (86 FR 5251).

Suzanne Morris,

Chief, Premerger and Division Statistics, Antitrust Division.

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DEPARTMENT OF JUSTICE

Antitrust Division

Notice Pursuant to the National Cooperative Research and Production Act of 1993—Advanced Media Workflow Association, Inc.

Notice is hereby given that, on June 25, 2021, pursuant to Section 6(a) of the National Cooperative Research and Production Act of 1993, 15 U.S.C. 4301 *et seq.* (“the Act”), Advanced Media Workflow Association, Inc. has filed written notifications simultaneously with the Attorney General and the Federal Trade Commission disclosing changes in its membership. The notifications were filed for the purpose of extending the Act’s provisions limiting the recovery of antitrust plaintiffs to actual damages under specified circumstances. Specifically, Christie Digital Systems, Phoenix, AZ; Cobalt Digital Inc., Champaign, IL; and Pedro Ferreira (individual member), Lavra, PORTUGAL, have been added as parties to this venture.

Also, Beijing Gefei Tech Co., Ltd., Beijing, PEOPLE’S REPUBLIC OF CHINA, has withdrawn as a party to this venture.

No other changes have been made in either the membership or planned activity of the group research project. Membership in this group research project remains open, and Advanced Media Workflow Association, Inc. intends to file additional written notifications disclosing all changes in membership.

On March 28, 2000, Advanced Media Workflow Association, Inc. filed its original notification pursuant to Section 6(a) of the Act. The Department of Justice published a notice in the **Federal Register** pursuant to Section 6(b) of the Act on June 29, 2000 (65 FR 40127).

The last notification was filed with the Department on March 24, 2021. A notice was published in the **Federal**

Register pursuant to Section 6(b) of the Act on April 8, 2021 (86 FR 18299).

Suzanne Morris,

Chief, Premerger and Division Statistics, Antitrust Division.

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DEPARTMENT OF LABOR

Secretary’s Order 02-2021—To Withdraw Secretary’s Order 10-2020, Statement of Policy Regarding Independence of Advisory Committee Members

1. *Purpose.* To withdraw Secretary’s Order 10-2020, Statement of Policy Regarding Independence of Advisory Committee Members.

2. *Authorities and Directives Affected.*
A. *Authorities.* This Order is issued pursuant to the following authorities:

1. 29 U.S.C. 551 *et seq.*;
2. 5 U.S.C. 301-02; and
3. 5 U.S.C. app. 2, 1-15.

B. *Directives Affected.* Secretary’s Order 10-2020 is hereby withdrawn.

3. *Definitions.* “Committee” refers to any advisory committee, committee, board, task force, or working group to which the Secretary or the Secretary’s designee appoints individuals subject to the Federal Advisory Committee Act and their subcommittees. This Order does not apply to internal committees, boards, task forces, or working groups, or to purely interagency committees, boards, task forces, or working groups.

4. *Background.* The stated purpose of Secretary’s Order 10-2020 was to strengthen the quality and reliability of advice provided by advisory committees to the Department of Labor (DOL), by identifying factors to be used in selecting committee members that will increase transparency in the disbursement of taxpayer dollars, enhance public confidence in advisory committees, and promote efficiency in the selection of candidates to serve on advisory committees. The formation of Committees and the selection of their membership are governed in detail by the Department of Labor Manual Series. Secretary’s Order 10-2020 established new, additional procedures for the evaluation of Committee members by requiring additional consideration of a candidate’s financial interests in DOL grants and contracts, and requiring agencies to collect a candidate attestation, the Individual’s Self-Certification of Financial Independence, from nominees. If the candidate was unable to self-certify, the agency head could review the circumstances to

determine whether the candidate was sufficiently financially independent from (*i.e.*, not so directly related to) DOL programs making grants or contract disbursements. These requirements were imposed in addition to the rigorous candidate background checks agencies perform routinely per DOL policy, although there had been no demonstrated necessity for the additional attestations or separate analyses Secretary’s Order 10-2020 requires. Furthermore, Secretary’s Order 10-2020 does not apply to all DOL advisory committee members as it provides for specific and qualified exceptions, and allows agencies to make case-by-case, independent determinations as to whether a candidate is sufficiently financially independent if a candidate is unable to self-certify, rendering its application inconsistent and arbitrary. As such, Secretary’s Order 10-2020 has created superfluous procedures with no demonstrated value justifying the additional administrative burden. While the Department has a strong interest in obtaining expert advice from its Committees, the Department has determined these new procedures on balance to be unnecessary. Accordingly, this Order rescinds Secretary’s Order 10-2020. Appointments previously made under Secretary’s Order 10-2020 are unaffected by this Order.

5. *Responsibilities.*

A. The Deputy Secretary is responsible for issuing written guidance, as necessary, to implement this Order.

B. The Committee Management Officer, as required by § 8(b) of the Federal Advisory Committee Act, is responsible for coordinating all Federal Advisory Committee activities with DOL agencies.

C. The Assistant Secretary for Administration and Management, in consultation with the Deputy Secretary, Solicitor of Labor, and the Committee Management Officer, is responsible for maintaining internal Department guidance related to the selection and appointment of members to Committees.

D. The Solicitor of Labor is responsible for providing legal advice to the Department on all matters arising in the implementation and administration of this Order.

7. *Privacy.* This Order is subject to the applicable laws, regulations, and procedures concerning the privacy of applicants to Committees.

8. *Controlling Law; Administrative Matters.* The requirements of this Order are intended to be general in nature, and accordingly will be construed and implemented consistent with more