

member of the public. Mr. Fishbein asserts that the settlement is inadequate. He asserts that Biglari should be required to divest its entire holdings in Cracker Barrel and be precluded from acquiring any Cracker Barrel voting securities in the future. *See* Exhibit A.

The United States believes that nothing in the comment warrants a change to the proposed Final Judgment or supports a conclusion that the proposed Final Judgment is not in the public interest. Section (g)(a) of the HSR Act, 15 U.S.C. 18(a)(g)(1) provides that the United States may recover a civil penalty for violations of the Act up to \$43,280 per day of violation.¹ Biglari will pay a penalty of \$1,374,190

pursuant to the terms of the proposed Final Judgment, representing 25 percent of the statutory maximum. The United States has determined that this amount will appropriately penalize Biglari and deter it and others from future violations of the HSR Act. As required by the APPA, the comment² and this response will be published in the **Federal Register**.

V. Conclusion

After careful consideration of the public comment, the United States continues to believe that the proposed Final Judgment provides an effective and appropriate remedy for the violation alleged in the Complaint and is therefore in the public interest. The

United States will move this Court to enter the Final Judgment after the comment and this response are published as required by 15 U.S.C. 16(d).

Dated: April 29, 2022.
Respectfully submitted,
FOR PLAINTIFF, UNITED STATES OF AMERICA.

/s/Kenneth A. Libby

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Exhibit A

Tapp, Jacqueline

From: alan fishbein [REDACTED]
Sent: Wednesday, December 22, 2021 1:59 PM
To: bccompliance
Subject: FTC Fines Biglari Holdings Inc. for Repeatedly Violating Antitrust Laws

I find this settlement wholly inadequate. This guy is a scumbag who just rubbed the HSR Act in the public's and the FTC's faces. In addition to the \$1.4 mm fine, Bilgari Holdings should be required to divest its entire holdings of Cracker Barrel stock to the public in a reasonably short period say 60 days at whatever aggregate price it can get for them. I presume in the settlement Bilgari agrees to not violate the HSR law in the future but in addition it should agree to not purchase any shares of Cracker Barrel stock.

Alan Fishbein

[FR Doc. 2022-09595 Filed 5-4-22; 8:45 am]

BILLING CODE 4410-11-P

DEPARTMENT OF JUSTICE

National Institute of Corrections

Advisory Board; Notice of Meeting

This notice announces a forthcoming virtual meeting of the National Institute of Corrections (NIC) Advisory Board. The meeting will be open to the public.

Name of the Committee: NIC Advisory Board.

General Function of the Committee: To aid the National Institute of Corrections in developing long-range plans, advise on program development, and recommend guidance to assist NIC's efforts in the areas of training, technical assistance, information services, and policy/program development assistance to Federal, state, and local corrections agencies.

Date and Time: 12:00–4:00 p.m. EDT on Wednesday, June 1, 2022; 12:00–4:00 p.m. EDT on Thursday, June 2, 2022 (approximate times each day).

Location: Virtual Platform.

Contact Person: Leslie LeMaster, Executive Assistant, National Institute of Corrections, 320 First Street NW, Room 901-3, Washington, DC 20534. To contact Ms. LeMaster, please call (303) 338-6620.

Agenda: Over the course of two days (June 1–2, 2022), the Advisory Board will receive an (1) Agency Report from the NIC Acting Director and (2) overviews/updates from the agency's programmatic divisions (jails, prisons, community services, and/or academy divisions). Time for questions and counsel is built in to the agenda. Initial planning for FY23 Advisory Board meeting(s) will also occur.

Procedure: On June 1–2, 2022, the meetings are open to the public. Interested persons may present data, information, or views, orally or in

writing, on issues pending before the committee between approximately 3:00 p.m. to 3:15 p.m. each day. Written submissions may be submitted to the contact person on or before May 18, 2022. Time allotted for each presentation may be limited. Those desiring to make formal oral presentations should notify the contact person and submit a brief written statement of the general nature of the evidence or arguments they wish to present, the names and addresses of proposed participants, and an indication of the approximate time requested on or before May 18, 2022.

General Information: NIC welcomes the attendance of the public at its advisory committee meetings and will make every effort to accommodate persons with physical disabilities or special needs. If you require special accommodations due to a disability, please contact Leslie LeMaster at least 7 days in advance of the meeting. Notice of this meeting is given under the

¹ The maximum daily civil penalty, which had been \$10,000, was increased to \$11,000 for violations occurring on or after November 20, 1996, pursuant to the Debt Collection Improvement Act of 1996, Public Law 104-134 § 31001(s) and FTC

Rule 1.98, 16 DC.F.R. 1.98, 61 FR 54548 (Oct. 21, 1996). The maximum daily penalty in effect at the time of Biglari's corrective filing was \$43,280 per day. The maximum daily penalty was increased to

\$46,517 for violations occurring on or after January 10, 2022, 87 FR 1070 (Jan. 10, 2022).

² Aside from a redaction of personally identifiable information the comment is provided in its entirety.

Federal Advisory Committee Act (5 U.S.C. app. 2).

Shaina Vanek,

Acting Director, National Institute of Corrections.

[FR Doc. 2022-09605 Filed 5-4-22; 8:45 am]

BILLING CODE 4410-36-P

DEPARTMENT OF LABOR

Employment and Training Administration

Agency Information Collection Activities; Comment Request; Petition Requirements and Investigative Data Collection: Trade Act of 1974, as Amended

ACTION: Notice.

SUMMARY: The Department of Labor's (DOL) Employment and Training Administration (ETA) is soliciting comments concerning a proposed extension for the authority to conduct the information collection request (ICR) titled, "Petition Requirements and Investigative Data Collection: Trade Act of 1974, as Amended." This comment request is part of continuing Departmental efforts to reduce paperwork and respondent burden in accordance with the Paperwork Reduction Act of 1995 (PRA).

DATES: Consideration will be given to all written comments received by July 5, 2022.

ADDRESSES: A copy of this ICR with applicable supporting documentation, including a description of the likely respondents, proposed frequency of response, and estimated total burden, may be obtained free by contacting Timothy Theberge, Office of Trade Adjustment Assistance, Room N-5428, Employment and Training Administration, U.S. Department of Labor, 200 Constitution Avenue NW, Washington, DC 20210, by telephone at 202-693-3401 (this is not a toll-free number), TTY 1-877-889-5627 (this is not a toll-free number), or by email at theberge.timothy@dol.gov.

Submit written comments about, or requests for a copy of, this ICR by mail or courier to the U.S. Department of Labor, Employment and Training Administration, Office of Trade Adjustment Assistance, Room N-5428, 200 Constitution Avenue NW, Washington, DC 20210; by email: theberge.timothy@dol.gov; or by fax 202-693-3584.

FOR FURTHER INFORMATION CONTACT: Timothy Theberge by telephone at 202-

693-3401 (this is not a toll-free number) or by email at theberge.timothy@dol.gov.
Authority: 44 U.S.C. 3506(c)(2)(A).

SUPPLEMENTARY INFORMATION: DOL, as part of continuing efforts to reduce paperwork and respondent burden, conducts a pre-clearance consultation program to provide the general public and Federal agencies an opportunity to comment on proposed and/or continuing collections of information before submitting them to the Office of Management and Budget (OMB) for final approval. This program helps to ensure requested data can be provided in the desired format, reporting burden (time and financial resources) is minimized, collection instruments are clearly understood, and the impact of collection requirements can be properly assessed.

Section 221(a) of Title II, Chapter 2 of the Trade Act of 1974, as amended by the Trade Adjustment Assistance Reauthorization Act of 2015, authorizes the Secretary of Labor and the Governor of each state to accept petitions for certification of eligibility to apply for adjustment assistance. The petitions may be filed by a group of workers, their certified or recognized union or duly authorized representative, employers of such workers, one-stop operators, or one-stop partners. ETA Form 9042, Petition for Trade Adjustment Assistance, and its Spanish translation, ETA Form 9042A, Solicitud De Asistencia Para Ajuste, establish a format that may be used for filing such petitions. There is also a web-based version of the ETA Form 9042.

Sections 222, 223, and 249 of the Trade Act of 1974, as amended, require the Secretary of Labor (the Secretary) to issue a determination for groups of workers as to their eligibility to apply for adjustment assistance. After reviewing all of the information obtained for each petition for Trade Adjustment Assistance filed with the Department, a determination is issued as to whether the statutory criteria for certification are met. The information collected via the following forms will be used by the Secretary to determine to what extent, if any, increased imports or shifts in either service or production have impacted the petitioning worker group.

This information collection is subject to the PRA. A Federal agency generally cannot conduct or sponsor a collection of information, and the public is generally not required to respond to an information collection, unless it is approved by OMB under the PRA and displays a currently valid OMB Control Number. In addition, notwithstanding any other provisions of law, no person

shall generally be subject to penalty for failing to comply with a collection of information that does not display a valid Control Number. See 5 CFR 1320.5(a) and 1320.6.

Interested parties are encouraged to provide comments to the contact shown in the **ADDRESSES** section. Comments must be written to receive consideration, and they will be summarized and included in the request for OMB approval of the final ICR. In order to help ensure appropriate consideration, comments should mention OMB Control Number 1205-0342.

Submitted comments will also be a matter of public record for this ICR and posted on the internet, without redaction. DOL encourages commenters not to include personally identifiable information, confidential business data, or other sensitive statements/information in any comments.

DOL is particularly interested in comments that:

- Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;
- Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;
- 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: DOL-ETA.

Type of Review: Extension without changes.

Title of Collection: Petition Requirements and Investigative Data Collection: Trade Act of 1974, as Amended.

Form(s): ETA 9042A, Petition for Trade Adjustment Assistance, and its Spanish translation ETA 9042A; ETA-9043 Business Data Request; ETA-8562A Business Customer Survey; ETA-8562A-1 Business Customer Survey—Second Tier; ETA-8562A-2 Business Customer Survey—Foreign; ETA-8562A-3 Business Customer Survey—Anonymous; ETA-8562B Business Bid Survey; ETA-9118 Business Information Request; ETA-9185 Application for Reconsideration.