

Exchange Rule 301. For these reasons, the Commission designates the proposal operative upon filing.<sup>45</sup>

At any time within 60 days of the filing of the proposed rule change, the Commission summarily may temporarily suspend such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act. If the Commission takes such action, the Commission shall institute proceedings to determine whether the proposed rule should be approved or disapproved.

#### IV. Solicitation of Comments

Interested persons are invited to submit written data, views, and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act. Comments may be submitted by any of the following methods:

##### Electronic Comments

- Use the Commission's internet comment form (<http://www.sec.gov/rules/sro.shtml>); or
- Send an email to [rule-comments@sec.gov](mailto:rule-comments@sec.gov). Please include File Number SR-MIAX-2023-01.

##### Paper Comments

- Send paper comments in triplicate to Secretary, Securities and Exchange Commission, 100 F Street NE, Washington, DC 20549-1090. All submissions should refer to File Number SR-MIAX-2023-01. This file number should be included on the subject line if email is used. To help the Commission process and review your comments more efficiently, please use only one method. The Commission will post all comments on the Commission's internet website (<http://www.sec.gov/rules/sro.shtml>). Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change that are filed with the Commission, and all written communications relating to the proposed rule change between the Commission and any person, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for website viewing and printing in the Commission's Public Reference Room, 100 F Street NE, Washington, DC 20549, on official

<sup>45</sup> For purposes only of accelerating the operative date of this proposal, the Commission has considered the proposed rule's impact on efficiency, competition, and capital formation. 15 U.S.C. 78c(f).

business days between the hours of 10:00 a.m. and 3:00 p.m. Copies of the filing also will be available for inspection and copying at the principal office of the Exchange. All comments received will be posted without change. Persons submitting comments are cautioned that we do not redact or edit personal identifying information from comment submissions. You should submit only information that you wish to make available publicly. All submissions should refer to File Number SR-MIAX-2023-01, and should be submitted on or before February 22, 2023.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.<sup>46</sup>

**Sherry R. Haywood**,  
Assistant Secretary.

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#### DEPARTMENT OF STATE

##### [Public Notice 11984]

#### Overseas Security Advisory Council (OSAC) Meeting Notice; Closed Meeting

The Department of State announces meetings of the U.S. State Department's Overseas Security Advisory Council on February 28, June 7, and November 14, 2023. Pursuant to Section 10(d) of the Federal Advisory Committee Act (5 U.S.C. 1009(d)), 5 U.S.C. 552b(c)(4), and 5 U.S.C. 552b(c)(7)(E), it has been determined that the meetings will be closed to the public. The meetings will focus on an examination of corporate security policies and procedures, will involve extensive discussion of trade secrets and proprietary commercial information that is privileged and confidential, and will discuss law enforcement investigative techniques and procedures. The agendas will include updated committee reports, global threat overviews, and other matters relating to private sector security policies and protective programs and the protection of U.S. business information overseas.

For more information, contact Ellen Tannor, Overseas Security Advisory Council, U.S. Department of State, Washington, DC 20522-2008, phone: 571-345-2223.

**Kevin E. Bryant**,  
Deputy Director, Office of Directives Management, Department of State.

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<sup>46</sup> 17 CFR 200.30-3(a)(12).

#### SURFACE TRANSPORTATION BOARD

[Docket No. AB 1321X]

#### Ohi-Rail Corporation—Discontinuance of Service Exemption—in Perry and Muskingum Counties, Ohio

Ohi-Rail Corporation (Ohi-Rail) has filed a verified notice of exemption under 49 CFR part 1152 subpart F—*Exempt Abandonments and Discontinuances of Service* to discontinue service and terminate its lease operations over approximately 14.8 miles of rail line owned by the Ohio Rail Development Commission, including the Fultonham Running Track from milepost 0.0 to milepost 3.1 (Glass Rock-East) and Z&W Industrial Track from milepost 45.8 to milepost 57.5 (Glass Rock-West), in Perry and Muskingum Counties, Ohio (the Line).<sup>1</sup> The Line traverses U.S. Postal Service Zip Codes 43701, 43735, 43739, 43760, 43777, and 43791.

Ohi-Rail has certified that: (1) it has not moved any local traffic over the Line for at least two years; (2) it has not moved any overhead traffic over the Line for at least two years, and overhead traffic, if there were any, could be rerouted over other lines; (3) no formal complaint filed by a user of rail service on the Line (or by a state or local government entity acting on behalf of such user) regarding cessation of service on the Line is either pending with the Surface Transportation Board (Board) or with any U.S. District Court or has been decided in favor of a complainant within the two-year period; and (4) the requirements at 49 CFR 1105.12 (newspaper publication) and 49 CFR 1152.50(d)(1) (notice to governmental agencies) have been met.

As a condition to this exemption, any employee adversely affected by the discontinuance of service shall be protected under *Oregon Short Line Railroad—Abandonment Portion Goshen Branch Between Firth & Ammon, in Bingham & Bonneville Counties, Idaho*, 360 I.C.C. 91 (1979). To address whether this condition adequately protects affected employees, a petition for partial revocation under 49 U.S.C. 10502(d) must be filed.

Provided no formal expression of intent to file an offer of financial assistance (OFA)<sup>2</sup> to subsidize

<sup>1</sup> Ohi-Rail was authorized to lease and operate the Line in *Ohi-Rail Corp.—Lease & Operation Exemption—Ohio Department of Transportation*, FD 30986 (ICC served Feb. 27, 1987).

<sup>2</sup> Persons interested in submitting an OFA to subsidize continued rail service must first file a formal expression of intent to file an offer, indicating the intent to file an OFA for subsidy and

continued rail service has been received, this exemption will be effective on March 3, 2023, unless stayed pending reconsideration. Petitions to stay that do not involve environmental issues must be filed by February 10, 2023, and formal expressions of intent to file an OFA to subsidize continued rail service under 49 CFR 1152.27(c)(2)<sup>3</sup> must be filed by February 13, 2023.<sup>4</sup> Petitions for reconsideration must be filed by February 21, 2023.

All pleadings, referring to Docket No. AB 1321X, must be filed with the Surface Transportation Board via e-filing on the Board's website or in writing addressed to 395 E Street SW, Washington, DC 20423-0001. In addition, a copy of each pleading filed with the Board must be sent to Ohi-Rail's representative, Crystal M. Zorbaugh, Baker & Miller PLLC, 2401 Pennsylvania Ave. NW, Suite 300, Washington, DC 20037.

If the verified notice contains false or misleading information, the exemption is void ab initio.

Board decisions and notices are available at [www.stb.gov](http://www.stb.gov).

Decided: January 27, 2023.

By the Board, Mai T. Dinh, Director, Office of Proceedings.

**Aretha Laws-Byrum,**  
Clearance Clerk.

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demonstrating that they are preliminarily financially responsible. See 49 CFR 1152.27(c)(2)(i).

<sup>3</sup> The filing fee for OFAs can be found at 49 CFR 1002.2(f)(25).

<sup>4</sup> Because this is a discontinuance proceeding and not an abandonment, interim trail use/rail banking and public use conditions are not appropriate in this docket. However, as explained in *Ohio Rail Development Commission—Petition for Declaratory Order*, FD 36387, slip op. at 6-7 (STB served Dec. 22, 2020), once Ohi-Rail is authorized to discontinue service on the Line, requests for issuance of a certificate of interim trail use or abandonment for the Line's right-of-way may be filed by a potential trail sponsor in the abandonment docket, *Conrail Abandonment of Lines in Zanesville Ohio*, Docket No. AB 167 (Sub-No. 445N). In addition, because the Line has already been authorized for abandonment, this discontinuance does not require an environmental review.

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

[Docket No. FAA-2023-0234]

#### Agency Information Collection Activities: Requests for Comments; Clearance of a Renewed Approval of Information Collection: Bird/Other Wildlife Strike Report

**AGENCY:** Federal Aviation Administration (FAA), DOT.

**ACTION:** Notice and request for comments.

**SUMMARY:** In accordance with the Paperwork Reduction Act of 1995, FAA invites public comments about our intention to request the Office of Management and Budget (OMB) approval to renew an information collection. The collection involves voluntary reporting of bird/other wildlife strike information following a wildlife strike incident with aircraft. This data becomes part of the publicly available National Wildlife Strike Database. Strike reports provide critical information that allows the FAA to determine high-risk species, track national trends, evaluate the FAA's wildlife hazard management program, and provide scientific foundation for regulatory guidance. Additionally, this essential information allows engine and airframe manufacturers to evaluate the effectiveness of aircraft components. It also helps airports identify and mitigate hazardous species and the location of wildlife attractants, affords a better understanding of strike dynamics, and provides key metrics for an airport to evaluate the effectiveness of its wildlife management program.

**DATES:** Written comments should be submitted by April 3, 2023.

**ADDRESSES:** Please send written comments:

*By Electronic Docket:* [www.regulations.gov](http://www.regulations.gov) (Enter docket number into search field).

*By mail:* John Weller, 800 Independence Avenue SW, AAS-300, Washington, DC 20591.

*By fax:* (202) 493-1416.

**FOR FURTHER INFORMATION CONTACT:** John Weller by email at: [john.weller@faa.gov](mailto:john.weller@faa.gov); phone: (202) 267-3778.

#### SUPPLEMENTARY INFORMATION:

*Public Comments Invited:* You are asked to comment on any aspect of this information collection, including (a) Whether the proposed collection of information is necessary for FAA's performance; (b) the accuracy of the estimated burden; (c) ways for FAA to enhance the quality, utility and clarity

of the information collection; and (d) ways that the burden could be minimized without reducing the quality of the collected information. The agency will summarize and/or include your comments in the request for OMB's clearance of this information collection.

*OMB Control Number:* 2120-0045.

*Title:* Bird/Other Wildlife Strike

Report.

*Form Numbers:* 5200-7.

*Type of Review:* This is a renewal of an information collection.

*Background:* 14 CFR 139.337, Wildlife Hazard Management, requires the FAA to collect wildlife strike data to develop standards and monitor hazards to aviation. Data identify wildlife strike control requirements and provide in-service data on aircraft component failure. Pilots, airport operations staff, aircraft and airport maintenance personnel, air traffic controllers, wildlife biologists, and anyone else having knowledge of a strike can report incidents to the FAA, primarily using the online version of FAA Form 5200-7. The data becomes part of the publicly available National Wildlife Strike Database used to enhance safety by airports, airlines, engine and airframe manufacturers, and the FAA. Overall, the number of strikes annually reported to the FAA has increased from 1,850 in 1990 to more than 15,556 in 2021.

*Respondents:* Approximately 14,868 pilots, airport operations staff, aircraft and airport maintenance personnel, air traffic controllers, wildlife biologists, and others with knowledge of a strike.

*Frequency:* As needed.

*Estimated Average Burden per*

*Response:* 5 minutes.

*Estimated Total Annual Burden:* 1,239 hours.

Issued in Washington, DC, on January 26, 2023.

**John Weller,**

*National Wildlife Biologist, Airport Safety and Operations Division, Office of Airports Safety and Standards.*

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## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### Noise Compatibility Program for San Diego International Airport, San Diego County, California

**AGENCY:** Federal Aviation Administration, DOT.

**ACTION:** Notice of approval of noise compatibility program.

**SUMMARY:** The Federal Aviation Administration (FAA) announces its