

and would be made permanent without any changes. Moreover, because the MWCB mechanism contained in the Pilot Rules requires all exchanges and all market participants to cease trading at the same time, making the Pilot Rules permanent would not provide a competitive advantage to any exchange or any class of market participants.

Further, the Exchange understands that upon approval of this proposal, the other SROs will submit substantively identical proposals to the Commission. Thus, the proposed rule change will help to ensure consistency across SROs without implicating any competitive issues.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

No written comments were solicited or received with respect to the proposed rule change.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

Within 45 days of the date of publication of this notice in the **Federal Register** or up to 90 days (i) as the Commission may designate if it finds such longer period to be appropriate and publishes its reasons for so finding or (ii) as to which the self-regulatory organization consents, the Commission will:

- (A) By order approve or disapprove the proposed rule change, or
- (B) institute proceedings to determine whether the proposed rule change should be 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. In addition, the Commission specifically requests comment on the proposed requirements for MWCB testing. The Exchange proposes to require Designated Market Makers and Supplemental Liquidity Providers that have been determined by the Exchange to contribute a meaningful percentage of the Exchange's overall volume, measured on a quarterly or monthly basis, will be required to participate in MWCB testing, though the Exchange may consider other factors in determining the member organizations that will be required to participate in testing. These market participants would be required to participate in at least one MWCB test each year and attest that they can send and receive

MWCB halt and resume messages, as well as receive and process market data from the SIPs relevant to MWCBs and send orders following a MWCB Level 1 or Level 2 event. The Commission notes that the proposed testing requirement is designed to assess whether the MWCB infrastructure works as designed. The proposed testing requirement, however, does not contemplate an ongoing assessment of whether the MWCB design (e.g., trigger thresholds, measurement criteria, time of day application) remains appropriate over time, as the market structure evolves, and under various threat scenarios. Do commenters believe that an ongoing assessment of the MWCB design should be conducted? If so, how could such an assessment meaningfully be conducted (e.g., tabletop exercises), understanding that it is difficult to replicate or forecast how market participant would behave during an actual MWCB event? Are commenters aware of ongoing assessment methods in other contexts (e.g., cybersecurity) that could inform how an ongoing assessment of the MWCB could be structured? How frequently should such an assessment be done?

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. Please include File Number SR-NYSE-2021-40 on the subject line.

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-NYSE-2021-40. 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 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-NYSE-2021-40 and should be submitted on or before August 12, 2021.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.⁷³

J. Matthew DeLesDernier,
Assistant Secretary.

[FR Doc. 2021-15548 Filed 7-21-21; 8:45 am]

BILLING CODE 8011-01-P

DEPARTMENT OF STATE

[Public Notice: 11470]

Advisory Committee on Historical Diplomatic Documentation—Notice of Virtual Open Meeting

The Advisory Committee on Historical Diplomatic Documentation will meet on August 30, 2021 in a virtual open session to discuss the status of the production of the *Foreign Relations* series and any other matters of concern to the Committee.

The Committee will meet in open session from 10:00 a.m. until noon through a virtual platform TBD. Members of the public planning to attend the virtual meeting should RSVP to Julie Fort at FortJL@state.gov. RSVP and requests for reasonable accommodation should be sent not later than August 13, 2021. The platform type and instructions on how to join the virtual meeting will be provided upon receipt of RSVP. Note that requests for reasonable accommodation received after August 13 will be considered but might not be possible to fulfill.

Questions concerning the meeting should be directed to Adam M. Howard, Executive Secretary, Advisory Committee on Historical Diplomatic Documentation, Department of State,

⁷³ 17 CFR 200.30-3(a)(12).

Office of the Historian, Washington, DC 20372, history@state.gov.

Adam M. Howard,

Executive Secretary, Advisory Committee on Historical, Diplomatic Documentation.

[FR Doc. 2021-15558 Filed 7-21-21; 8:45 am]

BILLING CODE 4710-34-P

DEPARTMENT OF TRANSPORTATION

Federal Railroad Administration

[Docket Number FRA-2021-0069]

Petition for Waiver of Compliance

Under part 211 of title 49 Code of Federal Regulations (CFR), this document provides the public notice that on May 28, 2021, Dallas Area Rapid Transit (DART) petitioned the Federal Railroad Administration (FRA) for a waiver of compliance from certain provisions of the Federal railroad safety regulations contained at 49 CFR parts 229 (Railroad Locomotive Safety Standards), 231 (Railroad Safety Appliance Standards), and 238 (Passenger Equipment Safety Standards), and an exemption from certain requirements of chapter 203, title 49 of the United States Code (U.S.C.). FRA assigned the petition Docket Number FRA-2021-0069.

Specifically, DART requests special approval for certain design elements of its Stadler FLIRT 3 diesel multiple unit (DMU) railcars that do not comply with FRA regulations. DART seeks relief from 49 CFR 229.47(b), *Emergency brake valve*; 231.14(a)(2), (b)-(d), (f), and (g), *Passenger-train cars without end platforms*; and 238.305(c)(5), *Interior calendar day mechanical inspection of passenger cars*. DART also requests that FRA exercise its authority under 49 U.S.C. 20306 to exempt the DMUs from the requirements of 49 U.S.C. 20302, which, in part, mandates that railroad vehicles be equipped with (1) couplers that couple automatically by impact, and are capable of being uncoupled, without individuals having to go between the ends of equipment; and (2) secure sill steps and grab irons or handholds on the vehicle's ends and sides for greater security to individuals coupling and uncoupling the vehicle. See 49 U.S.C. 20302(a)(1)(A), (B), and (a)(2).

Section 20306 authorizes FRA to exempt rail equipment from the requirements of 49 U.S.C. chapter 203, including Section 20302, when those requirements "preclude the development or implementation of more efficient railroad transportation equipment or other transportation

innovations under existing law." Section 20306 requires FRA to base any such exemption on either (1) findings developed at a hearing, or (2) an agreement between labor and the developer of the equipment.

FRA has previously held Section 20306 hearings for equipment substantially similar to the FLIRT 3 DMUs.¹ The equipment was also proposed to be operated in substantially similar operating environments to that which DART proposes in this docket.² As a result, FRA finds that holding a public hearing under Section 20306 in response to DART's current exemption request is not necessary and FRA intends to rely on the findings from these previous hearings when considering DART's current exemption request.

A copy of the petition, as well as any written communications concerning the petition, is available for review online at www.regulations.gov.

Interested parties are invited to participate in these proceedings by submitting written views, data, or comments. FRA does not anticipate scheduling a public hearing in connection with these proceedings since the facts do not appear to warrant a hearing. If any interested party desires an opportunity for oral comment and a public hearing, they should notify FRA, in writing, before the end of the comment period and specify the basis for their request.

All communications concerning these proceedings should identify the appropriate docket number and may be submitted by any of the following methods:

- Website: <http://www.regulations.gov>. Follow the online instructions for submitting comments.
- Fax: 202-493-2251.
- Mail: Docket Operations Facility, U.S. Department of Transportation (DOT), 1200 New Jersey Ave. SE, W12-140, Washington, DC 20590.

Communications received by September 7, 2021 will be considered by FRA before final action is taken. Comments received after that date will be considered if practicable. Anyone can search the electronic form of any written communications and comments received into any of our dockets by the name of the individual submitting the comment (or signing the document, if submitted on behalf of an association, business, labor union, etc.). Under 5

¹ See FRA Docket Nos. FRA-2019-0066 (Amtrak) and FRA-2019-0068 (Texas Central Railroad); see also 85 FR 69700 (Nov. 3, 2020). Both FRA dockets are available for review on www.regulations.gov.

² *Id.*

U.S.C. 553(c), DOT solicits comments from the public to better inform its processes. DOT posts these comments, without edit, including any personal information the commenter provides, to www.regulations.gov, as described in the system of records notice (DOT/ALL-14 FDMS), which can be reviewed at <https://www.transportation.gov/privacy>. See also <https://www.regulations.gov/privacy-notice> for the privacy notice of www.regulations.gov.

Issued in Washington, DC.

John Karl Alexy,

Associate Administrator for Railroad Safety, Chief Safety Officer.

[FR Doc. 2021-15603 Filed 7-21-21; 8:45 am]

BILLING CODE 4910-06-P

DEPARTMENT OF TRANSPORTATION

Federal Railroad Administration

Federal Transit Administration

Notice of Limitation on Claims Against Proposed Public Transportation Project

AGENCY: Federal Railroad Administration (FRA), Federal Transit Administration (FTA), U.S. Department of Transportation (DOT).

ACTION: Notice.

SUMMARY: This notice announces final environmental actions taken by FRA and FTA regarding the Hudson Tunnel Project (Project). The purpose of this notice is to announce publicly the environmental decisions on the subject project and to activate the limitation on any claims that may challenge these final environmental actions.

DATES: A claim seeking judicial review of actions announced herein for the listed public transportation project will be barred unless the claim is filed on or before December 20, 2021.

FOR FURTHER INFORMATION CONTACT:

For FRA: Kathryn Johnson, Attorney-Advisor, Office of Chief Counsel, telephone: (202) 493-0407, email: kathryn.johnson@dot.gov; or Amishi Castelli, Northeast Corridor Program Manager, Office of Railroad Policy and Development, telephone: (617) 431-0416, email: amishi.castelli@dot.gov.

For FTA: John A. Sautter, Region 2 Counsel, Office of Chief Counsel, telephone: (202) 748-0700, email: john.sautter@dot.gov; or Donald Burns, Region 2 Supervisory Transportation Program Specialist, telephone: (212) 668-2203, email: donald.burns@dot.gov; or Saadat Khan, Environmental Protection Specialist, Office of Environmental Programs, telephone: