

feel free, if appropriate, to indicate if your perspective is grounded in any personal experience, including any experiences as a member of any community with environmental justice concerns. If you are providing comments as a representative of a Tribal Nation, or as a representative of a U.S. Territory, or any other governmental entity please also feel free to note that as relevant to this or any other question.

#### 4. Ethical Standards, Privacy Protections, and Other Requirements for the Development and Use of Science, Data, and Research

a. What systems or approaches to privacy protections, attribution, and ethical standards have you encountered or developed that have been useful in community-derived experiential data?

b. What suggestions do you have on ethical standards, privacy protections, and other requirements for the development and use of science, data, and research?

#### 5. Research Coordination and Public Access to Federal Data

a. Are there datasets not owned by the Federal government that you have utilized to help support the advancement of environmental justice? If you have used non-Federal data sets to advance environmental justice, which ones have you used and why?

b. How can the Federal government better collaborate across Federal agencies, and partner with State, Tribal, territorial, and local governments, academic institutions, the private sector, the non-profit sector, and other entities to accelerate the development of data, research, and techniques to address gaps and inadequacies in data collection and scientific research that may affect agencies' ability to advance environmental justice?

c. What kinds of tools and resources would help communities and local decision makers better access data and information and address environmental justice in decision making?

d. What recommendations do you have for improving the public accessibility of data and information produced or distributed by the Federal Government, including through the use of digital and spatial formats, where appropriate?

#### 6. Data Analysis and Methodological Considerations

a. What methods do you recommend for disaggregating environmental risk, exposure, and health data by race, national origin, income, socioeconomic status, age, sex, disability, and/or other

readily accessible and appropriate categories?

b. What methods do you recommend for analyzing cumulative impacts (including risks) from multiple sources, pollutants or chemicals, and exposure pathways, and accounting for non-chemical stressors and current and anticipated climate change?

c. What methods, processes, or structures do you recommend for respectfully collecting, maintaining, and analyzing information, in collaboration with Tribal Nations, on consumption patterns of fish, wildlife, and plants related to subsistence and cultural practices of Tribal and Indigenous populations?

#### 7. Additional Considerations

a. Is there anything else you would like to be considered in the development of the Environmental Justice Science, Data, and Research Plan as described in E.O. 14096?

Dated: October 6, 2023.

Stacy Murphy,

Deputy Chief Operations Officer/Security Officer.

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## SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-98692; File No. SR-PEARL-2023-35]

### Self-Regulatory Organizations; MIAX PEARL, LLC; Notice of Withdrawal of Proposed Rule Change To Amend the Fee Schedule To Modify Certain Connectivity Fees and Ports Fees

October 5, 2023.

On August 8, 2023, MIAX PEARL LLC ("MIAX Pearl Options" or "Exchange") filed with the Securities and Exchange Commission ("Commission"), pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 ("Act"),<sup>1</sup> and Rule 19b-4 thereunder,<sup>2</sup> a proposed rule change to amend certain connectivity and port fees.

The proposed rule change was immediately effective upon filing with the Commission pursuant to Section 19(b)(3)(A) of the Act.<sup>3</sup> The proposed rule change was published for comment

<sup>1</sup> 15 U.S.C. 78s(b)(1).

<sup>2</sup> 17 CFR 240.19b-4.

<sup>3</sup> 15 U.S.C. 78s(b)(3)(A). A proposed rule change may take effect upon filing with the Commission if it is designated by the exchange as "establishing or changing a due, fee, or other charge imposed by the self-regulatory organization on any person, whether or not the person is a member of the self-regulatory organization." 15 U.S.C. 78s(b)(3)(A)(ii).

in the **Federal Register** on August 25, 2023.<sup>4</sup> On September 29, 2023, pursuant to Section 19(b)(3)(C) of the Act,<sup>5</sup> the Commission: (1) temporarily suspended the proposed rule change; and (2) instituted proceedings under Section 19(b)(2)(B) of the Act<sup>6</sup> to determinewhether to approve or disapprove the proposed rule change.<sup>7</sup> On October 2, 2023, the Exchange withdrew the proposed rule change (SR-PEARL-2023-35).

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.<sup>8</sup>

Sherry R. Haywood,

Assistant Secretary.

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## SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-98693; File No. SR-NYSEARCA-2023-69]

### Self-Regulatory Organizations; NYSE Arca, Inc.; Notice of Filing and Immediate Effectiveness of Proposed Rule Change To Modify the NYSE Arca Options Fee Schedule

October 5, 2023.

Pursuant to section 19(b)(1)<sup>1</sup> of the Securities Exchange Act of 1934 ("Act")<sup>2</sup> and Rule 19b-4 thereunder,<sup>3</sup> notice is hereby given that, on September 29, 2023, NYSE Arca, Inc. ("NYSE Arca" or the "Exchange") filed with the Securities and Exchange Commission (the "Commission") the proposed rule change as described in Items I and II below, which Items have been prepared by the self-regulatory organization. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

#### I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

The Exchange proposes to modify the NYSE Arca Options Fee Schedule ("Fee Schedule") regarding the Customer Incentive Program and Market Maker Penny and SPY Posting Credit Tiers. The Exchange proposes to implement the fee change effective October 2, 2023.

<sup>4</sup> See Securities Exchange Act Release No. 98180 (August 21, 2023), 88 FR 58404.

<sup>5</sup> 15 U.S.C. 78s(b)(3)(C).

<sup>6</sup> 15 U.S.C. 78s(b)(2)(B).

<sup>7</sup> See Securities Exchange Act Release No. 98658, 88 FR 68770 (October 4, 2023).

<sup>8</sup> 17 CFR 200.30-3(a)(12).

<sup>1</sup> 15 U.S.C. 78s(b)(1).

<sup>2</sup> 15 U.S.C. 78a.

<sup>3</sup> 17 CFR 240.19b-4.