

executed volume of equities trading. Thus, in such a low-concentrated and highly competitive market, no single equities exchange possesses significant pricing power in the execution of order flow. Moreover, the Exchange believes that the ever-shifting market share among the exchanges from month to month demonstrates that market participants can shift order flow or discontinue to reduce use of certain categories of products, in response to new or different pricing structures being introduced into the market.

Accordingly, competitive forces constrain the Exchange's transaction fees and rebates, including with respect to executions of Added Displayed Volume, Added Displayed Retail Volume, Added Non-Displayed Volume and Removed Volume, and market participants can readily choose to send their orders to other exchange and off-exchange venues if they deem fee levels at those other venues to be more favorable. As described above, the proposed changes represent a competitive proposal through which the Exchange is seeking to generate additional revenue with respect to its transaction pricing and to encourage the submission of additional order flow to the Exchange through volume-based tiers, which have been widely adopted by exchanges, including the Exchange. Accordingly, the Exchange believes the proposal would not burden, but rather promote, intermarket competition by enabling it to better compete with other exchanges that offer similar pricing incentives to market participants.

Additionally, the Commission has repeatedly expressed its preference for competition over regulatory intervention in determining prices, products, and services in the securities markets. Specifically, in Regulation NMS, the Commission highlighted the importance of market forces in determining prices and SRO revenues and, also, recognized that current regulation of the market system "has been remarkably successful in promoting market competition in its broader forms that are most important to investors and listed companies."⁴³ The fact that this market is competitive has also long been recognized by the courts. In *NetCoalition v. SEC*, the D.C. Circuit stated as follows: "[n]o one disputes that competition for order flow is 'fierce.' . . . As the SEC explained, '[i]n the U.S. national market system, buyers and sellers of securities, and the broker-dealers that act as their order-routing agents, have a wide range of choices of where to route orders for

execution'; [and] 'no exchange can afford to take its market share percentages for granted' because 'no exchange possesses a monopoly, regulatory or otherwise, in the execution of order flow from broker dealers'. . . ."⁴⁴ Accordingly, the Exchange does not believe its proposed pricing changes impose any burden on competition that is not necessary or appropriate in furtherance of the purposes of the Act.

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

The Exchange neither solicited nor received comments on the proposed rule change.

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

The foregoing rule change has become effective pursuant to Section 19(b)(3)(A)(ii) of the Act⁴⁵ and Rule 19b-4(f)(2)⁴⁶ thereunder.

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 change 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 (<https://www.sec.gov/rules/sro.shtml>); or
- Send an email to rule-comments@sec.gov. Please include file number SR-MEMX-2023-30 on the subject line.

Paper Comments

- Send paper comments in triplicate to Secretary, Securities and Exchange

⁴⁴ *NetCoalition v. SEC*, 615 F.3d 525, 539 (D.C. Cir. 2010) (quoting Securities Exchange Act Release No. 59039 (December 2, 2008), 73 FR 74770, 74782-83 (December 9, 2008) (SR-NYSE-2006-21)).

⁴⁵ 15 U.S.C. 78s(b)(3)(A)(ii).

⁴⁶ 17 CFR 240.19b-4(f)(2).

Commission, 100 F Street NE, Washington, DC 20549-1090.

All submissions should refer to file number SR-MEMX-2023-30. 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 (<https://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 a.m. and 3 p.m. Copies of the filing also will be available for inspection and copying at the principal office of the Exchange. Do not include personal identifiable information in submissions; you should submit only information that you wish to make available publicly. We may redact in part or withhold entirely from publication submitted material that is obscene or subject to copyright protection. All submissions should refer to file number SR-MEMX-2023-30 and should be submitted on or before December 11, 2023.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.⁴⁷

Sherry R. Haywood,
Assistant Secretary.

[FR Doc. 2023-25549 Filed 11-17-23; 8:45 am]
BILLING CODE 8011-01-P

SMALL BUSINESS ADMINISTRATION

Meeting of the Advisory Committee on Veterans Business Affairs

AGENCY: Small Business Administration (SBA).

ACTION: Notice of open Federal advisory committee meeting.

SUMMARY: The SBA is issuing this notice to announce the date, time, and agenda for a meeting of the Advisory Committee on Veterans Business Affairs (ACVBA).

⁴⁷ 17 CFR 200.30-3(a)(12).

⁴³ See *supra* note 39.

DATES: Thursday, December 7, 2023, from 9:00 a.m. to 3:00 p.m. ET.

ADDRESSES: The meeting will be held virtually via Microsoft Teams.

FOR FURTHER INFORMATION CONTACT: The meeting is open to the public via Microsoft Teams; however advance notice of attendance is strongly encouraged. To RSVP and confirm attendance, the general public should email veteransbusiness@sba.gov with subject line, "RSVP for December 7, 2023, ACVBA Public Meeting." To submit a written comment, individuals should email veteransbusiness@sba.gov with subject line, "Response for December 7, 2023, ACVBA Public Meeting" no later than December 1, 2023, or contact Timothy Green, Acting Associate Administrator, Office of Veterans Business Development (OVBD) at (202) 205-6773. Comments received in advanced will be addressed as time allows during the public comment period. All other submitted comments will be included in the meeting record. During the live meeting, those who wish to comment will be able to do so during the public comment period.

Participants can join the meeting via computer <https://bit.ly/ACVBA-Dec23> or by phone. Call in (audio only): Dial: +1 206-413-7980; Phone Conference 905 930 636#.

All applicable documents will be posted on the ACVBA website prior to the meeting: <https://www.sba.gov/about-sba/sba-locations/headquarters-offices/office-veterans-business-development#sba-card-collection-heading-7381>. For more information on veteran-owned small business programs, please visit www.sba.gov/ovbd.

SUPPLEMENTARY INFORMATION: Pursuant to section 10(a)(2) of the Federal Advisory Committee Act (5 U.S.C., appendix 2), SBA announces the meeting of the Advisory Committee on Veterans Business Affairs. The ACVBA is established pursuant to 15 U.S.C. 657(b) note and serves as an independent source of advice and policy. The purpose of this meeting is to discuss efforts that support veteran-owned small businesses, updates on past and current events, and the ACVBA's objectives for fiscal year 2024.

Dated: November 9, 2023.

Andrienne Johnson,

Committee Manager Officer.

[FR Doc. 2023-25540 Filed 11-17-23; 8:45 am]

BILLING CODE P

DEPARTMENT OF STATE

[Public Notice: 12265]

Privacy Act of 1974; System of Records

AGENCY: Department of State.

ACTION: Notice of a modified system of records.

SUMMARY: This system of records comprises information gathered in connection with the Department's role in providing consular assistance to U.S. citizens overseas, and its role as the United States Central Authority under the Hague Adoption and Abduction Conventions.

DATES: In accordance with 5 U.S.C. 552a(e)(4) and (11), this system of records notice is effective upon publication, with the exception of routine uses E, F, G, K, M, N, O, P, R, S, U, V, W, X, Y, Z, AA, CC, DD, EE, FF, GG, HH, II, JJ, KK, LL, MM, and NN that are subject to a 30-day period during which interested persons may submit comments to the Department. Please submit any comments by December 20, 2023.

ADDRESSES: Questions can be submitted by mail, email, or by calling Eric F. Stein, the Senior Agency Official for Privacy, on (202) 485-2051. If by mail, please write to: U.S. Department of State; Office of Global Information Systems, A/GIS; 2201 C St. NW, Room 4534; Washington, DC 20520. If email, please address the email to the Senior Agency Official for Privacy, Eric F. Stein, at Privacy@state.gov. Please write "Overseas Citizens Services Records and Other Overseas Records, State-05" on the envelope or the subject line of your email.

FOR FURTHER INFORMATION CONTACT: Eric F. Stein, Senior Agency Official for Privacy; U.S. Department of State; Office of Global Information Services, A/GIS; 2201 C St., Room 4534 NW; Washington, DC 20520 or by calling (202) 485-2051.

SUPPLEMENTARY INFORMATION: The modified system of records notice includes revisions and additions to the following sections: Authority for Maintenance of the System; Purpose(s) of the System; Categories of Individuals Covered by the System; Categories of Records in the System; Record Source Categories; Routine Uses; Policies and Practices for Storage of Records; Policies and Practices for Retention and Disposal of Records; Administrative, Technical, and Physical Safeguards. In addition, this notice makes administrative updates to the following sections: Record Access Procedures, Contesting

Record Procedures, Notification Procedures, and History. This notice is being modified to reflect the Department's move to cloud storage, new OMB guidance, updated contact information, new routine uses compatible with the provision of consular assistance, additional cited authorities, and a notice publication history.

System Name and Number: Overseas Citizens Services Records and Other Overseas Records, State-05.

Security Classification: Unclassified and Classified.

System Location: Department of State, Bureau of Consular Affairs, Overseas Citizens Services, SA-17, 10th Floor, Washington, DC 20522-1710 and overseas at U.S. embassies, U.S. consulates general, U.S. consulates, and U.S. consular agencies. Records may also be located within a government cloud provided, implemented, and overseen by the Department's Enterprise Server Operations Center (ESOC) 2201 C Street NW, Washington, DC 20520.

System Manager(s): Deputy Assistant Secretary for Overseas Citizens Services; SA-17, 10th Floor, Washington, DC 20522-1710 at (202) 485-6044. At overseas locations, the onsite system manager is the Chief of the Consular Section or another Department of State employee with responsibility for consular services as provided by the post in question.

Authority for Maintenance of the System:

(a) 8 U.S.C. 1104 (Powers and Duties of the Secretary of State);

(b) 22 U.S.C. 2656 (Management of foreign affairs);

(c) 22 U.S.C. 3904 (Functions of the Foreign Service, including protection of U.S. citizens in foreign countries pursuant to the Vienna Convention on Consular Relations and providing assistance to other agencies);

(d) 22 U.S.C. 211a *et seq.* (Passport application and issuance);

(e) 22 U.S.C. 2705 (Documentation of citizenship);

(f) 8 U.S.C. 1501-1504 (Adjudication of possible loss of nationality and cancellation of U.S. passports and CRBAs);

(g) 22 U.S.C. 1731 (Protection of naturalized U.S. citizens in foreign countries);

(h) 22 U.S.C. 1732 (Release of citizens imprisoned by foreign governments);

(i) 22 U.S.C. 2671(b)(2)(A)-(B) and (d) (Evacuation assistance and repatriation loans for destitute U.S. citizens abroad);

(j) 22 U.S.C. 2670(j) (Provision of emergency medical, dietary and other assistance);

(k) 22 U.S.C. 4802 (Overseas evacuations);