

telephone, and proposes instead to rely on the requirement that DMMs comply with current Rule 98 and the Exchange's proposed general requirement that DMM units establish policies and procedures reasonably designed to ensure that the use of communication devices is consistent with all SEC rules and Exchange rules. DMMs, however, have a unique position on the Trading Floor and would still have access to non-public aggregate order information—namely before the open or until a security opens for trading; while trading is halted and until a security is reopened for trading; and after the end of Core Trading Hours. DMMs would also continue to have the ability to observe negotiations and other interactions on the Trading Floor. Accordingly, Commission seeks comments regarding the sufficiency of the remaining Exchange rules to address concerns regarding the unique access to, and potential misuse of, non-public trading, issuer, and other information, including the Floor-based non-public order information as it is currently defined in the rules. Do the changes to remove DMMs' access to intraday aggregate order information and eliminate DMMs' involvement in cross transactions sufficiently limit DMMs ability to obtain non-public information such that prescriptive restrictions on DMM communication from the Trading Floor, including those listed issuer contact, is no longer necessary? Do they mitigate concerns that restrictions pertaining to Floor-based non-public order information are meant to address?

In addition to the above requests for comments, the Commission also seeks comments regarding the Exchange's proposal relating to the following:

1. The Exchange proposes to use the last consolidated trade rather than the last trade on the Exchange in the definition of Aggregating Transaction. The Exchange states that the last consolidated trade is a more meaningful benchmark for the underlying security. What effect would this change have for the operation of Rule 104?

2. The Exchange proposes to delete Rule 104A in its entirety, including DMM recordkeeping and/or reporting obligations pertaining to securities, options, single stock futures, and foreign securities. According to the Exchange, it is appropriate to delete the rule as it is duplicative of Exchange and SEC books and recordkeeping requirements. Do commenters agree? Why or why not?

3. The Exchange also proposes to delete in Rule 36.30 the provision that stipulates that DMMs can only enter proprietary order in Component Securities of Investment Company Units

or Trust Issued Receipts for the purpose of hedging a position in the Investment Company Units or Trust Issued Receipts. According to the Exchange, this provision is obsolete but does not explain why. Do commenters agree with the Exchange's statement that the provision is obsolete?

#### IV. Procedure: Request for Written Comments

The Commission requests that interested persons provide written submissions of their views, data, and arguments with respect to the issues identified above, as well as any other concerns they may have with the proposal. In particular, the Commission invites the written views of interested persons concerning whether the proposal is consistent with Section 6(b)(5)<sup>23</sup> of the Act or any other provision of the Act, or the rules and regulations thereunder. Although there do not appear to be any issues relevant to approval or disapproval that would be facilitated by an oral presentation of views, data, and arguments, the Commission will consider, pursuant to Rule 19b-4 under the Act,<sup>24</sup> any request for an opportunity to make an oral presentation.<sup>25</sup>

Interested persons are invited to submit written data, views, and arguments regarding whether the proposal should be approved or disapproved by March 7, 2024. Any person who wishes to file a rebuttal to any other person's submission must file that rebuttal by March 21, 2024.

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](mailto:rule-comments@sec.gov). Please include file number SR-NYSE-2023-36 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-2023-36. This file number should be included on the subject line if email is used. To help the Commission process and review your

<sup>23</sup> 15 U.S.C. 78f(b)(5).

<sup>24</sup> 17 CFR 240.19b-4.

<sup>25</sup> Rule 700(c)(2) of the Commission's Rules of Practice provides that "[t]he Commission, in its sole discretion, may determine whether any issues relevant to approval or disapproval would be facilitated by the opportunity for an oral presentation of views." 17 CFR 201.700(c)(2).

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. 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-2023-36 and should be submitted by March 7, 2024. Rebuttal comments should be submitted by March 21, 2024.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.<sup>26</sup>

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

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## DEPARTMENT OF STATE

[Public Notice: 12332]

### 30-Day Notice of Proposed Information Collection: Individual, Corporate or Foundation, and Government Donor Letter Applications

**ACTION:** Notice of request for public comment and submission to OMB of proposed collection of information.

**SUMMARY:** The Department of State has submitted the information collection described below to the Office of Management and Budget (OMB) for approval. In accordance with the Paperwork Reduction Act of 1995 we are requesting comments on this collection from all interested individuals and organizations. The

<sup>26</sup> 17 CFR 200.30-3(a)(12).

purpose of this Notice is to allow 30 days for public comment.

**DATES:** Submit comments up to March 18, 2024.

**ADDRESSES:** Written comments and recommendations for the proposed information collection should be sent within 30 days of publication of this notice to [www.reginfo.gov/public/do/PRAMain](http://www.reginfo.gov/public/do/PRAMain). Find this particular information collection by selecting “Currently under 30-day Review—Open for Public Comments” or by using the search function.

**FOR FURTHER INFORMATION CONTACT:**

Direct requests for additional information regarding the collection listed in this notice, including requests for copies of the proposed collection instrument and supporting documents, to Chanel Wallace who may be reached on (202) 647-7730 or at [WallaceCR2@state.gov](mailto:WallaceCR2@state.gov).

**SUPPLEMENTARY INFORMATION:**

- *Title of Information Collection:* Individual, Corporate or Foundation and Government Donor Letter Application.
  - *OMB Control Number:* 1405-0218.
  - *Type of Request:* Extension of a Currently Approved Collection.
  - *Originating Office:* Office of Emergencies in the Diplomatic and Consular Service (EDCS).
  - *Form Number:* Donor Form—Individual (DS-4273), Donor Form—Corporate or Foundation (DS-4272), Donor Form—Government (DS-4271).
  - *Respondents:* Individuals, Corporations, or Foundations that make donations to the Department.
  - *Estimated Number of Respondents:* 5,000.
  - *Estimated Number of Responses:* 5,000.
  - *Average Time per Response:* 10 minutes per response.
  - *Total Estimated Burden Time:* 833 hours.
  - *Frequency:* On occasion.
  - *Obligation to Respond:* Mandatory.
- We are soliciting public comments to permit the Department to:
- Evaluate whether the proposed information collection is necessary for the proper functions of the Department.
  - Evaluate the accuracy of our estimate of the time and cost burden for this proposed collection, including the validity of the methodology and assumptions used.
  - Enhance the quality, utility, and clarity of the information to be collected.

- Minimize the reporting burden on those who are to respond, including the use of automated collection techniques or other forms of information technology.

Please note that comments submitted in response to this Notice are public record. Before including any detailed personal information, you should be aware that your comments as submitted, including your personal information, will be available for public review.

**Abstract of Proposed Collection**

The Office of Emergencies in the Diplomatic and Consular Service (EDCS) manages the solicitation and acceptance of gifts to the U.S. Department of State. The information requested via donor letters is a necessary first step to accepting donations. The information is sought pursuant to 22 U.S.C. 2697, 5 U.S.C. 7324 and 22 CFR part 3, and will be used by EDCS’s Gift Fund Coordinator to demonstrate the donor’s intention to donate either an in-kind or monetary gift to the Department. This information is mandatory and must be completed before the gift is received by the Department.

**Methodology**

The information collection forms are available electronically via the State Department’s Intranet website (<https://myapps.servicenowservices>) for program offices who have authority to solicit or accept donations on behalf of the Department. Donors can also request and complete hard copies of the form if internet access is not available. After completion, the donor mails all forms to EDCS.

**Crystal F. Jobe,**

*Director, Gift Funds and K Fund Coordinator, CGFS/EDCS, Department of State.*

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**BILLING CODE 4710-37-P**

**DEPARTMENT OF STATE**

**[Public Notice: 12327]**

**Office of the Chief of Protocol; Gifts to Federal Employees From Foreign Government Sources Reported to Employing Agencies in Calendar Year 2022**

All information reported to the Office of the Chief of Protocol, including gift appraisal and donor information, is the responsibility of the employing agency,

in accordance with applicable law and GSA regulations.

The Office of the Chief of Protocol, Department of State, submits the following comprehensive listing of the statements which, as required by law, federal employees filed with their employing agencies during calendar year 2022 concerning gifts received from foreign government sources. The compilation includes reports of both tangible gifts and gifts of travel or travel expenses of more than minimal value, as defined in 5 U.S.C. 7432 and GSA regulations. For calendar year 2022 (January 1, 2022 through December 31, 2022), minimal value is \$415.00.

Pursuant to Title 22 of the Code of Federal Regulations Section 3.4, the report includes all gifts given on a single occasion when the aggregate value of those gifts exceeds minimal value. Also included are gifts received in previous years including two from 2019, three from 2020, and nineteen from 2021. These latter gifts are being reported in this year’s report for calendar year 2022 because the Office of the Chief of Protocol, Department of State, did not receive the relevant information at the time of reporting to include them in earlier reports. Agencies not listed in this report either did not receive relevant gifts during the calendar year, did not transmit a listing to the Secretary of State of all statements filed during the preceding year by the employees of that agency pursuant to 5 U.S.C. 7432(f)(1), or did not respond to the State Department’s Office of the Chief of Protocol’s request for data. The U.S. Senate maintains an internal minimal value of \$100; therefore, all gifts over the \$100 limit are furnished in the U.S. Senate report.

Publication of this listing in the **Federal Register** is required by section 7342(f) of Title 5, United States Code, as added by section 515(a)(1) of the Foreign Relations Authorization Act, Fiscal Year 1978 (Pub. L. 95-105, August 17, 1977, 91 Stat. 865).

**John R. Bass,**

*Under Secretary for Management, U.S. Department of State.*