

and from there to a pole. The pole is owned by a third party and is not on the grounds of the MDC, and the path into the MDC through a meet-me-room is available to any telecommunications provider. Further, all distances in the MDC are normalized.

Because the Exchange does not control Markham and could not impose any impediments to a third party seeking to offer a similar service, including by placing them at a latency or other competitive disadvantage with respect to the Exchange, the Exchange believes that the proposed change would not impose a burden on competition that is not necessary or appropriate.

For the reasons described above, the Exchange believes that the proposed rule changes reflect this competitive environment.

#### *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**

The Exchange has filed the proposed rule change pursuant to Section 19(b)(3)(A)(iii) of the Act<sup>12</sup> and Rule 19b-4(f)(6) thereunder.<sup>13</sup> Because the proposed rule change does not: (i) significantly affect the protection of investors or the public interest; (ii) impose any significant burden on competition; and (iii) become operative prior to 30 days from the date on which it was filed, or such shorter time as the Commission may designate, if consistent with the protection of investors and the public interest, the proposed rule change has become effective pursuant to Section 19(b)(3)(A) of the Act and Rule 19b-4(f)(6)(iii) thereunder.<sup>14</sup>

At any time within 60 days of the filing of such 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 under Section 19(b)(2)(B)<sup>15</sup> of the Act 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](mailto:rule-comments@sec.gov). Please include file number SR-NYSENAT-2024-13 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-NYSENAT-2024-13. 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-NYSENAT-2024-13 and should be submitted on or before May 13, 2024.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.<sup>16</sup>

**Vanessa A. Countryman,**

*Secretary.*

[FR Doc. 2024-08492 Filed 4-19-24; 8:45 am]

**BILLING CODE 8011-01-P**

## **SECURITIES AND EXCHANGE COMMISSION**

### **Sunshine Act Meetings**

**TIME AND DATE:** 2:00 p.m. on Thursday, April 25, 2024.

**PLACE:** The meeting will be held via remote means and/or at the Commission's headquarters, 100 F Street NE, Washington, DC 20549.

**STATUS:** This meeting will be closed to the public.

#### **MATTERS TO BE CONSIDERED:**

Commissioners, Counsel to the Commissioners, the Secretary to the Commission, and recording secretaries will attend the closed meeting. Certain staff members who have an interest in the matters also may be present.

In the event that the time, date, or location of this meeting changes, an announcement of the change, along with the new time, date, and/or place of the meeting will be posted on the Commission's website at <https://www.sec.gov>.

The General Counsel of the Commission, or her designee, has certified that, in her opinion, one or more of the exemptions set forth in 5 U.S.C. 552b(c)(3), (5), (6), (7), (8), 9(B) and (10) and 17 CFR 200.402(a)(3), (a)(5), (a)(6), (a)(7), (a)(8), (a)(9)(ii) and (a)(10), permit consideration of the scheduled matters at the closed meeting.

The subject matter of the closed meeting will consist of the following topics:

Institution and settlement of injunctive actions;

Institution and settlement of administrative proceedings;

Resolution of litigation claims; and

Other matters relating to examinations and enforcement proceedings.

At times, changes in Commission priorities require alterations in the scheduling of meeting agenda items that may consist of adjudicatory, examination, litigation, or regulatory matters.

**CONTACT PERSON FOR MORE INFORMATION:** For further information; please contact

<sup>12</sup> 15 U.S.C. 78s(b)(3)(A)(iii).

<sup>13</sup> 17 CFR 240.19b-4(f)(6).

<sup>14</sup> 17 CFR 240.19b-4(f)(6). Rule 19b-4(f)(6) requires the Exchange to give the Commission written notice of its intent to file the proposed rule change, along with a brief description and text of the proposed rule change, at least five business days prior to the date of filing of the proposed rule change, or such shorter time as designated by the Commission. The Exchange has satisfied this requirement.

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

<sup>16</sup> 17 CFR 200.30-3(a)(12).

Vanessa A. Countryman from the Office of the Secretary at (202) 551-5400.

*Authority:* 5 U.S.C. 552b.

Dated: April 18, 2024.

**Vanessa A. Countryman,**  
*Secretary.*

[FR Doc. 2024-08673 Filed 4-18-24; 4:15 pm]

BILLING CODE 8011-01-P

## OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE

[Docket Nos. USTR-2024-0004, USTR-2024-0005]

### Initiation of Section 301 Investigation: China's Acts, Policies, and Practices Targeting the Maritime, Logistics, and Shipbuilding Sectors for Dominance

**AGENCY:** Office of the United States Trade Representative.

**ACTION:** Notice of investigation initiation, hearing, and request for comments.

**SUMMARY:** On March 12, 2024, the Office of the United States Trade Representative (USTR) received a petition requesting an investigation of China's acts, policies, and practices targeting the maritime, logistics, and shipbuilding sectors for dominance. On consideration of the petition and the advice of the Section 301 Committee, the U.S. Trade Representative has initiated an investigation into the issues raised in the petition. The inter-agency Section 301 Committee will hold a public hearing and is seeking public comments in connection with this investigation.

**DATES:**

*April 17, 2024:* The U.S. Trade Representative initiated the investigation.

*May 22, 2024:* To be assured of consideration, submit written comments and any requests to appear at the hearing, along with a summary of the testimony, by this date.

*May 29, 2024:* The Section 301 Committee will convene a public hearing in the main hearing room of the U.S. International Trade Commission Building, 500 E Street SW, Washington DC, beginning at 10 a.m. If necessary, the hearing may continue on May 31, 2024.

*Seven days after the last day of the public hearing:* Submit post-hearing rebuttal comments.

**ADDRESSES:** Submit documents in response to this notice, including written comments, hearing appearance requests, summaries of testimony, and post-hearing rebuttal comments through

the appropriate online USTR portal at: <https://comments.ustr.gov/s/>.

**FOR FURTHER INFORMATION CONTACT:**

Megan Grimball and Philip Butler, Chairs of the Section 301 Committee, or Assistant General Counsels Thomas Au and Henry Smith, (202) 395-5725.

**SUPPLEMENTARY INFORMATION:**

#### I. Summary of the Petition

On March 12, 2024, five labor unions<sup>1</sup> filed a Section 301 petition regarding the acts, policies, and practices of China to dominate the maritime, logistics, and shipbuilding sector.<sup>2</sup> The petition was filed pursuant to section 302(a)(1) of the Trade Act of 1974, as amended (Trade Act) (19 U.S.C. 2412(a)(1)), requesting action pursuant to Section 301(b) (19 U.S.C. 2411(b)).

Petitioners allege that China targets the maritime, logistics, and shipbuilding sector for dominance and engages in a wide range of unreasonable or discriminatory acts, policies, and practices that provide unfair advantages across maritime industries, such as shipbuilding, shipping, and maritime equipment, including:

- Implementing industrial planning and policies that are designed to unfairly capture market share, distort global markets, and advantage Chinese enterprises;
- Directing mergers and anticompetitive activities;
- Providing non-market advantages to Chinese firms to dominate key upstream inputs and technologies;
- Providing advanced financing mechanisms advantaging Chinese industry;
- Creating a Chinese network of upstream suppliers, foreign ports and terminals, shippers, and equipment and logistics software that allow advantageous use of information;
- Tolerating intellectual property theft and industrial espionage; and
- Controlling shipping freight rates and capacity allocations.

The petitioners also aver that China threatens to discriminate against U.S. commerce and disrupt supply chains.

<sup>1</sup> The five petitioners are the United Steel, Paper and Forestry, Rubber, Manufacturing, Energy, Allied Industrial and Service Workers International Union, AFL-CIO CLC (USW), the International Brotherhood of Electrical Workers (IBEW), the International Brotherhood of Boilermakers, Iron Ship Builders, Blacksmiths, Forgers and Helpers, AFL-CIO/CLC (IBB), the International Association of Machinists and Aerospace Workers (IAM), and the Maritime Trades Department of the AFL-CIO (MTD).

<sup>2</sup> For additional information, the full text of the petition and accompanying exhibits are available at: <https://ustr.gov/issue-areas/enforcement/section-301-investigations/section-301-petition-china-maritime-logistics-and-shipbuilding-sector>.

Petitioners allege that China's acts, policies, and practices burden or restrict U.S. commerce by:

- Dramatically increasing China's shipbuilding excess capacity and global market share, contributing to declines in U.S. shipbuilding capacity, production, and market share;
- Artificially depressing prices, which makes it more difficult for U.S. companies to compete for sales;
- Impeding U.S. investment, production, and employment;
- Reducing the number of U.S.-produced ships in the domestic and global merchant fleets; and
- Providing unfair advantages and preferences that burden or restrict trade in inputs, and burden or restrict trade opportunities for upstream inputs and downstream industries.

In addition, the petitioners assert that China threatens to undermine U.S. national and economic security.

#### II. Initiation of a Section 301 Investigation

Pursuant to section 302(a)(2) of the Trade Act, the U.S. Trade Representative reviewed the allegations in the petition, and after receiving the advice of the section 301 Committee, the U.S. Trade Representative determined to initiate an investigation regarding the issues raised in the petition. In accordance with Section 303(a) of the Trade Act, USTR is requesting consultations with the government of China. Petitioners have requested a public hearing. In accordance with section 302(a)(4), and with the agreement of the petitioners, the section 301 Committee will hold a public hearing on this matter on May 29, 2024.

#### III. Relevant Provisions of the Trade Act

Section 302(a)(4) of the Trade Act authorizes the U.S. Trade Representative to initiate an investigation to determine whether an act, policy, or practice of a foreign country is actionable under section 301 of the Trade Act. Actionable matters under section 301 include acts, policies, and practices of a foreign country that are unreasonable or discriminatory and burden or restrict U.S. commerce. *See* Section 301(b)(1). An act, policy, or practice is unreasonable if, while not necessarily in violation of, or inconsistent with, the international legal rights of the United States, it is otherwise unfair and inequitable. *See* Section 301(d)(3)(A). The statute provides that acts, policies, and practices that are unreasonable include any act, policy, or practice, or any combination of acts, policies, or