

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-94957; File No. SR-MEMX-2021-22]

Self-Regulatory Organizations; MEMX LLC; Notice of Withdrawal of a Proposed Rule Change To Amend Its Fee Schedule To Adopt Connectivity Fees

May 20, 2022.

On December 30, 2021, MEMX LLC (“MEMX”) filed with the Securities and Exchange Commission (“Commission”), pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934¹ and Rule 19b-4 thereunder,² a proposed rule change to amend its Fee Schedule to adopt Connectivity Fees. The proposed rule change was immediately effective upon filing with the Commission pursuant to Section 19(b)(3)(A) of the Act.³ The proposed rule change was published for comment in the **Federal Register** on January 14, 2022.⁴ On February 28, 2022, the Commission temporarily suspended the proposed rule change and instituted proceedings to determine whether to approve or disapprove the proposed rule change.⁵ On May 6, 2022, MEMX withdrew the proposed rule change (SR-MEMX-2021-22).

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.⁶

J. Matthew DeLesDernier,
Assistant Secretary.

[FR Doc. 2022-11287 Filed 5-25-22; 8:45 am]

BILLING CODE 8011-01-P

DEPARTMENT OF STATE

[Public Notice: 11728]

Notice of Imposition of Sanctions on Two Individuals and One Entity

ACTION: Determination.

SUMMARY: “Blocking Property of Weapons of Mass Destruction Proliferators and Their Supporters” and delegated authority, the Under Secretary

of State for Arms Control and International Security, in consultation with the Secretary of the Treasury and the Attorney General, has determined that O Yong Ho, Roman Anatolyevich Alar, and Parsek LLC have engaged, or attempted to engage, in activities or transactions that have materially contributed to, or pose a risk of materially contributing to, the proliferation of weapons of mass destruction or their means of delivery.

Applicable Dates: The determination regarding the two individual and one entity, and imposition of sanctions on the individuals and entity and vessels identified in the **SUPPLEMENTARY INFORMATION** section of this notice were applicable on January 12, 2022.

FOR FURTHER INFORMATION CONTACT: Thomas Zarzecki, Director, Office of Counterproliferation Initiatives, Bureau of International Security and Nonproliferation, Department of State, Washington, DC 20520, tel.: 202-647-5193.

SUPPLEMENTARY INFORMATION: On June 28, 2005, the President, invoking the authority, *inter alia*, of the International Emergency Economic Powers Act (50 U.S.C. 1701-1706) (“IEEPA”), issued E.O. 13382 (70 FR 38567, July 1, 2005) (the “Order”), effective at 12:01 a.m. eastern daylight time on June 30, 2005. In the Order the President took additional steps with respect to the national emergency described and declared in E.O. 12938 of November 14, 1994, regarding the proliferation of weapons of mass destruction and the means of delivering them.

Section 1 of the Order blocks, with certain exceptions, all property and interests in property that are in the United States, or that hereafter come within the United States or that are or hereafter come within the possession or control of United States persons, of: (1) The persons listed in the Annex to the Order; (2) any foreign person determined by the Secretary of State, in consultation with the Secretary of the Treasury, the Attorney General, and other relevant agencies, to have engaged, or attempted to engage, in activities or transactions that have materially contributed to, or pose a risk of materially contributing to, the proliferation of weapons of mass destruction or their means of delivery (including missiles capable of delivering such weapons), including any efforts to manufacture, acquire, possess, develop, transport, transfer or use such items, by any person or foreign country of proliferation concern; (3) any person determined by the Secretary of the Treasury, in consultation with the

Secretary of State, the Attorney General, and other relevant agencies, to have provided, or attempted to provide, financial, material, technological or other support for, or goods or services in support of, any activity or transaction described in clause (2) above or any person whose property and interests in property are blocked pursuant to the Order; and (4) any person determined by the Secretary of the Treasury, in consultation with the Secretary of State, the Attorney General, and other relevant agencies, to be owned or controlled by, or acting or purporting to act for or on behalf of, directly or indirectly, any person whose property and interests in property are blocked pursuant to the Order.

Pursuant to the authority in section 1(a)(ii) of E.O. 13382 and delegated authority, the Under Secretary of State for Arms Control and International Security, in consultation with the Secretary of the Treasury and the Attorney General, has determined that O Yong Ho, Roman Anatolyevich Alar, and Parsek LLC have engaged, or attempted to engage, in activities or transactions that have materially contributed to, or pose a risk of materially contributing to, the proliferation of weapons of mass destruction or their means of delivery.

Identifying information on the two individuals and one entity is as follows:

Name: O Yong Ho

- **Nationality:** DPRK
- **Location:** Russia
- **Gender:** Male
- **Date of Birth:** December 25, 1961
- **Passport Number:** 108410041 (DPRK)
- **Passport Issue Date:** October 13, 2018
- **Passport Expiration Date:** October 13, 2023

Name: Roman Anatolyevich ALAR

- **Nationality:** Russian
- **Location:** Moscow, Russia
- **Gender:** Male
- **Date of Birth:** January 17, 1973
- **Passport Number:** 719869648 (Russia)
- **Passport Expiration Date:** June 25, 2022

Parsek LLC

- **Address:** SH. ENTUZIASTOV D. 54, CHE 0 POM.VII CH K 9 111123 MOSCOW, Russia
- **Phone:** (+7) 926 7980856
- **Russian Government Registration Number:** 1097746565366
- **Russian Tax Identification Number:** 7714789249
- **Russian National Classifier of Enterprises and Organizations Number:** 62817585

¹ 15 U.S.C. 78s(b)(1).

² 17 CFR 240.19b-4.

³ 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).

⁴ See Securities Exchange Act Release No. 93937 (January 10, 2022), 87 FR 2466.

⁵ See Securities Exchange Act Release No. 94332, 87 FR 12513 (March 4, 2022).

⁶ 17 CFR 200.30-3(a)(12).

The two individuals and the entity above have been added to the list of Specially Designated Nationals and Blocked Persons. All of their property and interests in property that are in the United States or in the possession or control of U.S. persons are blocked.

Bonnie D. Jenkins,

Under Secretary of State, Bureau of Arms Control & International Security, Department of State.

[FR Doc. 2022-10582 Filed 5-25-22; 8:45 am]

BILLING CODE 4710-27-P

STATE JUSTICE INSTITUTE

SJI Board of Directors Meeting, Notice

AGENCY: State Justice Institute.

ACTION: Notice of meeting.

SUMMARY: The SJI Board of Directors will be meeting on Monday, June 13, 2022 at 10:00 a.m. ET. The purpose of this meeting is to consider grant applications for the 3rd quarter of FY 2022, and other business.

ADDRESSES: State Justice Institute Headquarters, 12700 Fair Lakes Circle, Suite 340, Fairfax, VA, 22033.

FOR FURTHER INFORMATION CONTACT:

Jonathan Mattiello, Executive Director, State Justice Institute, 12700 Fair Lakes Circle, Suite 340, Fairfax, VA 22033, 703-660-4979, contact@sjj.gov.

Authority: 42 U.S.C. 10702(f)

Jonathan D. Mattiello,

Executive Director.

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BILLING CODE 6820-SC-P

SURFACE TRANSPORTATION BOARD

[Docket No. FD 36599]

Great Walton Railroad Company d/b/a Hartwell Railroad Company—Acquisition Exemption; Hartwell Railroad Company

By petition filed on March 17, 2022, Great Walton Railroad Company d/b/a Hartwell Railroad Company (GWRC) seeks an exemption under 49 U.S.C. 10502 from the prior approval requirements of 49 U.S.C. 11323 to acquire ownership and control of Hartwell Railroad Company (HRC). As discussed below, the Board will grant the exemption.

Background

HRC, a Class III carrier, owns a rail line that extends between milepost 0.5 at Toccoa, Ga., and milepost 48.8 at Elberton, Ga. (the Toccoa-Elberton

Line). (Pet. 2; *id.* at Attach. A.) GWRC, a Class III carrier, owns and operates a rail line that extends between Hartwell, Ga. and Bowersville, Ga. (the Hartwell Line) and connects to the Toccoa-Elberton Line at milepost 24.5 in Bowersville. (Pet., Attach. C.)¹ In 1995, HRC granted GWRC trackage rights to operate over the Toccoa-Elberton Line. (Pet. 3; *id.* at Attach. C.)

In support of the petition, GWRC asserts that the proposed transaction will not result in any changes in service levels, operational changes, or changes in the competitive balance with other rail carriers.² (Pet. 5.) GWRC states that the proposed transaction would perpetuate operations by GWRC that have been in place since 1995 and that, therefore, no shippers will be impacted. (*Id.*) GWRC states that the purposes of the proposed transaction are to preserve the existing operations and future viability of the Hartwell Line and Toccoa-Elberton Line, and to facilitate their orderly disposition in the future. (*Id.* at 6.) On April 1, 2022, GWRC filed a certification that the proposed transaction does not involve any provision or agreement that may limit future interchange with a third-party connecting carrier.

Discussion and Conclusions

Under 49 U.S.C. 11323(a)(3), the acquisition of control of a rail carrier by any number of rail carriers requires prior Board approval. Under 49 U.S.C. 10502(a), however, the Board must exempt a transaction or service from regulation if it finds that: (1) Regulation is not necessary to carry out the rail transportation policy (RTP) of 49 U.S.C. 10101; and (2) either the transaction or service is limited in scope, or regulation is not needed to protect shippers from the abuse of market power.

In this case, an exemption from the prior approval requirements of 49 U.S.C. 11323-25 is consistent with the standards of 10502. Detailed scrutiny of the proposed transaction through an application for review and approval under 11323-25 is not necessary here to carry out the RTP. An exemption would promote the RTP by minimizing the need for federal regulatory control over the transaction, 10101(2); ensuring the development and continuation of a sound rail transportation system that would continue to meet the needs of the public, 10101(4); fostering sound economic conditions in transportation,

10101(5); encouraging efficient management, 10101(9); and providing for the expeditious resolution of this proceeding, 10101(15). Other aspects of the RTP would not be adversely affected.

Regulation of the transaction is not needed to protect shippers from an abuse of market power.³ The record indicates that no shipper would lose an existing rail service option as a result of the proposed transaction. GWRC states that, since it would continue to operate the Toccoa-Elberton Line as it has since 1995, the proposed transaction would not result in any service level or operational changes. Accordingly, the transaction would not result in any shippers losing access to rail service or foreclose any transportation options currently available to shippers. Moreover, no shipper (or any other entity) has objected to the proposed transaction.

Under 49 U.S.C. 10502(g), the Board may not use its exemption authority to relieve a rail carrier of its statutory obligation to protect the interests of its employees. However, 49 U.S.C. 11326(c) does not provide for labor protection for transactions under 11324 and 11325 that involve only Class III rail carriers. Accordingly, the Board may not impose labor protective conditions here because all carriers involved are Class III carriers.

The proposed transaction is exempt from environmental reporting requirements under 49 CFR 1105.6(c)(1)(i) because it would not result in any significant change in carrier operations. The transaction is also exempt from the historic reporting requirements under 49 CFR 1105.8(b)(3), because it would not substantially change the level of maintenance of railroad properties.

GWRC states that the proposed transaction would be consummated on or shortly after the effective date of the exemption. The exemption will be effective June 22, 2022, and petitions to stay will be due by June 2, 2022. Petitions for reconsideration or petitions to reopen will be due by June 13, 2022.

It is ordered:

1. Under 49 U.S.C. 10502, the Board exempts from the prior approval requirements of 49 U.S.C. 11323-25 the transaction described above.

2. Notice of the exemption will be published in the **Federal Register**.

3. The exemption will become effective on June 22, 2022. Petitions to stay must be filed by June 2, 2022.

¹ GWRC provides a map with the petition at Attachment D.

² GWRC notes that the proposed transaction does not qualify for the class exemption under 49 CFR 1180.2(d)(2) because the Hartwell Line and Toccoa-Elberton Line connect in Bowersville. (Pet. 4.)

³ Given this finding, the Board need not determine whether the transaction is limited in scope. See 10502(a).