

6(b)(5) of the Act,¹⁴ which requires, among other things, that the rules of a national securities exchange be designed to prevent fraudulent and manipulative acts and practices, to promote just and equitable principles of trade, to foster cooperation and coordination with persons engaged in facilitating transactions in securities, to remove impediments to and perfect the mechanism of a free and open market and a national market system, and, in general, to protect investors and the public interest, and that the rules of a national securities exchange not be designed to permit unfair discrimination between customers, issuers, brokers, or dealers.

In the OIP, the Commission noted that the Exchange had separately proposed a different set of changes to its Closing Auction process,¹⁵ and that the Commission was instituting proceedings to allow for additional analysis and input concerning the instant proposed rule change's consistency with requirements of the Act and to evaluate the proposal in light of other pending proposed changes to the Closing Auction.¹⁶ In response to the OIP, the Exchange states that, because the two filings set forth independent proposed changes with distinct purposes, the Commission should approve the proposed rule change.¹⁷ The Exchange states that, while the instant proposal addresses certain orders that participate in the NYSE Closing Auction, the instant proposal is otherwise unrelated to changes proposed under the Closing Auction Filing.¹⁸ The Exchange further states that whereas the Closing Auction Filing proposed to modify how the Closing Auction Price would be determined and how Designated Market Makers would be able to participate in the Closing Auction, the proposed rule change in this instance proposes a discrete change pertaining only to the cancellation of MOC, LOC, and Closing IO Orders after the Auction Imbalance Freeze for the Closing Auction.¹⁹ In addition, the Exchange has withdrawn the Closing Auction Filing.²⁰

The Commission finds that the proposed rule change is consistent with Section 6(b)(5) of the Act, because it is reasonably designed to provide greater certainty regarding MOC, LOC, and

Closing IO Orders represented in the Exchange's auction imbalance information by requiring that any changes to those orders to correct a Legitimate Error be made by 10 minutes before the scheduled end of Regular Trading, which is the existing deadline for entering a MOC, LOC, or Closing IO Order, and because the restriction will apply equally to all users of MOC, LOC, or Closing IO Orders.

IV. Conclusion

It is therefore ordered, pursuant to Section 19(b)(2) of the Act,²¹ that the proposed rule change (SR-NYSE-2021-74) be, and hereby is, approved.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.²²

J. Matthew DeLesDernier,

Assistant Secretary.

[FR Doc. 2022-12941 Filed 6-15-22; 8:45 am]

BILLING CODE 8011-01-P

DEPARTMENT OF STATE

[Delegation of Authority No. 524-2]

Delegation of Authorities Under Section 102 of the Mutual Educational and Cultural Exchange Act of 1961

By virtue of the authority vested in the Assistant Secretary of State for Educational and Cultural Affairs, including by Delegation of Authority No. 236-3 (August 28, 2000), and to the extent permitted by law, I hereby delegate to the Deputy Assistant Secretary for Private Sector Exchange and the Deputy Assistant Secretary for Professional and Cultural Exchanges the authorities and functions in section 102 of the Mutual Educational and Cultural Exchange Act of 1961 (22 U.S.C. 2452), relating to the provision by grant, contract or otherwise for educational and cultural exchanges.

Any authorities covered by this delegation may also be exercised by the Secretary, the Deputy Secretary, the Deputy Secretary for Management and Resources, the Under Secretary for Public Diplomacy and Public Affairs, and the Assistant Secretary for Educational and Cultural Affairs.

This Delegation of Authority does not revoke or otherwise affect any other delegation of authority currently in effect.

Any reference in this Delegation of Authority to any statute or delegation of authority shall be deemed to be a reference to such statute or delegation of authority as amended from time to time.

²¹ 15 U.S.C. 78s(b)(2).

²² 17 CFR 200.30-3(a)(12).

This Delegation shall be published in the **Federal Register**.

Lee A. Satterfield,

Assistant Secretary for Educational and Cultural Affairs, U.S. Department of State.

[FR Doc. 2022-12932 Filed 6-15-22; 8:45 am]

BILLING CODE 4710-05-P

DEPARTMENT OF STATE

[Public Notice 11757]

Renewal of Defense Trade Advisory Group Charter

ACTION: Notice.

SUMMARY: The Department of State announces the renewal of the Charter for the Defense Trade Advisory Group (DTAG) for another two years. The DTAG advises the Department on its support for and regulation of defense trade to help ensure the foreign policy and national security of the United States continues to be protected and advanced, while helping to reduce unnecessary impediments to legitimate exports in order to support the defense requirements of U.S. friends and allies. It is the only Department of State advisory committee that addresses defense trade related topics. The DTAG will remain in existence for two years after the filing date of the Charter unless terminated sooner. The DTAG is authorized by Department of State regulations and the Federal Advisory Committee Act. For more information, contact Michael Miller, Designated Federal Officer, Defense Trade Advisory Group, and Deputy Assistant Secretary, Directorate of Defense Trade Controls, Department of State, Washington, DC 20520, telephone: (202) 663-2861.

Michael Miller,

Designated Federal Officer, Defense Trade Advisory Group, Department of State.

[FR Doc. 2022-12983 Filed 6-15-22; 8:45 am]

BILLING CODE 4710-25-P

SURFACE TRANSPORTATION BOARD

[Docket No. FD 36620]

OPSEU Pension Plan Trust Fund, Jaguar Transport Holdings, LLC, and Jaguar Rail Holdings, LLC—Continuance in Control Exemption—Kinston Railroad, LLC

OPSEU Pension Plan Trust Fund (OPTrust), Jaguar Transport Holdings, LLC (JTH), and Jaguar Rail Holdings, LLC (JRH), and collectively with OPTrust and JTH, Jaguar, all noncarriers, have filed a verified notice of exemption

¹⁴ 15 U.S.C. 78f(b)(5).

¹⁵ See Securities Exchange Act Release No. 93037 (Sept. 16, 2021), 86 FR 52719 (Sept. 22, 2021) (SR-NYSE-2021-44) ("Closing Auction Filing").

¹⁶ See OIP, *supra* note 8, 87 FR at 17347.

¹⁷ See NYSE Letter, *supra* note 9 at 2.

¹⁸ See NYSE Letter, *supra* note 9 at 1.

¹⁹ See NYSE Letter, *supra* note 9 at 1-2.

²⁰ See Securities Exchange Act Release No. 94835 (May 3, 2022), 87 FR 27669 (May 9, 2022).

under 49 CFR 1180.2(d)(2) to continue in control of Kinston Railroad, LLC (KNR), a noncarrier, upon KNR's becoming a Class III rail carrier.

This transaction is related to a concurrently filed verified notice of exemption in *Kinston Railroad—Change in Operator Exemption—Kinston & Snow Hill Railroad*, Docket No. FD 36621. In that proceeding, KNR has filed a verified notice of exemption pursuant to 49 CFR 1150.31 to assume operation of approximately 5.7 miles of rail line currently operated by Kinston & Snow Hill Railroad Co., Inc. (KSHR), and owned by the North Carolina Department of Transportation (NCDOT), extending between milepost GTP-0.0 (and a connection at that location to a North Carolina Railroad Company track) and milepost GTP-5.7 at the North Carolina Global TransPark (the Line), near Kinston, in Lenoir County, N.C. KNR will assume an existing lease of the Line, to be assigned to KNR by KSHR with NCDOT's consent.

Jaguar states that it will continue in control of KNR upon KNR's becoming a railroad common carrier. According to the verified notice, OPTrust indirectly controls JTH, which directly controls JRH. JTH currently controls, indirectly: five Class III railroads directly controlled by JRH—Southwestern Railroad, Inc., Texas & Eastern Railroad, LLC, Wyoming and Colorado Railroad, Inc. (WYCO) (which also does business under the name Oregon Eastern Railroad), Missouri Eastern Railroad, LLC, and Charlotte Western Railroad, LLC; two Class III railroads indirectly controlled by JRH through WYCO—Cimarron Valley Railroad, L.C., and Washington Eastern Railroad, LLC; and one Class III railroad, West Memphis Base Railroad, L.L.C., which is indirectly controlled by JTH through its subsidiary Jaguar Transport, LLC. The lines of the rail carriers controlled by JTH and JRH are located in Arkansas, Colorado, Kansas, Missouri, New Mexico, North Carolina, Oklahoma, Oregon, Texas, and Washington.

Jaguar states that: (1) the Line does not connect with any other rail lines operated by carriers controlled by Jaguar; (2) the continuance in control transaction is not part of a series of anticipated transactions that would connect the Line with any rail lines controlled by Jaguar or that would connect any of those rail lines with each other; and (3) the transaction does not involve a Class I rail carrier. Therefore, the proposed transaction is exempt from the prior approval requirements of 49 U.S.C. 11323. See 49 CFR 1180.2(d)(2).

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 49 U.S.C. 11324 and 11325 that involve only Class III rail carriers. Because this transaction involves Class III rail carriers only, the Board, under the statute, may not impose labor protective conditions for this transaction.

The earliest this transaction may be consummated is June 30, 2022, the effective date of the exemption (30 days after the verified notice was filed). If the verified notice contains false or misleading information, the exemption is void ab initio. Petitions to revoke the exemption under 49 U.S.C. 10502(d) may be filed at any time. The filing of a petition to revoke will not automatically stay the effectiveness of the exemption. Petitions to stay must be filed no later than June 23, 2022 (at least seven days before the exemption becomes effective).

All pleadings, referring to Docket No. FD 36620, must be filed with the Surface Transportation Board via e-filing on the Board's website or in writing addressed to 395 E Street SW, Washington, DC 20423-0001. In addition, a copy of each pleading must be served on Jaguar's representative, Robert A. Wimbish, Fletcher & Sippel LLC, 29 North Wacker Drive, Suite 800, Chicago, IL 60606-3208.

According to Jaguar, this action is excluded from environmental review under 49 CFR 1105.6(c) and from historic preservation reporting requirements under 49 CFR 1105.8(b).

Board decisions and notices are available at www.stb.gov.

Decided: June 13, 2022.

By the Board, Scott M. Zimmerman, Acting Director, Office of Proceedings.

Kenyatta Clay,
Clearance Clerk.

[FR Doc. 2022-13003 Filed 6-15-22; 8:45 am]

BILLING CODE 4915-01-P

SURFACE TRANSPORTATION BOARD

[Docket No. FD 36621]

Kinston Railroad, LLC—Change in Operator Exemption—Kinston & Snow Hill Railroad Co., Inc.

Kinston Railroad, LLC (KNR), a noncarrier, has filed a verified notice of exemption pursuant to 49 CFR 1150.31 to assume operation of approximately 5.7 miles of rail line near Kinston, Lenoir County, N.C., extending between milepost GTP-0.0 (and a connection at that location to a North Carolina

Railroad Company track) and milepost GTP-5.7 at the North Carolina Global TransPark (the Line). The North Carolina Department of Transportation (NCDOT) owns the Line, and Kinston & Snow Hill Railroad Co., Inc. (KSHR), currently operates the Line pursuant to a 2015 lease with NCDOT (the Lease).¹ See *N.C. & Atl. R.R.—Lease & Operation Exemption—N.C. Dep't of Transp.*, FD 36008 (STB served Mar. 25, 2016); *N.C. & Atl. R.R.—Lease & Operation Exemption—N.C. Dep't of Transp.*, FD 36008 et al., (STB served Nov. 4, 2016) (providing notice that North Carolina & Atlantic Railroad Co., Inc., changed its name to Kinston & Snow Hill Railroad Co., Inc.).

According to the verified notice, KNR has entered into an agreement with KSHR—with NCDOT's consent—under which KSHR will assign its interest in the Lease to KNR, and KNR will commence common carrier operations over the Line in place of KSHR. Based on projected annual revenues for the Line, KNR expects to become a Class III rail carrier after consummation of the proposed transaction.

This transaction is related to a concurrently filed verified notice in *OPSEU Pension Plan Trust Fund—Continuance in Control Exemption—Kinston Railroad*, Docket No. FD 36620, in which the filing parties seek to continue in control of KNR upon KNR's becoming a Class III rail carrier.

As required under 49 CFR 1150.33(h)(1), KNR certifies in its verified notice that the proposed change of operator on the Line does not involve, and the Lease between NCDOT and KSHR does not include, any provision or agreement that may limit future interchange with a third-party connecting carrier.

KNR certifies that its projected annual revenues as a result of the transaction will not exceed \$5 million and will not result in the creation of a Class I or Class II rail carrier. Under 49 CFR 1150.32(b), a change in operator exemption requires that notice be given to shippers. KNR certifies that it has provided notice of the proposed change in operator to the shippers on the Line.

The transaction may be consummated on or after June 30, 2022, the effective date of the exemption (30 days after the verified notice was filed).

If the verified notice contains false or misleading information, the exemption is void ab initio. Petitions to revoke the exemption under 49 U.S.C. 10502(d)

¹ Public and confidential versions of the Lease were filed with the verified notice. The confidential version was submitted under seal concurrently with a motion for protective order, which will be addressed in a separate decision.