

Waiver of the 30-day operative delay would allow the Exchange to immediately provide the protections included in this proposal in the event of a MWCB halt, which is consistent with the protection of investors and the public interest. Therefore, the Commission hereby waives the 30-day operative delay and designates the proposed rule change as operative upon filing.²³

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 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 (<http://www.sec.gov/rules/sro.shtml>); or
- Send an email to rule-comments@sec.gov. Please include File Number SR-PEARL-2022-13 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-PEARL-2022-13. 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 (<http://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

²³ For purposes only of waiving the 30-day operative delay, the Commission has also considered the proposed rule's impact on efficiency, competition, and capital formation. See 15 U.S.C. 78c(f).

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 10:00 a.m. and 3:00 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-PEARL-2022-13 and should be submitted on or before May 4, 2022.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.²⁴

J. Matthew DeLesDernier,
Assistant Secretary.

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DEPARTMENT OF STATE

[Public Notice: 11706]

60-Day Notice of Proposed Information Collection: COVID-19 Vaccination Requests for Waiver

ACTION: Notice of request for public comment.

SUMMARY: The Department of State is seeking Office of Management and Budget (OMB) approval for the information collection described below. In accordance with the Paperwork Reduction Act of 1995, we are requesting comments on this collection from all interested individuals and organizations. The purpose of this notice is to allow 60 days for public comment preceding submission of the collection to OMB.

DATES: The Department will accept comments from the public up to *June 13, 2022*.

ADDRESSES: You may submit comments by any of the following methods:

- **Web:** Persons with access to the internet may comment on this notice by going to www.Regulations.gov. You can search for the document by entering "Docket Number: DOS-2022-0100" in the Search field. Then click the

"Comment Now" button and complete the comment form.

- **Email:** NicodemusAL@state.gov. You must include the DS form number (if applicable), information collection title, and the OMB control number in any correspondence.

SUPPLEMENTARY INFORMATION:

- **Title of Information Collection:** COVID-19 Vaccination Request for Waiver.
- **OMB Control Number:** 1405-0246.
- **Type of Request:** Extension of a Currently Approved Collection.
- **Originating Office:** GTM.
- **Form Number:** DS-1558, DS-1559.
- **Respondents:** New employees at the Department of State who may request an exception to Executive Order 14043 from this vaccination requirement based on a sincerely held religious belief or medical needs.
- **Estimated Number of Respondents:** 100.
- **Estimated Number of Responses:** 100.
- **Average Time per Response:** 75 minutes per response.
- **Total Estimated Burden Time:** 75 hours.
- **Frequency:** On occasion.
- **Obligation to Respond:** Voluntary.

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 purpose of collecting this information is to provide an avenue for individuals to request an exception to the vaccination requirement as a medical/disability or religious accommodation, and to determine whether the request for an exception to Executive Order 14043 is valid and can be accommodated.

²⁴ 17 CFR 200.30-3(a)(12).

Methodology

For prospective employees, both forms are PDFs that must be printed, completed, signed, and emailed to points of contact. The Medical Exception form has two parts: Part 2 of the form must be completed by a medical professional before the entire document is scanned and emailed.

A Notice Regarding Injunctions

The vaccination requirement issued pursuant to E.O. 14043, is currently the subject of a nationwide injunction. While that injunction remains in place, the Department will not process requests for a medical exception from the COVID-19 vaccination requirement pursuant to E.O. 14043. The Department will also not request the submission of any medical information related to a request for an exception from the vaccination requirement pursuant to E.O. 14043 while the injunction remains in place. But the Department may nevertheless receive information regarding a medical exception. That is because, if the Department were to receive a request for an exception from the COVID-19 vaccination requirement pursuant to E.O. 14043 during the pendency of the injunction, the Department will accept the request, hold it in abeyance, and notify the employee who submitted the request that implementation and enforcement of the COVID-19 vaccination requirement pursuant to E.O. 14043 is currently enjoined and that an exception therefore is not necessary so long as the injunction is in place. In other words, during the pendency of the injunction, any information collection related to requests for medical exception from the COVID-19 vaccination requirement pursuant to E.O. 14043 is not undertaken to implement or enforce the COVID-19 vaccination requirement.

Kevin E. Bryant,

Deputy Director, Office of Directives Management, Department of State.

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SURFACE TRANSPORTATION BOARD

[Docket No. EP 770]

Urgent Issues in Freight Rail Service

AGENCY: Surface Transportation Board.

ACTION: Notice of public hearing.

SUMMARY: The Surface Transportation Board (Board) will hold a public hearing on April 26 and 27, 2022, on recent rail service problems and recovery efforts involving several Class I carriers. The

hearing will be held in the Hearing Room of the Board's headquarters, located at 395 E Street SW, Washington, DC 20423-0001. The Board will direct executive-level officials, including operating and human resources officials, of BNSF Railway Company (BNSF), CSX Transportation, Inc. (CSXT), Norfolk Southern Railway Company (NSR), and Union Pacific Railroad Company (UP) to appear to discuss the recent rail service problems, each carrier's ongoing and planned efforts to improve service, and each carrier's estimated timeline for recovery of normal service levels. The Board will also invite and welcome the attendance of executive-level officials, including operating and human resources officials, of Canadian National Railway Company (CN), Kansas City Southern Railway Company (KCS), and Canadian Pacific Railway Company (CP). In addition, the Board will provide other carriers, rail customers, labor organizations, and other interested parties the opportunity to report on recent service issues and service recovery efforts.

DATES: The hearing will be held on April 26 and 27, 2022, beginning at 9:30 a.m. each day, in the Hearing Room of the Board's headquarters and will be open for public observation. The hearing will be available for viewing on the Board's website. Any person wishing to speak at the hearing should file with the Board a notice of intent to participate (identifying the party, proposed speaker, and amount of time requested) as soon as possible but no later than April 14, 2022. Submission of written testimony by hearing participants is optional; any such written testimony, and written comments by any other interested persons, may be submitted by April 22, 2022.

ADDRESSES: All filings should be submitted via e-filing on the Board's website at www.stb.gov. Filings will be posted to the Board's website and need not be served on the other hearing participants, written commenters, or any other party to the proceeding.

FOR FURTHER INFORMATION CONTACT: Nathaniel Bawcombe at (202) 245-0376. Assistance for the hearing impaired is available through the Federal Relay Service at (800) 877-8339.

SUPPLEMENTARY INFORMATION: Rail network reliability is essential to the Nation's economy and is a foremost priority of the Board. In recent weeks, the Board has heard informally from a broad range of stakeholders about inconsistent and unreliable rail service. These challenges include tight car supply and unfilled car orders, delays in

transportation for carload and bulk traffic, increased origin dwell time for released unit trains, missed switches, and ineffective customer assistance. Moreover, the Board has received several recent reports, from the Secretary of Agriculture, Senator Shelley Moore Capito, and other stakeholders, about the serious impact of these service trends on rail users, particularly with respect to shippers of agricultural and energy products.¹

At the same time, the Board has been closely monitoring weekly rail service performance data submitted pursuant to 49 CFR part 1250.² The data validate the anecdotal information reported to the Board, as many key performance indicators, such as system average train speed and average number of trains holding per day, suggest performance is below historical norms. While the Board appreciates that the pandemic has caused significant volume fluctuations, which have created great uncertainty and other challenges, these trends demonstrate that service has continued to deteriorate. Since the beginning of 2022, and through the data for the week ending March 25, 2022, there has been no material, sustained decline in trains held per day due to crew or locomotive availability for BNSF, CSXT, NSR, or UP. Recognizing large reductions in railroad employment over the past several years (including prior to the pandemic), as reported to the Board under 49 CFR 1246.1, and understanding that carriers have reported hiring difficulties—difficulties that are not restricted to the rail industry—the Board is concerned that crew shortages have contributed to these recent service trends and affected carriers' recovery efforts. For these reasons, the Board has determined that the service issues may have reached a level that requires action by the Board, and it is imperative that the Board hear from carriers, rail customers, labor

¹ See Honorable Thomas J. Vilsack, U.S. Dep't of Agric. Letter, Mar. 30, 2022, *Reciprocal Switching*, EP 711 (Sub-No. 1); Letter from Honorable Shelley Moore Capito, to Board Members Martin J. Oberman, Michelle A. Schultz, Patrick J. Fuchs, Robert E. Primus, & Karen J. Hedlund (Mar. 29, 2022), available at www.stb.gov (open tab "News & Communications" & select "Non-Docketed Public Correspondence"); Letter from the Nat'l Grain & Feed Ass'n, to Board Members Martin J. Oberman, Michelle A. Schultz, Patrick J. Fuchs, Robert E. Primus, & Karen J. Hedlund (Mar. 24, 2022), available at www.stb.gov (open tab "News & Communications" & select "Non-Docketed Public Correspondence"); Letter from SMART-Transp. Div., to Chairman Martin J. Oberman (Apr. 1, 2022), available at www.stb.gov (open tab "News & Communications" & select "Non-Docketed Public Correspondence").

² Data collected pursuant to 49 CFR part 1250 is available on the Board's website at <https://www.stb.gov/reports-data/rail-service-data/>.