

- Send an email to [rule-comments@sec.gov](mailto:rule-comments@sec.gov). Please include file number SR-NYSEAMER-2023-42 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-NYSEAMER-2023-42. 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-NYSEAMER-2023-42 and should be submitted on or before September 27, 2023.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.<sup>23</sup>

**Sherry R. Haywood,**

*Assistant Secretary.*

[FR Doc. 2023-19127 Filed 9-5-23; 8:45 am]

**BILLING CODE 8011-01-P**

## SMALL BUSINESS ADMINISTRATION

### Data Collection Available for Public Comments

**ACTION:** 60-Day notice and request for comments.

**SUMMARY:** The Small Business Administration (SBA) intends to request approval, from the Office of Management and Budget (OMB) for the collection of information described below. The Paperwork Reduction Act (PRA) requires federal agencies to publish a notice in the **Federal Register** concerning each proposed collection of information before submission to OMB, and to allow 60 days for public comment in response to the notice. This notice complies with that requirement.

**DATES:** Submit comments on or before November 6, 2023.

**ADDRESSES:** Send all comments to Marybeth Kerrigan, Financial Analyst, Secondary Markets Division, Office of Financial Assistance, Small Business Administration, Washington, DC 20416.

**FOR FURTHER INFORMATION CONTACT:** Marybeth Kerrigan, Financial Analyst, Secondary Markets Division, Office of Financial Assistance, [mary.kerrigan@sba.gov](mailto:mary.kerrigan@sba.gov) 202-205-7552, or Curtis B. Rich, Agency Clearance Officer, 202-205-7030, [curtis.rich@sba.gov](mailto:curtis.rich@sba.gov);

**SUPPLEMENTARY INFORMATION:** Small Business Administration collects this information from lenders who participate in the secondary market program. The information is used to facilitate and administer secondary market transactions in accordance with 15 U.S.C. 634(f)3 and to monitor the program for compliance with 15 U.S.C. 639(h).

#### Solicitation of Public Comments

SBA is removing duplicate sale data, reformatting sale data for ease of use, and amending sections for clarity. SBA is requesting comments on (a) Whether the collection of information is necessary for the agency to properly perform its functions; (b) whether the burden estimates are accurate; (c) whether there are ways to minimize the burden, including through the use of automated techniques or other forms of information technology; and (d) whether there are ways to enhance the quality, utility, and clarity of the information.

#### Summary of Information Collection

*OMB Control Number:* 3245-0185.

*Title:* Secondary Participation Guaranty Agreement.

*Description of Respondents:* Small Business Lenders.

*Form Number:* SBA Forms 1502, 1086.

*Total Estimated Annual Responses:* 4,000.

*Total Estimated Annual Hour Burden:* 60,000.

**Curtis Rich,**

*Agency Clearance Officer.*

[FR Doc. 2023-19198 Filed 9-5-23; 8:45 am]

**BILLING CODE 8026-09-P**

## SURFACE TRANSPORTATION BOARD

[Docket No. EP 552 (Sub-No. 27)]

### Railroad Revenue Adequacy—2022 Determination

**AGENCY:** Surface Transportation Board.

**ACTION:** Notice of decision.

**SUMMARY:** On September 5, 2023, the Board served a decision announcing the 2022 revenue adequacy determinations for the nation's Class I railroads. Five Class I railroads (BNSF Railway Company, CSX Transportation, Inc., Norfolk Southern Combined Railroad Subsidiaries, Soo Line Corporation, and Union Pacific Railroad Company) were found to be revenue adequate.

**DATES:** This decision is effective on September 5, 2023.

**FOR FURTHER INFORMATION CONTACT:** Pedro Ramirez, (202) 245-0333. If you require an accommodation under the Americans with Disabilities Act, please call (202) 245-0245.

**SUPPLEMENTARY INFORMATION:** Under 49 U.S.C. 10704(a)(3), the Board is required to make an annual determination of railroad revenue adequacy. A railroad is considered revenue adequate under 49 U.S.C. 10704(a) if it achieves a rate of return on net investment (ROI) equal to at least the current cost of capital for the railroad industry. For 2022, this number was determined to be 10.58% in *Railroad Cost of Capital—2022*, EP 558 (Sub-No. 26) (STB served Aug. 3, 2023). The Board then applied this revenue adequacy standard to each Class I railroad. Five Class I carriers (BNSF Railway Company, CSX Transportation, Inc., Norfolk Southern Combined Railroad Subsidiaries, Soo Line Corporation, and Union Pacific Railroad Company) were found to be revenue adequate for 2022.

The decision in this proceeding is posted at [www.stb.gov](http://www.stb.gov).

Decided: August 30, 2023.

<sup>23</sup> 17 CFR 200.30-3(a)(12).

By the Board, Board Members Fuchs, Hedlund, Oberman, Primus, and Schultz.  
**Kenyatta Clay,**  
*Clearance Clerk.*

[FR Doc. 2023–19173 Filed 9–5–23; 8:45 am]

**BILLING CODE 4915–01–P**

## DEPARTMENT OF TRANSPORTATION

### Federal Highway Administration

[Docket No. FHWA–2023–0026]

#### Agency Information Collection Activities: Request for Comments for a New Information Collection

**AGENCY:** Federal Highway Administration (FHWA), DOT.

**ACTION:** Notice and request for comments.

**SUMMARY:** The FHWA invites public comments about our intention to request the Office of Management and Budget's (OMB) approval for an information collection, which is summarized below under **SUPPLEMENTARY INFORMATION**. We are required to publish this notice in the **Federal Register** by the Paperwork Reduction Act of 1995.

**DATES:** Please submit comments by November 6, 2023.

**ADDRESSES:** You may submit comments identified by DOT Docket ID Number 0026 by any of the following methods:

*Website:* For access to the docket to read background documents or comments received go to the Federal eRulemaking Portal: Go to <http://www.regulations.gov>.

Follow the online instructions for submitting comments.

*Fax:* 1–202–493–2251.

*Mail:* Docket Management Facility, U.S. Department of Transportation, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE., Washington, DC 20590–0001.

*Hand Delivery or Courier:* U.S. Department of Transportation, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE, Washington, DC 20590, between 9 a.m. and 5 p.m. ET, Monday through Friday, except Federal holidays.

**FOR FURTHER INFORMATION CONTACT:** Spencer Stevens 202–366–6221, Office of Planning, Environment and Realty Federal Highway Administration, Department of Transportation, 1200 New Jersey Avenue SE, Washington, DC 20590.

#### SUPPLEMENTARY INFORMATION:

*Title:* Planning and Research Program Administration.

*Background:* Planning and Research Program Administration is covered

under 23 CFR part 420. 23 CFR part 420 regulation includes administrative requirements and procedures for PL funds (23 U.S.C. 104(b)(5)) provided for Metropolitan Planning Organizations (MPOs) to carry out metropolitan planning, and SPR funds (provided under the provisions of 23 U.S.C. 505) for State Departments of Transportation (State DOTs) to implement statewide transportation planning and research, development and technology (RD&T) work activities. Also, at a State DOT's option, other Title 23 funds as identified in the definition of FHWA planning and research funds in 23 U.S.C. 505 and 23 CFR 420.103 may be used to perform planning activities. Different from this request, the information collection requirement for work performed by MPOs is a joint Federal Highway Administration/Federal Transit Administration requirement, and is covered under OMB Control Number 2132–0529.

In accordance with government-wide grant management procedures, a grant application must be submitted for these funds. In addition, recipients must submit periodic progress and financial reports. The content and frequency of submission of progress and financial reports specified in 23 CFR part 420 is as specified in 2 CFR 200 grant management regulations. With the implementation of 2 CFR 200, the focus will be more on using data to determine the grant's achievement outcomes and less on accountability compliance. FHWA and the State DOTs are called upon to identify clear performance goals, indicators and milestones for the grants.

This information collection supports the DOT's Strategic Objective of "Organizational Excellence" by providing an ongoing mechanism to review applications and approve Federal grants to States for their transportation planning and research, development and technology work programs.

*Respondents:* Each State, the District of Columbia and the Commonwealth of Puerto Rico are required to provide information. The annual number of burden hours (professional and clerical staff) per respondent for preparation of work programs and progress and financial reports is estimated to be 720 (18 weeks × 40 hours per week). The total annual burden for all respondents is estimated to be 37,440 burden hours (720 burden hours per respondent times 52 respondents).

*Frequency:* This annual burden consists of staff time of each respondent for preparation of the work programs, and progress and financial reports. For

those respondents that elect to use biennial work programs, the burden for preparation of work programs would be significantly less for the second year.

*Estimated Average Burden per Response:*

*Professional staff time for preparation of work programs:* 400 hours/respondent.

*Professional staff time for preparation of progress and financial reports:* 120 hours/respondent.

*Clerical staff time:* 200 hours/respondent.

*Estimated Total Annual Burden Hours:* 720 hours/respondent × 52 respondents = 37,400 hours.

*Public Comments Invited:* You are asked to comment on any aspect of this information collection, including: (1) Whether the proposed collection is necessary for the FHWA's performance; (2) the accuracy of the estimated burdens; (3) ways for the FHWA to enhance the quality, usefulness, and clarity of the collected information; and (4) ways that the burden could be minimized, including the use of electronic technology, without reducing the quality of the collected information. The agency will summarize and/or include your comments in the request for OMB's clearance of this information collection.

*Authority:* The Paperwork Reduction Act of 1995; 44 U.S.C. Chapter 35, as amended; and 49 CFR 1.48.

Issued on: August 31, 2023.

**Jazmyne Lewis,**

*Information Collection Officer.*

[FR Doc. 2023–19151 Filed 9–5–23; 8:45 am]

**BILLING CODE 4910–22–P**

## DEPARTMENT OF TRANSPORTATION

### Federal Railroad Administration

[Docket No. FRA–2010–0060]

#### Norfolk Southern Railway's Request To Operate During a Temporary Outage of Its Positive Train Control System; Withdrawal of Filing and Notice

**AGENCY:** Federal Railroad Administration (FRA), Department of Transportation (DOT).

**ACTION:** Notice; withdrawal.

**SUMMARY:** On September 1, 2023, the Federal Railroad Administration (FRA) published a notice in the **Federal Register** announcing the availability of the Norfolk Southern Railway's (NS) request for amendment (RFA), dated August 28, 2023, to its FRA-certified positive train control (PTC) system. This