

placement communications that include projections of performance or targeted returns will be required to retain records related to their activities in this area as required by Exchange Act Rules 17a–3 and 17a–4. FINRA does not believe that the proposed rule change should address discovery rules used in arbitration, as they are beyond its scope.

FINRA notes that, subsequent to the publication of the *Notice*, Congress passed the Setting Every Community Up for Retirement Enhancement Act of 2019 (“SECURE Act”).⁹⁰ Among other things, the SECURE Act amended the Employee Retirement Income Security Act (“ERISA”) to require an annual lifetime income disclosure in statements sent to participants in benefit plans governed by ERISA. Pursuant to the SECURE Act, the DOL adopted an interim final rule that specifies the requirements for such lifetime income stream disclosures.⁹¹ The proposed amendments to Rule 2210 would not impact members that are required to provide such disclosures in plan benefit statements. In this regard, FINRA historically has interpreted Rule 2210’s filing and content standards as not applying to communications that are required by other regulatory agencies, including communications required by DOL rules.⁹²

Credit Suisse requested a number of new rules and guidance addressing the use of performance information in communications, including: (1) allowing institutional communications to show both actual and related performance on a gross basis; (2) clarifying that targeted returns contained in fund promotional material are not projections of performance, or permit the use of targeted returns in institutional communications; (3) confirming that estimated returns about underlying fund investments are not subject to the prohibitions on projections of performance; and (4) clarifying that model returns and back-tested performance can provide a reasonable basis for projected performance and targeted returns in institutional communications. Fidelity urged FINRA to focus on harmonizing its rules governing related performance with SEC staff interpretations under the Advisers Act, and to focus on principles-based disclosure solutions across all forms of communications,

including social media and mobile devices.

While FINRA appreciates these suggestions, it believes that some of these recommendations (such as those concerning related or back-tested performance) extend beyond the scope of the proposal’s intent, and thus are not germane to this proposed rule filing. FINRA believes that it has addressed the other comments, such as those concerning targeted returns.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

Within 45 days of the date of publication of this notice in the **Federal Register** or within such longer period (i) as the Commission may designate up to 90 days of such date if it finds such longer period to be appropriate and publishes its reasons for so finding or (ii) as to which the self-regulatory organization consents, the Commission will:

- (A) by order approve or disapprove such proposed rule change, or
- (B) institute proceedings to determine whether the proposed rule change should be 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–FINRA–2023–016 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–FINRA–2023–016. 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 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 such filing also will be available for inspection and copying at the principal office of FINRA. 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–FINRA–2023–016 and should be submitted on or before December 15, 2023.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.⁹³

Sherry R. Haywood,
Assistant Secretary.

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DEPARTMENT OF STATE

[Public Notice: 12269]

U.S. Advisory Commission on Public Diplomacy; Meeting

ACTION: Notice of meeting.

SUMMARY: The U.S. Advisory Commission on Public Diplomacy (ACPD) will hold an in-person public meeting with online (Zoom) access. The meeting will focus on the integration of diversity, equity, inclusion, and accessibility (DEIA) principles into U.S. government public diplomacy programming abroad, based on a forthcoming ACPD special report titled “Public Diplomacy and DEIA Promotion: Telling America’s Story to the World.” A panel of experts will discuss the opportunities and challenges associated with engaging global audiences on these important issues. This meeting is open to the public, including the media and members and staff of governmental and non-governmental organizations.

DATES: Tuesday, December 12, 2023, 12 p.m. until 1:15 p.m.

⁹³ 17 CFR 200.30–3(a)(12).

⁹⁰ The SECURE Act was enacted as Division O of the Further Consolidated Appropriations Act, 2020, Public Law 116–94 (2019).

⁹¹ See Department of Labor, “Pension Benefit Statements—Lifetime Income Illustrations,” 85 FR 59132 (September 18, 2020).

⁹² See, e.g., *Regulatory Notice* 12–02 (January 2012).

ADDRESSES: The event will take place at the U.S.C. Annenberg Center on Communication Leadership and Policy, University of Southern California, 1771 N St. NW, Washington, DC 20036.

To register for the event, please go to https://iipstate.my.site.com/CRMEventRegistration/s/registration-page?event=JtfG7kPP_m2ijMppK2bGeUsBccisxjOvvk_71TntFbk_.

Doors will open at 11:30 a.m.

FOR FURTHER INFORMATION CONTACT: To request reasonable accommodation, please email ACPD Program Assistant Kristy Zamy at ZamaryKK@state.gov; phone at 202–351–9284. Please send any request for reasonable accommodation no later than Tuesday, November 28, 2023. Requests received after that date will be considered but might not be possible to fulfill.

SUPPLEMENTARY INFORMATION: Since 1948, the ACPD has been charged with appraising activities intended to understand, inform, and influence foreign publics and to increase the understanding of, and support for, these same activities. The ACPD conducts research that provides honest assessments of public diplomacy efforts, and disseminates findings through reports, white papers, and other publications. It also holds public symposiums that generate informed discussions on public diplomacy issues and events. The Commission reports to the President, Secretary of State, and Congress and is supported by the Office of the Under Secretary of State for Public Diplomacy and Public Affairs.

For more information on the U.S. Advisory Commission on Public Diplomacy, please visit <https://www.state.gov/bureaus-offices/under-secretary-for-public-diplomacy-and-public-affairs/united-states-advisory-commission-on-public-diplomacy>, or contact Executive Director Vivian S. Walker at WalkerVScommat@state.gov or Senior Advisor Jeff Ridenour at RidenourJM@state.gov.

(Authority: 22 U.S.C. 2651a, 22 U.S.C. 1469, 5 U.S.C. 1001 *et seq.*, and 41 CFR 102–3.150)

Jeffrey M. Ridenour,

Senior Advisor, U.S. Advisory Commission on Public Diplomacy, Department of State.

[FR Doc. 2023–25909 Filed 11–22–23; 8:45 am]

BILLING CODE 4710–45–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

[Docket: FAA–2023–2249]

Notice of Availability; Adoption of the United States Air Force's Final Environmental Impact Statement—Airspace Optimization for Readiness at Mountain Home Air Force Base, Idaho, and the Record of Decision for Federal Aviation Administration Actions

AGENCY: Federal Aviation Administration (FAA), Department of Transportation.

ACTION: Notice of availability (NOA) for the adoption of the United States Air Force (USAF) final environmental impact statement (FEIS) and FAA's record of decision (ROD).

SUMMARY: The FAA announces its decision to adopt the USAF FEIS—Airspace Optimization for Readiness at Mountain Home Air Force Base (MHAFFB), Mountain Home, Idaho. Based on its independent review and evaluation of the FEIS and supporting documents, the FAA is adopting the FEIS and issuing a ROD for the modification of special use airspace (SUA) at the Mountain Home Range Complex (MHRC).

FOR FURTHER INFORMATION CONTACT: Lonnie Covalt, Operations Support Group, Western Service Center, 2200 216th Street, Des Moines, WA 98198; telephone (206) 231–3998.

SUPPLEMENTARY INFORMATION:

Background

As described in the FEIS, the Proposed Action consists of USAF military flight training operations at low altitudes in the Paradise North Military Operations Area (MOA), Paradise South MOA, Owyhee South MOA, and Jarbidge South MOA. USAF would conduct supersonic operations at lower altitudes within the same four MOAs. To accommodate the Proposed Action, the FAA would modify SUA to ensure safe operations continue within the National Airspace System and allow for optimized airspace at the MHRC.

The MHRC and the SUA associated with MHAFFB provide airspace for combat air power and combat support training to U.S. forces—and its allies—and support unit-level and larger force combat skills training. In addition, mission activities such as search and rescue training, survival training, convoy escort training, and ground-based air defense radio detection and ranging (radar) threat simulation occur on the land areas of the MHRC. The airspace and ranges primarily support

Idaho-based units from MHAFFB Air National Guard units from Gowen Field in Boise, Idaho, in addition to other USAF and Department of Defense (DoD)-approved users. The MHRC SUA consists of six MOAs and two Restricted Areas (RA) with associated ranges for inert weapons use. The airspace overlies portions of Idaho, Nevada, and Oregon.

The Draft Environmental Impact Statement (DEIS) underwent a 109-day public comment period from July 9, 2021, to October 25, 2021, and there were 2,894 comment letters (not including duplicate submittals) submitted during the public comment period via mail, email, written at public hearings, verbal at public hearings, and the public website. A summary of the DEIS public involvement, agency coordination, and tribal consultation is contained in the FEIS. The FAA circularized the aeronautical proposal. The FEIS was made available to the public for 30 days on March 3, 2023, through a NOA in the **Federal Register** (88 FR 13443). The USAF issued their ROD on July 14, 2023, and a NOA of USAF's ROD was published in the **Federal Register** on August 2, 2023 (88 FR 50849).

Implementation

After evaluating the aeronautical study and the FEIS, the FAA has issued a ROD for the requested SUA. The Proposed Action consists of changes to lower the altitude of the floors within the MHAFFB Military Operations Areas (MOA) of Paradise North MOA, Paradise South MOA, Owyhee South MOA, and Jarbidge South MOA. The designated altitudes are at 100 feet (ft) above ground level (AGL) up to 17,999 ft mean sea level (MSL). The times of use are between 0730–2200 mountain time, Monday through Friday; other times by Notice of Air Missions (NOTAM) expected use is estimated to be 260 days per year, 12 hours per day. The legal descriptions for the modified MOAs will be published in the National Flight Data Digest.

In accordance with Section 102 of the National Environmental Policy Act of 1969 (NEPA), the Council on Environmental Quality's (CEQ) regulations for implementing NEPA (40 CFR parts 1500–1508), and other applicable authorities (including FAA Order 1050.1F, Environmental Impacts: Policies and Procedures, paragraph 8–2, and FAA Order JO 7400.2P, Procedures for Handling Airspace Matters, paragraph 32–2–3), the FAA has conducted an independent review and evaluation of the USAF FEIS. As a cooperating agency with responsibility for approving SUA under 49 U.S.C.