

## SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-76636; File No. SR-NYSEArca-2015-119]

### Self-Regulatory Organizations; NYSE Arca, Inc.; Notice of Filing and Immediate Effectiveness of Proposed Rule Change Amending the NYSE Arca Options Fee Schedule

December 14, 2015.

Pursuant to section 19(b)(1)<sup>1</sup> of the Securities Exchange Act of 1934 (the “Act”)<sup>2</sup> and Rule 19b-4 thereunder,<sup>3</sup> notice is hereby given that, on December 1, 2015, NYSE Arca, Inc. (the “Exchange” or “NYSE Arca”) filed with the Securities and Exchange Commission (the “Commission”) the proposed rule change as described in Items I, II, and III below, which Items have been prepared by the self-regulatory organization. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

#### I. Self-Regulatory Organization’s Statement of the Terms of Substance of the Proposed Rule Change

The Exchange proposes to amend the NYSE Arca Options Fee Schedule (“Fee Schedule”). The Exchange proposes to implement the fee changes effective December 1, 2015. The proposed rule change is available on the Exchange’s Web site at [www.nyse.com](http://www.nyse.com), at the principal office of the Exchange, and at the Commission’s Public Reference Room.

#### II. Self-Regulatory Organization’s Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the self-regulatory organization included statements concerning the purpose of, and basis for, the proposed rule change and discussed any comments it received on the proposed rule change. The text of those statements may be examined at the places specified in Item IV below. The Exchange has prepared summaries, set forth in sections A, B, and C below, of the most significant parts of such statements.

#### A. Self-Regulatory Organization’s Statement of the Purpose of, and the Statutory Basis for, the Proposed Rule Change

##### 1. Purpose

The Exchange proposes to amend the Fee Schedule, effective December 1, 2015, to eliminate the Floor Broker Order Capture Device Log-In Fee (“Log-In Fee”).

Currently, the Exchange charges a monthly Log-In Fee of \$150 per assigned log-in ID per month to access the Exchange-sponsored Floor Broker Order Capture System by means of a Floor Broker Order Capture Device (“FBOCD”).<sup>4</sup> The log-in permits OTP Holder access to the System from any FBOCD, whether located in a Floor Broker’s booth or a general access device located on the Trading Floor. Floor Brokers are required to use the FBOCDs to electronically record the receipt of an order and any events in the life of the order, including execution or cancellation.

The Log-In Fee was instituted to cover the cost per log-in charged by data vendors for access to each FBOCD.<sup>5</sup> The Exchange is in the process of establishing alternative vendors for FBOCD use, which may impact costs to the Exchange. As a result, the Exchange proposes to eliminate the Log-In Fee at this time. Elimination of this fee would not result in any changes to how the FBOCD functions.

##### 2. Statutory Basis

The Exchange believes that the proposed rule change is consistent with section 6(b) of the Act,<sup>6</sup> in general, and furthers the objectives of sections 6(b)(4) and (5) of the Act,<sup>7</sup> in particular, because it provides for the equitable allocation of reasonable dues, fees, and other charges among its members, issuers and other persons using its facilities and does not unfairly discriminate between customers, issuers, brokers or dealers.

The Log-In Fee was designed to recover costs being charged to the Exchange for use of FBOCD. The

<sup>4</sup> The Exchange notes that it is not proposing any changes to the monthly charge of \$175 for each FBOCD, which is capped at \$4,200 in total per device. The FBOCD is used by Floor Brokerage operations to comply with the requirements of Rule 6.67, Order Format and System Entry Requirements, namely, the systemization of order details and electronic tracking of all events in the life of an order, up to and including cancellation or execution.

<sup>5</sup> See Securities Exchange Act Release No. 63643 (January 5, 2011) 76 FR 2163 (January 12, 2011) (NYSEArca-2010-123).

<sup>6</sup> 15 U.S.C. 78f(b).

<sup>7</sup> 15 U.S.C. 78f(b)(4) and (5).

Exchange therefore believes it is reasonable, equitable and not unfairly discriminatory to eliminate the Log-In Fee charged to OTP Holders as the Exchange re-evaluates and potentially restructures the cost of FBOCD use to the Exchange. The Exchange believes the elimination of the Log-In Fee would result in the fair and reasonable use of resources by OTP Holders, particularly Floor Brokers.

For these reasons, the Exchange believes that the proposal is consistent with the Act.

#### B. Self-Regulatory Organization’s Statement on Burden on Competition

In accordance with section 6(b)(8) of the Act,<sup>8</sup> the Exchange does not believe that the proposed rule change will impose any burden on competition that is not necessary or appropriate in furtherance of the purposes of the Act. Because the proposed change would result in the fair and reasonable use of resources by OTP Holders, particularly Floor Brokers, the Exchange believes the elimination of the Log-In Fee is pro-competitive.

The Exchange notes that it operates in a highly competitive market in which market participants can readily favor competing venues. In such an environment, the Exchange must continually review, and consider adjusting, its fees and credits to remain competitive with other exchanges. For the reasons described above, the Exchange believes that the proposed rule change reflects this competitive environment.

#### C. Self-Regulatory Organization’s Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

No written comments were solicited or received with respect to the proposed rule change.

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

The foregoing rule change is effective upon filing pursuant to section 19(b)(3)(A)<sup>9</sup> of the Act and subparagraph (f)(2) of Rule 19b-4<sup>10</sup> thereunder, because it establishes a due, fee, or other charge imposed by the Exchange.

At any time within 60 days of the filing of such proposed rule change, the Commission summarily may temporarily suspend such rule change if it appears to the Commission that such

<sup>1</sup> 15 U.S.C. 78s(b)(1).

<sup>2</sup> 15 U.S.C. 78a.

<sup>3</sup> 17 CFR 240.19b-4.

<sup>8</sup> 15 U.S.C. 78f(b)(8).

<sup>9</sup> 15 U.S.C. 78s(b)(3)(A).

<sup>10</sup> 17 CFR 240.19b-4(f)(2).

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 under section 19(b)(2)(B)<sup>11</sup> of the Act to determine whether the proposed rule change 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](mailto:rule-comments@sec.gov). Please include File Number SR-NYSEArca-2015-119 on the subject line.

##### *Paper Comments*

- Send paper comments in triplicate to Brent J. Fields, Secretary, Securities and Exchange Commission, 100 F Street NE., Washington, DC 20549. All submissions should refer to File Number SR-NYSEArca-2015-119. 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 Web site (<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 Web site viewing and printing in the Commission's Public Reference Section, 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 will also be available for inspection and copying at the principal office of the Exchange. All comments received will be posted without change; the Commission does not edit personal identifying information from

submissions. You should submit only information that you wish to make available publicly. All submissions should refer to File Number SR-NYSEArca-2015-119 and should be submitted on or before January 8, 2016.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.<sup>12</sup>

**Robert W. Errett,**

*Deputy Secretary.*

[FR Doc. 2015-31786 Filed 12-17-15; 8:45 am]

**BILLING CODE 8011-01-P**

---

## SMALL BUSINESS ADMINISTRATION

### Reporting and Recordkeeping Requirements Under OMB Review

**AGENCY:** Small Business Administration.

**ACTION:** 30-Day notice.

**SUMMARY:** The Small Business Administration (SBA) is publishing this notice to comply with requirements of the Paperwork Reduction Act (PRA) (44 U.S.C. Chapter 35), which requires agencies to submit proposed reporting and recordkeeping requirements to OMB for review and approval, and to publish a notice in the **Federal Register** notifying the public that the agency has made such a submission. This notice also allows an additional 30 days for public comments.

**DATES:** Submit comments on or before January 19, 2016.

**ADDRESSES:** Comments should refer to the information collection by name and/or OMB Control Number and should be sent to: *Agency Clearance Officer*, Curtis Rich, Small Business Administration, 409 3rd Street SW., 5th Floor, Washington, DC 20416; and *SBA Desk Officer*, Office of Information and Regulatory Affairs, Office of Management and Budget, New Executive Office Building, Washington, DC 20503.

**FOR FURTHER INFORMATION CONTACT:**

Curtis Rich, Agency Clearance Officer, (202) 205-7030 [curtis.rich@sba.gov](mailto:curtis.rich@sba.gov).

*Copies:* A copy of the Form OMB 83-1, supporting statement, and other documents submitted to OMB for review may be obtained from the Agency Clearance Officer.

**SUPPLEMENTARY INFORMATION:** A team of Quality Assurance staff at the Disaster Assistance Center (DASC) will conduct a brief telephone survey of customers to determine their satisfaction with the services received from the (DASC) and the Field Operations Centers. The result

will help the Agency to improve where necessary, the delivery of critical financial assistance to disaster victims.

*Title:* Disaster Assistance Customer Satisfaction Survey.

*Description of Respondents:* Disaster Customers satisfaction with service received.

*Form Number:* SBA Form 2313FOC, 2313CSC.

*Estimated Annual Responses:* 2,400.

*Estimated Annual Hour Burden:* 199.

**Curtis B. Rich,**

*Management Analyst.*

[FR Doc. 2015-31838 Filed 12-17-15; 8:45 am]

**BILLING CODE 8025-01-P**

---

## DEPARTMENT OF STATE

[Public Notice: 9389]

### Advisory Committee on Historical Diplomatic Documentation—Notice of Closed and Open Meetings for 2016

**SUMMARY:** The Advisory Committee on Historical Diplomatic Documentation will meet on March 7, June 6, August 29, and December 12, 2016, in open session to discuss unclassified matters concerning declassification and transfer of Department of State records to the National Archives and Records Administration and the status of the *Foreign Relations* series.

The Committee will meet in open session from 11:00 a.m. until noon in SA-4D Conference Room, Department of State, 2300 E Street NW., Washington DC 20372 (Potomac Navy Hill Annex). RSVP should be sent as directed below:

- March 7, not later than February 29, 2016. Requests for reasonable accommodation should be made by February 22, 2016.
- June 6, not later than May 30, 2016. Requests for reasonable accommodation should be made by May 23, 2016.
- August 29, not later than August 22, 2016. Requests for reasonable accommodation should be made by August 15, 2016.
- December 12, not later than December 5, 2016. Requests for reasonable accommodation should be made by November 28, 2016.

*Closed Sessions.* The Committee's sessions in the afternoon of Monday, March 7, 2016; in the morning of Tuesday, March 8; in the afternoon of Monday, June 6, 2016; in the morning of Tuesday, June 7, 2016; in the afternoon of Monday, August 29, 2016; in the morning of Tuesday, August 30, 2016; in the afternoon of Monday, December 12, 2016; and in the morning of Tuesday, December 13, 2016, will be closed in accordance with Section 10(d)

<sup>11</sup> 15 U.S.C. 78s(b)(2)(B).

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