

real-time trade information disseminated publically.

In addition, the Exchange believes the proposed rule is designed to foster cooperation and coordination with persons engaged in regulating, clearing, settling, processing information with respect to, and facilitating transactions in securities. The proposed Rule states that TPHs remain responsible for reporting accurate trade information and that any actions taken by the Exchange pursuant to Rule 6.51.04 do not constitute a determination that an order was otherwise systematized or reported in accordance with the Rules. The proposed rule is not intended to be a form of regulatory relief and specifically notes it will not define or limit the Exchange's ability to sanction TPHs for violations of Exchange rules. The Exchange itself does not set any of the default values outlined in the proposed rule and the entry of order information remains the responsibility of TPHs. The Exchange monitors and surveils TPHs to ensure compliance with Exchange Rules, including Rule 6.51.

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

CBOE 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. The proposed rule change will not have any impact on intramarket competition as it applies equally to all TPH who are currently subject to requirements of Rule 6.51. Additionally, the proposed rule change outlines a voluntary method of handling orders and will not subject any individual TPH to additional burden.

Furthermore, the proposed rule is meant to ensure Exchange TPHs are able to handle and process orders in the same manner as members or participants of the NYSE Amex. As such, the proposed rule change will promote intermarket competition.

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

The Exchange neither solicited nor received comments on the proposed rule change.

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

Because the foregoing proposed rule change does not:

A. Significantly affect the protection of investors or the public interest;

B. impose any significant burden on competition; and

C. become operative for 30 days from the date on which it was filed, or such shorter time as the Commission may designate, it has become effective pursuant to Section 19(b)(3)(A) of the Act<sup>9</sup> and Rule 19b-4(f)(6)<sup>10</sup> thereunder. 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 will institute proceedings 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 No. SR-CBOE-2017-024 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 No. SR-CBOE-2017-024. 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

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

<sup>10</sup> 17 CFR 240.19b-4(f)(6).

available for Web site 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; 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 No. SR-CBOE-2017-024, and should be submitted on or before April 25, 2017.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.<sup>11</sup>

**Eduardo A. Aleman,**  
*Assistant Secretary.*

[FR Doc. 2017-06563 Filed 4-3-17; 8:45 am]

**BILLING CODE 8011-01-P**

## **SECURITIES AND EXCHANGE COMMISSION**

[Release No. 34-80338]

### **Order Granting Application by MIAX PEARL, LLC for an Exemption Pursuant to Section 36(a) of the Exchange Act From the Rule Filing Requirements of Section 19(b) of the Exchange Act With Respect to Certain Rules Incorporated by Reference**

March 29, 2017.

MIAX PEARL, LLC ("MIAX PEARL" or "Exchange") has filed with the Securities and Exchange Commission ("Commission") an application for an exemption under Section 36(a)(1) of the Securities Exchange Act of 1934 ("Exchange Act")<sup>1</sup> from the rule filing requirements of Section 19(b) of the Exchange Act<sup>2</sup> with respect to certain rules of the Miami International Securities Exchange, LLC ("MIAX Options")<sup>3</sup> that the Exchange seeks to incorporate by reference. Section 36 of the Exchange Act authorizes the Commission to conditionally or unconditionally exempt any person,

<sup>11</sup> 17 CFR 200.30-3(a)(12).

<sup>1</sup> 15 U.S.C. 78mm(a)(1).

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

<sup>3</sup> The Commission notes that MIAX PEARL referred to the Miami International Securities Exchange, LLC as "MIAX Options" in its application for an exemption under Section 36(a)(1) of the Exchange Act. See Letter from Deborah L. Carroll, Associate General Counsel, MIAX PEARL, to Brent J. Fields, Secretary, Commission, dated February 17, 2017 ("Exemptive Request"). References herein to the rules of MIAX Options are to the rules of the Miami International Securities Exchange, LLC.

security, or transaction, or any class thereof, from any provision of the Exchange Act or rule thereunder, if necessary or appropriate in the public interest and consistent with the protection of investors.

Both MIA X PEARL and MIA X Options are Participants in the National Market System Plan Governing the Consolidated Audit Trail (“CAT NMS Plan” or “Plan”).<sup>4</sup> Each Participant in the CAT NMS Plan is required to enforce compliance by its members with the provisions of the Plan by adopting a “Compliance Rule” applicable to its members.<sup>5</sup> On January 30, 2017, MIA X Options filed a proposed rule change with the Commission to adopt new Chapter XVII comprising MIA X Options Rules 1701–1712 (“MIA X Options Compliance Rule”).<sup>6</sup> On February 1, 2017, MIA X PEARL filed a proposed rule change with the Commission to incorporate by reference, in new Chapter XVII of the MIA X PEARL rulebook, the rules contained in MIA X Options Chapter XVII.<sup>7</sup>

MIA X PEARL has requested, pursuant to Rule 0–12 under the Exchange Act,<sup>8</sup> that the Commission grant the Exchange an exemption from the rule filing requirements of Section 19(b) of the Exchange Act for changes to MIA X PEARL Chapter XVII that are effected solely by virtue of a change to Chapter XVII of the MIA X Options rules. Specifically, MIA X PEARL requests that it be permitted to incorporate by reference changes made to each MIA X Options Compliance Rule that is cross-referenced in the MIA X PEARL Chapter XVII rules,<sup>9</sup> without the need for the Exchange to file separately the same proposed rule changes pursuant to Section 19(b) of the Exchange Act.<sup>10</sup> By virtue of these incorporations by reference, MIA X PEARL members will comply with the Compliance Rule by

complying with the MIA X Options rules referenced in the MIA X PEARL Chapter XVII rules.<sup>11</sup> MIA X PEARL does not intend to incorporate by reference any trading rules. The Exchange states that in each instance, the Exchange proposes to incorporate by reference categories of rules (rather than individual rules within a category) that are regulatory rules. MIA X PEARL will, as a condition of this exemption, provide written notice to its members whenever MIA X Options proposes a change to Chapter XVII of its rules.<sup>12</sup> Such notice will alert MIA X PEARL members to the proposed rule change and give them an opportunity to comment on the proposal. MIA X PEARL states that it will also inform members in writing when the Commission approves any such proposed changes.<sup>13</sup>

The Exchange believes this exemption is appropriate in the public interest and consistent with the protection of investors because it will promote more efficient use of the Exchange’s and the Commission’s resources by avoiding duplicative rule filings based on simultaneous changes to identical rules sought by more than one self-regulatory organization (“SRO”),<sup>14</sup> and because it will result in the Exchange’s rules being consistent with the relevant cross-referenced MIA X Options rules at all times, thus ensuring identical regulation of joint members of MIA X PEARL and MIA X Options with respect to the incorporated rules.<sup>15</sup> The Exchange believes that, without such an exemption, joint members could be subject to two different standards.<sup>16</sup>

The Commission has issued exemptions similar to the Exchange’s request.<sup>17</sup> In granting one such

exemption in 2010, the Commission repeated a prior, 2004 Commission statement that it would consider similar future exemption requests from other SROs, provided that:

- An SRO wishing to incorporate rules of another SRO by reference has submitted a written request for an order exempting it from the requirement in Section 19(b) of the Exchange Act to file proposed rule changes relating to the rules incorporated by reference, has identified the applicable originating SRO(s), together with the rules it wants to incorporate by reference, and otherwise has complied with the procedural requirements set forth in the Commission’s release governing procedures for requesting exemptive orders pursuant to Rule 0–12 under the Exchange Act;<sup>18</sup>

- The incorporating SRO has requested incorporation of categories of rules (rather than individual rules within a category) that are not trading rules (*e.g.*, the SRO has requested incorporation of rules such as margin, suitability, or arbitration); and
- The incorporating SRO has reasonable procedures in place to provide written notice to its members each time a change is proposed to the incorporated rules of another SRO.<sup>19</sup>

The Commission believes that the Exchange has satisfied each of these conditions. The Commission also believes that granting the Exchange an exemption from the rule filing requirements under Section 19(b) of the Exchange Act will promote efficient use of Commission and Exchange resources by avoiding duplicative rule filings based on simultaneous changes to identical rule text sought by more than one SRO.<sup>20</sup> The Commission therefore finds it appropriate in the public interest and consistent with the protection of investors to exempt the Exchange from the rule filing requirements under Section 19(b) of the

incorporated by reference by the BX Options rules); and 57478 (March 12, 2008), 73 FR 14521, 14539–40 (March 18, 2008) (order approving SR–NASDAQ–2007–004 and SR–NASDAQ–2007–080, and granting exemptive request relating to rules incorporated by reference by The NASDAQ Options Market).

<sup>18</sup> See 17 CFR 240.0–12 and Securities Exchange Act Release No. 39624 (February 5, 1998), 63 FR 8101 (February 18, 1998) (“Commission Procedures for Filing Applications for Orders for Exemptive Relief Pursuant to Section 36 of the Exchange Act; Final Rule”).

<sup>19</sup> See BATS Options Market Order, *supra* note 17 (citing Securities Exchange Act Release No. 49260 (February 17, 2004), 69 FR 8500 (February 24, 2004) (order granting exemptive request relating to rules incorporated by reference by several SROs) (“2004 Order”).

<sup>20</sup> See BATS Options Market Order, *supra* note 17, 75 FR at 8761; *see also* 2004 Order, *supra* note 19, 69 FR at 8502.

<sup>11</sup> *Id.* at 3.

<sup>12</sup> The Exchange states that it will provide such notice on its Web site in the same section it uses to post its own proposed rule change filings pursuant to Rule 19b-4(l). In addition, the Exchange states that its Web site will also include a link to the MIA X Options Web site where the proposed rule change filings are located. *Id.*

<sup>13</sup> *Id.*

<sup>14</sup> *Id.*

<sup>15</sup> *Id.*

<sup>16</sup> *Id.*

<sup>17</sup> *See, e.g.*, Securities Exchange Act Release Nos. 72650 (July 22, 2014), 79 FR 44075 (July 29, 2014) (order granting exemptive requests from NASDAQ OMX BX, Inc. and the NASDAQ Stock Market LLC relating to rules of NASDAQ OMX PHLX LLC incorporated by reference); 67256 (June 26, 2012), 77 FR 39277, 39286 (July 2, 2012) (order approving SR–BX–2012–030 and granting exemptive request relating to rules incorporated by reference by the BX Options rules); 61534 (February 18, 2010), 75 FR 8760 (February 25, 2010) (order granting BATS Exchange, Inc.’s exemptive request relating to rules incorporated by reference by the BATS Exchange Options Market rules) (“BATS Options Market Order”); 67256 (June 26, 2012), 77 FR 39277, 39286 (July 2, 2012) (order approving SR–BX–2012–030 and granting exemptive request relating to rules

<sup>4</sup> See Securities Exchange Act Release No. 79318 (November 15, 2016), 81 FR 84696 (November 23, 2016) (“CAT NMS Plan Approval Order”). All capitalized terms not otherwise defined herein shall have the meaning ascribed to them in the CAT NMS Plan or CAT NMS Plan Approval Order.

<sup>5</sup> *Id.* at 84945, 84950.

<sup>6</sup> See Securities Exchange Act Release No. 79937 (February 2, 2017), 82 FR 9790 (February 8, 2017).

<sup>7</sup> See Securities Exchange Act Release No. 79938 (February 2, 2017), 82 FR 9929 (February 8, 2017). MIA X PEARL and MIA X Options’ proposed rule changes were approved by the Commission on March 15, 2017. *See* Securities Exchange Act Release No. 80256, 82 FR 14526 (March 21, 2017).

<sup>8</sup> 17 CFR 240.0–12.

<sup>9</sup> MIA X PEARL Chapter XVII states “the rules contained in MIA X Options Exchange Chapter XVII, as such rules may be in effect from time to time (the ‘Chapter XVII Rules’), are hereby incorporated by reference into this MIA X PEARL Chapter XVII, and are thus MIA X PEARL Rules and thereby applicable to MIA X PEARL Members.”

<sup>10</sup> See Exemptive Request, *supra* note 3, at 2–3.

Exchange Act with respect to the above-described rules it has incorporated by reference. This exemption is conditioned upon the Exchange promptly providing written notice to its members whenever MIAX Options changes a rule that the Exchange has incorporated by reference.

Accordingly, *it is ordered*, pursuant to Section 36 of the Exchange Act,<sup>21</sup> that the Exchange is exempt from the rule filing requirements of Section 19(b) of the Exchange Act solely with respect to changes to the rules identified in its request that incorporate by reference certain MIAX Options rules that are the result of changes to such MIAX Options' rules, provided that the Exchange promptly provides written notice to its members whenever MIAX Options proposes to change a rule that the Exchange has incorporated by reference.

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

**Eduardo A. Aleman,**  
*Assistant Secretary.*

[FR Doc. 2017-06570 Filed 4-3-17; 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 May 4, 2017.

**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*.

**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:** Reporting and recordkeeping requirements, Investment companies, Finance, Business/Industry, Small Business. Conduct standards.

*Title:* Financing Eligibility Statement—Social Disadvantage/Economic: Disadvantage.

*Frequency:* On Occasion.

*SBA Form Numbers:* 1941 A, B, C.

*Description of Respondents:* Small Business Investment Companies and Small Businesses.

*Responses:* 10.

*Annual Burden:* 15.

**Curtis B. Rich, Sr.,**  
*Management Analyst.*

[FR Doc. 2017-06635 Filed 4-3-17; 8:45 am]

**BILLING CODE P**

**SMALL BUSINESS ADMINISTRATION**

[Disaster Declaration #15098 and #15099]

**Nevada Disaster #NV-00048**

**AGENCY:** U.S. Small Business Administration.  
**ACTION:** Notice

**SUMMARY:** This is a Notice of the Presidential declaration of a major disaster for Public Assistance Only for the State of Nevada (FEMA-4307-DR), dated 03/27/2017.

*Incident:* Severe Winter Storms, Flooding, and Mudslides.

*Incident Period:* 02/05/2017 through 02/22/2017.

*Effective Date:* 03/27/2017.

*Physical Loan Application Deadline Date:* 05/26/2017.

*Economic Injury (EIDL) Loan Application Deadline Date:* 12/27/2017.

**ADDRESSES:** Submit completed loan applications to: U.S. Small Business Administration, Processing and Disbursement Center, 14925 Kingsport Road, Fort Worth, TX 76155.

**FOR FURTHER INFORMATION CONTACT:** A. Escobar, Office of Disaster Assistance, U.S. Small Business Administration, 409 3rd Street SW., Suite 6050, Washington, DC 20416.

**SUPPLEMENTARY INFORMATION:** Notice is hereby given that as a result of the President's major disaster declaration on

03/27/2017, Private Non-Profit organizations that provide essential services of governmental nature may file disaster loan applications at the address listed above or other locally announced locations.

The following areas have been determined to be adversely affected by the disaster:

*Primary Counties:* The counties of Douglas (including the Washoe Tribe of Nevada and California within the State of Nevada), Elko (including the South Fork Band of Te-Moak Tribe of Western Shoshone), Humboldt, and Washoe and the independent city of Carson City.

The Interest Rates are:

	Percent
<i>For Physical Damage:</i>	
Non-Profit Organizations With Credit Available Elsewhere ...	2.500
Non-Profit Organizations Without Credit Available Elsewhere .....	2.500
<i>For Economic Injury:</i>	
Non-Profit Organizations Without Credit Available Elsewhere .....	2.500

The number assigned to this disaster for physical damage is 150986 and for economic injury is 150996.

(Catalog of Federal Domestic Assistance Number 59008)

**James E. Rivera,**  
*Associate Administrator for Disaster Assistance.*

[FR Doc. 2017-06580 Filed 4-3-17; 8:45 am]

**BILLING CODE 8025-01-P**

**DEPARTMENT OF STATE**

[Public Notice 9944]

**E.O. 13224 Designation of Shane Dominic Crawford, aka Asadullah, aka Abu Sa'd at-Trinidad, aka Shane Asadullah Crawford, aka Asad, as a Specially Designated Global Terrorist**

Acting under the authority of and in accordance with section 1(b) of Executive Order 13224 of September 23, 2001, as amended by Executive Order 13268 of July 2, 2002, and Executive Order 13284 of January 23, 2003, I hereby determine that the person known as Shane Dominic Crawford, aka Asadullah, aka Abu Sa'd at-Trinidad, aka Shane Asadullah Crawford, aka Asad, poses a significant risk of committing acts of terrorism that threaten the security of U.S. nationals or the national security, foreign policy, or economy of the United States.

<sup>21</sup> 15 U.S.C. 78mm.

<sup>22</sup> 17 CFR 200.30-3(a)(76).