

and number of extensions to the reopening auction, as provided by the Primary Listing Exchange; and (3) amend the Plan to reflect name changes of certain Participants.<sup>6</sup>

### III. Discussion and Commission Findings

The Commission finds that the Thirteenth Amendment is consistent with the requirements of the Act and the rules and regulations thereunder. Specifically, the Commission finds that the Thirteenth Amendment is consistent with Section 11A of the Act<sup>7</sup> and Rule 608 thereunder<sup>8</sup> in that it is appropriate in the public interest, for the protection of investors and the maintenance of fair and orderly markets, and that it removes impediments to, and perfects the mechanism of, a national market system.

The Participants propose to extend the pilot period for an additional year to April 16, 2018. As the Participants note, the planned implementation date for the twelfth amendment to the Plan ("Twelfth Amendment")<sup>9</sup> and the related Primary Listing Exchanges' amended reopening procedures is scheduled to be during the third quarter of 2017, which is after the end date of the current pilot period. In addition, the Participants state that an extension of the pilot period would provide additional time for the Participants, the Commission, and the public to consider other potential modifications to the Plan that are currently under consideration, including changes to how NMS Stocks are tiered under the Plan and the applicable percentage parameters associated with such tiers, whether double-wide Price Bands at the open and close of trading should be eliminated, and recommendations made by the Equity Market Structure Advisory Committee with respect to Plan operations.<sup>10</sup> Finally, the Commission understands that the Participants continue to review and analyze the harmonization of clearly erroneous execution rules with the Plan, such that these rules could not be used to break trades occurring within Price Bands

absent a legitimate technical failure at a Self-Regulatory Organization.<sup>11</sup>

The Commission believes that a one-year extension of the Plan will allow the Participants to implement and assess the changes the Plan under the Twelfth Amendment. In addition, the extension of the pilot period will provide Participants with additional time to continue their examination and analysis of the matters described above. Accordingly, the Commission believes that it is appropriate in the public interest, for the protection of investors and the maintenance of a fair and orderly market to approve the amendment to extend the pilot period until April 16, 2018.

The Participants also propose to amend Section VII(B)(1) of the Plan to specify that the Processor would publish certain information that the Primary Listing Exchange would provide to the Processor in connection with reopening an NMS Stock after a Trading Pause. Specifically, the Processor will publish the auction reference price; auction collars; and number of extensions to the reopening auction. This information will provide greater transparency regarding whether an NMS Stock will reopen at the end of the scheduled Trading Pause, or if such Trading Pause has been extended beyond the five-minute period contemplated in the Plan. The Commission believes that it is appropriate in the public interest, for the protection of investors and the maintenance of a fair and orderly market to approve this proposed change because it should enhance transparency about the reopening processes during a Trading Pause.

Finally, the Participants propose to amend the Plan to reflect name changes of certain Participants. The Commission believes that it is appropriate in the public interest, for the protection of investors and the maintenance of a fair and orderly market to approve this proposed change because it ensures that the Plan remains accurate and up-to-date.

For the reasons noted above, the Commission finds that the Thirteenth Amendment to the Plan is consistent with Section 11A of the Act<sup>12</sup> and Rule 608 thereunder.<sup>13</sup> The Commission reiterates its expectation that the Participants will continue to monitor the scope and operation of the Plan and study the data produced, and will

propose any modifications to the Plan that may be necessary or appropriate.<sup>14</sup>

### IV. Conclusion

It is therefore ordered, pursuant to Section 11A of the Act<sup>15</sup> and Rule 608 thereunder,<sup>16</sup> that the Thirteenth Amendment to the Plan (File No. 4-631) be, and it hereby is, approved.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.<sup>17</sup>

**Brent J. Fields,**

*Secretary.*

[FR Doc. 2017-07878 Filed 4-18-17; 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:** In accordance with the Paperwork Reduction Act of 1995, this notice announces the Small Business Administration's intentions to request approval on a new and/or currently approved information collection.

**DATES:** Submit comments on or before June 19, 2017.

**ADDRESSES:** Send all comments regarding whether these information collections are necessary for the proper performance of the function of the agency, whether the burden estimates are accurate, and if there are ways to minimize the estimated burden and enhance the quality of the collections, to Carol Fendler, Director Licensing and Program Standards, Office of Investment, Small Business Administration, 409 3rd Street, 6th Floor, Washington, DC 20416.

**FOR FURTHER INFORMATION CONTACT:** Carol Fendler, Director Licensing and Program Standards, 202-205-7559 [carol.fendler@sba.gov](mailto:carol.fendler@sba.gov); Curtis B. Rich, Management Analyst, 202-205-7030; [curtis.rich@sba.gov](mailto:curtis.rich@sba.gov).

### SUPPLEMENTARY INFORMATION:

*Title:* "SBIC Financial Reports"

*Abstract:* To obtain the information needed to carry out its oversight responsibilities under the Small Business Investment Act, the Small Business Administration (SBA) requires Small Business Investment Companies (SBICs) to submit financial statements and supplementary information on SBA

<sup>6</sup> Unless otherwise specified, the terms used herein have the same meaning as set forth in the Plan.

<sup>7</sup> 15 U.S.C. 78k-1.

<sup>8</sup> 17 CFR 242.608.

<sup>9</sup> See Securities Exchange Act Release No. 79845 (January 19, 2017), 82 FR 8551 (January 26, 2017) (order approving the Twelfth Amendment).

<sup>10</sup> See U.S. Securities and Exchange Commission Equity Market Structure Advisory Committee, *Recommendations for Rulemaking on Issues of Market Quality*, dated November 29, 2016, available at <https://www.sec.gov/spotlight/emsac/emsac-recommendations-rulemaking-market-quality.pdf>.

<sup>11</sup> See Securities Exchange Act Release No. 77679 (April 21, 2016), 81 FR 24908, 24909 (April 27, 2016) (order approving the Tenth Amendment).

<sup>12</sup> 15 U.S.C. 78k-1.

<sup>13</sup> 17 CFR 242.608.

<sup>14</sup> See Securities Exchange Act Release No. 67091 (May 31, 2012), 77 FR 33498 (June 6, 2012).

<sup>15</sup> 15 U.S.C. 78k-1.

<sup>16</sup> 17 CFR 242.608.

<sup>17</sup> 17 CFR 200.30-3(a)(29).

Form 468. SBA uses this information to monitor SBIC financial condition and regulatory compliance, for credit analysis when considering SBIC leverage applications, and to evaluate financial risk and economic impact for individual SBICs and the program as a whole.

*Description of Respondents:* Small Business Investment Companies.

*Form Number's:* 468.1, .2, .3, .4.

*Annual Responses:* 1,050.

*Annual Burden:* 26,700.

*Title:* "Portfolio Financing Reports".

*Abstract:* To obtain the information needed to carry out its program evaluation and oversight responsibilities. SBA requires small business investment companies (SBIC'S) to provide information on SBA Form 1031 each time financing is extended to a small business concern. SBA uses this information to evaluate how SBIC'S fill market financing gaps and contribute to economic growth, and to monitor the regulatory compliance of individual SBIC'S. Individual SBICs and the program as a whole.

*Description of Respondents:* Small Business Investment Companies.

*Form Number:* 1031.

*Annual Responses:* 2,800.

*Annual Burden:* 560.

**Curtis Rich,**

*Management Analyst.*

[FR Doc. 2017-07836 Filed 4-18-17; 8:45 am]

**BILLING CODE 8025-01-P**

## DEPARTMENT OF STATE

[Public Notice: 9967]

### **E.O. 13224 Designation of Farah Mohamed Shirdon, aka Farah Shirdon, aka Abu Usamah, aka Abu Usamah Somali, aka Abu Usama al Somali, aka Abu Usamah as-Somali, 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 individual known as Farah Mohamed Shirdon, aka Farah Shirdon, aka Abu Usamah, aka Abu Usamah Somali, aka Abu Usama al Somali, aka Abu Usamah as-Somali, has committed, or 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.

Consistent with the determination in section 10 of Executive Order 13224 that prior notice to persons determined to be

subject to the Order who might have a constitutional presence in the United States would render ineffectual the blocking and other measures authorized in the Order because of the ability to transfer funds instantaneously, I determine that no prior notice needs to be provided to any person subject to this determination who might have a constitutional presence in the United States, because to do so would render ineffectual the measures authorized in the Order.

This notice shall be published in the **Federal Register**.

Dated: March 27, 2017.

**Rex W. Tillerson,**

*Secretary of State.*

[FR Doc. 2017-07911 Filed 4-18-17; 8:45 am]

**BILLING CODE 4710-AD-P**

## DEPARTMENT OF STATE

[Public Notice: 9968]

### **E.O. 13224 Designation of Tarek Sakr 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 individual known as Tarek Sakr, committed, or 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.

Consistent with the determination in section 10 of Executive Order 13224 that prior notice to persons determined to be subject to the Order who might have a constitutional presence in the United States would render ineffectual the blocking and other measures authorized in the Order because of the ability to transfer funds instantaneously, I determine that no prior notice needs to be provided to any person subject to this determination who might have a constitutional presence in the United States, because to do so would render ineffectual the measures authorized in the Order.

This notice shall be published in the **Federal Register**.

Dated: March 27, 2017.

**Rex W. Tillerson,**

*Secretary of State.*

[FR Doc. 2017-07912 Filed 4-18-17; 8:45 am]

**BILLING CODE 4710-AD-P**

## SURFACE TRANSPORTATION BOARD

[Docket No. FD 36110]

### **Texas & Eastern Railroad, LLC—Change in Operator Exemption—Texas State Railroad Authority**

Texas & Eastern Railroad, LLC (T&ER), a noncarrier, has filed a verified notice of exemption under 49 CFR 1150.31 to assume operations over approximately 27 miles of rail line (the Line), between Rusk and Palestine, in Anderson and Cherokee Counties, Tex.<sup>1</sup> T&ER states that the Line is owned by the Texas Parks and Wildlife Authority and leased to the Texas State Railroad Authority (TSRA). In 2012, TSRA leased the Line to Rusk, Palestine & Pacific Railroad, LLC. (RP&P).<sup>2</sup> The verified notice indicates that, as a result of this transaction, T&ER will become a carrier and replace RP&P as the Line's exclusive lessee and operator. According to T&ER, RP&P is aware that TSRA plans to change operators over the Line.

The verified notice indicates that RP&P and Union Pacific Railroad Company (UP) have an existing agreement that allows RP&P to operate over approximately 1.3 miles of track owned and operated by UP between a point where the Line connects with UP and UP's yard located in Palestine, Tex. T&ER states that it will either take assignment of the existing interchange agreement or enter into a new agreement.

This transaction is related to a concurrently filed verified notice of exemption in *David L. Durbano—Continuance in Control Exemption—Texas & Eastern Railroad, LLC*, Docket No. FD 36111, in which David L. Durbano seeks to continue in control of T&ER upon T&ER's becoming a Class III rail carrier.

T&ER certifies that the underlying lease and operation agreement does not contain any provision or agreement that would limit future interchange with a third-party connecting carrier. Further, T&ER certifies that its projected annual revenues as a result of this transaction will not exceed those that would qualify it as a Class III rail carrier. Under 49 CFR 1150.32(b), a change in operator requires that notice be given to shippers. T&ER certifies that notice of the change of operator was served on all known shippers on the Line on April 3, 2017.

<sup>1</sup> According to T&ER, there are no mileposts on the Line.

<sup>2</sup> See *Rusk, Palestine & Pac. R.R.—Operation Exemption—Tex. State R.R. Auth.*, FD 35669 (STB served Sept. 14, 2012).