

Exemption	2007 base	Adjusted 2016 threshold
Minimum Payment .....	\$500	<sup>10</sup> \$570
Large Franchise Investment .....	1,000,000	1,143,100
Large franchisee .....	5,000,000	5,715,500

Because the calculation of these thresholds is purely ministerial in nature and implements the Rule's mandatory adjustment mechanism, these adjustments are exempt from the rulemaking procedures specified in section 18 of the FTC Act.<sup>11</sup> In addition, the Commission has determined that notice and comment are unnecessary under the Administrative Procedure Act (APA) for the same reason. The Commission, therefore, has omitted notice and comment for good cause as provided by section 553(b)(B) of the APA.<sup>12</sup> For this reason, the requirements of the Regulatory Flexibility Act also do not apply.<sup>13</sup> Accordingly, the adjusted thresholds will take effect on July 1, 2016.

#### List of Subjects in 16 CFR Part 436

Advertising, Business and industry, Franchising, Trade practices.

#### Rule Amendments

For the reasons set out in the preamble of this document, the Federal Trade Commission amends 16 CFR part 436 as follows:

#### PART 436—DISCLOSURE REQUIREMENTS AND PROHIBITIONS CONCERNING FRANCHISING

■ 1. The authority citation for part 436 continues to read as follows:

**Authority:** 15 U.S.C. 41–58.

##### § 436.8 [Amended]

■ 2. Amend § 436.8 as follows:

- a. In paragraph (a)(1), remove “\$540” and, in its place, add “\$570”;
- b. In paragraph (a)(5)(i), remove both references to “\$1,084,900” and, in their place, add “\$1,143,100”; and
- c. In paragraph (a)(5)(ii), remove “\$5,424,500” and, in its place, add “\$5,715,500”.

<sup>10</sup> The Commission has rounded this figure from \$571.55 to \$570 for compliance clarity and simplicity.

<sup>11</sup> See 15 U.S.C. 57a(d)(2)(B); 16 CFR 1.15(b) (providing that non-substantive amendments to trade regulation rules are exempt from the rulemaking procedures of Section 18 of the FTC Act).

<sup>12</sup> 5 U.S.C. 553(b)(B) (providing that “good cause” exists to forego notice and comment when public comment is unnecessary).

<sup>13</sup> 5 U.S.C. 603 and 604 (no regulatory flexibility analyses required where the APA does not require public comment).

By direction of the Commission.

**Donald S. Clark,**

*Secretary.*

[FR Doc. 2016–11789 Filed 5–18–16; 8:45 am]

**BILLING CODE 6750–01–P**

#### SECURITIES AND EXCHANGE COMMISSION

##### 17 CFR Part 232

[Release Nos. 33–10071; 34–77693; 39–2509; IC–32091]

#### Adoption of Updated EDGAR Filer Manual

**AGENCY:** Securities and Exchange Commission.

**ACTION:** Final rule.

**SUMMARY:** The Securities and Exchange Commission (the Commission) is adopting revisions to the Electronic Data Gathering, Analysis, and Retrieval System (EDGAR) Filer Manual and related rules to reflect updates to the EDGAR system. The updates are being made primarily to support the 2016 XBRL taxonomies; add new submission form types SBSE, SBSE/A, SBSE–A, SBSE–A/A, SBSE–BD, SBSE–BD/A, SBSE–C and SBSE–W pursuant to Section 15F of the Securities Exchange Act of 1934 (the Exchange Act) and Rules 15Fb1–1 through 15Fb6–2 thereunder; add submission form types 17HACON, 17HACON/A, 17HQCON and 17HQCON/A pursuant to Rules 17h–1T and 17h–2T under the Exchange Act; and permit a value of zero in addition to the currently allowable numeric values in the “Current Number of Employees” field on the “Disclosure Requirements” screen of the Regulation Crowdfunding submission form types C, C/A and C–U. The EDGAR system was upgraded to support the new 2016 XBRL taxonomies on March 7, 2016. The EDGAR system is scheduled to be upgraded to support the other functionalities on April 25, 2016.

**DATES:** Effective May 19, 2016 The incorporation by reference of the EDGAR Filer Manual is approved by the Director of the Federal Register as of May 19, 2016.

**FOR FURTHER INFORMATION CONTACT:** In the Division of Trading and Markets, for

questions concerning Form SBSE, Form SBSE–A, Form SBSE–BD, Form SBSE–C, Form SBSE–W, and Form 17–H, contact Kathy Bateman at (202) 551–4345; in the Division of Corporation Finance, for questions concerning Form C, contact Vik Sheth at (202) 551–3818; and in the Division of Economic and Risk Analysis, for questions concerning XBRL taxonomies, contact Walter Hamscher at (202) 551–5397.

**SUPPLEMENTARY INFORMATION:** We are adopting an updated EDGAR Filer Manual, Volume II. The Filer Manual describes the technical formatting requirements for the preparation and submission of electronic filings through the EDGAR system.<sup>1</sup> It also describes the requirements for filing using EDGARLink Online and the Online Forms/XML Web site.

The revisions to the Filer Manual reflect changes within Volume II entitled EDGAR Filer Manual, Volume II: “EDGAR Filing,” Version 36 (April 2016). The updated manual will be incorporated by reference into the Code of Federal Regulations.

The Filer Manual contains all the technical specifications for filers to submit filings using the EDGAR system. Filers must comply with the applicable provisions of the Filer Manual in order to assure the timely acceptance and processing of filings made in electronic format.<sup>2</sup> Filers may consult the Filer Manual in conjunction with our rules governing mandated electronic filing when preparing documents for electronic submission.<sup>3</sup>

The EDGAR system will be upgraded to Release 16.1 on April 25, 2016 and will introduce the following changes:

Pursuant to Section 15F of the Exchange Act and Rules 15Fb1–1 through 15Fb6–2 thereunder, Security-based Swap Dealers and Major Security-based Swap Participants will be able to electronically register, amend their

<sup>1</sup> We originally adopted the Filer Manual on April 1, 1993, with an effective date of April 26, 1993. Release No. 33–6986 (April 1, 1993) [58 FR 18638]. We implemented the most recent update to the Filer Manual on December 14, 2015. See Release No. 33–9987 (January 4, 2016) [81 FR 3].

<sup>2</sup> See Rule 301 of Regulation S–T (17 CFR 232.301).

<sup>3</sup> See Release No. 33–9987 in which we implemented EDGAR Release 15.4. For additional history of Filer Manual rules, please see the cites therein.

registration and withdraw from their registration with the Commission using the following submission form types:

- SBSE: Application for Registration of Security-based Swap Dealers and Major Security-based Swap Participants
- SBSE/A: Amendment to an Application for Registration of Security-based Swap Dealers and Major Security-based Swap Participants
- SBSE-A: Application for Registration of Security-based Swap Dealers and Major Security-based Swap Participants that are Registered or Registering with the Commodity Futures Trading Commission as a Swap Dealer or Major Swap Participant
- SBSE-A/A: Amendment to an Application for Registration of Security-based Swap Dealers and Major Security-based Swap Participants that are Registered or Registering with the Commodity Futures Trading Commission as a Swap Dealer or Major Swap Participant
- SBSE-BD: Application for Registration of Security-based Swap Dealers and Major Security-based Swap Participants that are Registered Broker-dealers
- SBSE-BD/A: Amendment to an Application for Registration of Security-based Swap Dealers and Major Security-based Swap Participants that are Registered Broker-dealers
- SBSE-C: Certifications for Registration of Security-based Swap Dealers and Major Security-based Swap Participants
- SBSE-W: Request for Withdrawal from Registration as Security-based Swap Dealer or Major Security-based Swap Participant

These submission form types can be accessed by clicking the “File SBSE” link on the EDGAR Filing Web site. Additionally, filers can construct XML submissions for SBSE, SBSE/A, SBSE-A, SBSE-A/A, SBSE-BD, SBSE-BD/A, SBSE-C, and SBSE-W by following the “EDGAR Form SBSE XML Technical Specification” document located on the SEC’s Public Web site (<http://www.sec.gov/info/edgar.shtml>).

Pursuant to Exchange Act Rules 17h-1T and 17h-2T, broker-dealers that choose to file electronically will now submit the Risk Assessment Report for Brokers and Dealers Form 17-H via EDGAR using the following submission form types:

- 17HACON: Confidential broker dealer annual 17-H report
- 17HACON/A: Amendment for confidential broker dealer annual 17-H report
- 17HQCON: Confidential broker dealer quarterly 17-H report

- 17HQCON/A: Amendment for confidential broker dealer quarterly 17-H report

These submission form types can be accessed by clicking the “File 17-H” link on the EDGAR Filing Web site. Additionally, broker-dealers can construct XML submissions for 17HACON, 17HACON/A, 17HQCON, and 17HQCON/A by following the “EDGAR Form 17-H XML Technical Specification” document located on the SEC’s Public Web site (<http://www.sec.gov/info/edgar.shtml>).

The “Current Number of Employees” field on the “Disclosure Requirements” screen of the Regulation Crowdfunding submission form types C, C/A, and C-U has been updated to permit a value of zero in addition to the currently allowable numeric values.

On March 7, 2016, the EDGAR system was upgraded to Release 16.0.3 and now supports the 2016 US GAAP, 2016 COUNTRY, 2016 CURRENCY and 2016 EXCH taxonomies. Please see <http://sec.gov/info/edgar/edgartaxonomies.shtml> for the complete listing of supported standard taxonomies.

Along with the adoption of the Filer Manual, we are amending Rule 301 of Regulation S-T to provide for the incorporation by reference into the Code of Federal Regulations of today’s revisions. This incorporation by reference was approved by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51.

The updated EDGAR Filer Manual will be available for Web site viewing and printing; the address for the Filer Manual is <http://www.sec.gov/info/edgar.shtml>. You may also obtain paper copies of the EDGAR Filer Manual from the following address: Public Reference Room, U.S. Securities and Exchange Commission, 100 F Street NE., Washington, DC 20549, on official business days between the hours of 10:00 a.m. and 3:00 p.m.

Since the Filer Manual and the corresponding rule changes relate solely to agency procedures or practice, publication for notice and comment is not required under the Administrative Procedure Act (APA).<sup>4</sup> It follows that the requirements of the Regulatory Flexibility Act<sup>5</sup> do not apply.

The effective date for the updated Filer Manual and the rule amendments is May 19, 2016. In accordance with the APA,<sup>6</sup> we find that there is good cause to establish an effective date less than 30 days after publication of these rules.

<sup>4</sup> 5 U.S.C. 553(b).

<sup>5</sup> 5 U.S.C. 601-612.

<sup>6</sup> 5 U.S.C. 553(d)(3).

The EDGAR system upgrade to Release 16.1 is scheduled to become available on April 25, 2016. The Commission believes that establishing an effective date less than 30 days after publication of these rules is necessary to coordinate the effectiveness of the updated Filer Manual with these system upgrades.

### Statutory Basis

We are adopting the amendments to Regulation S-T under Sections 6, 7, 8, 10, and 19(a) of the Securities Act of 1933,<sup>7</sup> Sections 3, 12, 13, 14, 15, 23, and 35A of the Securities Exchange Act of 1934,<sup>8</sup> Section 319 of the Trust Indenture Act of 1939,<sup>9</sup> and Sections 8, 30, 31, and 38 of the Investment Company Act of 1940.<sup>10</sup>

### List of Subjects in 17 CFR Part 232

Incorporation by reference, Reporting and recordkeeping requirements, Securities.

### Text of the Amendment

In accordance with the foregoing, Title 17, Chapter II of the Code of Federal Regulations is amended as follows:

### PART 232—REGULATION S-T—GENERAL RULES AND REGULATIONS FOR ELECTRONIC FILINGS

- 1. The authority citation for Part 232 continues to read in part as follows:

**Authority:** 15 U.S.C. 77f, 77g, 77h, 77j, 77s(a), 77z-3, 77sss(a), 78c(b), 78l, 78m, 78n, 78o(d), 78w(a), 78ll, 80a-6(c), 80a-8, 80a-29, 80a-30, 80a-37, and 7201 *et seq.*; and 18 U.S.C. 1350.

\* \* \* \* \*

- 2. Section 232.301 is revised to read as follows:

#### § 232.301 EDGAR Filer Manual.

Filers must prepare electronic filings in the manner prescribed by the EDGAR Filer Manual, promulgated by the Commission, which sets out the technical formatting requirements for electronic submissions. The requirements for becoming an EDGAR Filer and updating company data are set forth in the updated EDGAR Filer Manual, Volume I: “General Information,” Version 24 (December 2015). The requirements for filing on EDGAR are set forth in the updated EDGAR Filer Manual, Volume II: “EDGAR Filing,” Version 36 (April 2016). Additional provisions applicable to Form N-SAR filers are set forth in the EDGAR Filer Manual, Volume III: “N-

<sup>7</sup> 15 U.S.C. 77f, 77g, 77h, 77j, and 77s(a).

<sup>8</sup> 15 U.S.C. 78c, 78l, 78m, 78n, 78o, 78w, and 78ll.

<sup>9</sup> 15 U.S.C. 77sss.

<sup>10</sup> 15 U.S.C. 80a-8, 80a-29, 80a-30, and 80a-37.

SAR Supplement,” Version 5 (September 2015). All of these provisions have been incorporated by reference into the Code of Federal Regulations, which action was approved by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. You must comply with these requirements in order for documents to be timely received and accepted. The EDGAR Filer Manual is available for Web site viewing and printing; the address for the Filer Manual is <http://www.sec.gov/info/edgar.shtml>. You can obtain paper copies of the EDGAR Filer Manual from the following address: Public Reference Room, U.S. Securities and Exchange Commission, 100 F Street NE., Washington, DC 20549, on official business days between the hours of 10:00 a.m. and 3:00 p.m. You can also inspect the document at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call 202-741-6030, or go to: [http://www.archives.gov/federal\\_register/code\\_of\\_federal\\_regulations/ibr\\_locations.html](http://www.archives.gov/federal_register/code_of_federal_regulations/ibr_locations.html).

Dated: April 22, 2016.

By the Commission.

**Brent J. Fields,**  
Secretary.

[FR Doc. 2016-11764 Filed 5-18-16; 8:45 am]

**BILLING CODE 8011-01-P**

## DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

### 24 CFR Part 7

[Docket No. FR-5645-F-01]

RIN 2501-AD78

### Removal of the Equal Employment Opportunity; Policy, Procedures and Programs Regulation

**AGENCY:** Office of the Secretary, HUD.

**ACTION:** Final rule.

**SUMMARY:** To increase the effectiveness of its Equal Employment Opportunity (EEO) program and streamline HUD's regulations, HUD has decided to remove 24 CFR part 7 (HUD's EEO regulation), while continuing to publish its EEO policy and procedures as administrative guidance. This action is necessary because HUD's EEO regulation has been superseded by the Equal Employment Opportunity Commission (EEOC) regulation at 29 CFR part 1614 (EEOC's regulation) and therefore does not establish binding requirements. In addition, HUD's EEO regulation was

intended to conform to and mirror EEOC's regulation. As EEOC's regulation has been revised, HUD's EEO regulation has become outdated and may create confusion for parties having to reconcile differing HUD and EEOC regulations. By consolidating its EEO policy and procedures in administrative guidance, HUD can more effectively incorporate amendments to EEOC's regulation, highlight HUD-specific guidance, and simplify the procedures for parties seeking to exercise their EEO rights.

**DATES:** *Effective:* June 20, 2016.

**FOR FURTHER INFORMATION CONTACT:** John P. Benison, Director, Office of Departmental Equal Employment Opportunity, Department of Housing and Urban Development, 451 7th Street SW., Room 2102, Washington, DC 20410; telephone number 202-708-3362 (this is not a toll-free number). Persons with hearing or speech impairments may access this number through TTY by calling the Federal Relay Service at 800-877-8339 (this is a toll-free number).

#### **SUPPLEMENTARY INFORMATION:**

##### **I. Background**

HUD policy is to provide equality of employment opportunity for all persons, and to prohibit discrimination because of race, color, religion, sex (including gender identity, sexual orientation, and pregnancy), national origin, age, disability, or genetic information in all facets of employment. These policies are integral to HUD's mission and underlie its efforts to promote economic and community development; increase homeownership; create affordable housing opportunities for low-income Americans; enforce the Nation's fair housing laws; and support the homeless, the elderly, people with disabilities, and people living with AIDS. Toward this goal, HUD remains committed to promoting affirmative employment through the removal of barriers and by positive actions at every management level, including the early resolution of EEO disputes.

To increase the effectiveness of HUD's EEO program and streamline HUD's regulations, HUD has decided to consolidate its EEO policy and procedure, currently codified in HUD's EEO regulation at 24 CFR part 7, in administrative guidance that is already posted on HUD's Web site. This action is necessary because HUD's EEO regulation has been superseded by EEOC regulation, and, as such, does not establish binding requirements. In addition, this action allows HUD to ensure that its EEO policy and procedures are accurate and up-to-date.

HUD's EEO regulation was promulgated on April 23, 2001 (66 FR 20564). When published, the rule was intended to mirror and conform to EEOC's "Federal Sector Equal Employment Opportunity" regulation at 29 CFR part 1614. Since promulgation of HUD's EEO Regulation, EEOC's regulation at 29 CFR part 1614 was revised several times: On May 21, 2002, to implement the amendment of section 501 of the Rehabilitation Act, under the Rehabilitation Act Amendments of 1992; on August 2, 2006, to address the posting requirements of the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (71 FR 43644); on December 7, 2009, to include references to title II of the Genetic Information Nondiscrimination Act of 2008 (74 FR 63981); on July 25, 2012, to reform the Federal sector EEO complaint process (77 FR 43498); and on various other dates to implement clerical or procedural changes. As a result, HUD's EEO Regulation no longer mirrors EEOC's regulation and is now outdated. HUD is concerned that this may result in confusion for parties required to reconcile HUD's EEO regulation and EEOC's regulation. Further, the provisions of HUD's EEO regulation that expand on EEOC's regulation may add further confusion by adding procedures that apply only to HUD and not to those employees or applicants seeking information about Federal equal employment opportunity policies, procedures, and programs.

To remedy this situation, HUD is removing 24 CFR part 7. By removing HUD's EEO regulation and consolidating all of HUD's EEO policy and procedures in administrative guidance, HUD can more effectively incorporate amendments to EEOC's regulation, highlight HUD specific guidance, and simplify the procedures for parties seeking to exercise their EEO rights.

HUD consulted with the EEOC in development of this final rule, consistent with "Executive Order 12067—Providing for Coordination of Federal Equal Employment Opportunity programs" (43 FR 28967). Executive Order 12067 requires that "agencies shall advise and offer to consult with the Equal Employment Opportunity Commission during the development of any proposed rules, regulations, policies, procedures or orders concerning equal employment opportunity."

##### **II. Justification for Final Rulemaking**

HUD generally publishes a rule for public comment before issuing a rule for