

**POSTAL SERVICE****Product Change—Priority Mail Express and Priority Mail Negotiated Service Agreement****AGENCY:** Postal Service™.**ACTION:** Notice.

**SUMMARY:** The Postal Service gives notice of filing a request with the Postal Regulatory Commission to add a domestic shipping services contract to the list of Negotiated Service Agreements in the Mail Classification Schedule's Competitive Products List.

**DATES:** *Effective date:* October 20, 2016.**FOR FURTHER INFORMATION CONTACT:** Elizabeth A. Reed, 202–268–3179.

**SUPPLEMENTARY INFORMATION:** The United States Postal Service® hereby gives notice that, pursuant to 39 U.S.C. 3642 and 3632(b)(3), on October 14, 2016, it filed with the Postal Regulatory Commission a *Request of the United States Postal Service to Add Priority Mail Express & Priority Mail Contract 37 to Competitive Product List*. Documents are available at [www.prc.gov](http://www.prc.gov), Docket Nos. MC2017–6, CP2017–12.

**Stanley F. Mires,***Attorney, Federal Compliance.*

[FR Doc. 2016–25357 Filed 10–19–16; 8:45 am]

**BILLING CODE 7710–12–P****POSTAL SERVICE****Product Change—Priority Mail Negotiated Service Agreement****AGENCY:** Postal Service™.**ACTION:** Notice.

**SUMMARY:** The Postal Service gives notice of filing a request with the Postal Regulatory Commission to add a domestic shipping services contract to the list of Negotiated Service Agreements in the Mail Classification Schedule's Competitive Products List.

**DATES:** *Effective date:* October 20, 2016.**FOR FURTHER INFORMATION CONTACT:** Elizabeth A. Reed, 202–268–3179.

**SUPPLEMENTARY INFORMATION:** The United States Postal Service® hereby gives notice that, pursuant to 39 U.S.C. 3642 and 3632(b)(3), on October 14, 2016, it filed with the Postal Regulatory Commission a *Request of the United States Postal Service to Add Priority Mail Contract 248 to Competitive Product List*. Documents are available at

[www.prc.gov](http://www.prc.gov), Docket Nos. MC2017–5, CP2017–11.**Stanley F. Mires,***Attorney, Federal Compliance.*

[FR Doc. 2016–25358 Filed 10–19–16; 8:45 am]

**BILLING CODE 7710–12–P****OFFICE OF SCIENCE AND TECHNOLOGY POLICY****Northeast Ocean Plan for National Ocean Council Certification**

**AGENCY:** National Ocean Council, Office of Science and Technology Policy; Council on Environmental Quality; Department of Agriculture; Department of Commerce; Department of Defense; Department of Energy; Environmental Protection Agency; Department of Homeland Security; Department of the Interior; Department of Transportation; and Chairman, Joint Chiefs of Staff.

**ACTION:** Notice.

**SUMMARY:** The National Ocean Council notifies the public that the Northeast Ocean Plan was approved for submittal to the National Ocean Council by the Northeast Regional Planning Body and submitted to the National Ocean Council for certification on October 14, 2016, as required by Executive Order 13547. The National Ocean Council will certify, or not certify, the Northeast Ocean Plan as consistent with the National Ocean Policy, Final Recommendations of the Interagency Ocean Policy Task Force, and the Marine Planning Handbook no sooner than 30 days from the publication of this Notice. The Northeast Ocean Plan can be found on the National Ocean Council's Web site at: [https://www.whitehouse.gov/sites/default/files/microsites/ostp/NortheastOceanPlan\\_October2016.pdf](https://www.whitehouse.gov/sites/default/files/microsites/ostp/NortheastOceanPlan_October2016.pdf).

**FOR FURTHER INFORMATION CONTACT:** Deerin S. Babb-Brott, Director, National Ocean Council, 202–456–4444.**SUPPLEMENTARY INFORMATION:****I. Background***National Ocean Policy*

Executive Order 13547, Stewardship of the Ocean, Our Coasts, and the Great Lakes, signed July 19, 2010, established the National Ocean Policy to protect, maintain, and restore the health and biodiversity of the ocean, coastal, and Great Lakes ecosystems and resources; enhance the sustainability of the ocean and coastal economies and provide for adaptive management; increase our scientific understanding and awareness of changing environmental conditions;

and support preservation of navigational rights and freedoms, in accordance with customary international law, which are essential for conservation of marine resources, sustaining the global economy and promoting national security. The National Ocean Policy encourages a comprehensive, ecosystem-based, and transparent ocean planning process for analyzing current and anticipated uses of ocean and coastal areas and resources. This includes the voluntary development of regional marine plans by intergovernmental regional planning bodies such as the Northeast Regional Planning Board (NERPB). These regional plans build on existing Federal, State, and Tribal planning and decision-making processes to enable a more comprehensive and proactive approach to managing marine resources, sustaining coastal uses and improving the conservation of the ocean, our coasts, and the Great Lakes.

*Northeast Regional Planning Body*

The NERPB includes six States (Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, and Vermont) and six federally recognized Indian Tribes (Aroostook Band of Micmacs, Houlton Band of Maliseet Indians, Mashpee Wampanoag Tribal Council, Mohegan Indian Tribe of Connecticut, Narragansett Indian Tribe of Rhode Island, and Wampanoag Tribe of Gay Head [Aquinnah]). Ten Federal Agencies serve on the NERPB: Department of Agriculture represented by the Natural Resource Conservation Service; Department of Commerce represented by the National Oceanic and Atmospheric Administration; Department of Defense represented by the U.S. Navy; Department of Energy; Department of Homeland Security represented by the U.S. Coast Guard; Department of the Interior represented by the Bureau of Ocean Energy Management in coordination with Fish and Wildlife Service, National Park Service, and U.S. Geological Survey; Department of Transportation represented by the Maritime Administration; Environmental Protection Agency; Chairman of the Joint Chiefs of Staff represented by the U.S. Navy; and the U.S. Army Corps of Engineers in an *ex officio* status. The New England Fishery Management Council also serves on the NERPB. The NERPB is not a regulatory body and has no independent legal authority to regulate or direct Federal, State, or Tribal entities, nor does the Northeast Ocean Plan (NE Ocean Plan or Plan) augment or subtract from any agency's

existing statutory or regulatory authorities.

#### *National Ocean Council*

Executive Order 13547 established the National Ocean Council (NOC) to direct implementation of the National Ocean Policy. The NOC is comprised of: The Secretaries of Agriculture, Commerce, Defense, Energy, Health and Human Services, Homeland Security, Interior, Labor, State, and Transportation; the Attorney General; the Administrators of the Environmental Protection Agency, the National Aeronautics and Space Administration, and National Oceanic and Atmospheric Administration; the Directors of the Office of Management and Budget, National Intelligence, the Office of Science and Technology Policy (OSTP), and National Science Foundation; the Chairman of the Joint Chiefs of Staff; the Chairs of the Council on Environmental Quality (CEQ) and the Federal Energy Regulatory Commission; the Assistants to the President for National Security Affairs, Homeland Security and Counterterrorism, Domestic Policy, Energy and Climate Change, and Economic Policy; and an employee of the Federal Government designated by the Vice President. The Chair of CEQ and the Director of OSTP co-chair the NOC.

#### *NOC Certification of Regional Marine Plans*

Executive Order 13547 adopts the Final Recommendations of the Interagency Ocean Policy Task Force (Final Recommendations). The Final Recommendations set forth the process for the NOC to review and certify each regional marine plan to ensure it is consistent with the National Ocean Policy and includes the essential elements described in the Final Recommendations as further characterized by the NOC's subsequent Marine Planning Handbook (Handbook; 2013). Consistent with the Final Recommendations and the Handbook, the NOC will determine whether to certify, or not certify, the Northeast Ocean Plan no sooner than 30 days from the publication of this Notice. Pursuant to Executive Order 13547, if the NOC certifies the NE Ocean Plan, Federal Agencies shall comply with the Plan in the conduct of their missions and programs to the fullest extent consistent with applicable law.

## **II. The Northeast Ocean Plan**

The NE Ocean Plan is a comprehensive, ecosystem-based, and proactive approach to managing uses and resources in the marine

environment of the Northeast United States. The Plan is intended to strengthen interagency coordination, enhance public participation, and improve planning and policy implementation. The Plan has three main goals: (1) Healthy ocean and coastal ecosystems; (2) effective decision-making; and (3) compatibility among past, current, and future ocean uses. The Plan also describes best practices for coordination among Federal Agencies, Tribes, States, stakeholders, and the public.

The NE Ocean Plan is informed by extensive stakeholder data and input. Throughout the planning process, stakeholders were involved in developing data products for human activities (such as shipping, fishing, recreation, energy, and aquaculture) and marine life and habitat (through review of the methods, analyses, and draft products for spatial data characterizing species and their habitat). These data products reside on the Northeast Ocean Data Portal (Data Portal or Portal). The NERPB developed the Portal, in collaboration with an associated working group, to serve as a user-friendly source of maps, data, and tools that can serve as one source of information to inform ocean planning from the Gulf of Maine to Long Island Sound. A range of government entities, non-government organizations, and stakeholders in the Northeast region are already using the Portal. It is available to the public online at [www.northeastoceandata.org](http://www.northeastoceandata.org).

As described in a Notice by the National Oceanic and Atmospheric Administration, published in the **Federal Register** on May 25, (2016 81 FR 33213), the NERPB previously released a draft NE Ocean Plan for a sixty-day public comment period. The NERPB prepared a summary and response to the comments received from the public and stakeholders that can be found at [www.NOAA.oceanplanning.org](http://www.NOAA.oceanplanning.org).

## **III. Implementation of the NE Ocean Plan**

The Federal members of the NERPB administer a wide range of statutes and programs that involve or affect the marine environment in the Northeast regional ocean planning area. These Federal departments and agencies carry out actions under Federal laws involving a wide range of regulatory responsibilities and non-regulatory missions and management activities throughout the Nation's waterways and the ocean. Activities of Federal NERPB members include managing and developing marine transportation

infrastructure, national security and homeland defense activities; regulating ocean discharges; siting energy facilities; permitting sand removal and beach re-nourishment; managing national parks, national wildlife refuges, and national marine sanctuaries; regulating commercial and recreational fishing; and managing activities affecting threatened and endangered species and migratory birds.

The specific manner and mechanism each Federal agency will use to implement the NE Ocean Plan will depend on that agency's mission, authorities, and activities. If the NOC certifies that the NE Ocean Plan is consistent with the National Ocean Policy, the Final Recommendations, and the Handbook, each Federal NERPB member will use the NE Ocean Plan to inform and guide its planning activities and decision-making actions, including permitting, authorizing, and leasing decisions that involve or affect the Northeast regional ocean planning area.

Specifically, consistent and within existing statutory authorities, Executive Order 13547 and the Final Recommendations, the Federal Agencies represented on the NERPB, and their relevant components, expressly including the U.S. Army Corps of Engineers in its *ex officio* status for responsibilities beyond those in Title 10, U.S. Code, will: (1) Identify, develop, and make publicly available implementing instructions, such as internal agency guidance, directives, or similar organizational or administrative documents, that describe the way the agency will use the Plan to inform and guide its actions and decisions in or affecting the Northeast regional ocean planning area; (2) ensure that the agency, through such internal administrative instructions, will consider the data products available from the Data Portal in its decision making and as it carries out its actions in or affecting the Northeast regional ocean planning area; and (3) explain its use of the Plan and Data Portal in its decisions, activities, or planning processes that involve or affect the Northeast regional ocean planning area.

## **IV. Conclusion**

The National Ocean Policy provides a path for Federal Agencies, States and Tribes to work collaboratively and proactively to manage the many existing and future uses of the Nation's oceans, coasts and Great Lakes. If the NOC certifies the plan, NERPB members intend to use the NE Ocean Plan to align their priorities and share data and technical information to minimize conflicts among uses, take actions to

promote the productivity of marine resources, sustain healthy ecosystems, and promote the prosperity and security of the Nation's ocean and coastal communities and their economies for the benefit of present and future generations. The NOC will review the NE Ocean Plan for consistency with the National Ocean Policy, Final Recommendations of the Interagency Ocean Policy Task Force, and the Marine Planning Handbook and make its determination no sooner than 30 days from the publication of this Notice.

**Authority:** Executive Order 13547, "Stewardship of the Ocean, Our Coasts and the Great Lakes" (July 19, 2010).

**Ted Wackler,**

*Deputy Chief of Staff and Assistant Director.*

[FR Doc. 2016-25372 Filed 10-19-16; 8:45 am]

**BILLING CODE 3270-F7-P**

## SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-79103; File No. SR-BatsBZX-2016-60]

### Self-Regulatory Organizations; Bats BZX Exchange, Inc.; Notice of Filing of a Proposed Rule Change to Bats BZX Rule 14.13, Company Listing Fees, and to the Bats BZX Fee Schedule; Suspension of and Order Instituting Proceedings To Determine Whether To Approve or Disapprove the Proposed Rule Change

October 14, 2016.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (the "Act"),<sup>1</sup> and Rule 19b-4 thereunder,<sup>2</sup> notice is hereby given that on September 29, 2016, Bats BZX Exchange, Inc. (the "Exchange" or "BZX") filed with the Securities and Exchange Commission ("Commission") the proposed rule change as described in Items I and II below, which Items have been prepared by the Exchange. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons and is, pursuant to Section 19(b)(3)(C) of the Act, hereby: (1) Temporarily suspending the proposed rule change; and (2) instituting proceedings to determine whether to approve or disapprove the proposal.

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

The Exchange filed a proposal to amend the fees applicable to securities

listed on the Exchange, which are set forth in BZX Rule 14.13 as well as to amend the fee schedule applicable to Members<sup>3</sup> and non-Members of the Exchange pursuant to Exchange Rules 15.1(a) and (c). Changes to the Exchange's fees pursuant to this proposal are effective upon filing.

The text of the proposed rule change is available at the Exchange's Web site at [www.batstrading.com](http://www.batstrading.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 Exchange 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 these 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 Statutory Basis for, the Proposed Rule Change

###### 1. Purpose

On August 30, 2011, the Exchange received approval of rules applicable to the qualification, listing, and delisting of companies on the Exchange,<sup>4</sup> which it modified on February 8, 2012 in order to adopt pricing for the listing of exchange traded products ("ETPs")<sup>5</sup> on the Exchange,<sup>6</sup> which it subsequently modified again on June 4, 2014.<sup>7</sup> On October 16, 2014, the Exchange modified Rule 14.13, entitled "Company Listing Fees" to eliminate the annual fees for ETPs not participating in the Exchange's Competitive Liquidity Provider Program pursuant to Rule 11.8, Interpretation and Policy .02 (the "CLP

<sup>3</sup> A Member is defined as "any registered broker or dealer that has been admitted to membership in the Exchange." See Exchange Rule 1.5(n).

<sup>4</sup> See Securities Exchange Act Release No. 65225 (August 30, 2011), 76 FR 55148 (September 6, 2011) (SR-BATS-2011-018).

<sup>5</sup> As defined in BZX Rule 11.8(e)(1)(A), the term "ETP" means any security listed pursuant to Exchange Rule 14.11.

<sup>6</sup> See Securities Exchange Act Release No. 66422 (February 17, 2012), 77 FR 11179 (February 24, 2012) (SR-BATS-2012-010).

<sup>7</sup> See Securities Exchange Act Release No. 72377 (June 12, 2014), 79 FR 34822 (June 18, 2014) (SR-BATS-2014-024).

Program").<sup>8</sup> On May 22, 2015, the Exchange further modified Rule 14.13 to eliminate the \$5,000 application fee for ETPs, effectively eliminating any compulsory fees for both new ETP issues and transfer listings in ETPs on the Exchange.<sup>9</sup> On October 1, 2015, the Exchange started offering an incentive payment to ETPs listed on the Exchange based on the consolidated average daily volume ("CADV") of the ETP (the "Issuer Incentive Program")<sup>10</sup> and subsequently made an administrative change to the Issuer Incentive Program that required an issuer to enroll in order to receive payment.<sup>11</sup> The Exchange is now proposing to amend the Issuer Incentive Program such that series of Portfolio Depository Receipts, Index Fund Shares, Trust Issued Receipts, and Managed Fund Shares ("Funds") listed on the Exchange will no longer be eligible to receive payments under the Issuer Incentive Program. The Exchange is also proposing that the LMM<sup>12</sup> in a Fund<sup>13</sup> would receive a payment from the Exchange based on the CADV of the Fund, as described below (the "LMM Partnership Program").

Specifically, the Exchange is proposing that the Exchange would provide payments to the LMM in a Fund on a quarterly basis as follows:<sup>14</sup>

| CADV range                       | Annualized payment |
|----------------------------------|--------------------|
| 1,000,000–3,000,000 shares ..... | \$3,000            |
| 3,000,001–5,000,000 shares ..... | 10,000             |
| 5,000,001–10,000,000 shares .... | 50,000             |
| 10,000,001–20,000,000 shares ..  | 100,000            |

<sup>8</sup> See Securities Exchange Act Release No. 73414 (October 23, 2014), 79 FR 64434 (October 29, 2014) (SR-BATS-2014-050).

<sup>9</sup> See Securities Exchange Act Release No. 75085 (June 1, 2015), 80 FR 32190 (June 5, 2015) (SR-BATS-2015-39).

<sup>10</sup> See Securities Exchange Act Release No. 76113 (October 8, 2015), 80 FR 62142 (October 15, 2015) (SR-BATS-2015-80) (the "Issuer Incentive Program Filing").

<sup>11</sup> See Securities Exchange Act Release No. 77960 (June 1, 2016), 81 FR 36632 (June 7, 2016) (SR-BatsBZX-2016-20).

<sup>12</sup> As defined in Rule 11.8(e)(1)(B), the term LMM means a Market Maker registered with the Exchange for a particular LMM Security that has committed to maintain Minimum Performance Standards in the LMM Security.

<sup>13</sup> As noted above, the term "Fund" includes Portfolio Depository Receipts, Index Fund Shares, Trust Issued Receipts, and Managed Fund Shares, which are defined in Rule 14.11(b), 14.11(c), 14.11(f), and 14.11(i), respectively, which the Exchange may propose to expand in the future as it adds products which may be listed on the Exchange. Any such expansion would require the Exchange to file a proposal with the Commission under Rule 19b-4 of the Act.

<sup>14</sup> The Exchange notes that the CADV standards and proposed payments applicable to the LMM Partnership Program are identical to the standards and payments currently applicable under the Issuer Incentive Program.

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

<sup>2</sup> 17 CFR 240.19b-4.