

records on paper, film, magnetic tape, and other media. To control this accumulation, agency records managers prepare schedules proposing records retention periods and submit these schedules for NARA's approval. These schedules provide for timely transfer into the National Archives of historically valuable records and authorize the agency to dispose of all other records after the agency no longer needs them to conduct its business. Some schedules are comprehensive and cover all the records of an agency or one of its major subdivisions. Most schedules, however, cover records of only one office or program or a few series of records. Many of these update previously approved schedules, and some include records proposed as permanent.

The schedules listed in this notice are media neutral unless otherwise specified. An item in a schedule is media neutral when an agency may apply the disposition instructions to records regardless of the medium in which it creates or maintains the records. Items included in schedules submitted to NARA on or after December 17, 2007, are media neutral unless the item is expressly limited to a specific medium. (See 36 CFR 1225.12(e).)

Agencies may not destroy Federal records without Archivist of the United States' approval. The Archivist approves destruction only after thoroughly considering the records' administrative use by the agency of origin, the rights of the Government and of private people directly affected by the Government's activities, and whether or not the records have historical or other value.

In addition to identifying the Federal agencies and any subdivisions requesting disposition authority, this notice lists the organizational unit(s) accumulating the records (or notes that the schedule has agency-wide applicability when schedules cover records that may be accumulated throughout an agency); provides the control number assigned to each schedule, the total number of schedule items, and the number of temporary items (the records proposed for destruction); and includes a brief description of the temporary records. The records schedule itself contains a full description of the records at the file unit level as well as their disposition. If NARA staff has prepared an appraisal memorandum for the schedule, it also includes information about the records. You may request additional information about the disposition process at the addresses above.

### Schedules Pending

1. Department of Agriculture, Office of the Secretary (DAA-0016-2016-0003, 3 items, 2 temporary items). Case files related to scientific integrity and research misconduct, including written allegations, correspondence, copies of research records, case summaries, determinations, notifications, and decisional letters. Proposed for permanent retention are case files of historical value.

2. Department of the Army, Agency-wide (DAA-AU-2011-0001, 1 item, 1 temporary item). Master files of an electronic information system used to track the movement of supplies and equipment.

3. Department of the Army, Agency-wide (DAA-AU-2016-0008, 1 item, 1 temporary item). Master files of an electronic information system used to correct supply discrepancies.

4. Department of the Army, Agency-wide (DAA-AU-2016-0050, 1 item, 1 temporary item). Master files of an electronic information system that contains resource planning and financial management data.

5. Department of the Army, Agency-wide (DAA-AU-2016-0056, 1 item, 1 temporary item). Master files of an electronic information system used to process access requests for individual military personnel records.

6. Department of Defense, National Guard Bureau (DAA-0168-2016-0001, 2 items, 1 temporary item). Records relating to biographical information on agency leadership and spouses. Proposed for permanent retention are biographies of general officers.

7. Department of Defense, Office of the Secretary of Defense (DAA-0330-2016-0014, 1 item, 1 temporary item). Master files of an electronic information system used to manage human resource activities of the Military Health System for contractors and volunteers.

8. Department of Energy, Naval Nuclear Propulsion Program (DAA-0434-2015-0009, 74 items, 66 temporary items). Records relating to environmental health and safety including routine correspondence, safety checks, protective equipment, leak tests, alarm systems, equipment inspection, and related matters. Proposed for permanent retention are records relating to archaeology, environmental monitoring, radiological protection, waste shipments, radiological training, site closures, and incidents.

9. Department of Energy, Office of Science and Energy (DAA-0434-2016-0009, 1 item, 1 temporary item). Records relating to oil shale research created by

the former Laramie Project Office including engineering drawings, maps, special events and activities at the site, employee activities, ancillary mining operations, routine correspondence, and related records.

10. Department of the Navy, Agency-wide (DAA-NU-2015-0009, 30 items, 21 temporary items). Records relating to ship designs and materials management records including routine correspondence, construction records, examinations, ship surveillance, equipment modifications, and related matters. Proposed for permanent retention are records relating to policy, planning, master technical reports and manuals, ship system planning, ship drawings, weight and moment changes, inclining studies, and ship photographs.

11. National Archives and Records Administration, Government-wide (DAA-GRS-2016-0016, 3 items, 3 temporary items). General Records Schedule for general administrative records including the day-to-day administrative records maintained, non-recordkeeping copies of electronic records, and records related to non-mission related internal agency committees.

12. National Mediation Board, Agency-wide (DAA-0013-2015-0002, 9 items, 4 temporary items). Routine program and administrative records including litigation case files, arbitration files, and housekeeping and general administrative files. Proposed for permanent retention are Presidential Emergency Board reports and case files, official published board actions, mediation case files, representation case files, and significant litigation case files.

13. Peace Corps, Office of Volunteer Recruitment and Selection (DAA-0490-2016-0004, 2 items, 2 temporary items). Records include fingerprint cards and recruiting records.

**Laurence Brewer,**

*Chief Records Officer for the U.S. Government.*

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### NUCLEAR REGULATORY COMMISSION

[Docket No. 50-341-LR]; [ASLBP No. 16-951-01-LR-BD01]

### DTE Electric Company; Establishment of Atomic Safety and Licensing Board

Pursuant to delegation by the Commission, *see* 37 FR 28,710 (Dec. 29, 1972), and the Commission's regulations, *see, e.g.*, 10 CFR 2.104, 2.105, 2.309, 2.313, 2.318, and 2.321,

notice is hereby given that an Atomic Safety and Licensing Board (Board) is being established to preside over the following proceeding:

**DTE Electric Company (Fermi Nuclear Power Plant, Unit 2)**

This proceeding—which was previously terminated by a Board on September 11, 2015, *see* LBP-15-25, 82 NRC 161 (2015)—involves an application by DTE Electric Company to renew for twenty years its operating license for Fermi Nuclear Power Plant, Unit 2, located near Frenchtown Township, Michigan. On November 21, 2016, Citizen's Resistance at Fermi 2 filed a motion to reopen the record and admit a new contention.

The Board is comprised of the following Administrative Judges:

Ronald M. Spritzer, Chairman, Atomic Safety and Licensing Board Panel, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001

Dr. Gary S. Arnold, Atomic Safety and Licensing Board Panel, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001

Dr. Sue H. Abreu, Atomic Safety and Licensing Board Panel, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001

All correspondence, documents, and other material shall be filed in accordance with the NRC E-Filing rule. *See* 10 CFR 2.302.

Rockville, Maryland.

Dated: December 7, 2016.

**E. Roy Hawkens,**

*Chief Administrative Judge, Atomic Safety and Licensing Board Panel.*

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**SECURITIES AND EXCHANGE COMMISSION**

[Release No. 34-79509; File No. SR-NYSEMKT-2016-112]

**Self-Regulatory Organizations; NYSE MKT LLC; Notice of Filing and Immediate Effectiveness of Proposed Rule Change To Extend the Pilot Period for the Exchange's Retail Liquidity Program**

December 8, 2016.

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 November 28, 2016, NYSE MKT LLC (the

"Exchange" or "NYSE MKT") filed with the Securities and Exchange Commission (the "Commission") the proposed rule change as described in Items I and II 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 extend the pilot period for the Exchange's Retail Liquidity Program (the "Retail Liquidity Program" or the "Program"), which is currently scheduled to expire on December 31, 2016, until June 30, 2017. 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 purpose of this filing is to extend the pilot period of the Retail Liquidity Program, currently scheduled to expire on December 31, 2016,<sup>4</sup> until June 30, 2017.

**Background**

In July 2012, the Commission approved the Retail Liquidity Program on a pilot basis.<sup>5</sup> The Program is designed to attract retail order flow to the Exchange, and allows such order flow to receive potential price improvement. The Program is currently limited to trades occurring at prices

equal to or greater than \$1.00 per share. Under the Program, Retail Liquidity Providers ("RLPs") are able to provide potential price improvement in the form of a non-displayed order that is priced better than the Exchange's best protected bid or offer ("PBBO"), called a Retail Price Improvement Order ("RPI"). When there is an RPI in a particular security, the Exchange disseminates an indicator, known as the Retail Liquidity Identifier, indicating that such interest exists. Retail Member Organizations ("RMOs") can submit a Retail Order to the Exchange, which would interact, to the extent possible, with available contra-side RPIs.

The Retail Liquidity Program was approved by the Commission on a pilot basis. Pursuant to NYSE MKT Rule 107C(m)—Equities, the pilot period for the Program is scheduled to end on December 31, 2016.

**Proposal to Extend the Operation of the Program**

The Exchange established the Retail Liquidity Program in an attempt to attract retail order flow to the Exchange by potentially providing price improvement to such order flow. The Exchange believes that the Program promotes competition for retail order flow by allowing Exchange members to submit RPIs to interact with Retail Orders. Such competition has the ability to promote efficiency by facilitating the price discovery process and generating additional investor interest in trading securities, thereby promoting capital formation. The Exchange believes that extending the pilot is appropriate because it will allow the Exchange and the Commission additional time to analyze data regarding the Program that the Exchange has committed to provide.<sup>6</sup> As such, the Exchange believes that it is appropriate to extend the current operation of the Program.<sup>7</sup> Through this filing, the Exchange seeks to amend NYSE MKT Rule 107C(m)—Equities and extend the current pilot period of the Program until June 30, 2017.

**2. Statutory Basis**

The proposed rule change is consistent with Section 6(b) of the Act,<sup>8</sup>

<sup>6</sup> *See id.* at 40681.

<sup>7</sup> Concurrently with this filing, the Exchange has submitted a request for an extension of the exemption under Regulation NMS Rule 612 previously granted by the Commission that permits it to accept and rank the undisplayed RPIs. *See* Letter from Martha Redding, Asst. Corporate Secretary, NYSE Group, Inc. to Brent J. Fields, Secretary, Securities and Exchange Commission, dated November 28, 2016.

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

<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>4</sup> *See* Securities Exchange Act Release No. 78602 (August 17, 2016), 81 FR 57639 (August 23, 2016) (SR-NYSEMKT-2016-76).

<sup>5</sup> *See* Securities Exchange Act Release No. 67347 (July 3, 2012), 77 FR 40673 (July 10, 2012) ("RLP Approval Order") (SR-NYSEAmex-2011-84).