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

Written comments were neither solicited nor received.

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

The foregoing rule change has become effective pursuant to Section 19(b)(3)(A) of the Act<sup>14</sup> and paragraph (f)(2) of Rule 19b-4 thereunder.<sup>15</sup> 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 shall institute proceedings to determine whether the proposed rule 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 Number SR-FINRA-2016-009 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 Number SR-FINRA-2016-009. 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 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 such filing also will be available for inspection and copying at the principal office of FINRA. 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 Number SR-FINRA-2016-009, and should be submitted on or before March 24, 2016.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.<sup>16</sup>

**Robert W. Errett,**  
*Deputy Secretary.*

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**BILLING CODE 8011-01-P**

**SMALL BUSINESS ADMINISTRATION**

**Women-Owned Small Business Federal Contract Program; Identification of Eligible Industries**

**AGENCY:** Small Business Administration.

**ACTION:** Notice.

**SUMMARY:** In order to carry out the Women-Owned Small Business Federal Contract Program (WOSB Program), the U.S. Small Business Administration (SBA) was required by section 825 of the National Defense Authorization Act of 2015 to conduct a new study identifying the industries in which women-owned small businesses are underrepresented in Federal contracting and to report to Congress on the results of that study by January 2, 2016. In accordance with this statutory mandate, SBA has provided this report to Congress and with this notice, notifies the public of the results of this study and identifies the industries designated by SBA as eligible for the WOSB Program.

**DATES:** This notice is effective March 3, 2016. The designations of industries contained in this notice apply to all solicitations issued on or after the effective date.

**FOR FURTHER INFORMATION CONTACT:** Mr. Leo Sanchez, Office of Government Contracting, U.S. Small Business Administration, 409 Third Street SW., Washington, DC 20416; (202) 619-1658; [wosb@sba.gov](mailto:wosb@sba.gov).

**SUPPLEMENTARY INFORMATION:**

**I. Background**

Under section 8(m) of the Small Business Act, 15 U.S.C. 637(m), SBA is responsible for implementing and administering the WOSB Program, which went into effect on February 4, 2011. The purpose of the WOSB Program is to ensure that women-owned small businesses (WOSBs) have an equal opportunity to participate in Federal contracting and to help attain the Federal government's goal of awarding five percent of its prime contract dollars to WOSBs. The WOSB Program authorizes Federal contracting officers to restrict competition for an acquisition to WOSBs if there is a reasonable expectation that at least two WOSBs will submit offers that meet the requirements of the acquisition at a fair and reasonable price and if the acquisition is for a good or service assigned a North American Industry Classification System (NAICS) code in which SBA has determined that WOSBs are "substantially underrepresented." The WOSB Program also authorizes contracting officers to award a sole source contract assigned such a NAICS code to a WOSB if only one WOSB can be identified that can perform the contract at a fair and reasonable price. In addition, Economically Disadvantaged Women-Owned Small Businesses (EDWOSBs) can likewise receive set-asides and sole source awards similar to those described above for WOSBs, and in a larger set of industries where SBA has determined that WOSBs are "underrepresented" but not substantially so.

In order to identify the industries eligible for set-asides under the WOSB Program, the Small Business Act required the SBA Administrator to conduct a study to identify those industries in which small business concerns owned and controlled by women are underrepresented in Federal contracting. 15 U.S.C. 637(m)(4). SBA awarded a contract to the Kauffman-RAND Institute for Entrepreneurship Public Policy (RAND) to complete a study of the underrepresentation of WOSBs in Federal prime contracts by industry code. RAND published the study in April 2007.<sup>1</sup> Prior to the

<sup>1</sup> The RAND study is available to the public at [http://www.RAND.org/pubs/technical\\_reports/TR442](http://www.RAND.org/pubs/technical_reports/TR442).

<sup>14</sup> 15 U.S.C. 78s(b)(3)(A).

<sup>15</sup> 17 CFR 240.19b-4(f)(2).

<sup>16</sup> 17 CFR 200.30-3(a)(12).

effective date of this notice, SBA used the results of the RAND study to designate 83 four-digit NAICS industry groups as either underrepresented or substantially underrepresented by WOSBs. SBA published the designated NAICS codes on the WOSB Program's Web page on SBA's Web site, at [www.sba.gov/wosb](http://www.sba.gov/wosb).

In 2014, Congress amended the Small Business Act to require SBA to submit a report to Congress reflecting the results of a new study by January 2, 2016, and then continue to conduct a new study every five years. Public Law 113-291 825(c) (Dec. 19, 2014). In response to this statutory mandate, SBA asked the Office of the Chief Economist (OCE) of the U.S. Department of Commerce for assistance in conducting a new study on the WOSB Program, which would analyze data to help SBA determine those NAICS codes in which WOSBs are underrepresented and substantially underrepresented in Federal contracting. OCE looked at

whether, holding constant various factors that might influence the award of a contract, the odds of winning Federal prime contracts by firms that were owned by women were greater or less than the odds of winning contracts by otherwise similar businesses.

**II. Overview of Study and Results**

In its analysis, OCE controlled for the size and age of the firm; its membership in various categories of firms for which the Federal government has government-wide prime contracting goals; its legal form of organization; its level of government security clearance; and its Federal prime contracting past performance ratings. OCE also looked at whether women-owned businesses typically have significantly different experiences in winning contracts depending on their industry. OCE performed this analysis at the four-digit NAICS industry group level. OCE included each firm in its sample in an industry analysis if the firm had registered as being able to perform work

in that industry or if the firm had won a contract assigned to that industry.

OCE found that women-owned businesses were less likely to win Federal contracts in 254 of the 304 industries included in the study.

In 109 out of the 304 industries, OCE found that women-owned businesses have statistically significant lower odds of winning Federal contracts than otherwise similar non-women-owned businesses at the 95% confidence level. SBA has determined that the finding by OCE of a statistically significant lower likelihood of winning contracts demonstrates that WOSBs are substantially underrepresented in these 109 NAICS codes. However, of these industries, 17 are in sectors 42 and 44-45, which are not applicable to Federal contracts under SBA's regulations. 13 CFR 121.201. These 17 industry group NAICS codes are set forth in Table 1, Industries Part of Sectors 42 and 44-45, Not Applicable to Federal Contracts Under SBA Regulations.

**TABLE 1—INDUSTRIES PART OF SECTORS 42 AND 44-45, NOT APPLICABLE TO FEDERAL CONTRACTS UNDER SBA REGULATIONS**

NAICS code	NAICS U.S. industry title
4231	Motor Vehicle and Motor Vehicle Parts and Supplies Merchant Wholesalers.
4233	Lumber and Other Construction Materials Merchant Wholesalers.
4234	Professional and Commercial Equipment and Supplies Merchant Wholesalers.
4237	Hardware, and Plumbing and Heating Equipment and Supplies Merchant Wholesalers.
4238	Machinery, Equipment, and Supplies Merchant Wholesalers.
4239	Miscellaneous Durable Goods Merchant Wholesalers.
4242	Drugs and Druggists' Sundries Merchant Wholesalers.
4246	Chemical and Allied Products Merchant Wholesalers.
4249	Miscellaneous Nondurable Goods Merchant Wholesalers.
4251	Wholesale Electronic Markets and Agents and Brokers.
4411	Automobile Dealers.
4421	Furniture Stores.
4422	Home Furnishings Stores.
4441	Building Material and Supplies Dealers.
4442	Lawn and Garden Equipment and Supplies Stores.
4512	Book, Periodical, and Music Stores.
4543	Direct Selling Establishments.

Since the industry groups above cannot be used to classify Federal contracts, SBA has excluded them from the list of industries designated as substantially underrepresented.

In addition, OCE found that in 145 out of the 304 industries, the odds of women-owned businesses winning contracts were lower than those of otherwise similar non-women-owned businesses, but there was not a statistically significant difference between the odds of winning for the two groups. Although there was not a finding of statistical significance for these industries, 21 of them were previously found by the RAND study to be industries in which WOSBs are

underrepresented or substantially underrepresented. Thus, SBA has information showing historical underrepresentation of women-owned businesses in these 21 industries, which is consistent with the OCE finding that women-owned businesses are less likely to win contracts. As a result, SBA finds that it possesses sufficient data to determine that WOSBs are underrepresented in these 21 industries. SBA also believes that this decision fulfills the intent of the Small Business Act, which demonstrates the intent that the designations of eligible industries be based on at least five years of data.

The full OCE study is available on SBA's Web site at [www.sba.gov/wosb](http://www.sba.gov/wosb).

**III. Eligible Industries**

Based on the above, SBA finds a total of 113 industry groups eligible for Federal contracting under the WOSB Program. This includes 21 4-digit NAICS industry groups in which WOSBs are underrepresented (meaning contracting officers can make EDWOSB set-aside and sole source awards in these industries) and 92 4-digit NAICS industry groups in which WOSBs are substantially underrepresented (meaning contracting officers can make WOSB set-aside and sole source awards in these industries). EDWOSB concerns are eligible to be considered for both WOSB and EDWOSB set-aside and sole

source awards for the 113 NAICS industry groups. The 21 NAICS codes in which WOSBs are underrepresented are set forth in Table 2, NAICS Codes in which WOSBs are Underrepresented.

TABLE 2—NAICS CODES IN WHICH WOSBs ARE UNDERREPRESENTED

NAICS code	NAICS U.S. industry title
3152 .....	Cut and Sew Apparel Manufacturing.
3219 .....	Other Wood Product Manufacturing.
3259 .....	Other Chemical Product and Preparation Manufacturing.
3333 .....	Commercial and Service Industry Machinery Manufacturing.
3342 .....	Communications Equipment Manufacturing.
3353 .....	Electrical Equipment Manufacturing.
3359 .....	Other Electrical Equipment and Component Manufacturing.
3372 .....	Office Furniture (including Fixtures) Manufacturing.
4841 .....	General Freight Trucking.
4885 .....	Freight Transportation Arrangement.
4889 .....	Other Support Activities for Transportation.
5171 .....	Wired Telecommunications Carriers.
5311 .....	Lessors of Real Estate.
5414 .....	Specialized Design Services.
5611 .....	Office Administrative Services.
5614 .....	Business Support Services.
5621 .....	Waste Collection.
6115 .....	Technical and Trade Schools.
6243 .....	Vocational Rehabilitation Services.
7223 .....	Special Food Services.
8114 .....	Personal and Household Goods Repair and Maintenance.

The 92 NAICS codes in which WOSBs are substantially underrepresented are set forth in Table 3, NAICS Codes in which WOSBs are Substantially Underrepresented.

TABLE 3—NAICS CODES IN WHICH WOSBs ARE SUBSTANTIALLY UNDERREPRESENTED

NAICS code	NAICS U.S. industry title
1153 .....	Support Activities for Forestry.
2213 .....	Water, Sewage and Other Systems.
2361 .....	Residential Building Construction.
2362 .....	Nonresidential Building Construction.
2371 .....	Utility System Construction.
2373 .....	Highway, Street, and Bridge Construction.
2379 .....	Other Heavy and Civil Engineering Construction.
2381 .....	Foundation, Structure, and Building Exterior Contractors.
2382 .....	Building Equipment Contractors.
2383 .....	Building Finishing Contractors.
2389 .....	Other Specialty Trade Contractors.
3114 .....	Fruit and Vegetable Preserving and Specialty Food Manufacturing.
3118 .....	Bakeries and Tortilla Manufacturing.
3141 .....	Textile Furnishings Mills.
3149 .....	Other Textile Product Mills.
3231 .....	Printing and Related Support Activities.
3241 .....	Petroleum and Coal Products Manufacturing.
3323 .....	Architectural and Structural Metals Manufacturing.
3324 .....	Boiler, Tank, and Shipping Container Manufacturing.
3325 .....	Hardware Manufacturing.
3328 .....	Coating, Engraving, Heat Treating, and Allied Activities.
3329 .....	Other Fabricated Metal Product Manufacturing.
3331 .....	Agriculture, Construction, and Mining Machinery Manufacturing.
3334 .....	Ventilation, Heating, Air-Conditioning, and Commercial Refrigeration Equipment Manufacturing.
3335 .....	Metalworking Machinery Manufacturing.
3339 .....	Other General Purpose Machinery Manufacturing.
3345 .....	Navigational, Measuring, Electromedical, and Control Instruments Manufacturing.
3346 .....	Manufacturing and Reproducing Magnetic and Optical Media.
3363 .....	Motor Vehicle Parts Manufacturing.
3369 .....	Other Transportation Equipment Manufacturing.
3371 .....	Household and Institutional Furniture and Kitchen Cabinet Manufacturing.
3391 .....	Medical Equipment and Supplies Manufacturing.
3399 .....	Other Miscellaneous Manufacturing.
4831 .....	Deep Sea, Coastal, and Great Lakes Water Transportation.
4842 .....	Specialized Freight Trucking.
4884 .....	Support Activities for Road Transportation.
4931 .....	Warehousing and Storage.

TABLE 3—NAICS CODES IN WHICH WOSBs ARE SUBSTANTIALLY UNDERREPRESENTED—Continued

NAICS code	NAICS U.S. industry title
5111	Newspaper, Periodical, Book, and Directory Publishers.
5112	Software Publishers.
5121	Motion Picture and Video Industries.
5122	Sound Recording Industries.
5151	Radio and Television Broadcasting.
5172	Wireless Telecommunications Carriers (except Satellite).
5174	Satellite Telecommunications.
5179	Other Telecommunications.
5182	Data Processing, Hosting, and Related Services.
5191	Other Information Services.
5241	Insurance Carriers.
5242	Agencies, Brokerages, and Other Insurance Related Activities.
5321	Automotive Equipment Rental and Leasing.
5324	Commercial and Industrial Machinery and Equipment Rental and Leasing.
5411	Legal Services.
5412	Accounting, Tax Preparation, Bookkeeping, and Payroll Services.
5413	Architectural, Engineering, and Related Services.
5415	Computer Systems Design and Related Services.
5416	Management, Scientific, and Technical Consulting Services.
5417	Scientific Research and Development Services.
5418	Advertising, Public Relations, and Related Services.
5419	Other Professional, Scientific, and Technical Services.
5612	Facilities Support Services.
5615	Travel Arrangement and Reservation Services.
5616	Investigation and Security Services.
5617	Services to Buildings and Dwellings.
5619	Other Support Services.
5622	Waste Treatment and Disposal.
5629	Remediation and Other Waste Management Services.
6113	Colleges, Universities, and Professional Schools.
6114	Business Schools and Computer and Management Training.
6116	Other Schools and Instruction.
6117	Educational Support Services.
6211	Offices of Physicians.
6214	Outpatient Care Centers.
6215	Medical and Diagnostic Laboratories.
6219	Other Ambulatory Health Care Services.
6221	General Medical and Surgical Hospitals.
6231	Nursing Care Facilities.
6242	Community Food and Housing, and Emergency and Other Relief Services.
7112	Spectator Sports.
7113	Promoters of Performing Arts, Sports, and Similar Events.
7114	Agents and Managers for Artists, Athletes, Entertainers, and Other Public Figures.
7115	Independent Artists, Writers, and Performers.
7211	Traveler Accommodation.
7212	RV (Recreational Vehicle) Parks and Recreational Camps.
7225	Restaurants and Other Eating Places.
8111	Automotive Repair and Maintenance.
8112	Electronic and Precision Equipment Repair and Maintenance.
8113	Commercial and Industrial Machinery and Equipment (except Automotive and Electronic) Repair and Maintenance.
8121	Personal Care Services.
8123	Drycleaning and Laundry Services.
8129	Other Personal Services.
8131	Religious Organizations.
8139	Business, Professional, Labor, Political, and Similar Organizations.

SBA has posted the list of designated NAICS codes on its Web site at [www.sba.gov/wosb](http://www.sba.gov/wosb) and they are effective as set forth in this notice.

Dated: February 29, 2016.

**A. John Shoraka,**

*Associate Administrator, Government Contracting and Business Development.*

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**BILLING CODE 8025-01-P**

## DEPARTMENT OF STATE

[Public Notice: 9461]

### Culturally Significant Objects Imported for Exhibition Determinations: “Pergamon and the Hellenistic Kingdoms of the Ancient World” Exhibition

**SUMMARY:** Notice is hereby given of the following determinations: Pursuant to the authority vested in me by the Act of

October 19, 1965 (79 Stat. 985; 22 U.S.C. 2459), Executive Order 12047 of March 27, 1978, the Foreign Affairs Reform and Restructuring Act of 1998 (112 Stat. 2681, *et seq.*; 22 U.S.C. 6501 note, *et seq.*), Delegation of Authority No. 234 of October 1, 1999, Delegation of Authority No. 236-3 of August 28, 2000 (and, as appropriate, Delegation of Authority No. 257-1 of December 11, 2015), I hereby determine that the objects to be included in the exhibition “Pergamon