

POSTAL SERVICE**Product Change—Priority Mail Express, Priority Mail, First-Class Package Service, and Parcel Select Service 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: *Date of required notice:* June 14, 2023.

FOR FURTHER INFORMATION CONTACT: Sean Robinson, 202–268–8405.

SUPPLEMENTARY INFORMATION: The United States Postal Service® hereby gives notice that, pursuant to 39 U.S.C. 3642 and 3632(b)(3), on June 5, 2023, it filed with the Postal Regulatory Commission a *USPS Request to Add Priority Mail Express, Priority Mail, First-Class Package Service, and Parcel Select Service Contract 121 to Competitive Product List*. Documents are available at www.prc.gov, Docket Nos. MC2023–170, CP2023–174.

Sean Robinson,

Attorney, Corporate and Postal Business Law.

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SUPPLEMENTARY INFORMATION: The United States Postal Service® hereby gives notice that, pursuant to 39 U.S.C. 3642 and 3632(b)(3), on June 5, 2023, it filed with the Postal Regulatory Commission a *Request of the United States Postal Service to Add Priority Mail, First-Class Package Service & Parcel Select Contract 28 to Competitive*

Product List. Documents are available at www.prc.gov, Docket Nos. MC2023–169, CP2023–173.

Sean Robinson,

Attorney, Corporate and Postal Business Law.

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SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–97688; File No. SR–NYSE–2023–12]

Self-Regulatory Organizations; New York Stock Exchange LLC; Notice of Filing of Amendment No. 1 and Order Granting Accelerated Approval of a Proposed Rule Change, as Modified by Amendment No. 1, To Adopt New Section 303A.14 of the NYSE Listed Company Manual To Establish Listing Standards Related to Recovery of Erroneously Awarded Incentive-Based Executive Compensation

June 9, 2023.

I. Introduction

On February 22, 2023, New York Stock Exchange LLC (“NYSE” or the “Exchange”) filed with the Securities and Exchange Commission (“Commission”), pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (“Act”)¹ and Rule 19b–4 thereunder,² a proposed rule change to adopt new Section 303A.14 of the NYSE Listed Company Manual (“Manual”) to require issuers to adopt and comply with a policy providing for the recovery of erroneously awarded incentive-based compensation received by current or former executive officers as required by Rule 10D–1 under the Act (“Rule 10D–1”). The proposed rule change was published for comment in the **Federal Register** on March 13, 2023.³ On April 24, 2023, the Commission extended the time period within which to approve the proposed rule change, disapprove the proposed rule change, or institute proceedings to determine whether to approve or disapprove the proposed rule change.⁴ On June 5, 2023, the Exchange filed Amendment No. 1 to the proposed rule change, which replaced and superseded the proposed rule

change as originally filed.⁵ The Commission is publishing this notice to solicit comments on the proposed rule change, as modified by Amendment No. 1, from interested persons and is approving the proposed rule change, as modified by Amendment No. 1, on an accelerated basis.

II. Background and Description of the Proposal, as Modified by Amendment No. 1

On October 26, 2022, the Commission adopted final Rule 10D–1⁶ to implement Section 954 of the Dodd-Frank Wall Street Reform and Consumer Protection Act of 2010 (“Dodd-Frank Act”), which added Section 10D to the Act. Section 10D of the Act requires the Commission to adopt rules directing the national securities exchanges to prohibit the listing of any security of an issuer that is not in compliance with the requirements of Section 10D of the Act. Rule 10D–1 requires national securities exchanges that list securities to establish listing standards that require each issuer to adopt and comply with a written executive compensation recovery policy and to provide the disclosures required by Rule 10D–1 and in the applicable Commission filings.⁷ Under Rule 10D–1, listed companies must recover from current and former executive officers incentive-based compensation received

⁵ Amendment No. 1 is available on the Commission's website at <https://www.sec.gov/comments/sr-nyse-2023-12/srnyse202312-199379-399262.pdf>. In Amendment No. 1, the Exchange (i) proposes to amend Section 303A.00 of the Manual to make it clear, consistent with the language of proposed Section 303A.14 of the Manual (“Section 303A.14”), that all listed issuers listing the following securities are required to comply with the requirements of Section 303A.14: (a) closed-end and open-end funds, (b) passive business organizations, listed derivative or special purpose securities, (c) foreign private issuers, and (d) issuers listing only preferred or debt securities on the NYSE (including securities listed under NYSE Rule 5.2(j)); (ii) amends proposed Section 303A.14(b) to provide that the effective date of Section 303A.14 would be October 2, 2023; and (iii) amends proposed Section 802.01F of the Manual (Noncompliance with Section 303A.14 (Erroneously Awarded Compensation)) (“Section 802.01F”) to provide that in the event of any failure by a listed issuer to comply with any requirement of Section 303A.14, the Exchange may at its sole discretion provide such issuer with an initial six-month cure period and an additional six-month cure period.

⁶ 17 CFR 240.10D–1.

⁷ See Securities Exchange Act Release No. 96159, 87 FR 73076 (November 28, 2022) (“Adopting Release”). Rule 10D–1 requires such exchange listing rules to be effective no later than one year after November 28, 2022. Rule 10D–1 further requires that each listed issuer: (i) adopt the required recovery policy no later than 60 days following the effective date of the listing standard; (ii) comply with the recovery policy for all incentive-based compensation received by executive officers on or after the effective date of the applicable listing standard; and (iii) provide the required disclosures on or after the effective date of the listing standard.

¹ 15 U.S.C. 78s(b)(1).

² 17 CFR 240.19b–4.

³ See Securities Exchange Act Release No. 97055 (March 7, 2023), 88 FR 15480 (“Notice”). Comments received on the proposed rule change are available at: <https://www.sec.gov/comments/sr-nyse-2023-12/srnyse202312.htm>.

⁴ See Securities Exchange Act Release No. 97354, 88 FR 26371 (April 28, 2023).