

2. *Title and purpose of information collection:* Request for internet Services, OMB 3220–0198.

The RRB uses a Personal Identification Number (PIN)/Password system that allows RRB customers to conduct business with the agency electronically. As part of the system, the RRB collects information needed to establish a unique PIN/Password that allows customer access to RRB internet-based services. The information collected is matched against records of the railroad employee that are maintained by the RRB. If the information is verified, the request is approved and the RRB mails a Password Request Code (PRC) to the requestor. If the information provided cannot be verified, the requestor is advised to contact the nearest field office of the

RRB to resolve the discrepancy. Once a PRC is obtained from the RRB, the requestor can apply for a PIN/Password online. Once the PIN/Password has been established, the requestor has access to RRB internet-based services.

Completion is voluntary, however, the RRB will be unable to provide a PRC or allow a requestor to establish a PIN/Password (thereby denying system access), if the requests are not completed.

*Previous Requests for Comments:* The RRB has already published the initial 60-day notice (82 FR 7123 on January 26, 2021) required by 44 U.S.C. 3506(c)(2). That request elicited no comments.

**Information Collection Request (ICR)**

*Title:* Request for internet Services.

*OMB Control Number:* 3220–0198.  
*Form(s) submitted:* N/A.

*Type of request:* Extension without change of a currently approved collection.

*Affected public:* Individuals or Households.

*Abstract:* The Railroad Retirement Board collects information needed to provide customers with the ability to request a Password Request Code and subsequently, to establish an individual PIN/Password, the initial steps in providing the option of conducting transactions with the RRB on a routine basis through the internet.

*Changes proposed:* The RRB proposes no changes to the PRC screens or the PIN/Password screens.

*The burden estimate for the ICR is as follows:*

Form number	Annual responses	Time (minutes)	Burden (hours)
Request PRC .....	12,000	5.0	1,000
Establish Pin/Password .....	16,000	1.5	400
Total .....	28,000	.....	1,400

*Additional Information or Comments:* Copies of the forms and supporting documents can be obtained from Kennisha Tucker at (312) 469–2591 or [Kennisha.Tucker@rrb.gov](mailto:Kennisha.Tucker@rrb.gov). Comments regarding the information collection should be addressed to Brian Foster, Railroad Retirement Board, 844 North Rush Street, Chicago, Illinois, 60611–1275 or [Brian.Foster@rrb.gov](mailto:Brian.Foster@rrb.gov).

Written comments and recommendations for the proposed information collection should be sent within 30 days of publication of this notice to [www.reginfo.gov/public/do/PRAMain](http://www.reginfo.gov/public/do/PRAMain). Find this particular information collection by selecting “Currently under 30-day Review—Open for Public Comments” or by using the search function.

**Brian Foster,**

*Clearance Officer.*

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**SECURITIES AND EXCHANGE COMMISSION**

[Release No. 34–91398; File No. SR–CboeBZX–2021–014]

**Self-Regulatory Organizations; Cboe BZX Exchange, Inc.; Notice of Designation of a Longer Period for Commission Action on a Proposed Rule Change To Allow the Invesco Focused Discovery Growth ETF and Invesco Select Growth ETF To Strike and Publish Multiple Intra-Day Net Asset Values**

March 24, 2021.

On January 22, 2021, the Cboe BZX Exchange, Inc. filed with the Securities and Exchange Commission (“Commission”), pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (“Act”) <sup>1</sup> and Rule 19b–4 thereunder, <sup>2</sup> a proposed rule change to allow the Invesco Focused Discovery Growth ETF and Invesco Select Growth ETF to strike and publish multiple intra-day net asset values. The proposed rule change was published for comment in the **Federal Register** on February 10, 2021. <sup>3</sup> The Commission has received no comment letters on the proposed rule change.

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

<sup>2</sup> 17 CFR 240.19b–4.

<sup>3</sup> See Securities Exchange Act Release No. 91064 (February 4, 2021), 86 FR 8935.

Section 19(b)(2) of the Act <sup>4</sup> provides that, within 45 days of the publication of notice of the filing of a propose rule change, or within such longer period up to 90 days as the Commission may designate if it finds such longer period to be appropriate and published its reasons for so finding or as to which the self-regulatory organization consents, the Commission shall either approve the proposed rule change, disapprove the proposed rule change, or institute proceedings to determine whether the proposed rule change should be disapproved. The 45th day after publication of the notice for the proposed rule change is March 27, 2021. The Commission is extending this 45-day period.

The Commission finds that it is appropriate to designate a longer period within which to take action on the proposed rule change so that it has sufficient time to consider the proposed rule change. Accordingly, pursuant to Section 19(b)(2) of the Act, <sup>5</sup> the Commission designates May 11, 2021, as the date by which the Commission shall either approve or disapprove, or institute proceedings to determine whether to approve or disapprove, the proposed rule change (File No. SR–CboeBZX–2021–014).

<sup>4</sup> 15 U.S.C. 78s(b)(2).

<sup>5</sup> 15 U.S.C. 78s(b)(2).

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.<sup>6</sup>

**J. Matthew DeLesDernier,**  
Assistant Secretary.

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## SECURITIES AND EXCHANGE COMMISSION

[Release No. SIPA-184; File No. SIPC-2021-01]

### Securities Investor Protection Corporation; Order Approving the Determination of the Board of Directors of the Securities Investor Protection Corporation Not to Adjust for Inflation the Standard Maximum Cash Advance Amount and Notice of the Standard Maximum Cash Advance Amount

March 25, 2021.

#### I. Background

On January 5, 2021, the Securities Investor Protection Corporation (“SIPC”) filed with the Securities and Exchange Commission (“Commission”), under sections 9(e)(1) and 3(e)(2)(A) of the Securities Investor Protection Act of 1970 (“SIPA”),<sup>1</sup> notification that SIPC’s Board of Directors (the “SIPC Board”) had determined that the standard maximum cash advance amount available to satisfy customer claims for cash in a SIPA liquidation proceeding would remain at \$250,000 beginning January 1, 2022, and for the five-year period immediately thereafter. The Commission published for comment notice of the SIPC Board’s determination in the **Federal Register** on February 2, 2021.<sup>2</sup> The Commission did not receive any comments. The Commission today is approving, by order, the SIPC Board’s determination. The Commission is also publishing notice that the standard maximum cash advance amount will remain \$250,000 beginning January 1, 2022, and for the five-year period immediately thereafter.

The Dodd-Frank Wall Street Reform and Consumer Protection Act (the “Dodd-Frank Act”)<sup>3</sup> amended SIPA to

raise the “standard maximum cash advance amount” from \$100,000 to \$250,000 per customer.<sup>4</sup> The amendments to SIPA aligned that amount with the maximum insurance amount provided by the Federal Deposit Insurance Corporation (“FDIC”) to customers of a failed bank. The Dodd-Frank Act also amended SIPA to require the SIPC Board of Directors to determine, no later than January 1, 2011, and every five years thereafter, whether an inflation adjustment to the standard maximum cash advance amount available to satisfy customer claims in a SIPA liquidation proceeding is appropriate.<sup>5</sup> Any adjustment to the standard maximum cash advance amount takes effect on January 1 of the year immediately succeeding the calendar year in which the adjustment is made.<sup>6</sup> The SIPC Board’s determination on whether to make an adjustment is subject to Commission approval as provided under section 3(e)(2) of SIPA.<sup>7</sup> The Commission must publish notice of the standard maximum cash advance amount in the **Federal Register** no later than April 5 of any calendar year in which SIPC is required to determine whether an inflation adjustment is appropriate.<sup>8</sup>

#### II. Determination of the SIPC Board Not to Adjust the Standard Maximum Cash Advance Amount

As described above, SIPC filed with the Commission notification that the SIPC Board had determined not to raise the standard maximum cash advance amount above \$250,000, and thereby maintain it at that level beginning January 1, 2022, and for the five-year period immediately thereafter. In its filing, SIPC stated that applying the formula prescribed by SIPA in this

<sup>4</sup> In a liquidation of a broker-dealer performed under SIPA, a fund of customer property is established for priority distribution to customers ahead of all other creditors. Each customer is entitled to a pro rata share of the customer property to the extent of the customer’s net equity in the customer’s account. If the amount of customer property is insufficient to satisfy a customer’s net equity claim, SIPC advances money to satisfy the claim up to \$500,000 per customer, of which up to \$250,000 (*i.e.*, the standard maximum cash advance amount) can be used to satisfy a claim for cash. *See* 15 U.S.C. 78fff-3.

<sup>5</sup> 15 U.S.C. 78fff-3(e)(1). In 2016, the Board determined to maintain the standard maximum cash advance amount at \$250,000, which was approved by the Commission. *See Securities Investor Protection Corporation*, Release No. SIPA-174 (Feb. 22, 2016), 81 FR 9561 (Feb. 25, 2016) and *Securities Investor Protection Corporation*, Release No. SIPA-176 (March 30, 2016), 81 FR 19250 (April 4, 2016).

<sup>6</sup> 15 U.S.C. 78fff-3(e)(4).

<sup>7</sup> *See* 15 U.S.C. 78ccc(e)(2); 15 U.S.C. 78fff-3(e)(1).

<sup>8</sup> 15 U.S.C. 78fff-3(e)(3)(A).

instance would have increased the standard maximum cash advance amount by \$40,000 and that the SIPC Board weighed the factors it considered in making its determination against an increase of that amount. For the reasons discussed below, the SIPC Board determined not to make the inflation adjustment.

The SIPC Board is required to consider the following criteria under SIPA: (1) The overall state of the fund and the economic conditions affecting members of SIPC; (2) the potential problems affecting members of SIPC; and (3) such other factors as the SIPC Board may determine appropriate.<sup>9</sup> In its filing, SIPC stated that the SIPC Board considered the projected growth of the SIPC Fund,<sup>10</sup> including the target amount for the SIPC Fund of \$5 billion, the assessment rate imposed on SIPC members, and the potential impact of an inflation adjustment on the SIPC Fund. According to the filing, the Board also considered SIPC’s experience with respect to: (1) SIPC advances in past and present; (2) amounts generated from assessments on member broker-dealers; and (3) projected returns on SIPC investments. According to the filing, based on these factors, the SIPC Board concluded that the SIPC fund is positioned to remain on a steady growth path for the foreseeable future, barring any unforeseen catastrophic event, and that any increase in the cash limit of SIPA protection would not appreciably benefit customers.

The filing states that the SIPC Board also considered the relationship between the amount of the SIPC standard maximum cash advance amount and the standard maximum amount of protection afforded by the FDIC to customers of a failed bank, noting both the current equivalency between SIPA’s maximum cash advance amount and the “standard maximum deposit insurance amount” that fixes the limit on bank deposit insurance under the Federal Deposit Insurance Act (both at \$250,000), and that increases to the limit of protection for cash claims under SIPA historically have moved in lockstep with increases in FDIC deposit insurance. According to the filing, the SIPC Board concluded that an inflation adjustment to the SIPA maximum cash advance amount without a corresponding adjustment to the FDIC standard maximum deposit insurance amount would result in an

<sup>9</sup> 15 U.S.C. 78fff-3(e)(5).

<sup>10</sup> SIPC is required to establish and administer a broker-dealer liquidation fund (the “SIPC Fund”) from which all expenditures by SIPC are to be made, including funds used to facilitate the liquidation of broker-dealers. *See* 15 U.S.C. 78ddd.

<sup>6</sup> 17 CFR 200.30-3(a)(31).

<sup>1</sup> 15 U.S.C. 78fff-3(e)(1) and 15 U.S.C. 78ccc(e)(2)(A), respectively.

<sup>2</sup> *See Securities Investor Protection Corporation*, Release No. SIPA-183 (Jan. 27, 2021), 86 FR 7900 (Feb. 2, 2021) (File No. SIPC-2021-01). The notice sets forth SIPC’s statement of the purpose and statutory basis of the determination of the SIPC Board not to adjust the standard maximum cash advance amount for inflation, which was attached to a letter from SIPC to the Commission, dated January 5, 2021.

<sup>3</sup> Public Law 111-203, 124 Stat. 1376 (July 21, 2010).