

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–100680; File No. SR–CboeEDGX–2024–009]

Self-Regulatory Organizations; Cboe EDGX Exchange, Inc.; Notice of Withdrawal of a Proposed Rule Change To Amend the Definition of Retail Order, and Codify Interpretations and Policies Regarding Permissible Uses of Algorithms by RMOs

August 8, 2024.

On January 25, 2024, Cboe EDGX Exchange, Inc. (“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 amend the definition of Retail Order,³ and codify interpretations and policies regarding permissible uses of algorithms by Retail Member Organizations.⁴ The proposed rule change was published for comment in the **Federal Register** on February 13, 2024.⁵ On March 20, 2024, pursuant to Section 19(b)(2) of the Act,⁶ the Commission designated a longer period within which to approve the proposed rule change, disapprove the proposed rule change, or institute proceedings to determine whether to disapprove the proposed rule change.⁷ On May 13, 2024, the Commission instituted proceedings under Section 19(b)(2)(B) of the Act⁸ to determine whether to approve or disapprove the proposed rule change.⁹ On July 10, 2024, the Exchange submitted Amendment No. 1 to the proposed rule change, which replaced and superseded the proposed rule change as originally filed. On July 17, 2024, the Exchange withdrew Amendment No. 1. On August 6, 2024, the Commission designated a longer period within which to approve or disapprove the proposed rule change.¹⁰

¹ 15 U.S.C. 78s(b)(1).

² 17 CFR 240.19b–4.

³ The term “Retail Order” is defined in Exchange Rule 11.21(a)(2).

⁴ The term “Retail Member Organization” (or “RMO”) is defined in Exchange Rule 11.21(a)(1) to mean a member of the Exchange (or a division thereof) that has been approved by the Exchange under Exchange Rule 11.21 to submit Retail Orders.

⁵ See Securities Exchange Act Release No. 99490 (February 7, 2024), 89 FR 10129 (“Notice”). The Commission has not received any comments on the proposed rule change.

⁶ 15 U.S.C. 78s(b)(2).

⁷ See Securities Exchange Act Release No. 99811, 89 FR 21077 (March 26, 2024).

⁸ 15 U.S.C. 78s(b)(2)(B).

⁹ See Securities Exchange Act Release No. 100114 (May 13, 2024), 89 FR 43462 (May 17, 2024).

¹⁰ See Securities Exchange Act Release No. 100665 (designating October 10, 2024 as the date by

On August 7, 2024, the Exchange withdrew the proposed rule change (SR–CboeEDGX–2024–009).

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.¹¹

Sherry R. Haywood,

Assistant Secretary.

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SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–100676; File No. SR–PEARL–2024–03]

Self-Regulatory Organizations; MIAx PEARL, LLC; Notice of Withdrawal of Proposed Rule Change To Permit the Exchange To List and Trade Options on Exchange-Traded Fund Shares That Represent Interests in a Trust That Holds Bitcoin

August 8, 2024.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (“Act”) ¹ and Rule 19b–4 thereunder,² MIAx PEARL, LLC (“MIAx Pearl”) filed with the Securities and Exchange Commission (“Commission”) a proposed rule change to permit the Exchange to list and trade options on exchange-traded fund shares that represent interests in a trust that holds bitcoin (“Proposal”).

On January 25, 2024, the Proposal was published for comment in the **Federal Register**.³ On March 6, 2024, pursuant to Section 19(b)(2) of the Act,⁴ the Commission designated a longer period within which to approve the Proposal, disapprove the Proposal, or institute proceedings to determine whether to disapprove the Proposal.⁵ On April 24, 2024, the Commission instituted proceedings under Section 19(b)(2)(B) of the Act⁶ to determine whether to approve or disapprove the Proposal.⁷ The Commission received comments addressing the Proposal.⁸ On July 19, 2024, the Commission designated a longer time for Commission action on

which the Commission shall either approve or disapprove the proposed rule change).

¹¹ 17 CFR 200.30–3(a)(12).

¹ 15 U.S.C. 78s(b)(1).

² 17 CFR 240.19b–4.

³ See Securities Exchange Act Release No. 99394 (Jan. 19, 2024), 89 FR 5058 (SR–PEARL–2024–03).

⁴ 15 U.S.C. 78s(b)(2).

⁵ See Securities Exchange Act Release No. 99682 (Mar. 6, 2024), 89 FR 17887 (Mar. 12, 2024).

⁶ 15 U.S.C. 78s(b)(2)(B).

⁷ See Securities Exchange Act Release No. 100024 (Apr. 24, 2024), 89 FR 34290 (Apr. 30, 2024).

⁸ Comment letters on the Proposal are available at <http://www.sec.gov/comments/sr-pearl-2024-03/srpearl202403.htm>.

the Proposal.⁹ On August 1, 2024, MIAx Pearl withdrew the Proposal (SR–PEARL–2024–03).

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.¹⁰

Sherry R. Haywood,

Assistant Secretary.

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SECURITIES AND EXCHANGE COMMISSION

[SEC File No. 270–253, OMB Control No. 3235–0260]

Proposed Collection; Comment Request; Extension: Rule 23c–1

Upon Written Request, Copies Available From: Securities and Exchange Commission, Office of FOIA Services, 100 F Street NE, Washington, DC 20549–2736

Notice is hereby given that, pursuant to the Paperwork Reduction Act of 1995 (44 U.S.C. 3501–3520), the Securities and Exchange Commission (the “Commission”) is soliciting comments on the collection of information summarized below. The Commission plans to submit this existing collection of information to the Office of Management and Budget for extension and approval.

Rule 23c–1(a) under the Investment Company Act (17 CFR 270.23c–1(a)) permits a closed-end fund to repurchase its securities for cash if, in addition to the other requirements set forth in the rule, the following conditions are met: (i) payment of the purchase price is accompanied or preceded by a written confirmation of the purchase (“written confirmation”); (ii) the asset coverage per unit of the security to be purchased is disclosed to the seller or his agent (“asset coverage disclosure”); and (iii) if the security is a stock, the fund has, within the preceding six months, informed stockholders of its intention to purchase stock (“six month notice”). Commission staff estimates that 48 closed-end funds undertake a total of 192 repurchases annually under rule 23c–1.¹ Staff estimates further that, with respect to each repurchase, each fund

⁹ See Securities Exchange Act Release No. 100567 (Jul. 19, 2024), 89 FR 60482 (Jul. 25, 2024).

¹⁰ 17 CFR 200.30–3(a)(12).

¹ The number of closed-end funds that undertake repurchases annually under rule 23c–1 is based on information provided in response to Item C.7.i of Form N–CEN from January 1, 2023 through December 31, 2023; we estimate that each of the 48 funds undertook an average of 4 repurchases annually (48 funds × 4 repurchases = 192 repurchases annually).