

emailing the Commission's Secretary at [Secretaries-Office@sec.gov](mailto:Secretaries-Office@sec.gov).

**ADDRESSES:** The Commission: [Secretaries-Office@sec.gov](mailto:Secretaries-Office@sec.gov). Applicants: Rajib Chanda, Esq., Simpson Thacher & Bartlett LLP, at [Rajib.Chanda@stblaw.com](mailto:Rajib.Chanda@stblaw.com); Steven Grigoriou, Esq., Simpson Thacher & Bartlett LLP, at [Steven.Grigoriou@stblaw.com](mailto:Steven.Grigoriou@stblaw.com); and William J. Kennedy, Jr., Onex Falcon Investment Advisors, LLC, 21 Custom House Street, 10th Floor, Boston, MA 02110.

**FOR FURTHER INFORMATION CONTACT:** Stephan N. Packs, Senior Counsel, or Terri Jordan, Branch Chief, at (202) 551-6825 (Division of Investment Management, Chief Counsel's Office).

**SUPPLEMENTARY INFORMATION:** For Applicants' representations, legal analysis, and conditions, please refer to Applicants' first amended and restated application, dated July 20, 2023, which may be obtained via the Commission's website by searching for the file number at the top of this document, or for an Applicant using the Company name search field, on the SEC's EDGAR system.

The SEC's EDGAR system may be searched at <https://www.sec.gov/edgar/searchedgar/legacy/companysearch.html>. You may also call the SEC's Public Reference Room at (202) 551-8090.

For the Commission, by the Division of Investment Management, under delegated authority.

**Sherry R. Haywood,**  
*Assistant Secretary.*

[FR Doc. 2023-19088 Filed 9-1-23; 8:45 am]

**BILLING CODE 8011-01-P**

## SECURITIES AND EXCHANGE COMMISSION

### Sunshine Act Meeting

**TIME AND DATE:** Notice is hereby given, pursuant to the provisions of the Government in the Sunshine Act, Public Law 94-409, that the Securities and Exchange Commission will hold an Open Meeting on Wednesday, September 6, 2023 at 10:00 a.m.

**PLACE:** The meeting will be webcast on the Commission's website at [www.sec.gov](http://www.sec.gov).

**STATUS:** This meeting will begin at 10:00 a.m. (ET) and will be open to the public via webcast on the Commission's website at [www.sec.gov](http://www.sec.gov).

#### MATTERS TO BE CONSIDERED:

1. The Commission will consider whether to approve a proposed amendment to the National Market

System Plan Governing the Consolidated Audit Trail ("CAT NMS Plan") to implement a revised funding model ("Executed Share Model") for the consolidated audit trail ("CAT") and to establish a fee schedule for CAT fees for the self-regulatory organizations that are participants to the CAT NMS Plan in accordance with the Executed Share Model.

#### CONTACT PERSON FOR MORE INFORMATION:

For further information and to ascertain what, if any, matters have been added, deleted or postponed, please contact Vanessa A. Countryman from the Office of the Secretary at (202) 551-5400.

*Authority:* 5 U.S.C. 552b.

Dated: August 30, 2023.

**J. Matthew DeLesDernier,**  
*Deputy Secretary.*

[FR Doc. 2023-19137 Filed 8-31-23; 11:15 am]

**BILLING CODE 8011-01-P**

## SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-98237; File No. SR-ICEEU-2023-021]

### Self-Regulatory Organizations; ICE Clear Europe Limited; Notice of Filing of Proposed Rule Change, as Modified by Amendment No. 1, Relating to Amendments to Its Operational Risk and Resilience Policy

August 29, 2023.

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> notice is hereby given that on August 15, 2023, ICE Clear Europe Limited ("ICE Clear Europe" or the "Clearing House") filed with the Securities and Exchange Commission ("Commission") the proposed rule changes described in Items I, II and III below, which Items have been prepared primarily by ICE Clear Europe. On August 24, 2023, ICE Clear Europe filed Amendment No. 1 to the proposed rule change to make certain changes to the Exhibit 5.<sup>3</sup> The Commission is publishing this notice to solicit comments on the proposed rule change, as modified by Amendment No. 1 (hereafter "the proposed rule change"), from interested persons.

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

<sup>2</sup> 17 CFR 240.19b-4.

<sup>3</sup> Amendment No. 1 corrects the presentation of changes in Exhibit 5 by reflecting the deletion of the prior "Oversight of the Policy" section as part of the updated governance and oversight provisions.

### I. Clearing Agency's Statement of the Terms of Substance of the Proposed Rule Change

ICE Clear Europe Limited ("ICE Clear Europe" or the "Clearing House") proposes to modify its Operational Risk and Resilience Policy (the "Operational Risk and Resilience Policy" or "Policy").<sup>4</sup> The amendments would modify the Policy to enhance scenario analysis and testing relating to operational risk and resilience, introduce an element for emerging risks, and update the review process for the document, among other changes discussed herein.

### II. Clearing Agency's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, ICE Clear Europe 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 these statements may be examined at the places specified in Item IV below. ICE Clear Europe has prepared summaries, set forth in sections (A), (B), and (C) below, of the most significant aspects of such statements.

(A) *Clearing Agency's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change*

#### (a) Purpose

ICE Clear Europe is proposing to amend its Operational Risk and Resilience Policy to incorporate enhanced procedures for analysis and testing of operational risk and resilience scenarios into the policy, among other amendments discussed herein. The description of the Clearing House's overall operational risk and resilience framework would update a reference to the Outsourcing Policy to reflect its new name, the Outsourcing and Third Party Risk Management Policy (and reflect that the updated policy has been approved by the Board and is pending regulatory approval).

With respect to scenario analysis and testing relating to operational risk and resilience, the amendments would add that the Clearing House must maintain an inventory of scenarios for the purposes of scenario analysis and testing. The amendments would clarify that testing must include scenarios that take into account both internal and external dependencies. The amendments would also state that a

<sup>4</sup> Capitalized terms used but not defined herein have the meanings specified in the ICE Clear Europe Clearing Rules and the Operational Risk and Resilience Policy.