

SECURITIES AND EXCHANGE COMMISSION

[SEC File No. 270–570, OMB Control No. 3235–0632]

**Submission for OMB Review;
Comment Request; Extension: Rule
12h–1(f)**

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 *et seq.*), the Securities and Exchange Commission (“Commission”) has submitted to the Office of Management and Budget this request for extension of the previously approved collection of information discussed below.

Rule 12h–1(f) (17 CFR 240.12h–1(f)) under the Securities Exchange Act of 1934 (“Exchange Act”) provides an exemption from the Exchange Act Section 12(g) registration requirements for compensatory employee stock options of issuers that are not required to file periodic reports under the Exchange Act. The information required under Exchange Act Rule 12h–1 is not filed with the Commission. Exchange Act Rule 12h–1(f) permits issuers to provide the required information to the option holders either by: (i) physical or electronic delivery of the information; or (ii) written notice to the option holders of the availability of the information on a password-protected internet site. We estimate that it takes approximately 2 burden hours per response to prepare and provide the information required under Rule 12h–1(f) and it is prepared and provided by approximately 40 respondents. We estimate that 25% of the 2 hours per response (0.5 hours per response) is prepared by the company for a total annual reporting burden of 20 hours (0.5 hours per response × 40 responses).

An agency may conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid control number.

The public may view background documentation for this information collection at the following website: www.reginfo.gov. Find this particular information collection by selecting “Currently under 30-day Review—Open for Public Comments” or by using the search function. Written comments and recommendations for the proposed information collection should be sent within 30 days of publication of this

notice by April 17, 2023 to (i) www.reginfo.gov/public/do/PRAMain and (ii) David Bottom, Director/Chief Information Officer, Securities and Exchange Commission, c/o John Pezzullo, 100 F Street NE, Washington, DC 20549, or by sending an email to: PRA_Mailbox@sec.gov.

Dated: March 13, 2023.

Sherry R. Haywood,
Assistant Secretary.

[FR Doc. 2023–05437 Filed 3–16–23; 8:45 am]

BILLING CODE 8011–01–P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–97127; File No. SR–BOX–2023–08]

Self-Regulatory Organizations; BOX Exchange LLC; Notice of Filing and Immediate Effectiveness of Proposed Rule Change To Amend Rule 7110 (Order Entry) and Rule 7130 (Execution and Price/Time Priority) Regarding Availability of Identity of Options Participants

March 13, 2023.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (“Act”),¹ and Rule 19b–4 thereunder,² notice is hereby given that on March 1, 2023, BOX Exchange LLC (“BOX” or “Exchange”) filed with the Securities and Exchange Commission (“Commission”) the proposed rule change as described in Items I and II below, which Items have been prepared by BOX. The Commission is publishing this notice to solicit comments on the proposed rule from interested persons.

I. Self-Regulatory Organization’s Statement of the Terms of Substance of the Proposed Rule Change

The Exchange proposes to amend BOX Rule 7110 (Order Entry) and Rule 7130 (Execution and Price/Time Priority) to codify in the BOX Rulebook when the identity of Options Participants is available. The text of the proposed rule change is available from the principal office of the Exchange, at the Commission’s Public Reference Room and also on the Exchange’s internet website at <https://rules.boxexchange.com/rulefilings>.

II. Self-Regulatory Organization’s Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the self-regulatory organization 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. The self-regulatory organization has prepared summaries, set forth in Sections A, B, and C below, of the most significant aspects of such statements.

A. Self-Regulatory Organization’s Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

1. Purpose

The Exchange proposes to amend Rule 7110 (Order Entry) and Rule 7130 (Execution and Price/Time Priority) to codify in the BOX Rulebook when the identity of Options Participants is available. Specifically, the Exchange is proposing to codify in the BOX Rulebook that the contra party Options Participants identification number (“Participant ID”) is available to all Participants in their post trade execution reports. The Exchange notes that other exchanges also provide such contra party information.³

Current Rule 7110(f) provides that the identity of Options Participants who submit orders to the Trading Host will remain anonymous to market participants at all times, except orders submitted through the Directed Order process, certain exposed orders as set forth in 7130(b)(3)(iii), during error resolution or through the normal clearing process as set forth in Rule 7130. The Exchange proposes to amend Rule 7110 to codify that the contra party Options Participant ID is provided on the execution reports that are sent to each Participant that is party to a trade. Specifically, the Exchange is proposing to amend the language within 7110(f) to provide that after execution, the identity of Options Participants is available during error resolution, through the normal clearing process as set forth in Rule 7130, and on the execution reports sent to each Participant that is party to a trade. As part of the proposed change,

³ Cboe Exchange, Inc. (“Cboe Options”) Rule 6.2, Cboe BZX Exchange, Inc. (“BZX Options”) Rule 21.10, Cboe C2 Exchange, Inc. (“C2 Options”) Rule 6.2, and Cboe EDGX Exchange, Inc. (“EDGX Options”) Rule 21.10 provide for the inclusion of the contra party executing firm ID within transaction reports. The NYSE Pillar Gateway FIX Protocol Specification details the provision of contra party Firm Identifier information. See NYSE Pillar Gateway FIX Protocol Specification, available at: https://www.nyse.com/publicdocs/nyse/NYSE_Pillar_Options_Gateway_FIX_Protocol_Specification.pdf. It is also the Exchange’s understanding from discussions with market participants that additional exchanges provide similar post-trade information.

¹ 15 U.S.C. 78s(b)(1).

² 17 CFR 240.19b–4.