

L.P., AlpInvest SIG Fund, L.P., AlpInvest Spire Fund, L.P., ASF VII Access Sidecar, L.P., ASF VII G Sidecar, L.P., ASF VII Pacific Sidecar, L.P., Cendana I, L.P., AlpInvest Co-Investment Fund (Onshore) VIII, L.P., AlpInvest Secondaries Fund (Onshore) VII, L.P., AlpInvest Access Fund II, L.P., AlpInvest Access Fund II—A, L.P., AlpInvest C Fund II, L.P., AlpInvest C Fund, L.P., AlpInvest HLI Fund, L.P., AlpInvest Chesapeake SCF I, L.P., AlpInvest Edison Fund, L.P., AlpInvest Falcon SCF I, L.P., AlpInvest Harvest Fund, L.P., AlpInvest North Rush III, L.P., AlpInvest WB SSMA, L.P., HLI Strategic L.P., AlpInvest Co-Investment Fund (Lux Master) VIII, SCSP, AlpInvest Co-Investment Fund (Lux Euro Master) VIII, SCSP, AlpInvest Secondaries Fund (Lux Master) VII, SCSP, AlpInvest Secondaries Fund (Lux Euro Master) VII, SCSP, AlpInvest Generali Secondary II SCSP—RAIF, AJ II Fund C.V., AlpInvest Partners Primary Fund Investments 2020 II C.V., AlpInvest Partners Secondary Investments 2020/2021 I C.V., AlpInvest PM Fund C.V., AP P C.V., GGG Fund II C.V., AlpInvest Private Equity Investment Management, LLC, AlpInvest Atom Fund (Lux Master), SCSP, AlpInvest Atom Fund (Offshore), L.P., AlpInvest Atom Fund (Onshore), L.P., AlpInvest PEP Secondary Fund 2022, L.P., AlpInvest PSS Fund II, L.P., AlpInvest Phoenix SCF I, L.P., Top Castle Sidecar VII, L.P., AlpInvest Indigo I CI, L.P., AlpInvest Indigo SCF I, L.P., AlpInvest CWS Fund, SCSP, AlpInvest Generali SCA, SICAV—RAIF, AP KP Fund II SCSP, AP M C.V., AP M Co-Investment II C.V., AP M Secondaries C.V., AlpInvest PG 2022 Fund C.V., ASP Aspire (Cayman), L.P., ASP Matrix III, L.P., AlpInvest HLI II Fund, L.P., AlpInvest N Fund, L.P., AP P II C.V., AlpInvest Co-Investment Fund (Onshore) IX, L.P., AlpInvest Co-Investment Fund (Offshore) IX, L.P., AlpInvest Co-Investment Fund (Lux Master) IX, SCSP, AlpInvest Co-Investment Fund (Lux Euro Master) IX, SCSP, Carlyle CLO Partners, L.P., Carlyle Credit Opportunities CRHQ, SCSP, Carlyle Structured Solutions G Co-Invest, L.P., Carlyle Infrastructure Credit Fund II (Parallel), S.C.Sp., Carlyle Infrastructure Credit Fund II (Levered), L.P., Carlyle US CLO 2023—C, LTD., Carlyle US CLO 2023—5, LTD., Carlyle US CLO 2023—E, LTD., Carlyle US CLO 2024—A, LTD., Carlyle US CLO 2024—B, LTD., TCG Capital Markets L.L.C., TCG Senior Funding L.L.C., AlpInvest Atom Fund (Offshore) II, L.P., AlpInvest Atom Fund (Onshore) II, L.P., ASF VIII Sidecar, L.P., AlpInvest Secondaries Fund (Offshore) VIII, L.P., AlpInvest

Secondaries Fund (Onshore) VIII, L.P., AlpInvest Indigo II CI, L.P., AlpInvest CWS Fund III C.V., AAF CI—A, L.P., AlpInvest Corient Fund, L.P., ASP Grove, L.P., ASP Jordan, L.P., ASP Martin, L.P., ASP Oyster, L.P., AlpInvest GRIIO Fund II, L.P., AlpInvest RedC Fund, L.P., AlpInvest Secondaries Merlion Fund, L.P., AlpInvest SIG II Fund, L.P., AlpInvest Victoria Growth Portfolio, L.P.

**FILING DATES:** The application was filed on October 20, 2021, and amended on May 18, 2022, December 27, 2022, September 15, 2023, November 09, 2023, March 19, 2024, and May 14, 2024. Applicants have agreed to file an amendment during the notice period, the substance of which is reflected in this notice.

**HEARING OR NOTIFICATION OF HEARING:** An order granting the requested relief will be issued unless the Commission orders a hearing. Interested persons may request a hearing on any application by emailing the SEC's Secretary at *Secretarys-Office@sec.gov* and serving the Applicants with a copy of the request by email, if an email address is listed for the relevant Applicant below, or personally or by mail, if a physical address is listed for the relevant Applicant below. Hearing requests should be received by the Commission by 5:30 p.m. on July 1, 2024, and should be accompanied by proof of service on the Applicants, in the form of an affidavit or, for lawyers, a certificate of service. Pursuant to rule 0–5 under the Act, hearing requests should state the nature of the writer's interest, any facts bearing upon the desirability of a hearing on the matter, the reason for the request, and the issues contested. Persons who wish to be notified of a hearing may request notification by emailing the Commission's Secretary at *Secretarys-Office@sec.gov*.

**ADDRESSES:** The Commission: *Secretarys-Office@sec.gov*. Applicants: Joshua Lefkowitz, Carlyle Global Credit Investment Management LLC, One Vanderbilt Avenue, Suite 3400, New York, NY 10017 with copies to Rajib Chanda and Christopher P. Healy, Simpson Thacher & Bartlett LLP, at *rajib.chanda@stblaw.com* and *christopher.healey@stblaw.com*.

**FOR FURTHER INFORMATION CONTACT:** Seth Davis, 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' sixth amended and restated application, dated May 14, 2024, 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 <http://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. 2024–12808 Filed 6–11–24; 8:45 am]

**BILLING CODE 8011–01–P**

## SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–100283; File No. SR–NYSEAMER–2024–36]

### Self-Regulatory Organizations; NYSE American LLC; Notice of Filing and Immediate Effectiveness of Proposed Change To Amend Rule 928NYP

June 6, 2024.

Pursuant to Section 19(b)(1)<sup>1</sup> of the Securities Exchange Act of 1934 (“Act”)<sup>2</sup> and Rule 19b–4 thereunder,<sup>3</sup> notice is hereby given that, on May 31, 2024, NYSE American LLC (“NYSE American” or the “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 the self-regulatory organization. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

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

The Exchange proposes to amend Rule 928NYP (Pre-Trade and Activity-Based Risk Controls) pertaining to pre-trade risk controls to make additional pre-trade risk controls available to Entering Firms. The proposed rule change is available on the Exchange's website at [www.nyse.com](http://www.nyse.com), at the principal office of the Exchange, and at the Commission's Public Reference Room.

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

<sup>2</sup> 15 U.S.C. 78a.

<sup>3</sup> 17 CFR 240.19b–4.

## 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 those statements may be examined at the places specified in Item IV below. The Exchange has prepared summaries, set forth in sections A, B, and C below, of the most significant parts of such statements.

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

#### 1. Purpose

The Exchange proposes to amend Rule 928NYP (Pre-Trade and Activity-Based Risk Controls) pertaining to pre-trade risk controls to make additional pre-trade risk controls available to entering Firms.<sup>4</sup>

#### Background and Proposal

In 2023, in connection with the Exchange's migration to Pillar and to better assist ATP Holders in managing their risk, the Exchange adopted Rule 928NYP, which included pre-trade risk controls, among other activity-based controls, wherein an Entering Firm had the option of establishing limits or restrictions on certain of its trading behavior on the Exchange and authorizing the Exchange to take action if those limits or restrictions were exceeded.<sup>5</sup>

The Exchange has recently received several requests from market participants to create an additional risk control to restrict the overall rate of orders. The Exchange notes that several of the Cboe affiliated options exchanges currently offer risk controls identical to the one proposed here.<sup>6</sup> As such, market participants are already familiar with these risk checks, such that the ones proposed by the Exchange in this filing are not novel. The Exchange notes that this rule change is modeled on the proposal recently submitted by the Exchange's affiliate equities exchanges,

including NYSE American LLC ("NYSE American").<sup>7</sup>

In light of these requests, the Exchange proposes to amend Rule 928NYP(a)(2)(A) to add a new subparagraph (vi), which would provide that the Single Order Risk Controls available to Entering Firms would include "controls to restrict the overall rate of orders."

As with the Exchange's existing risk controls, use of the pre-trade risk control proposed herein would be optional. The Exchange proposes no other changes to Rule 928NYP or its Commentary.

#### Continuing Obligations of ATP Holders Under Rule 15c3-5

The proposed Pre-Trade Risk Controls described here are meant to supplement, and not replace, the ATP Holders' own internal systems, monitoring, and procedures related to risk management. The Exchange does not guarantee that these controls will be sufficiently comprehensive to meet all of an ATP Holder's needs, the controls are not designed to be the sole means of risk management, and using these controls will not necessarily meet an ATP Holder's obligations required by Exchange or federal rules (including, without limitation, the Rule 15c3-5 under the Act<sup>8</sup> ("Rule 15c3-5")). Use of the Exchange's Pre-Trade Risk Controls will not automatically constitute compliance with Exchange or federal rules and responsibility for compliance with all Exchange and SEC rules remains with the ATP Holder.<sup>9</sup>

#### Timing and Implementation

The Exchange anticipates implementing the proposed change in the second quarter of 2024 and, in any event, will implement the proposed rule change no later than the end of September 2024. The Exchange will announce the timing of such changes by Trader Update.

<sup>7</sup> See, e.g., SR-NYSEAMER-2024-35 (modifying NYSE American Rule 7.19E). The Exchange notes that several equities exchanges already offer this pre-trade risk control. See, e.g., Cboe BZX Rule 11.13, Interpretations and Policies .01 paragraph (f); Cboe BYX Rule 11.13, Interpretations and Policies .01 paragraph (f); Cboe EDGX Rule 11.10, Interpretations and Policies .01 paragraph (f); MEMX Rule 11.10, Interpretations and Policies .01 paragraph (f); and MIAx Pearl Equities Rule 2618(a)(1)(H).

<sup>8</sup> See 17 CFR 240.15c3-5.

<sup>9</sup> See also Commentary .01 to Rule 928NYP, which provides that the Pre-Trade Risk Controls set forth in Rule 928NYP "are meant to supplement, and not replace, the ATP Holder's own internal systems, monitoring, and procedures related to risk management and are not designed for compliance with Rule 15c3-5 under the Exchange Act. Responsibility for compliance with all Exchange and SEC rules remains with the ATP Holder."

#### 2. Statutory Basis

The Exchange believes that the proposed rule change is consistent with Section 6(b) of the Act,<sup>10</sup> in general, and furthers the objectives of Section 6(b)(5) of the Act,<sup>11</sup> in particular, because it is designed to prevent fraudulent and manipulative acts and practices, to promote just and equitable principles of trade, to foster cooperation and coordination with persons engaged in regulating, clearing, settling, processing information with respect to, and facilitating transactions in securities, to remove impediments to and perfect the mechanism of a free and open market and a national market system, and, in general, to protect investors and the public interest, and because it is not designed to permit unfair discrimination between customers, issuers, brokers, or dealers.

Specifically, the Exchange believes that the proposed rule change will remove impediments to and perfect the mechanism of a free and open market and a national market system because the proposed optional additional Pre-Trade Risk Control would provide Entering Firms with enhanced abilities to manage their risk with respect to orders on the Exchange. The proposed additional Pre-Trade Risk Control is not novel; they are based on existing risk settings already in place on Cboe affiliated options exchanges, and market participants are already familiar with the types of protections that the proposed risk control affords.<sup>12</sup> Moreover, the proposed pre-trade risk control is optional and, as such, Entering Firms are free to utilize this risk feature or not at their discretion. As such, the Exchange believes that the proposed additional Pre-Trade Risk Control would provide a means to address potentially market-impacting events, helping to ensure the proper functioning of the market.

In addition, the Exchange believes that the proposed rule change will protect investors and the public interest because the proposed additional Pre-Trade Risk Control is a form of impact mitigation that will aid Entering Firms in minimizing their risk exposure and reduce the potential for disruptive, market-wide events. The Exchange understands that ATP Holders implement a number of different risk-based controls, including those required by Rule 15c3-5. The controls proposed here will serve as an additional tool for

<sup>10</sup> 15 U.S.C. 78f(b).

<sup>11</sup> 15 U.S.C. 78f(b)(5).

<sup>12</sup> See *supra* note 6. This pre-trade risk control is also offered on several equities exchanges. See *supra* note 7.

<sup>4</sup> The term "Entering Firm" refers to an ATP Holder (including those acting as Market Makers). See Rule 928NYP(a)(1).

<sup>5</sup> See Securities Exchange Act Release No. 97869 (July 10, 2023), 88 FR 45730 (July 17, 2023) (Notice of Filing and Immediate Effectiveness of Proposed Rules, including proposed Rule 928NYP) (SR-NYSEAMER-2023-34).

<sup>6</sup> See e.g., Cboe BZX Rule 11.13, Interpretations and Policies .01 paragraph (f) and Cboe EDGX Rule 11.10, Interpretations and Policies .01 paragraph (f).

Entering Firms to assist them in identifying any risk exposure. The Exchange believes the proposed additional Pre-Trade Risk Controls will assist Entering Firms in managing their financial exposure which, in turn, could enhance the integrity of trading on the securities markets and help to assure the stability of the financial system.

Finally, the Exchange believes that the proposed rule change does not unfairly discriminate among the Exchange's ATP Holders because use of the proposed additional Pre-Trade Risk Control is optional and is not a prerequisite for participation on the Exchange.

#### *B. Self-Regulatory Organization's Statement on Burden on Competition*

The Exchange does not believe that the proposed rule change will impose any burden on competition that is not necessary or appropriate in furtherance of the purposes of the Act. In fact, the Exchange believes that the proposal will have a positive effect on competition because, by providing Entering Firms additional means to monitor and control risk, the proposed rule will increase confidence in the proper functioning of the markets. The Exchange believes the proposed additional Pre-Trade Risk Control will assist Entering Firms in managing their financial exposure which, in turn, could enhance the integrity of trading on the securities markets and help to assure the stability of the financial system. As a result, the level of competition should increase as public confidence in the markets is solidified.

#### *C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others*

No written comments were solicited or received with respect to the proposed rule change.

### **III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action**

The Exchange has filed the proposed rule change pursuant to Section 19(b)(3)(A)(iii) of the Act<sup>13</sup> and Rule 19b-4(f)(6) thereunder.<sup>14</sup> Because the foregoing proposed rule change does not: (i) significantly affect the protection of investors or the public interest; (ii) impose any significant burden on competition; and (iii) become operative for 30 days from the date on which it was filed, or such shorter time as the Commission may designate, it has

become effective pursuant to Section 19(b)(3)(A) of the Act<sup>15</sup> and Rule 19b-4(f)(6) thereunder.<sup>16</sup>

A proposed rule change filed under Rule 19b-4(f)(6)<sup>17</sup> normally does not become operative prior to 30 days after the date of the filing. However, pursuant to Rule 19b-4(f)(6)(iii),<sup>18</sup> the Commission may designate a shorter time if such action is consistent with the protection of investors and the public interest. The Exchange has requested that the Commission waive the 30-day operative delay so that the proposed rule change may become effective and operative upon filing with the Commission. The Exchange states that the proposed rule change is tied to a technological release that the Exchange plans to implement by the end of June 2024, that such release may be ready before the 30-day operative delay has elapsed, and the Exchange seeks to implement the proposed rule change without delay. The Exchange explains that the proposed rule change will assist Entering Firms in minimizing their risk exposure, which could enhance the integrity of trading on the securities markets and help to assure the stability of the financial system, and that the proposed rule change is not novel as it is based on existing risk settings already in place on other exchanges. For these reasons, and because the proposed rule change does not raise any new or novel regulatory issues, the Commission believes that waiver of the 30-day operative delay is consistent with the protection of investors and the public interest. Accordingly, the Commission hereby waives the operative delay and designates the proposed rule change operative upon filing.<sup>19</sup>

At any time within 60 days of the filing of the proposed rule change, the Commission summarily may temporarily suspend such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act. If the Commission takes such action, the

Commission shall institute proceedings to determine whether the proposed rule change should be approved or disapproved.

### **IV. Solicitation of Comments**

Interested persons are invited to submit written data, views and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act. Comments may be submitted by any of the following methods:

#### *Electronic Comments*

- Use the Commission's internet comment form (<https://www.sec.gov/rules/sro.shtml>); or
- Send an email to [rule-comments@sec.gov](mailto:rule-comments@sec.gov). Please include file number SR-NYSEAMER-2024-36 on the subject line.

#### *Paper Comments*

- Send paper comments in triplicate to Secretary, Securities and Exchange Commission, 100 F Street NE, Washington, DC 20549-1090.

All submissions should refer to file number SR-NYSEAMER-2024-36. This file number should be included on the subject line if email is used. To help the Commission process and review your comments more efficiently, please use only one method. The Commission will post all comments on the Commission's internet website (<https://www.sec.gov/rules/sro.shtml>). Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change that are filed with the Commission, and all written communications relating to the proposed rule change between the Commission and any person, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for website viewing and printing in the Commission's Public Reference Room, 100 F Street NE, Washington, DC 20549, on official business days between the hours of 10 a.m. and 3 p.m. Copies of the filing also will be available for inspection and copying at the principal office of the Exchange. Do not include personal identifiable information in submissions; you should submit only information that you wish to make available publicly. We may redact in part or withhold entirely from publication submitted material that is obscene or subject to copyright protection. All submissions should refer to file number SR-NYSEAMER-2024-36 and should be submitted on or before July 3, 2024.

<sup>13</sup> 15 U.S.C. 78s(b)(3)(A)(iii).

<sup>14</sup> 17 CFR 240.19b-4(f)(6).

<sup>15</sup> 15 U.S.C. 78s(b)(3)(A).

<sup>16</sup> 17 CFR 240.19b-4(f)(6). In addition, Rule 19b-4(f)(6)(iii) requires a self-regulatory organization to give the Commission written notice of its intent to file the proposed rule change, along with a brief description and text of the proposed rule change, at least five business days prior to the date of filing of the proposed rule change, or such shorter time as designated by the Commission. The Exchange has satisfied this requirement.

<sup>17</sup> 17 CFR 240.19b-4(f)(6).

<sup>18</sup> 17 CFR 240.19b-4(f)(6)(iii).

<sup>19</sup> For purposes only of waiving the 30-day operative delay, the Commission also has considered the proposed rule's impact on efficiency, competition, and capital formation. See 15 U.S.C. 78c(f).

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.<sup>20</sup>

**Sherry R. Haywood,**

*Assistant Secretary.*

[FR Doc. 2024-12789 Filed 6-11-24; 8:45 am]

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## SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-100293; File No. SR-NYSE-2024-21]

### Self-Regulatory Organizations; New York Stock Exchange LLC; Notice of Designation of a Longer Period for Commission Action on Proposed Rule Change, as Modified by Amendment No. 1, to Amend Section 802.01D of the NYSE Listed Company Manual Concerning the Suspension and Delisting of a Listed Company that has Changed its Primary Business Focus

June 6, 2024.

On April 4, 2024, 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”),<sup>1</sup> and Rule 19b-4 thereunder,<sup>2</sup> a proposed rule change to permit the Exchange to commence suspension and delisting proceedings, under certain circumstances, with respect to a listed company that has changed its primary business focus to a new area of business that it was not engaged in at the time of its original listing or which was immaterial to its operations at the time of original listing. On April 17, 2024, the Exchange filed Amendment No. 1 to the proposed rule change, which replaced and superseded the proposed rule change as originally filed. The proposed rule change, as modified by Amendment No. 1, was published for comment in the **Federal Register** on April 25, 2024.<sup>3</sup> The Commission received no comments on the proposed rule change, as modified by Amendment No. 1.

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 proposed 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 publishes 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 this proposed rule change is June 9, 2024. The Commission is extending this 45-day time period.

The Commission finds it 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, the Commission, pursuant to Section 19(b)(2) of the Act,<sup>5</sup> designates July 24, 2024, as the date by which the Commission shall either approve or disapprove, or institute proceedings to determine whether to disapprove, the proposed rule change (File No. SR-NYSE-2024-21).

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

**Sherry R. Haywood,**

*Assistant Secretary.*

[FR Doc. 2024-12796 Filed 6-11-24; 8:45 am]

BILLING CODE 8011-01-P

## SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-100289; File No. SR-CboeBZX-2023-101]

### Self-Regulatory Organizations; Cboe BZX Exchange, Inc.; Notice of Designation of a Longer Period for Commission Action on Proceedings To Determine Whether To Approve or Disapprove a Proposed Rule Change To List and Trade Shares of the Pando Asset Spot Bitcoin Trust Under BZX Rule 14.11(e)(4), Commodity-Based Trust Shares

June 6, 2024.

On December 5, 2023, Cboe BZX Exchange, Inc. (“BZX”) 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 list and trade shares of the Pando Asset Spot Bitcoin Trust under BZX Rule 14.11(e)(4), Commodity-Based Trust Shares. The proposed rule change was

published for comment in the **Federal Register** on December 22, 2023.<sup>3</sup>

On February 1, 2024, pursuant to Section 19(b)(2) of the Act,<sup>4</sup> 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.<sup>5</sup> On March 21, 2024, the Commission instituted proceedings under Section 19(b)(2)(B) of the Act<sup>6</sup> to determine whether to approve or disapprove the proposed rule change.<sup>7</sup>

Section 19(b)(2) of the Act<sup>8</sup> provides that, after initiating proceedings, the Commission shall issue an order approving or disapproving the proposed rule change not later than 180 days after the date of publication of notice of filing of the proposed rule change. The Commission may extend the period for issuing an order approving or disapproving the proposed rule change, however, by not more than 60 days if the Commission determines that a longer period is appropriate and publishes the reasons for such determination. The proposed rule change was published for comment in the **Federal Register** on December 22, 2023.<sup>9</sup> The 180th day after publication of the proposed rule change is June 19, 2024. The Commission is extending the time period for approving or disapproving the proposed rule change for an additional 60 days.

The Commission finds that it is appropriate to designate a longer period within which to issue an order approving or disapproving the proposed rule change so that it has sufficient time to consider the proposed rule change and the issues raised therein. Accordingly, the Commission, pursuant to Section 19(b)(2) of the Act,<sup>10</sup> designates August 18, 2024, as the date by which the Commission shall either approve or disapprove the proposed rule change (File No. SR-CboeBZX-2023-101).

<sup>3</sup> See Securities Exchange Act Release No. 99197 (Dec. 18, 2023), 88 FR 88668. Comments on the proposed rule change are available at <https://www.sec.gov/comments/sr-cboebzx-2023-101/sr-cboebzx2023101.htm>.

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

<sup>5</sup> See Securities Exchange Act Release No. 99460, 89 FR 8472 (Feb. 7, 2024). The Commission designated March 21, 2024, as the date by which the Commission shall approve or disapprove, or institute proceedings to determine whether to disapprove, the proposed rule change.

<sup>6</sup> 15 U.S.C. 78s(b)(2)(B).

<sup>7</sup> See Securities Exchange Act Release No. 99833, 89 FR 21310 (Mar. 27, 2024).

<sup>8</sup> 15 U.S.C. 78s(b)(2).

<sup>9</sup> See *supra* note 3 and accompanying text.

<sup>10</sup> 15 U.S.C. 78s(b)(2).

<sup>20</sup> 17 CFR 200.30-3(a)(12).

<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. 99992 (April 19, 2024), 89 FR 31783 (“Notice”).

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

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

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

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

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