

Dated: November 23, 2021.

J. Matthew DeLesDernier,
Assistant Secretary.

[FR Doc. 2021-25914 Filed 11-26-21; 8:45 am]

BILLING CODE 8011-01-P

SECURITIES AND EXCHANGE COMMISSION

Sunshine Act Meetings

TIME AND DATE: 2:00 p.m. on Thursday, December 2, 2021.

PLACE: The meeting will be held via remote means and/or at the Commission's headquarters, 100 F Street NE, Washington, DC 20549.

STATUS: This meeting will be closed to the public.

MATTERS TO BE CONSIDERED:

Commissioners, Counsel to the Commissioners, the Secretary to the Commission, and recording secretaries will attend the closed meeting. Certain staff members who have an interest in the matters also may be present.

In the event that the time, date, or location of this meeting changes, an announcement of the change, along with the new time, date, and/or place of the meeting will be posted on the Commission's website at <https://www.sec.gov>.

The General Counsel of the Commission, or his designee, has certified that, in his opinion, one or more of the exemptions set forth in 5 U.S.C. 552b(c)(3), (5), (6), (7), (8), 9(B) and (10) and 17 CFR 200.402(a)(3), (a)(5), (a)(6), (a)(7), (a)(8), (a)(9)(ii) and (a)(10), permit consideration of the scheduled matters at the closed meeting.

The subject matter of the closed meeting will consist of the following topics:

Institution and settlement of injunctive actions;

Institution and settlement of administrative proceedings;

Resolution of litigation claims; and

Other matters relating to examinations and enforcement proceedings.

At times, changes in Commission priorities require alterations in the scheduling of meeting agenda items that may consist of adjudicatory, examination, litigation, or regulatory matters.

CONTACT PERSON FOR MORE INFORMATION:

For further information; please contact Vanessa A. Countryman from the Office of the Secretary at (202) 551-5400.

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

Dated: November 24, 2021.

Jill M. Peterson,
Assistant Secretary.

[FR Doc. 2021-26047 Filed 11-24-21; 4:15 pm]

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SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-93640; File Nos. SR-MIAX-2021-43, SR-EMERALD-2021-31]

Self-Regulatory Organizations; Miami International Securities Exchange, LLC, MIAX Emerald, LLC; Suspension of and Order Instituting Proceedings To Determine Whether To Approve or Disapprove Proposed Rule Changes To Amend Fee Schedules To Adopt Tiered-Pricing Structures for Additional Limited Service MIAX and MIAX Emerald Express Interface Ports

November 22, 2021.

I. Introduction

On September 28, 2021, Miami International Securities Exchange, LLC ("MIAX") and MIAX Emerald, LLC ("MIAX Emerald") (each an "Exchange"; collectively, the "Exchanges") each 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 adopt a tiered-pricing structure for additional limited service express interface ports. Each proposed rule change was immediately effective upon filing with the Commission pursuant to Section 19(b)(3)(A) of the Act.³ The proposed rule changes were published for comment in the **Federal Register** on October 5, 2021.⁴ Pursuant to Section 19(b)(3)(C) of the Act,⁵ the Commission is hereby: (1) Temporarily suspending

¹ 15 U.S.C. 78s(b)(1).

² 17 CFR 240.19b-4.

³ 15 U.S.C. 78s(b)(3)(A). A proposed rule change may take effect upon filing with the Commission if it is designated by the exchange as "establishing or changing a due, fee, or other charge imposed by the self-regulatory organization on any person, whether or not the person is a member of the self-regulatory organization." 15 U.S.C. 78s(b)(3)(A)(ii).

⁴ See Securities Exchange Act Release Nos. 93185 (September 29, 2021), 86 FR 55093 (October 5, 2021) (SR-MIAX-2021-43) ("MIAX Notice"); 93188 (September 29, 2021), 86 FR 55052 (October 5, 2021) (SR-EMERALD-2021-31) ("MIAX Emerald Notice"). For ease of reference, citations to statements generally applicable to both notices are to the MIAX Notice. Comments received on the proposed rule changes are available on the Commission's website at: <https://www.sec.gov/comments/sr-miax-2021-43/srmiac202143.htm> (SR-MIAX-2021-43); <https://www.sec.gov/comments/sr-emerald-2021-31/sremerald202131.htm> (SR-EMERALD-2021-31).

⁵ 15 U.S.C. 78s(b)(3)(C).

File Nos. SR-MIAX-2021-43 and SR-EMERALD-2021-31; and (2) instituting proceedings to determine whether to approve or disapprove File Nos. SR-MIAX-2021-43 and SR-EMERALD-2021-31.

II. Description of the Proposed Rule Changes

Limited Service MIAX Express Interface Ports and Limited Service MIAX Emerald Express Interface Ports (collectively, "Limited Service MEI Ports") provide Market Makers⁶ with the ability to send eQuotes and quote purge messages, and are also capable of receiving administrative information.⁷ Currently, each Exchange allocates two Limited Service MEI Ports, free of charge, per matching engine to which a Market Maker connects. Market Makers may request additional Limited Service MEI Ports for each matching engine to which they connect for an additional monthly fee for each such additional port. Prior to the proposed rule changes, each Exchange charged a flat \$100 monthly fee for each such additional port. Each Exchange has proposed to adopt a tiered-pricing structure.⁸ For both MIAX and MIAX Emerald, the first and second Limited Service MEI Ports for each matching engine would remain free of charge. For MIAX, the additional Limited Service MEI Port fees for each matching engine would increase from \$100 to: (i) \$150 for the third and fourth Limited Service MEI Ports; (ii) \$200 for the fifth and sixth Limited Service MEI Ports; and (iii) \$250 for the seventh or more Limited Service MEI Ports.⁹ For MIAX Emerald, the additional Limited Service MEI Port fees for each matching engine would increase from \$100 to: (i) \$200 for the third and fourth Limited Service MEI Ports; (ii) \$300 for the fifth and sixth Limited Service MEI Ports; and (iii) \$400 for the seventh to fourteenth Limited Service MEI Ports.¹⁰

⁶ Defined at MIAX Rule 100 and MIAX Emerald Rule 100.

⁷ See, e.g., MIAX Notice, *supra* note 4, at 55093 n.10.

⁸ The Exchanges initially filed the proposed fee changes on August 2, 2021. See Securities Exchange Act Release Nos. 92661 (August 13, 2021), 86 FR 46737 (August 19, 2021) (SR-MIAX-2021-37), 92662 (August 13, 2021), 86 FR 46726 (August 19, 2021) (SR-EMERALD-2021-25). These filings were withdrawn and replaced with the instant filings, with additional information. See also Securities Exchange Act Release No. 91857 (May 12, 2021), 86 FR 26973 (May 18, 2021) (MIAX-2021-19) (allowing purchase of any number of additional Limited Service MEI Ports and stating that, at a continued monthly fee of \$100 for each additional port, the Exchange anticipates generating an annual loss from the provision).

⁹ See MIAX Notice, *supra* note 4, at 55094.

¹⁰ See MIAX Emerald Notice, *supra* note 4, at 55053. The MIAX Emerald Fee Schedule states that