

and the VaR margin calculator available on NSCC's Risk Client Portal, to monitor their positions and anticipate any potential intraday charges. For these reasons, the Commission believes the Proposed Rule Change would provide members with sufficient information regarding when and how NSCC may collect additional amounts to address the risks of portfolios that experience significant volatility on an intraday basis. The Commission also believes that the specificity regarding how and when NSCC would calculate the intraday volatility charge provides additional transparency over the "special charge" in NSCC's Rules that allows NSCC to collect a special charge in times of market volatility or price fluctuations. As NSCC states, "[w]hen the intraday volatility charge is triggered, a special charge would not also be required from a Member to address the same volatility risks."⁷⁸

Finally, one commenter asserted that the proposal failed to provide any information regarding what would happen if a member fails to meet an intraday volatility charge.⁷⁹ However, NSCC's Rules address a member's requirement to meet its obligations with respect to required margin, as determined by NSCC, and set forth NSCC's authority if a member does not meet its obligations.⁸⁰ Therefore, the Commission disagrees that this proposal should have provided more information on what happens if a member does not meet this type of margin call.

Accordingly, the Commission finds that the Proposed Rule Change would enable NSCC to establish, implement, maintain, and enforce written policies and procedures reasonably designed to provide sufficient information to enable members to identify and evaluate the risks, fees, and other material costs they incur as NSCC members, consistent with Rule 17Ad-22(e)(23)(ii).

IV. Conclusion

On the basis of the foregoing, the Commission finds that the Proposed Rule Change is consistent with the requirements of the Act and in particular with the requirements of Section 17A of the Act⁸¹ and the rules

⁷⁸ See Notice of Filing, *supra* note 3, at 43359-60.

⁷⁹ Robinhood Letter at 2-3, *supra* note 69.

⁸⁰ See Rule 4, Section 1 and Procedure XV, Section II(B) of the Rules, *supra* note 10. See also Letter from Timothy Hulse, Managing Director, DTCC, at 1-2 (Sept. 27, 2022), available at <https://www.sec.gov/comments/sr-nsc-2022-009/srnscc2022009-20144273-309218.pdf>.

⁸¹ 15 U.S.C. 78q-1.

and regulations promulgated thereunder.

It is therefore ordered, pursuant to Section 19(b)(2) of the Act⁸² that proposed rule change SR-NSCC-2022-009, be, and hereby is, *approved*.⁸³

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.⁸⁴

Sherry R. Haywood,
Assistant Secretary.

[FR Doc. 2023-05447 Filed 3-17-23; 8:45 am]

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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, March 22, 2023 at 10:00 a.m.

PLACE: The meeting will be webcast on the Commission's website at www.sec.gov.

STATUS: The 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.

MATTERS TO BE CONSIDERED:

1. The Commission will consider whether to adopt amendments to Form PF, the confidential reporting form for certain registered investment advisers to private funds, to require current reporting for certain private fund advisers and revise certain reporting requirements.

2. The Commission will consider whether to:

a. Propose to require the electronic filing or submission on the Commission's Electronic Data Gathering, Analysis, and Retrieval (EDGAR) system, using structured data where appropriate, of several forms, notices, and reports required under the Exchange Act;

b. Propose to rescind Form 19b-4(e) and require the information currently contained in Form 19b-4(e) instead to be publicly posted on the listing self-regulatory organization's website; and remove the requirement in Form 19b-4 for a manual signature and the related manual signature retention requirement;

c. Propose to amend the Commission's Informal and Other

⁸² 15 U.S.C. 78s(b)(2).

⁸³ In approving the Proposed Rule Change, the Commission considered its impact on efficiency, competition, and capital formation. 15 U.S.C. 78c(f).

⁸⁴ 17 CFR 200.30-3(a)(12).

Procedures to reflect that Form 1 and Form 1-N would be submitted electronically and to make certain technical revisions;

d. Propose to amend the requirement for supplemental materials for registered clearing agencies to require that a clearing agency post to its website the required supplemental information, rather than submit such material in paper copy to the Commission;

e. Propose to allow electronic signatures in certain broker-dealer filings and proposing amendments regarding the Financial and Operational Combined Uniform Single Report (Form X-17A-5) to harmonize with other rules, make technical corrections, and provide clarifications; and

f. Propose to require that notices made pursuant to Rule 3a71-3(d)(1)(vi) be withdrawn in specified circumstances.

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: March 15, 2023.

J. Matthew DeLesDernier,
Deputy Secretary.

[FR Doc. 2023-05694 Filed 3-16-23; 11:15 am]

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SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-97136; File No. SR-CboeEDGX-2023-020]

Self-Regulatory Organizations; Cboe EDGX Exchange, Inc.; Notice of Filing and Immediate Effectiveness of a Proposed Rule Change To Amend Its Fee Schedule

March 14, 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 10, 2023, Cboe EDGX Exchange, Inc. ("Exchange" or "EDGX") filed with the Securities and Exchange Commission ("Commission") the proposed rule change as described in Items I, II, and III below, which Items have been prepared by the Exchange. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

¹ 15 U.S.C. 78s(b)(1).

² 17 CFR 240.19b-4.