

SECURITIES AND EXCHANGE COMMISSION
(Release No. 34- 88647; File No. SR-CboeBYX-2019-012)

April 15, 2020

Self-Regulatory Organizations; Cboe BYX Exchange, Inc.; Notice of Withdrawal of a Proposed Rule Change to Introduce a Small Retail Broker Distribution Program

On August 1, 2019, Cboe BYX Exchange, Inc. (“Exchange” or “BYX”) 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 amend the BYX fee schedule to introduce a Small Retail Broker Distribution Program. The 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 change was published for comment in the Federal Register on August 20, 2019.⁴ The Commission received no comment letters regarding the proposed rule change. On September 30, 2019, the Commission issued an order temporarily suspending the proposed rule change pursuant to Section 19(b)(3)(C) of the Act⁵ and simultaneously instituting proceedings under Section 19(b)(2)(B) of the Act⁶ to determine whether to approve or disapprove the proposed rule change (“OIP”).⁷ The Commission received no comment letters in response to the OIP. On February 12, 2020, pursuant to Section 19(b)(2)

¹ 15 U.S.C. 78s(b)(1).

² 17 CFR 240.19b-4.

³ 15 U.S.C. 78s(b)(3)(A).

⁴ See Securities Exchange Act Release No. 86670 (August 14, 2019), 84 FR 43207 (August 20, 2019).

⁵ 15 U.S.C. 78s(b)(3)(C).

⁶ 15 U.S.C. 78s(b)(2)(B).

⁷ See Securities Exchange Act Release No. 87166 (September 30, 2019), 84 FR 53197 (October 4, 2019).

of the Act,⁸ the Commission designated a longer period within which to approve or disapprove the proposed rule change.⁹ On April 9, 2020, the Exchange withdrew the proposed rule change (SR-CboeBYX-2019-012).

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.¹⁰

J. Matthew DeLesDernier
Assistant Secretary

⁸ 15 U.S.C. 78s(b)(2).

⁹ See Securities Exchange Act Release No. 88179 (February 12, 2020), 85 FR 9505 (February 19, 2020).

¹⁰ 17 CFR 200.30-3(a)(57) and (58).