

SECURITIES AND EXCHANGE COMMISSION
(Release No. 34-100723; File No. SR-NYSEARCA-2024-06)

August 13, 2024

Self-Regulatory Organizations; NYSE Arca, Inc.; Notice of Withdrawal of Proposed Rule Change to Permit the Exchange to List and Trade Options on Exchange-Traded Fund Shares That Represent Interests in a Commodity-Based Trust

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (“Act”)¹ and Rule 19b-4 thereunder,² NYSE Arca, Inc. (“NYSE Arca”) filed with the Securities and Exchange Commission (“Commission”) a proposed rule change to permit the Exchange to list and trade options on exchange-traded fund shares that represent interests in a commodity-based trust (“Proposal”).

On January 25, 2024, the Proposal was published for comment in the Federal Register.³ On March 6, 2024, pursuant to Section 19(b)(2) of the Act,⁴ the Commission designated a longer period within which to approve the Proposal, disapprove the Proposal, or institute proceedings to determine whether to disapprove the Proposal.⁵ On April 24, 2024, the Commission instituted proceedings under Section 19(b)(2)(B) of the Act⁶ to determine whether to approve or disapprove the Proposal.⁷ The Commission received comments addressing the Proposal.⁸

¹ 15 U.S.C. 78s(b)(1).

² 17 CFR 240.19b-4.

³ See Securities Exchange Act Release No. 99398 (Jan. 19, 2024), 89 FR 5029.

⁴ 15 U.S.C. 78s(b)(2).

⁵ See Securities Exchange Act Release No. 99683 (Mar. 6, 2024), 89 FR 17888 (Mar. 12, 2024).

⁶ 15 U.S.C. 78s(b)(2)(B).

⁷ See Securities Exchange Act Release No. 100023 (Apr. 24, 2024), 89 FR 34295 (Apr. 30, 2024).

⁸ Comment letters on the Proposal are available at <https://www.sec.gov/comments/sr-nysearca-2024-06/srnysearca202406.htm>.

On July 19, 2024, the Commission designated a longer time for Commission action on the Proposal.⁹ On August 9, 2024, NYSE Arca withdrew the Proposal (SR-NYSEARCA-2024-06).

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

Sherry R. Haywood,

Assistant Secretary.

⁹ See Securities Exchange Act Release No. 100565 (Jul. 19, 2024), 89 FR 60460 (Jul. 25, 2024).

¹⁰ 17 CFR 200.30-3(a)(12).