

SECURITIES AND EXCHANGE COMMISSION**[OMB Control No. 3235–0779]****Agency Information Collection Activities; Proposed Collection; Comment Request; Extension: Rule 2a–5**

Upon Written Request, Copies Available From: Securities and Exchange Commission, Office of FOIA Services, 100 F Street NE, Washington, DC 20549–2736

Notice is hereby given that, pursuant to the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*) (“PRA”), the Securities and Exchange Commission (“Commission”) is soliciting comments on the collection of information titled, “Rule 2a–5 under the Investment Company Act of 1940, Fair Value.” The OMB Control Number is 3235–0779. An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB Control Number.

Section 2(a)(41) of the Investment Company Act of 1940 (“Investment Company Act”) requires funds to value their portfolio investments using the market value of their portfolio securities when market quotations for those securities are “readily available,” and, when a market quotation for a portfolio security is not readily available, by using the fair value of that security, as determined in good faith by the fund’s board. The aggregate value of a fund’s investments is the primary determinant of the fund’s net asset value (“NAV”), which for many funds determine the price at which their shares are offered and redeemed (or repurchased).

17 CFR 270.2a–5 (“rule 2a–5”) provides requirements for determining in good faith the fair value of the investments of a registered investment company or companies that have elected to be treated as business development companies under the Investment Company Act (“BDCs” and, collectively, “funds”) for purposes of section 2(a)(41) of the Investment Company Act and rule 2a–4 thereunder. Under the rule, fair value as determined in good faith requires assessing and managing material risks associated with fair value determinations; selecting, applying, and testing fair value methodologies; and overseeing and evaluating any pricing services used. The rule also permits a fund’s board to designate a “valuation designee” to perform fair value determinations. The valuation designee can be the adviser of the fund or an officer of an internally

managed fund. When a board designates the performance of determinations of fair value to a valuation designee for some or all of the fund’s investments under the rule, the rule requires the board to oversee the valuation designee’s performance of fair value determinations.

To facilitate the board’s oversight, the rule also includes certain reporting and other requirements in the case of designation to a valuation designee. As relevant here, the rule requires, if the board designates performance of fair value determinations to a valuation designee, that the valuation designee report to the board in both periodic and as needed reports on a per-fund basis.

Specifically, on a periodic basis, the valuation designee must provide the following to the board:

- **Quarterly Reports.** At least quarterly, in writing, (1) any reports or materials requested by the board related to the fair value of designated investments or the valuation designee’s process for fair valuing fund investments and (2) a summary or description of material fair value matters that occurred in the prior quarter. This summary or description must include (1) any material changes in the assessment and management of valuation risks, including any material changes in conflicts of interest of the valuation designee (and any other service provider), (2) any material changes to, or material deviations from, the fair value methodologies, and (3) any material changes to the valuation designee’s process for selecting and overseeing pricing services, as well as any material events related to the valuation designee’s oversight of pricing services.

- **Annual Reports.** At least annually, in writing, an assessment of the adequacy and effectiveness of the valuation designee’s process for determining the fair value of the designated portfolio of investments. At a minimum, this annual report must include a summary of the results of the testing of fair value methodologies required under the rule and an assessment of the adequacy of resources allocated to the process for determining the fair value of designated investments, including any material changes to the roles or functions of the persons responsible for determining fair value.

Further, the rule requires the valuation designee to provide a written notification to the board of the occurrence of matters that materially affect the fair value of the designated portfolio of investments (defined as “material matters”) within a time period determined by the board, but in no

event later than five business days after the valuation designee becomes aware of the material matter. Material matters in this instance include, as examples, a significant deficiency or material weakness in the design or effectiveness of the valuation designee’s fair value determination process or of material errors in the calculation of net asset value. The valuation designee must also provide such timely follow-on reports as the board may reasonably determine are appropriate.

The rule constitutes a “collection of information” for PRA purposes. Respondents are funds. Compliance with rule 2a–5 is mandatory for any fund that would need to determine fair value under the Investment Company Act. To the extent that records required to be created and maintained under the rule are provided to the Commission in connection with examinations or investigations, such information would be kept confidential subject to the provisions of applicable law.

Commission staff estimates that 10,047 respondents will provide one response each, for an aggregate of 10,047 responses, annually. Commission staff estimates 34 hours per response, for an aggregate of 341,598 hours, annually. Commission staff estimates a monetized time cost of \$33,422 per response, for an aggregate monetized time cost of \$335,790,834, annually. Commission staff estimates an external cost burden of \$3,632 per response, for an aggregate external cost burden of \$36,490,704, annually.

Written comments are invited on: (a) whether this proposed collection of information is necessary for the proper performance of the functions of the SEC, including whether the information will have practical utility; (b) the accuracy of the SEC’s estimate of the burden imposed by the proposed collection of information, including the validity of the methodology and the assumptions used; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated, electronic collection techniques or other forms of information technology.

Please direct your written comments on this 60-Day Collection Notice to Austin Gerig, Director/Chief Data Officer, Securities and Exchange Commission, c/o Tanya Ruttenberg via email to PaperworkReductionAct@sec.gov by August 21, 2026. There will be a second opportunity to comment on this Commission request following the **Federal Register** publishing a 30-Day Submission Notice.

Dated: June 17, 2026.

Vanessa A. Countryman,
Secretary.

[FR Doc. 2026–12489 Filed 6–18–26; 8:45 am]

BILLING CODE 8011–01–P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–105696; File No. SR–ISE–
2026–22]

Self-Regulatory Organizations; Nasdaq ISE, LLC; Order Approving a Proposed Rule Change To Permit the Listing of A.M.-Settled Options on the Nasdaq- 100 Index That Expire on Any Monday, Tuesday, Wednesday, Thursday, or Friday (Other than the Third Friday-of- the-Month or Days That Coincide With an End-of-Month Expiration) and Expire on the Last Trading Day of the Month

June 16, 2026.

I. Introduction

On April 28, 2026, Nasdaq ISE, LLC (“Exchange”) 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 permit the listing of A.M.-settled options on the Nasdaq-100® Index (“NDX”) that expire (1) on any Monday, Tuesday, Wednesday, Thursday, or Friday (other than the third Friday-of-the-month or days that coincide with an end-of-month expiration) and (2) the last trading day of the month. The proposed rule change was published for comment in the *Federal Register* on May 8, 2026.³ This order approves the proposed rule change.

II. Description of the Proposed Rule Change

Under the Exchange’s Nonstandard Expirations Program, the Exchange can open for trading (1) P.M.-settled weekly expirations on any broad-based index eligible for standard options trading to expire on any Monday, Tuesday, Wednesday, Thursday, or Friday (other than the third Friday-of-the-month (“Expiration Friday”) or days that coincide with an end-of-month expiration) (“Weekly Expirations”) and (2) P.M.-settled end-of-month expirations on the last trading day of the month (“EOM Expirations” or “EOMs”) on any broad-based index eligible for

standard options trading to expire on last trading day of the month.⁴ With respect to NDX options, the Exchange can open for trading standard monthly expirations with A.M.-settlement on Expiration Friday,⁵ P.M.-settlement on Expiration Friday,⁶ Weekly Expirations with P.M.-settlement,⁷ and EOM Expirations with P.M.-settlement.⁸

The Exchange proposes to amend its Nonstandard Expirations Program to permit the Exchange to open for trading A.M.-settled Weekly Expirations and A.M.-settled EOM Expirations on NDX (collectively, “A.M.-settled Nonstandard NDX Options”).⁹ The Exchange states that the proposed A.M.-settled Nonstandard NDX Options would be subject to all provisions of Options 4A, Section 12 and treated the same as A.M.-settled options on NDX that expire on Expiration Friday, as well as P.M.-settled Weekly Expirations and EOM Expirations on NDX.¹⁰ The maximum number of expirations that may be listed for each A.M.-settled Nonstandard NDX Option would be the same as the maximum number of expirations permitted in Options 4A, Section 12(a)(3) for standard options on NDX.¹¹ Under the proposal, A.M.-settled Weekly Expirations on NDX need not be for consecutive Monday, Tuesday, Wednesday, Thursday, or Friday expirations as applicable; however, the expiration date of a nonconsecutive expiration may not be beyond what would be considered the last expiration date if the maximum number of expirations were listed consecutively.¹² A.M.-settled Weekly Expirations that are first listed on NDX may expire up to four weeks from the actual listing date.¹³

⁴ See Supplementary Material .07 to Options 4A, Section 12.

⁵ See Options 4A, Section 12(a)(5).

⁶ See Options 4A, Section 12(a)(6).

⁷ See Supplementary Material .07(a) to Options 4A, Section 12.

⁸ See Supplementary Material .07(b) to Options 4A, Section 12.

⁹ See Notice, *supra* note 3, at 25394. The Exchange also proposes conforming amendments to Supplementary Material .07(a) and (b) to Options 4A, Section 12 to replace certain existing references to “Weekly Expirations” with “P.M.-settled Weekly Expirations,” to reflect that those provisions are applicable to P.M.-settled options series and to distinguish them from the A.M.-settled Weekly Expirations proposed. See *id.* at 25395, n. 24. The Exchange also proposes to remove language stating that Weekly Expirations and EOMs shall be P.M.-settled. See proposed Supplementary Material .07(a) and (b) to Options 4A, Section 12. The Exchange states that there are no changes to the P.M.-settled Weekly Expirations or EOMs as a result of the proposed change. See *id.* at 25395, n. 24.

¹⁰ See *id.* at 25395.

¹¹ See *id.*

¹² See *id.*

¹³ See *id.*

Similar to A.M.-settled Weekly Expirations on NDX, the Exchange proposes that A.M.-settled EOM Expirations on NDX need not be for consecutive end of month expirations; however, the expiration date of a non-consecutive expiration may not be beyond what would be considered the last expiration date if the maximum number of expirations were listed consecutively.¹⁴ A.M.-settled EOM Expirations on NDX that are first listed may expire up to four weeks from the actual listing date.¹⁵ If the Exchange lists A.M.-settled EOM Expirations on NDX and A.M.-settled Weekly Expirations on NDX, the Exchange would list an A.M.-settled EOM Expiration on NDX instead of an A.M.-settled Weekly Expiration on NDX that expires on the same day.¹⁶ Other expirations in the same class would not be counted as part of the maximum number of A.M.-settled Weekly Expirations or EOM Expirations on NDX.¹⁷

III. Discussion and Commission Findings

After careful review, the Commission finds that the proposed rule change is consistent with the requirements of the Act and the rules and regulations thereunder applicable to a national securities exchange.¹⁸ In particular, the Commission finds that the proposed rule change is consistent with Section 6(b)(5) of the Act,¹⁹ which requires, among other things, that the rules of an exchange be designed to prevent fraudulent and manipulative acts and practices, to promote just and equitable principles of trade, 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.

In support of its proposal, the Exchange states permitting A.M.-settled Nonstandard NDX Options along with A.M.-settled standard expirations on NDX (as well as P.M.-settled Nonstandard Expirations on NDX) will allow investors to purchase options on NDX in a manner more aligned with specific timing needs, which may reduce the premium cost of buying protection.²⁰ The Exchange states that

¹⁴ See *id.*

¹⁵ See *id.*

¹⁶ See *id.*

¹⁷ See *id.*

¹⁸ In approving this proposed rule change, the Commission has considered the proposed rule’s impact on efficiency, competition, and capital formation. See 15 U.S.C. 78c(f).

¹⁹ 15 U.S.C. 78f(b)(5).

²⁰ See Notice, *supra* note 3, at 25396.

¹ 15 U.S.C. 78s(b)(1).

² 17 CFR 240.19b–4.

³ See Securities Exchange Act Release No. 105365 (May 5, 2026), 91 FR 25393 (“Notice”). The Commission received no comments on the Notice.