information it receives from CFE into its surveillance procedures to monitor trading of VIX future-option orders, including to detect any manipulative trading activity.[96] The Exchange further represents that it will implement any necessary enhancements or modifications to its surveillance program that may be needed for VIX future-option orders prior to the Exchange's launch of VIX future-option orders.[97] Accordingly, the Exchange's surveillance procedures should allow the Exchange to investigate suspected manipulations or other trading abuses in VIX future-option orders. Further, the Exchange's current rules prohibiting market manipulation and fraudulent, noncompetitive, and disruptive trading practices will apply to VIX future-option orders.[98]

V. Solicitation of Comments on Amendment No. 1 to the Proposed Rule Change

Interested persons are invited to submit written data, views, and arguments concerning whether Amendment No. 1 is consistent with the Act. Comments may be submitted by any of the following methods:

Electronic Comments

- Use the Commission's internet comment form (*https://www.sec.gov/rules/sro.shtml*); or
- Send an email to *rule-comments@sec.gov*. Please include file number SR–CBOE–2026–004 on the subject line.

Paper Comments

- Send paper comments in triplicate to Secretary, Securities and Exchange Commission, 100 F Street NE, Washington, DC 20549–1090.

All submissions should refer to file number SR–CBOE–2026–004 on the subject line. This file number should be included on the subject line if email is used. To help the Commission process and review your comments more efficiently, please use only one method. The Commission will post all comments on the Commission's internet website (*https://www.sec.gov/rules/sro.shtml*). Copies of the filing also will be available for inspection and copying at the principal office of the Exchange. Do not include personal identifiable information in submissions; you should submit only information that you wish to make available publicly. We may redact in part or withhold entirely from publication submitted material that is obscene or subject to copyright protection. All submissions should refer to File Number SR–CBOE–2026–004 on the subject line, and should be submitted on or before September 23, 2026.

VI. Accelerated Approval of Proposed Rule Change as Modified by Amendment No. 1

The Commission finds good cause to approve the proposed rule change, as modified by Amendment No. 1, prior to the thirtieth day after the date of publication of notice of the filing of Amendment No. 1 in the **Federal Register**. Amendment No. 1 revises the proposal to: (i) clarify that the scope of the proposal is limited to VIX future-option orders by revising rule text and language in the original proposal that could have applied generically to any future-option orders not just VIX future-option orders; (ii) provide additional detail and clarity regarding the operation of FLEX VIX future-option orders; (iii) streamline the process for transmitting the VX futures component(s) of a VIX future-option order to CFE; (iv) provide additional detail and clarity regarding how regulatory oversight would be applied to the VIX options and VX futures components of VIX future-option orders; and (v) provide market participants with additional flexibility in their use of VIX future-option orders by allowing such orders to be IOC.

Amendment No. 1 raises no novel regulatory issues that have not previously been subject to comment, as it narrows or further addresses aspects of the original proposal that were subject to comment without altering the proposal's core purpose of allowing for VIX future-option orders. Indeed, without altering the purpose of the proposal, Amendment No. 1 strengthens the proposal by providing additional clarity and support. Accordingly, for the reasons discussed above, the Commission finds good cause, pursuant to Section 19(b)(2) of the Act,[99] to approve the proposed rule change, as modified by Amendment No. 1, on an accelerated basis.

VII. Conclusion

It is therefore ordered, pursuant to Section 19(b)(2) of the Act,[100] that the proposed rule change (SR–CBOE–2026–004), as modified by Amendment Nos. 1 and 2, is approved, on an accelerated basis with respect to Amendment No. 1.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[101]

Sherry R. Haywood,

Assistant Secretary.

[FR Doc. 2026–17908 Filed 9–1–26; 8:45 am]

BILLING CODE 8011–01–P

[96] *See* Amendment No. 1 at 22.

[97] *See* Amendment No. 1 at 22. The Exchange represents that its Regulatory Division is currently evaluating its surveillance program to identify any necessary enhancements and/or modifications that may be needed for VIX future-option orders.

[98] *See* Amendment No. 1 at 22.

[99] 15 U.S.C. 78s(b)(2).

[100] 15 U.S.C. 78s(b)(2).

[101] 17 CFR 200.30–3(a)(12).

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–106218; File No. SR–NYSEAMER–2026–34]

Self-Regulatory Organizations; NYSE American LLC; Notice of Filing of Amendment No. 2, and Order Granting Accelerated Approval of a Proposed Change, as Modified by Amendment No. 2, To Amend Its Rules To Extend Trading Hours for Certain Eligible Equity Options

August 28, 2026.

I. Introduction

On June 5, 2026, NYSE American LLC (''NYSE American'' or the ''Exchange'') filed with the Securities and Exchange Commission (the ''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 allow for extended trading sessions of multi-listed equity options that meet certain eligibility criteria. The proposed rule change was published for comment in the **Federal Register** on June 22, 2026.[3] On July 30, 2026, pursuant to Section 19(b)(2) of the Act,[4] the Commission designated a longer period within which to approve the proposed rule change, disapprove the proposed rule change, or institute proceedings to determine whether to disapprove the proposed rule change.[5] On July 31, 2026, the Exchange filed Amendment No. 1 to the proposed rule change, which amended and superseded the original proposed rule change in its entirety.[6] On August 17, 2026, the Exchange filed Amendment No. 2, which amended and superseded Amendment No. 1 its

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] *See* Securities Exchange Act Release No. 105704 (June 16, 2026), 91 FR 37201 (''Notice'').

[4] 15 U.S.C. 78s(b)(2).

[5] *See* Securities Exchange Act Release No. 106017, 91 FR 49469 (August 4, 2026).

[6] The full text of Amendment No. 1 can be found on the Commission's website at *https://www.sec.gov/comments/SR-NYSEAMER-2026-34/srnyseamer202634-985479-3096626.pdf*.

entirety.[7] The Commission is publishing this notice and order to solicit comment on Amendment No. 2 in Sections II and III below, which sections are being published verbatim as filed by the Exchange, and to approve the proposed rule change, as modified and superseded by Amendment No. 2, on an accelerated basis.

II. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

The Exchange proposes to amend its rules to extend trading hours for certain eligible equity options and make related conforming changes.[8] This Amendment No. 2 to SR–NYSEAMER–2026–34 replaces SR–NYSEAMER–2026–34, as amended by Amendment No. 1 thereto, as originally filed and supersedes such filings in their entirety. The proposed rule change is available on the Exchange's website at *www.nyse.com* and at the principal office of the Exchange.

III. Self-Regulatory Organization's Statement of the Purpose of, Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the Exchange included statements concerning the purpose of and basis for the proposed rule change and discussed any comments it had received on the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. The NYSE American has prepared summaries, set forth in Sections A, B, and C below, of the most significant aspects of such statements.

A. Self-Regulatory Organization's Statement of Purpose of, and Statutory Basis for, the Proposed Rule Change

1. Purpose

The Exchange proposes to amend its rules to adopt extended hours trading for certain eligible equity[9] options and make related conforming changes. Specifically, the Exchange proposes to adopt a new Rule 901.1NY to establish two additional trading sessions to its Core Trading Session (9:30 a.m.–4:00 p.m. Eastern Time)[10] and to adopt new Rule 901.2NY to establish and govern the trading of certain eligible equity options during the two newly created trading sessions (*i.e.,* "Extended Hours Trading"). In addition, the Exchange proposes to amend Rule 952NYP to address the auction process during Extended Hours Trading.

The Exchange proposes to amend the Initial Filing to: (1) extend all proposed eligibility criteria to options overlying an ETP; (2) detail assessment of Market Maker Quoting obligations during Extended Hours Trading; (3) eliminate accelerated eligibility for certain equity options with underlying securities recently listed as the result of an initial public offering; (4) address changes in determining Auction Imbalances for the Core Trading Session; and (5) amend order types to be available during Extended Hours Trading.

Background

Currently, option transactions may only be made on the Exchange during the Core Trading Session (*i.e.,* 9:30 a.m. through 4:00 p.m. or 4:15 p.m., as applicable).[11] The Core Trading Session is consistent with the regular trading hours of other U.S. options exchanges and U.S. equity exchanges. However, many U.S. equity exchanges and certain other U.S. options exchanges, including Cboe Exchange, Inc. ("Cboe"), presently allow for trading outside of regular trading hours as well.[12] The proposal is also consistent with the recent approvals for Cboe to allow for the trading of certain eligible multiply-listed equity options during Global Trading Hours[13] and NASDAQ MRX ("MRX") for the trading of certain eligible multiply-listed equity options during Extended Trading Hours.[14]

The Exchange believes there is investor demand to trade equity options outside of the Core Trading Session. Securities trading has become a global industry, but investors located outside of the United States may choose not to access U.S. markets during regular trading hours with which the Core Trading Session aligns. The Exchange further believes there is global demand from investors for options on equities for various investment purposes. However, given that equity options trade only during regular trading hours, it is difficult for non-U.S. investors to participate. Additionally, U.S. investors that trade in equities outside of regular trading hours are unable to access the equities options for hedging and other purposes as part of their investment strategies during trading sessions outside of the Exchange's Core Trading Session.

In response, the Exchange proposes to designate equity options that meet certain criteria as eligible for trading outside of its Core Trading Session. Doing so would help align trading in such products to the expanded trading that already occurs for the underlying securities and help meet investor demand to use these products outside of regular trading hours and keep pace with the continuing internationalization of securities markets.

[7] The full text of Amendment No. 2 can be found on the Commission's website at *https://www.sec.gov/comments/SR-NYSEAMER-2026-34/srnyseamer202634-1006219-3202987.pdf.*

[8] The Exchange initially submitted this rule filing on June 5, 2026. *See* Securities Exchange Act Release No. 105704 (June 16, 2026), 91 FR 37201 (June 22, 2026) (SR–NYSEAMER–2026–34) ("Notice of Filing of Proposed Change To Amend Its Rules To Extend Trading Hours for Certain Eligible Equity Options") ("Initial Filing"). On July 31, 2026, the Exchange filed Amendment No. 1 to SR–NYSEAMER–2026–34, which replaced and superseded SR–NYSEAMER–2026–34.

[9] Including ETPs (*e.g.,* Exchange Traded Funds ("ETF") and commodity-based trust shares).

[10] Unless noted otherwise, all times in this filing are Eastern Time.

[11] *See* Rule 900.2NY (Definitions). "The term 'Core Trading Hours' shall mean the regular trading hours for business set forth in the rules of the primary markets underlying those option classes listed on the Exchange; provided, however, that transactions may be effected on the Exchange until the regular time set for the normal close of trading in the primary markets with respect to equity option classes and ETF option classes, and 15 minutes after the regular time set for the normal close of trading in the primary markets with respect to index option classes, or such other hours as may be determined by the Exchange from time to time." Per Rule 901NY, Commentary .02, Options on ETFs and Options on Index-Linked Securities (or ETNs) may be traded on the Exchange until 4:15 p.m. each business day. The Exchange proposes a non-substantive change to Rule 901NY, Commentary .02 to provide a beginning and ending time for options on ETFs and options on Index-Linked Securities to align itself with the practices of other options exchanges. See proposed Rule 901NY, Commentary .02.

[12] For example, NYSE Arca Equities currently allows for an Early Trading Session from 4:00 a.m. to 9:30 a.m., a Core Trading Session from 9:30 a.m. until the conclusion of Core Trading Hours or the Core Closing Auction and a Late Trading Session following the Conclusion of the Core Trading Session and to 8:00 p.m. NYSE has an Early Trading Session of 7 a.m. until the opening of the Core Trading Session (9:30 a.m.) for UTP Securities. The Nasdaq Stock Exchange LLC ("Nasdaq") currently allows for a Pre-Market Hours session from 4:00 a.m. to 9:30 a.m. and a Post-Market Hours session from 4:00 p.m. until 8:00 p.m. See Nasdaq Equity 1, Section 1(a)(20) and (21). Cboe BZX Exchange, Inc. ("BZX") also allows for an Early Trading Session from 4:00 a.m. to 8:00 a.m., a Pre-Opening Session from 8:00 a.m. to 9:30 a.m., and an After Hours Trading Session from 4:00 p.m. through 8:00 p.m. See BZX Rule 1.5(c), (r), and (ff). Additionally, Cboe currently allows for the trading of certain index options during Global Trading Hours from 8:15 p.m. (previous day) to 9:25 a.m. and during Curb Trading Hours from 4:15 p.m. to 5:00 p.m. *See* Cboe Rule 5.1(c) & (d).

[13] *See* Securities Exchange Act Release No. 105569 (May 28, 2026), 91 FR 33005 (June 2, 2026) (SR–CBOE–2025–079) ("Order Approving a Proposed Rule Change, as Modified by Amendment No. 1, To Allow for Extended Trading of Multi-Listed Equity Options") ("Cboe Approval").

[14] *See* Securities Exchange Act Release No. 105785 (June 26, 2026), 91 FR 40061 (July 1, 2026) (SR–MRX–2026–11) ("Notice of Filing of Amendment No. 1 and Order Granting Accelerated Approval of a Proposed Rule Change, as Modified and Superseded by Amendment No. 1, To Adopt Extended Trading Hours for Eligible Equity and Index Options") ("MRX Approval").

Trading Sessions

Specifically, the Exchange proposes to adopt new Rule 901.1NY (Trading Sessions) to establish two additional separate trading sessions to its Core Trading Session: (i) an early trading session of 7:30 a.m. to 9:25 a.m. (the ''Early Trading Session''); and (ii) a late trading session of 4:00 p.m. to 4:15 p.m. (the ''Late Trading Session'').[15] The Exchange further proposes to adopt new Rule 901.2NY to establish Extended Hours Trading, which, under the proposed rule, will be defined as trading during the Early Trading Session and the Late Trading Session.

Session Designation

Proposed Rule 901.1NY(b) will require that any order entered on the Exchange must include a designation for which trading session(s) the order will remain in effect. Any order without a designation will be rejected. In addition, unless otherwise specified, an order designated for a later trading session will be accepted but not eligible to trade until the designated trading session begins. An order designated for trading session(s) that already ended will be rejected.[16]

Proposed Rule 901.1NY(c) will specify the interaction between the different trading sessions and holidays and shortened trading days. Proposed Rule 901.1NY(c)(1) will provide that if there is no Core Trading Session, there will be no Early Trading Session and no Late Trading Session. Proposed Rule 901.1(c)(2) will provide that on a trading day with a shortened Core Trading Session (*e.g.,* the Exchange is open for a half day of regular trading between 9:30 a.m. through 1 p.m.): (A) the Early Trading Session will occur prior to the shortened Core Trading Session; (B) the Core Trading Session will occur between 9:30 a.m. through 1 p.m. (1:15 p.m. for Options on ETFs and ETNs); and (C) the Late Trading Session will commence at the end of the shortened Core Trading Session and continue for 15 minutes (*e.g.,* 1:00 p.m. to 1:15 p.m.).

Extended Hours Trading

As noted above, the Exchange proposes to adopt a new Rule 901.2NY to establish trading during the Early Trading Session and the Late Trading Session, which the proposed Rule defines as ''Extended Hours Trading.''[17] Proposed Rule 901.2NY, however, will only address the operational and structural differences that are unique to trading during Extended Hours Trading while maintaining the applicability of the broader rulebook. Accordingly, proposed Rule 901.2NY(a) provides that, while proposed Rule 901.2NY will apply only to Extended Hours Trading, all rules applicable to options during the Core Trading Session will apply to the extent possible to options during Extended Hours Trading, including, without limitation, trading rules, listing rules and business conduct rules. For instance,

- *Consolidated Book or Book:* As stated in definition Rule 900.2NY, ''Consolidated Book or Book'' means the Exchange's electronic book of orders and quotes.
- *ATP Holders:* As stated in Rule 924NY ATP Holders including Market Makers must have a Letter of Guarantee from a Clearing Member authorized by the Options Clearing Corporation (''OCC'') in order to make any transaction on the Floor of the Exchange or through the facilities of the Exchange. Any Market Maker or Specialist assigned to act in the Early Trading Session and/or the Late Trading Session must comply with the quoting obligations of Rule 925NY and Rule 925.1NYP.
- *Risk Controls:* The Exchange has various price protection mechanisms and risk controls available to market participants as set forth in Rule 900.3NYP, Rule 928NYP and Rule 928.1 NYP. These will apply in the same manner during the Early Trading Session and the Late Trading as they do during Core Trading Hours.
- *Market Orders:* Users will not be able to submit market orders in equity options during the Early Trading Session and the Late Trading Session.
- *Eligible Expirations:* The Early Trading Session and the Late Trading Session will utilize existing criteria for listing option series for an option class.
- *Market Maker and Specialist Obligations:* Market-Maker obligations contained in Rule 925NY and Market Maker and Specialist quoting requirements contained in Rule 925.1NYP apply.
- *Participation Entitlement of Specialist Pool and Designation of Primary Specialist set forth in Rule 964.2NYP:* the Exchange may establish from time to time a participation entitlement formula that is applicable to all Specialists and e-Specialists.

The Exchange recognizes that the proposed Extended Hours Trading is shorter than the extended trading hours for equities, which may commence as early as 4:00 a.m. and conclude as late as 8:00 p.m.[18] Since equity options generally will not trade unless the underlying security also trades, any trading hours outside of regular trading hours (which is aligned with the Exchange's Core Trading Session) available for equity options are limited to extended trading hours available for the underlying equities. Thus, while the proposed Extended Hours Trading for equity options could mirror the extended trading hours available for the underlying equities, the Exchange proposes limiting Extended Hours Trading and establishing trading hours for equity options that are notably shorter than the hours of extended trading for equities.

The Exchange believes that the shorter Extended Hours Trading running from 7:30 a.m. to 9:25 a.m. and 4:00 p.m. to 4:15 p.m., rather than hours that align with the full extended trading hours available to the underlying equities, is appropriate because of the lack of industry experience with extended hours trading for equity options that are physically-settled. Limiting the extended window of time for equity options allows for a paced introduction of this new type of trading session for equity options. The limited hours for Extended Hours Trading will allow the Exchange to monitor and assess the development and functioning of Extended Hours Trading markets for equity options. Additionally, the Exchange believes that the proposed timeframe for Extended Hours Trading for equity options can be supported by Market Makers, Specialists and e-Specialists (collectively ''Specialists''), clearing firms, and other market participants from a personnel coverage perspective.

Equity Option Criteria for Extended Hours Trading Eligibility

Extended Hours Trading will allow market participants to engage in trading designated equity options in conjunction with the trading in the underlying securities during these hours. However, since trading in such options is a new initiative, the Exchange proposes to limit the number of equity option classes that may be designated for Extended Hours Trading to 100 option classes. The limit is intended to allow the Exchange to monitor and assess the development and functioning of the new Extended Hours Trading for equity options within a controlled group of equity options initially.

Accordingly, as set forth in proposed Rule 901.2NY(c), only multiply-listed option classes designated for trading

[15] The Early Trading Session and the Late Trading Session will be classified as distinct sessions from the Core Trading Session to allow ATP Holders granular control over which session their orders participate in.

[16] *See* proposed Rule 901.1NY(b)(1) & (2).

[17] *See* proposed Rule 901.2NY(b).

[18] *See* note 12, *supra.*

under Rule 901 that satisfy certain criteria will be eligible for trading during Extended Hours Trading. The number of eligible equity options shall not exceed 100. However, pursuant to proposed subparagraph (1), the Exchange may also designate as eligible for trading during Extended Hours Trading any equity option that is traded on another exchange during the Early Trading Session, the Late Trading Session or any other trading session that is not the Core Trading Session, and any equity option designated in this manner will not be subject to the 100 multiply listed option class limit established pursuant to this subparagraph.

The criteria and the limit are intended to allow the Exchange to monitor and assess the development and functioning of the Extended Hours Trading markets for equity options within a limited group of equity options initially. In particular, proposed Rule 901.2NY(c) will establish specific eligibility criteria for an equity option class to be eligible for Extended Hours Trading. Accordingly, as proposed, the Exchange may designate as eligible for trading during Extended Hours Trading up to 100 multiply-listed equity option classes that satisfy the following criteria:

(i) the option has an average daily volume of 150,000 contracts;

(ii) the underlying equity to the option has a $50 billion market capitalization; and

(iii) the underlying equity to the option has an average daily trading volume of 10 million shares.

The Exchange believes these criteria will help ensure equity options trading during Extended Hours Trading will have sufficient demand and liquidity to support the options markets during the Early and Late Trading Sessions. Additionally, the chosen criteria limits the initial number of equity options eligible for extended trading hours to those most likely to have the most liquidity and avoids options with underlying securities that may have temporarily high volume or market capitalization.

Semi-Annual Review of Equity Option Eligibility for Extended Hours Trading

For the initial process to determine the equity options that meet the criteria in proposed Rule 901.2NY(c), the Exchange will use data from the nearest six-month period ending either June 30 or December 31 prior to launch of equity options trading during Extended Hours Trading. The initial list of options designated for trading in extended trading hours sessions will be announced via the Exchange's Trader Update, as will the first day of trading for equity options during Extended Hours Trading.[19] The Exchange will designate options for trading in the Early and Late Trading Sessions from the equity options meeting the criteria in proposed Rule 901.2NY(c). Qualifying options on ETFs that trade until 4:15 p.m. under existing Rule 901NY Commentary .02 will continue to trade until 4:15 p.m. via the Exchange's Core Trading Session, rather than trading during the Late Trading Session.

Thereafter, the Exchange will identify on a semiannual basis (following each January 1 and July 1) the option classes meeting the criteria in proposed Rule 901.2NY(c) and select up to 100 of such option classes to be designated for trading during Extended Hours Trading. However, the Exchange has discretion to determine which of the eligible option classes will be designated to trade during Extended Hours Trading. The Exchange is not obligated to include all options that meet the criteria for Extended Hours Trading eligibility, and the number of designated equity options may be less than 100 option classes.

The Exchange will conduct a review twice per year to reassess the list of eligible equity options. The Exchange will designate equity options eligible for trading during Extended Hours Trading and publish the updated list of designated equity options via Trader Update. Specifically, as set forth in proposed Rule 901.2NY(c)(2) the Exchange will determine semi-annually the underlying securities that satisfy the eligibility criteria in subparagraph (c) by using trading statistics for the previous six-month period.[20]

If, following the semiannual review, an option that was previously designated for trading in extended trading hours no longer meets the criteria in proposed Rule 901.2NY(c), the Exchange will identify any such equity option class and provide the last day of trading during Extended Hours trading for each such option class in a Trader Update. Equity options identified as no longer meeting eligibility requirements for trading during Extended Hours Trading will be removed from Extended Hours Trading within 18 months of the determination that the option class no longer meets the eligibility criteria, and the last day of trading for any such equity option class during Extended Hours Trading will be communicated via Trader Update.

Providing a notice of removal of an equity option class from Extended Hours Trading up to 18 months after the date the option class is determined to be no longer eligible for extended trading hours sessions will avoid sudden market disturbances resulting from the abrupt removal of any such option from Extended Hours Trading. Allowing the Exchange to determine a removal date within 18 months ensures that, except for certain longer dated series, open interest existing in the equity option class to be removed from Extended Hours Trading will have generally expired. Additionally, the 18-month period will allow for two additional semiannual review cycles during which equity options previously designated for removal may subsequently meet eligibility criteria again and consequently may continue to trade during Extended Hours Trading pursuant to new Rule 901.2NY(c)(3)(iii).

Whereas the removal process established in new Rule 901.2NY(c)(3) is intended to provide an extended time period for the removal of equity options to avoid sudden market disruptions, the Exchange acknowledges that certain conditions, although unlikely, may warrant an acceleration of removal of an equity option class from Extended Hours Trading. Consequently, new Rule 901.2NY(c)(3)(ii) allows the Exchange to remove an equity option class from trading during Extended Hours Trading prior to the announced removal date if the Exchange observes limited or no market activity during Extended Hours Trading for the option class. If such a condition is observed, the Exchange may remove the option class from trading during Extended Hours Trading with at least seven days' notice. The Exchange may remove the option class from Extended Hours Trading prior to the removal date by issuing a Trader Update designating a new removal date for the option class from Extended Hours Trading.

Additionally, pursuant to proposed Rule 901.2NY(c)(3)(iv), the Exchange may remove any option class from trading in Extended Hours Trading for any reason with at least 30 days' notice. The Exchange expects to use such authority in limited situations, such as in response to Market Maker or Specialist preference or concern regarding continued extended trading hours sessions in a particular option class or the announcement of an

[19] The initial listing of equity options for Extended Hours Trading will be selected by the Exchange and is not subject to the listing date requirements of the semiannual review process that will occur after the launch of the new trading sessions.

[20] The Exchange proposes to conduct the bi-annual review as of January 1 and July 1 of each year. As such, the six-month periods will be from January to June, and from July to December each year. The result of the bi-annual review will be announced through Trader Update and any new equity options that qualify would be permitted to trade during Extended Hours Trading beginning on February 1 and August 1 of each year.

unusual corporate action on the underlying equity to an option class (and the effective date of such corporate action is not imminent) that could introduce confusion or uncertainty about the value of an option, thereby significantly reducing liquidity during Extended Hours Trading for the option class. Similarly, the Exchange may immediately remove an option class from Extended Hours Trading if the Exchange deems such action is necessary in the interest of investor protection or the maintenance of fair and orderly markets. The Exchange will provide notice of such determination as soon as practicable after the determination to remove has been made via Trader Update. Any option class designated for removal from Extended Hours Trading pursuant to new Rule 901.2NY(c)(3) and that is included in the 100 multiply-listed option class limit will continue to be included in the 100-option class limit until the removal date of any such option class. The Exchange may also designate for trading during Extended Hours Trading any equity option that is traded on another exchange during Extended Hours Trading.[21]

In this instance, eligible equity options will not be counted against the 100-option class limit proposed in Rule 901.2NY(c). The Exchange believes that the exclusion from the 100-option class limit of such equity options initially traded during Extended Hours Trading on another options exchange is appropriate for competitive purposes since such listings can indicate the continued expansion of equity options trading outside of regular trading hours, which align with the Exchange's Core Trading Session.

Proposed Rule 901.2NY(i) will provide that expiring equity options eligible for trading during Extended Hours Trading shall continue to trade through the Late Trading Session. This is consistent with American-style physical settlement and will allow participants to close expiring positions rather than take or deliver shares.

Session Participation and Trading Activity

As set forth above, any order entered on the Exchange must include a designation for which trading session(s) the order will remain in effect.[22] The Early Trading Session will be electronic only, while the Trading Floor will be open during the Core Trading Session, including until 4:15 p.m. for certain eligible options (*i.e.,* ETFs and ETNs)[23] and during the Late Trading Session.

The queuing for order and market maker quotes for both the Early Trading Session and the Core Trading Session will begin, simultaneously, at 6:00 a.m. and there will be no opening auction for the Late Trading Session orders. The Late Trading Session will occur simultaneously with late trading Options on ETFs and ETNs, which will be in their Core Trading Session. These ETF and ETN options will not have a Late Trading Session. As noted above, participants may designate orders for participation in certain sessions. Any order designated for less than all sessions will not be included in any session for which it is not eligible.

Market Makers and Specialists will not designate their quotes for a specific trading session. Quotes will persist across sessions. However, to address the potential for different quoting widths and varied Market Maker and Specialist participation across sessions, the Early Trading Session will conclude at 9:25 a.m. (five minutes before the opening of the Core Trading Session).

The Exchange expects reduced liquidity and wider spreads during the Early Trading Session and the Late Trading Session (*i.e.,* Extended Hours Trading). Therefore, the Exchange proposes not to allow Market Orders[24] during Extended Hours Trading and such orders designated for participation in the Early Trading Session or the Late Trading Session will be rejected.[25] The Exchange believes it is appropriate to not allow Market Orders during Extended Hours Trading in order to protect customers should wide price fluctuations occur due to the potential illiquid and volatile nature of the market or other factors that could impact market activity.

Order Routing

Pursuant to the Options Order Protection and Locked/Crossed Market Plan (''Linkage Plan''),[26] participant exchanges to the Linkage Plan established a framework to provide order protection. The Linkage Plan (and Exchange Rules 991NY and 992NY) will apply during all trading sessions during which multiply-listed options trade.

Rule 964NYP(k) addresses order routing away from the Exchange to promote compliance with the Linkage Plan. As the Exchange may route orders during the Early Trading Session and Late Trading Session in multiply-listed options if another U.S. options exchange lists the same options outside of the Core Trading Session, Rule 964NYP(k) will apply during Extended Hours Trading (*i.e.,* the Early Trading Session and the Late Trading Session). Consequently, ATP Holders may designate an order for routing (or not available for routing) during all trading sessions for multi-listed equity options. The Exchange System is designed to, at all times, prevent trade-throughs and avoid displaying locked/crossed markets in accordance with the Linkage Plan, and, as proposed, ATP Holder orders will be eligible for routing during the Early Trading Session and the Late Trading Session, just as they are during the Core Trading Session.

Opening Process

The Exchange will replicate its current multiply-listed opening process and apply it to the Early Trading Session.[27] Accordingly, the Exchange proposes to amend the Opening Auction Process in Rule 952NYP to incorporate the Early Trading Session for equity options. Specifically, the Exchange proposes to amend Rule 952NYP to add subparagraph (a)(12)(C) which will provide that, similar to the Core Open Auction, the pre-open state for the Early Open Auction begins at 6:00 a.m.[28]

With the implementation of the Early Trading Session, the Exchange will have access to additional data (*i.e.,* orders) in calculating the Auction Imbalance for the Core Trading Session. Accordingly, so as to avoid dictating prices that are far outside the actual trading market, the Exchange proposes to adopt subsection (a)(2)(C) of Rule 952NYP to account for

[21] *See* proposed Rule 901.2NY(c)(2).

[22] *See* proposed Rule 901.1NY(b) and amended Rule 900.3NYP(a)(1)(A).

[23] *See* Rule 901NY, Commentary .02.

[24] A ''Market Order'' is an unpriced order message to buy or sell a stated number of option contracts at the best price obtainable, subject to the Trading Collar assigned to the order. A Market Order may be designated Day or GTC. Unexecuted Market Orders are ranked Priority 1—Market Orders. For purposes of processing Market Orders, the Exchange will not use an adjusted NBBO. *See* Rule 900.3NYP(a)(1).

[25] *See* proposed amendment to Rule 900.3NYP(a)(1)(A), proposed Rule 901.1NY(d)(1) and proposed amendment to Rule 952NYP(b)(2).

[26] The Linkage Plan requires U.S. options exchanges to establish a framework for providing order protection and addressing locked and crossed markets in eligible options classes. The Linkage Plan is a national market system plan approved by the Commission pursuant to Section 11A of the Act and Rule 608 thereunder. The full text of the Linkage Plan is available at *https://www.theocc.com/getcontentasset/7fc629d9-4e54-4b99-9f11-c0e4db1a2266/dfc3d011-8f63-43f6-9ed8-4b444333a1d0/options_order_protection_plan.pdf.*

[27] There will be no opening auction for the Late Trading Session. Trading will continue seamlessly from the Core Trading Session into the Late Trading Session in eligible symbols.

[28] The Exchange also proposes a non-substantive amendment to Rule 952NYP(b) to limit the priority for Market On Open orders to the Core Auction Open and the Trading Halt Auction. As noted above, market orders will not be permitted during the Early Trading Session.

changes in the disclosure of Auction Imbalance Information prior to the opening of the Core Open Auction. Specifically, the proposed amendment will disclose that during continuous trading in the Early Trading Session the Auction Collar will include orders and the Legal Width Quote,[29] while in the period between the end of the Early Trading Session and the Core Trading Session (*i.e.,* 9:25 a.m. to 9:30 a.m.), the Auction Collar will be as defined in Rule 952NYP(2)(A).[30]

As it relates to Auction Triggers, as that term is defined in Rule 952NYP, the trigger for the Early Open Auction will differ from Core Open Auction. Specifically, the Core Open Auction begins when the Primary Market first disseminates at or after 9:30 a.m. both a two-sided quote and a trade that is at or within the quote.[31] Conversely, under proposed Rule 952NYP(a)(7)(C), the Early Open Auction will begin when any national securities exchange first disseminates in the underlying, at or after 7:30 a.m. Eastern Time, either a two-sided quote or a trade of any size. The Exchange emphasizes that the Auction Trigger for the Early Open Auction is not based on disseminated trades or quotes from the Primary Market and is instead based on trades or quotes from any national securities exchange as not all securities will be trading on their Primary Market during the Early Trading Session (*e.g.,* NYSE-listed securities), and, therefore, an Auction Trigger based on the Primary Market may not occur. An option will not open unless the composite market is within a configured opening collar, although collars may differ for the Early Open Auction.

Market Makers and Market Participants

Pursuant to Rule 924NY, ATP Holders including Market Makers must have a Letter of Guarantee from a Clearing Member authorized by the OCC in order to make any transaction on the Floor of the Exchange or through the facilities of the Exchange. Accordingly, as set forth in proposed Rule 901.2NY(j), any ATP Holder with an effective Letter of Guarantee issued by a Clearing Member and approved by the Options Clearing Corporation may participate in Extended Hours Trading. Participation is voluntary and no additional authorization with the Exchange is required.

Similarly, the participation of a Market Maker appointed in a class of options contracts pursuant to Rule 923NY in the Early Trading Session or the Late Trading Session is voluntary. Accordingly, as set forth in proposed Rule 901.2NY(g), while Market Maker appointments will apply across all three trading sessions and the Market Maker assigned to an option class eligible for trading during the Core Trading Session will automatically receive the appointment in that class during the Early Trading Session and the Late Trading Session, a Market Maker is not required to enter quotations.

However, if a Market Maker chooses to enter quotations in its assigned class during the Early Trading Session or the Late Trading Session it will be subject to its continuous quoting obligation (Rule 925.1NYP). Market Makers will not have a way to designate quotes for a specific session. Upon receipt by the Exchange, the quote will be available for all three sessions, as there will not be automatic cancellation of quotes at the conclusion of a session.

A Market Maker that does not enter quotations during the Early Trading Session or Late Trading Session will not be subject to the continuous quoting obligation. Nevertheless, nothing will relieve the Market Maker of its continuous quoting obligations during the Core Trading Session.[32]

Finally, Specialist allocations will persist across all three sessions. However, like Market Maker assignments, the participation of a Specialist assigned in a class eligible to participate in trading during Extended Hours Trading is voluntary. Accordingly, as set forth in proposed Rule 901.2NY(h)(2), a Specialist allocated such an allocated class may opt out of participating in the Early Trading Session and/or the Late Trading Session.

Compliance with these requirements is determined by reviewing the aggregate of quoting in assigned options series for the ATP Holder across all trading sessions. Accordingly, if a Market Maker chooses to quote during Extended Hours Trading, their quoting time during the additional session(s) will be aggregated with their Core Trading Session quoting time (*i.e.,* across all trading sessions) for purposes of determining compliance.

Pursuant to Rule 925.1NYP, Specialists and Market Makers must provide continuous two-sided quotations throughout the trading day in its appointed issues for 90% and 60%, respectively, for the session(s) in which they quote. For purposes of determining compliance with the continuous quoting obligation, a Specialist's and Market Maker's quoting activity will be measured in the aggregate across all trading sessions in which they quote. The Exchange calculates Specialist and Market Maker compliance across all appointed issues rather than on a class-by-class basis, which does not vary based on the trading sessions in which a Specialist or Market Maker chooses to participate.

The Exchange believes that calculating compliance across all appointed issues appropriately reflects different liquidity and participation dynamics of the Early Trading Session and the Late Trading Session. The Exchange expects lower levels of trading during these sessions as compared to the Core Trading Session, which could result in potentially lower liquidity (including fewer Specialists and Market Makers quoting), higher volatility and wider spreads. However, the Exchange believes that applying the continuous quoting requirements for Specialists and Market Makers across all classes and trading sessions is a fair and efficient way for the Exchange to evaluate compliance with continuance quoting obligations. It will also benefit Specialists and Market Makers by providing some flexibility to choose which series in their appointed classes they will continuously quote—increasing continuous quoting in in one series while allowing for a decrease in another, which is important for classes that have relatively few series and may prevent Specialists and Market Makers from reaching the overall continuous quoting obligations while failing to achieve it in more than one series in an appointed class.

This flexibility, however, does not diminish the Specialist's or Market Maker's obligation to continuously quote in a significant percentage of series for a significant part of the trading day. Thus, applying the existing quoting obligations for all trading sessions will promote active markets in these extended trading hours sessions. Specifically, this approach is intended to help reduce the rigidity of quoting requirements for a Specialist or Market Maker of multiple sessions if trading activity is less in one of the sessions. By requiring that a Specialist or Market

[29] Pursuant to Rule 952NYP(a)(10), ''Legal Width Quote is a calculated NBBO that: (A) may be locked, but not crossed; (B) does not contain a zero offer; and (C) has a spread between the Calculated NBBO for each option contract that does not exceed a maximum differential that is determined by the Exchange on a class basis, which amount may be modified during the Auction Process, and such maximum differentials (and modifications thereto) will be and announced by Trader Update, provided that a Trading Official may establish differences other than the above for one or more series or classes of options.

[30] *See* proposed Rule 952NYP(a)(2)(C).

[31] *See* Rule 952NYP(a)(7)(A).

[32] *See* proposed Rule 901.2NY(g)(3).

Maker meet its continuous quoting obligations across all trading sessions in which it is appointed (and collectively across classes, as is the case today), a Specialist or Market Maker might meet its obligations on a given day even if it falls below obligation requirements in one trading session if they surpass obligations requirements in another session because the total activity across trading sessions will be used to determine compliance with continuous quoting obligation requirements. Accordingly, the Exchange believes that applying the existing Specialist and Market Maker obligations for the Core Trading Session to the Early Trading Session and the Late Trading Session will promote active markets in these extended trading hours sessions and will foster liquid markets while providing flexibility to Specialists and Market Makers to meet their obligations.

Disclosures

Proposed Rule 901.2NY(f) will require ATP Holders to make certain disclosures to customers regarding material trading risks that exist during the Early Trading Session and the Late Trading Session (*i.e.* Extended Hours Trading). The Exchange expects overall lower levels of trading during Extended Hours Trading compared with the Core Trading Session. While trading processes during Extended Hours Trading will be substantially similar to trading processes during the Core Trading Session, the Exchange believes it is important for investors, particularly non-professional customers, to be aware of any differences and risks that may result from lower trading levels and thus will require these disclosures.

Proposed Rule 901.2NY(f) will provide that no ATP Holder may accept an order from a customer for execution during Extended Hours Trading without disclosing to that customer that trading during Extended Hours Trading involves, among other things, material trading risks, including the possibility of lower liquidity, high volatility, changing prices, an exaggerated effect from news announcements, wider spreads. The proposed rule provides an example of these disclosures in subparagraphs (1) through (7). The Exchange believes that requiring ATP Holders to disclose these risks to non-member customers will facilitate informed participation in Extended Hours Trading. The required disclosures are materially identical to the disclosure requirements imposed by the Cboe during its Global Trading Hours.[33]

Due to differences in the trading process during the Core Trading Session and Extended Hours Trading, ATP Holders that accept orders from customers during Extended Hours Trading will be required to make certain disclosures to those customers. The requirements addressing the differences between the trading sessions are consistent with the Exchange's goal of permitting ATP Holders, that choose to do so, to trade during Extended Hours Trading without imposing additional burdens on those that do not.[34]

Accordingly, the Exchange will minimize ATP Holder's preparation efforts to the greatest extent possible by allowing ATP Holders to trade during Extended Hours Trading with the same ports and data feeds and employing existing session designations used during the Core Trading Session. Session designation will be controlled via existing order tags; order processing will operate in the same manner during Extended Hours Trading as it does during the Core Trading Session. There will be no changes to the ranking, display, or allocation rules.

Similarly, there will be no changes to the processes for clearing, settlement, exercise, and expiration.[35] The Exchange notes that the OCC already clears certain ETFs that are eligible pursuant to Exchange Rules to trade until 4:15 p.m. as part of the Core Trading Session. Therefore, the OCC already has the operational functionality to support the proposed Extended Hours Trading for equity options.[36]

In addition, the Options Price Reporting Authority (''OPRA'') will accommodate equity options during Extended Hours trading on the existing lines used during the Core Trading Session. With the exception of imbalance messages, Exchange proprietary data feeds will also be disseminated during Extended Hours Trading using the same formats and delivery mechanisms with which the Exchange disseminates during the Core Trading Session. Finally, price protection mechanisms, participant-level risk controls and obvious error adjustment processes employed during the Core Trading Session shall apply during Extended Hours Trading.[37]

The Exchange understands that systems and other issues may arise and is committed to resolving those issues as quickly as possible, including during Extended Hours Trading. Thus, the Exchange will have appropriate staff available as necessary during Extended Hours Trading to handle any technical and support issues that may arise during those hours. Additionally, the Exchange will have personnel available to address any trading issues that may arise during Extended Hours Trading. The Exchange also will have appropriately trained, qualified regulatory staff in place during Extended Hours Trading to the extent it deems necessary to satisfy its self-regulatory obligations. The Exchange believes its surveillance procedures are adequate to properly monitor trading of eligible equity options during Extended Hours Trading.

2. Statutory Basis

The Exchange believes that its proposal is consistent with Section 6(b) of the Securities Exchange Act of 1934 (the ''Act''),[38] in general, and furthers the objectives of Section 6(b)(5) of the Act,[39] in particular, in that it is 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.

The Exchange believes that the proposal would remove impediments to and perfect the mechanism of a free and open market and a national market system by providing a rules framework to support the Exchange's introduction of Extended Hours Trading, which the

[33] *See* Cboe Rule 9.20.

[34] *See* proposed Rule 901.2NY(g) & (h), permitting Market Makers and Specialists to not participate in trading activity during the Early Trading Session or the Late Trading Session. To the extent that a Market Maker chooses to participate in the additional trading sessions their quoting obligations are defined in proposed amended Rule 925NY(b)(5).

[35] The Exchange has held discussions with the OCC, which is responsible for clearing and settlement of all listed options transactions and has informed the Exchange that no operational changes are required for clearance and settlement during Extended Hours Trading. All transactions during Extended Hours Trading will be cleared and settled in the same manner that trades during the Core Trading Session are cleared and settled. It is operationally ready and will use existing processes and marginal requirements.

[36] It is the Exchange's understanding that the OCC has made a filing for approval to allow it to clear non-ETF equity options during extended trading hours being proposed by various exchanges. *See* Securities Exchange Act Release No. 106080 (August 12, 2026), 91 FR 53294 (August 17, 2026) (SR–OCC–2026–008) (Notice of Filing of Proposed Rule Change by The Options Clearing Corporation Concerning Amendments to Its Rules to Establish a Procedures-Based Approach for Determining Product Eligibility During Overnight or Extended Trading Sessions Utilizing Its Current ETH Risk Management Framework). The Exchange will delay the launch of equity options trading during Extended Hours Trading until approval of the OCC's rule filing.

[37] In addition, the Exchange will continue to explore additional risk controls specific to the Early Trading Session and the Late Trading Session.

[38] 15 U.S.C. 78f(b).

[39] 15 U.S.C. 78f(b)(5).

Exchange believes will increase market accessibility, promote capital formation, and facilitate portfolio management.

The Exchange does not believe that the proposed rule change will impose any burden on competition that is not necessary or appropriate in furtherance of the purposes of the Act. The Exchange operates in a highly competitive market. The Commission has repeatedly expressed its preference for competition over regulatory intervention in determining prices, products, and services in the securities markets. In Regulation NMS, the Commission highlighted the importance of market forces in determining prices and SRO revenues and, also, recognized that current regulation of the market system ''has been remarkably successful in promoting market competition in its broader forms that are most important to investors and listed companies.'' [40]

Extended Hours Trading is a competitive initiative designed to improve the Exchange's marketplace for the benefit of investors. The proposed rule changes provide a new investment opportunity within the options trading industry that more closely aligns the Exchange's trading hours with extended trading hours of stock exchanges and other options exchanges.[41] It also aligns with the recently approved extended trading hours for Cboe and MRX.[42] The Exchange believes the competition among exchanges ultimately benefits the entire marketplace. Given the robust competition among options exchanges, innovative trading mechanisms are consistent with the above-mentioned goals of the Act.

The proposed rule change also provides a mechanism for the Exchange to more effectively compete with exchanges located outside the United States. Global markets have become increasingly interdependent and linked through improved communications technology. This has been accompanied by an increased desire among investors to have access to U.S.-listed exchange products outside of regular trading hours, and the Exchange believes this desire extends to equity options. The Exchange believes that its proposal is reasonably designed to provide an appropriate mechanism for trading outside the Core Trading Session while providing for appropriate Exchange oversight and surveillance pursuant to the Act.

As noted above, the Commission has authorized stock exchanges and a small number of options exchanges to be open for trading outside of regular trading hours pursuant to the Act.[43] In addition, the proposal for extended trading hours for certain qualifying equity options is similar to recent approvals for extended trading hours on Cboe and MRX.[44] Thus, the proposed rule change to adopt Extended Hours Trading is not novel or unique. Moreover, the Exchange believes it is reasonable to trade a limited number of equity option classes for which demand is anticipated to be the highest during the Early Trading Session and the Late Trading Session upon implementation of Extended Hours Trading in those options.

With few exceptions, options traded during Extended Hours Trading will be subject to all other rules applicable to options on the Exchange, including, without limitation, listing rules and business conduct rules. These rules have all been previously filed with the Commission and established as being consistent with the goals of the Act. For example, during Extended Hours Trading, rules that protect public customers, impose best execution requirements, and prohibit acts and practices that are inconsistent with just and equitable principles of trade or are otherwise fraudulent or manipulative practices. Similarly, the proposed rule changes offer the same opportunity for price improvement during Extended Hours Trading and applies the same allocation and priority rules that are available on the Exchange during the Core Trading Session. Thus, the Exchange believes that, during Extended Hours Trading, market participants will continue to be protected by the Exchange's rules that promote just and equitable principles of trade and prevent fraudulent and manipulative acts.

Similarly, the proposed rule change requires disclosures that clearly identify the ways in which trading during Extended Hours Trading differs from trading during the Core Trading Session and highlight any related risks. Specifically, the proposed rule change will note that trading during Extended Hours Trading involves material risks, such as lower liquidity, higher volatility, changing prices, unlinked markets, and exaggerated effect from news announcements. This ensures that investors would be aware of any differences among trading sessions before being allowed to participate in Extended Hours Trading. Consistent with the goals of investor protection, the Exchange will not allow Market Orders during Extended Hours Trading due to the expected increased volatility and decreased liquidity during those hours.[45]

Additionally, the Exchange believes that the proposed rule change will foster cooperation and coordination with persons engaged in regulating, clearing, settling, processing information. As noted above, trading during Extended Hours Trading will use the same ports and data feeds and order processing will operate in the same manner. Similarly, there will be no changes to the processes for clearing, settlement, exercise, and expiration. Finally, OPRA will accommodate equity options during Extended Hours Trading on the existing lines used during the Core Trading Session and, with the exception of imbalance messages, Exchange proprietary data feeds will also be disseminated during Extended Hours Trading using the same formats and delivery mechanisms with which the Exchange disseminates during the Core Trading Session.

The proposed rule change is also consistent with Section 11A of the Act and Regulation NMS thereunder, because it provides for the dissemination of transaction and quotation information during Extended Hours Trading through OPRA, pursuant to the OPRA Plan, which the Commission approved and indicated as consistent with the Act. As noted above, the Exchange will also comply with the Linkage Plan for all eligible option classes that list and trade on another U.S. options exchange outside of regular trading hours. The proposed rule change will remove impediments to and perfect the mechanism of a free and open market and a national market system because, as noted above, other options exchanges currently offer trading in certain index options outside of regular trading hours.[46] The Exchange believes that the proposed rule change will also help further competition by providing

[40] *See* Securities Exchange Act Release No. 51808 (June 9, 2005), 70 FR 37496, 37499 (June 29, 2005) (S7–10–04).

[41] *See supra* note 12.

[42] *See* Cboe Approval Order and MRX Approval Order, *supra* notes 13 and 14.

[43] *See supra* note 12.

[44] *See* Cboe Approval Order and MRX Approval Order, *supra* notes 13 and 14.

[45] In addition, the Exchange does not initially propose to initially offer the following order types during the Early Trading Session and the Late Trading Session: Good-'Til-Cancelled Orders, Market-on-Open Orders, Imbalance Offset Orders, Stop Orders, Stop Limit Orders, Complex Orders, Cross Orders, CUBE Orders, Limit-on-Open Orders, Reserve Orders, GTX Orders and orders marked eligible for Broadcast Order Liquidity (''BOLD'') Mechanism. Similarly, open outcry orders will not be permitted during the Early Trading Session, but the Floor will be open during the Late Trading Session.

[46] *See* note 12, *supra.*

market participants with yet another investment option.

Price protection mechanisms and participant-level risk controls employed during the Core Trading Session will apply during Early Trading Session with necessary session-based modifications made. With respect to this, the Exchange will ensure that adequate staffing is available during Extended Hours Trading to provide appropriate trading support during those hours, as well as Exchange personnel to make any necessary determinations under the rules during Extended Hours Trading. The Exchange is also committed to fulfilling its obligations as a self-regulatory organization at all times, including during Extended Hours Trading. The Exchange believes its surveillance procedures are adequate to properly monitor trading in eligible equity options during Extended Hours Trading.

In addition, while their participation is likewise optional, Market Makers and Specialists will be subject to continuous quoting obligations during Extended Hours Trading with respect to their option class appointments as they are during the Core Trading Session. In such cases, the Market Maker's and Specialist's quoting activity would be aggregated for all trading sessions to determine whether they met their continuous quoting obligations.

The Exchange believes that these provisions reflect different liquidity and participation dynamics of Extended Hours Trading and the Core Trading Session. The Exchange expects lower levels of trading during the Early Trading Session and the Late Trading Session (*i.e.,* Extended Hours Trading) compared to the Core Trading Session, which could result in potentially lower liquidity (including fewer Market Makers and Specialists quoting) and wider spreads. Accordingly, participation in Extended Hours Trading is voluntary to provide ATP Holders, Market Makers, Specialists and customers with the choice to engage in that market.

If the Exchange required Market Makers and Specialists to meet continuous quoting obligations during the Early Trading Session and/or the Late Trading Session even though they chose not to participate in that session, the Market Maker and Specialist could be penalized for choosing not to quote during either session while nonetheless meeting their continuous quoting obligations during the Core Trading Session. The Exchange believes that the aggregate trading session-based calculation promotes clarity and would encourage Market Maker and Specialist participation in either the Early Trading Session or the Late Trading Session without inadvertently penalizing them if they choose not to participate in either session for that day.

B. Self-Regulatory Organization's Statement on Burden on Competition

The Exchange does not believe that the proposed rule change will impose any burden on competition that is not necessary or appropriate in furtherance of the purposes of the Act.

Intramarket Competition

The Exchange does not believe that the proposed rule change will impose any burden on intramarket competition that is not necessary or appropriate in furtherance of the purposes of the Act as all ATP Holders with access to the Exchange may trade during Extended Hours Trading using the same ports and data feeds they use during the Core Trading Session, minimizing any preparation efforts necessary to participate during Extended Hours Trading.

ATP Holders will be authorized, but not required, to participate in trading activity during Extended Hours Trading. As such, the proposal does not impose additional burdens on an ATP Holder, particularly those that do not elect to participate. The Exchange believes the obligations imposed on ATP Holders to be eligible to trade during Extended Hours Trading is an appropriate balance of obligations of additional requirements with the benefits of additional trading sessions.

Intermarket Competition

The Exchange does not believe that the proposed rule change will impose any burden on intermarket competition that is not necessary or appropriate in furtherance of the purposes of the Act, because the proposed rule change is a new competitive initiative that will benefit the marketplace and investors. The Exchange also believes the proposed rule change will enhance competition by providing new trading sessions to investors that other options exchanges currently are not providing. Additionally, all options exchanges are free to compete in the same manner, including Cboe and MRX, which recently received approval for extended trading hours similar to those being proposed by the Exchange.[47] The Exchange does not believe that the level of competition among options exchanges will change during the Core Trading Session because of the introduction of Extended Hours Trading for equity options. The Exchange also believes the proposed rule change would enhance its competitive position internationally by enabling market participants to access its market during hours that overlap with regular trading sessions in non-U.S. jurisdictions.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

No written comments were solicited or received with respect to the proposed rule change.

IV. Discussion and Commission Findings

After careful review, the Commission finds that the proposed rule change, as modified and superseded by Amendment No. 2 (''Amended Proposal''), is consistent with the requirements of the Act and the rules and regulations thereunder applicable to a national securities exchange.[48] In particular, the Commission finds that the Amended Proposal is consistent with Section 6(b)(1) of the Act,[49] which requires, among other things, that the Exchange be so organized and have the capacity to be able to carry out the purposes of the Act and to comply, and to enforce compliance by its members and persons associated with its members, with the provisions of the Act, Commission rules and regulations thereunder, and its own rules; Section 6(b)(5) of the Act,[50] which requires, among other things, that the rules of a national securities exchange be designed to prevent fraudulent and manipulative acts and practices, to promote just and equitable principles of trade, to foster cooperation and coordination with persons engaged in regulating, clearing, settling, processing information with respect to and facilitating transactions in securities, to remove impediments to and perfect the mechanism of a free and open market and a national market system, to protect investors and the public interest, and not be designed to permit unfair discrimination between customers, issuers, brokers, or dealers; and Section 6(b)(8) of the Act,[51] which requires that the rules of a national securities exchange not impose any burden on competition that is not necessary or

[47] *See* Cboe Approval Order and MRX Approval Order, *supra* notes 13 and 14.

[48] 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).

[49] 15 U.S.C. 78f(b)(1).

[50] 15 U.S.C. 78f(b)(5).

[51] 15 U.S.C. 78f(b)(8).

appropriate in furtherance of the purposes of the Act.

The Amended Proposal largely harmonizes with extended-session trading frameworks already approved for equity options on other exchanges.[52] In this vein, the proposed rules set forth, among other things: (i) an early morning session that would occur from 7:30 a.m. ET to 9:25 a.m. ET and a late afternoon session that would occur from 4:00 p.m. to 4:15 p.m. ET, which timeframes are significantly shorter than the trading sessions for equity securities available on many equity exchanges; [53] (ii) eligibility criteria for determining the multi-listed equity option classes that would be available for trading during the proposed extended trading sessions that only highly liquid classes could meet; [54] (iii) a 100-class cap on the number of eligible equity option classes that would be available for extended-session trading with the exception that, if another exchange offers extended trading of an equity option class that the Exchange has not offered, the Exchange could add that class without it counting against the 100-class cap; [55] (iv) a detailed review procedure to determine the equity option classes eligible for inclusion in or removal from the proposed extended trading sessions; [56] (v) provisions related to the availability of order types and times-in-force, including that market orders and stop orders will not be permitted during the proposed extended sessions; [57] (vii) a modified opening process in light of the proposed early morning session; [58] (viii) provisions regarding certain market maker and specialist appointments across the core trading session and the proposed extended sessions, including the application of priority overlays; [59] (ix) a provision regarding letters of guarantee to authorize trading during the proposed extended sessions; [60] and (x) disclosures of the risks of extended session option trading.[61]

These aspects of the Amended Proposal do not raise novel regulatory issues that the Commission has not considered previously,[62] and are consistent with the Act. Equity securities are exchange-traded outside of the core trading session, but investors currently are unable to engage in exchange trading outside of the core trading session to utilize equity option trading strategies, including to hedge equity positions and mitigate downside risk in those positions. The Amended Proposal is reasonably designed to expand access to options as a tool for risk mitigation and help investors hedge equity positions against price movements. Further, by largely replicating other exchanges' approach to permitting extended session option trading, the Amended Proposal is designed to perfect the mechanism of a free and open market and national market system and enhance competition among options exchanges offering such extended session option trading, to the benefit of investors.

Other, discrete aspects of the Amended Proposal that depart from what is already provided in other exchange rules are consistent with the Act. The Exchange has proposed its own terminology for classifying its extended trading sessions,[63] and would require any order entered into the Exchange to include a designation for which trading session(s) the order will remain in effect, which should provide members with flexibility to specify the trading sessions during which their option orders may—or may not—trade.[64] These aspects of the Amended Proposal are consistent with the functioning of fair and orderly markets, the perfection of the mechanism of a free and open market and a national market system, and the protection of investors and the public interest.[65]

With respect to the collection and dissemination of quotation and transaction information during the proposed extended sessions, the Exchange states that OPRA will accommodate equity options during extended hours trading on the existing

[52] *See, e.g.,* Cboe Rule 5.1; Securities Exchange Act Release Nos. 105153 (April 6, 2026), 91 FR 18010 (April 9, 2026) (Notice of Amendment No. 1 to SR–CBOE–2025–079) and 105569 (May 28, 2026), 91 FR 33005 (Jun. 2, 2026) (Order approving SR–CBOE–2025–079 as modified by Amendment No. 1) (''Cboe Extended Trading Order'' and, collectively with the Notice of Amendment No. 1 to SR–CBOE–2025–079, ''Cboe Extended Trading Notice and Order''); *see also* Securities Exchange Act Release No. 105785 (June 26, 2026), 91 FR 40061 (July 1, 2026)(Order approving SR–MRX–2026–11 as modified and superseded by Amendment No. 1) (''MRX Extended Trading Order''). *See also* Letters from Katie Kolchin, Managing Director, Head of Equity & Options Market Structure, and Gerald O'Hara, Vice President and Assistant General Counsel, The Securities Industry and Financial Markets Association, dated April 24, 2026 (''SIFMA April Letter'') and May 15, 2026 (''SIFMA May Letter'') (urging harmonization across options exchanges in regulatory approaches to expanding trading hours). The SIFMA April Letter and SIFMA May Letter were submitted in response to SR–CBOE–2025–079 and are available on the Commission's website at: *https://www.sec.gov/rules-regulations/public-comments/sr-cboe-2025-079.*

[53] *See* proposed Rule 901.1NY(a)(1) and (3); Section III, *supra;* Cboe Rule 5.1(b) and (c); Cboe Extended Trading Notice and Order; MRX Options 3C, Section 2; MRX Extended Trading Order.

[54] *See* proposed Rule 901.2NY(c); Section III, *supra;* Cboe Rule 5.1(c)(2); Cboe Extended Trading Notice and Order; MRX Options 3C, Section 3(a)(1)(A)–(C); MRX Extended Trading Order.

[55] *See* proposed Rule 901.1NY(c); Section III, *supra;* Cboe Rule 5.1(c)(2); Cboe Extended Trading Notice and Order; MRX proposed Options 3C, Section 3(a)(1); MRX Extended Trading Order.

[56] *See* proposed Rule 901.2NY(c)(3)–(4); Section III, *supra;* Cboe Rule 5.1(c)(2)(A)–(C); Cboe Extended Trading Notice and Order; MRX Options 3C, Section 3(a)(2)–(4); MRX Extended Trading Order.

[57] *See* proposed Rule 901.1NY(d)(1); Section III, *supra;* Cboe Rule 5.6; Cboe Extended Trading Notice and Order; MRX Options 3C, Section 4; MRX Extended Trading Order.

[58] *See* proposed Rule 952NYP(a)–(b); Section III, *supra;* Cboe Rule 5.31(d); Cboe Extended Trading Notice and Order; MRX Options 3C, Section 5; MRX Extended Trading Order.

[59] *See* proposed Rule 901.2NY(g) and (h); Section III, *supra;* Cboe Extended Trading Notice/Order; Securities Exchange Act Release No. 105763 (June 24, 2026) (Order approving SR–CBOE–2026–016) (''Cboe DPM Order''); MRX Options 3C, Section 7; MRX Extended Trading Order.

[60] *See* proposed Rule 901.2NY(j); Section III, *supra;* Cboe Extended Trading Notice and Order; MRX Options 3C, Section 8; MRX Extended Trading Order.

[61] *See* proposed Rule 901.2NY(f); Section III, *supra;* Cboe Rule 9.20; Cboe Extended Trading Notice and Order; MRX Options 3C, Section 9; MRX Extended Trading Order. The Amended Proposal also provides that existing options rules and functionalities of the Exchange will apply to extended session option trading on the Exchange unless the context requires otherwise, and the Exchange sets forth various disclosures that, according to the Exchange, are designed to permit extended session trading for members that choose to participate in such trading without imposing additional burdens on those that do not. *See* proposed Rule 901.2NY(a); Section III, *supra;* MRX Options 3C, Section 1(a); *see also* Cboe Extended Trading Notice and Order. Further, the Exchange would comply with the Linkage Plan by making orders eligible for routing during the proposed extended trading sessions pursuant to Rule 964NYP(k) consistent with their routing eligibility during the core trading session. *See* Section III, *supra; see also* Cboe Rule 5.36; Cboe Extended Trading Notice and Order. Members would be able to designate their orders as eligible for routing (or not) during all trading sessions for multi-listed equity options. *See* Section III, *supra.*

[62] *See* Cboe Extended Trading Order; *see also* MRX Extended Trading Order.

[63] *See* proposed Rule 901.1NY(a)(1) and (3); *compare* Cboe Rule 5.1(b) and (c); Cboe Extended Trading Notice and Order; MRX Options 3C, Section 1(b); MRX Extended Trading Order.

[64] *See* proposed Rule 901.1NY(b); *compare* MRX Options 3C, Section 4(b); MRX Extended Trading Order.

[65] Additional aspects of the Exchange's proposal are consistent with these tenets in that they are designed to minimize member impact by leveraging existing Exchange functionality and processes. For example, the Exchange states that members will be permitted to trade during the proposed extended sessions using existing ports; with the exception of imbalance messages, Exchange proprietary data feeds will be disseminated during the proposed extended sessions using the same formats and delivery mechanisms with which the Exchange disseminates during the core trading session; session designation will be controlled via existing order tags; order processing will operate in the same manner during extended session trading as it does during the core trading session; there will be no changes to the Exchange's ranking, display, or allocation algorithm rules; and price protection mechanisms, participant-level risk controls and obvious error adjustment processes employed during the core trading session also would apply during the proposed extended sessions. *See* Section III, *supra; see also* proposed Rule 928.1NYP.

lines used during the core trading session.[66] Similarly, the Exchange states that there will be no changes to the processes for clearing, settlement, exercise, and expiration.[67] Moreover, the Exchange states that the OCC will be able to clear and settle all transactions that occur on the Exchange and handle exercises of options during the proposed extended trading sessions.[68] The Exchange acknowledges that the OCC has filed a proposed rule change with the Commission to support the extension of trading hours for equity options, and the Exchange represents that it will not launch extended session equity option trading until Commission approval of OCC's rule filing.[69]

As the Commission stated previously, the Exchange's timing for the commencement of its proposed extended trading sessions must be consistent with Sections 6(b)(1), 6(b)(5), and 6(b)(8) of the Act.[70] Here, as there, these requirements have been met in light of (i) OPRA's readiness to collect and disseminate quotation and transaction information for any exchange during the proposed extended trading sessions, (ii) the Exchange's commitment not to launch equity option trading during the proposed extended trading sessions until approval of the proposed rule change that the OCC has filed with the Commission, and (iii) the fact that Exchange members should have reasonable time and opportunity to prepare for the proposed extended trading sessions, including during the statutory timeframe that applies to the proposed rule change that the OCC has filed with the Commission.[71] Moreover, that no exchange may trade equity options during the proposed extended trading sessions until the OCC's related proposed rule change has been completed should provide for a harmonized point in time at which exchanges may implement the proposed extended sessions for equity option trading, pursuant to rules approved by the Commission or that otherwise become effective pursuant to Section 19(b), if they so choose.[72]

For the foregoing reasons, the Commission finds that the Amended Proposal is consistent with the Act and the rules and regulations thereunder applicable to a national securities exchange.

V. Solicitation of Comments on Amendment No. 2 to the Proposed Rule Change

Interested persons are invited to submit written data, views, and arguments concerning whether Amendment No. 2 is consistent with the Act. Comments may be submitted by any of the following methods:

Electronic Comments

- Use the Commission's internet comment form (*https://www.sec.gov/rules/sro.shtml*); or
- Send an email to *rule-comments@sec.gov.* Please include file number SR–NYSEAMER–2026–34 on the subject line.

Paper Comments

- Send paper comments in triplicate to Secretary, Securities and Exchange Commission, 100 F Street NE, Washington, DC 20549–1090.

All submissions should refer to file number SR- NYSEAMER–2026–34. This file number should be included on the subject line if email is used. To help the Commission process and review your comments more efficiently, please use only one method. The Commission will post all comments on the Commission's internet website (*https://www.sec.gov/rules/sro.shtml*). Copies of the filing will be available for inspection and copying at the principal office of the Exchange. Do not include personal identifiable information in submissions; you should submit only information that you wish to make available publicly. We may redact in part or withhold entirely from publication submitted material that is obscene or subject to copyright protection. All submissions should refer to file number SR–NYSEAMER–2026–34 and should be submitted by September 23, 2026.

VI. Accelerated Approval of the Proposed Rule Change, as Modified and Superseded by Amendment No. 2

The Commission finds good cause to approve the proposed rule change, as modified and superseded by Amendment No. 2, prior to the thirtieth day after the date of publication of notice of the filing of Amendment No. 2 in the **Federal Register**. Amendment No. 2 further harmonizes the Initial Filing with what is already permitted by other exchanges with respect to extended session equity option trading. Amendment No. 2, without altering the purpose of the Initial Filing, strengthens the Initial Filing by providing additional clarity and a more harmonized approach to extended session equity option trading.

The Commission therefore finds that Amendment No. 2 does not raise any novel regulatory issues substantially different from those that had been previously subject to comment and is reasonably designed to prevent fraudulent and manipulative acts and practices, to promote just and equitable principles of trade, and, in general, to protect investors and the public interest. Accordingly, the Commission finds good cause, pursuant to Section 19(b)(2) of the Act,[73] to approve the proposed rule change, as modified and superseded by Amendment No. 2, on an accelerated basis prior to the 30th day after publication of notice of the filing of Amendment No. 2 in the **Federal Register**.

VII. Conclusion

It is therefore ordered, pursuant to Section 19(b)(2) of the Act,[74] that the proposed rule change (SR–NYSEAMER–2026–34), as modified and superseded by Amendment No. 2, be, and hereby is, approved on an accelerated basis.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[75]

Sherry R. Haywood,

Assistant Secretary.

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[66] *See* Section III, *supra*; *see also* Memorandum from the Division of Trading and Markets Regarding a March 4, 2026, Conference Call with Representatives of the Options Price Reporting Authority and the Securities Industry Automation Corporation, dated March 4, 2026 (stating that OPRA is able to support the proposed extended trading sessions for all exchanges, following a 30-day notice period to OPRA subscribers), available on the Commission's website at: *https://www.sec.gov/rules-regulations/public-comments/sr-cboe-2025-079.*

[67] *See* Section III, *supra.*

[68] *Id.*

[69] *Id.*

[70] *See* Cboe Extended Trading Order and MRX Extended Trading Order.

[71] *See* Section III, *supra*; *see also* Section 19(b) of the Act; 15 U.S.C. 78s(b).

[72] *See* SIFMA May Letter (urging harmonization of the initial launch of extended trading of equity options); Section 19(b) of the Act; 15 U.S.C. 78s(b).

[73] 15 U.S.C. 78s(b)(2).

[74] *Id.*

[75] 17 CFR 200.30–3(a)(12).

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–106224; File No. SR–C2–2026–024]

Self-Regulatory Organizations; Cboe C2 Exchange, Inc.; Notice of Filing and Immediate Effectiveness of a Proposed Rule Change To Adopt a New Rule Governing the Operation of a Proposed Step Up Mechanism ("SUM") on the Exchange and To Make Conforming Changes in Other Rules

August 28, 2026.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (the