For the Commission, by the Division of Investment Management, under delegated authority.

Sherry R. Haywood,

Assistant Secretary.

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SECURITIES AND EXCHANGE COMMISSION

[Release No.: 34–106267]

Notice pursuant to Rule 15c3–3a, Note H(b)(3) Regarding Application of the Customer Protection Rule Reserve Computations With Respect to U.S. Treasury Securities

AGENCY: Securities and Exchange Commission.

ACTION: Notice.

SUMMARY: The Securities and Exchange Commission (''Commission'') is publishing notice that broker-dealers may include a debit in the customer protection rule reserve computations when depositing cash, U.S. Treasury securities, and/or qualified customer securities to meet a margin requirement of ICE Clear Credit LLC (''ICC'') resulting from positions in U.S. Treasury securities of the customers of the broker-dealer.

FOR FURTHER INFORMATION CONTACT: Raymond Lombardo, Acting Associate Director; Sheila Dombal Swartz, Senior Special Counsel, or Abraham Jacob, Special Counsel, at (202) 551–5500, Office of Broker-Dealer Finances, Division of Trading and Markets; Securities and Exchange Commission, 100 F Street NE, Washington, DC 20549–7010.

SUPPLEMENTARY INFORMATION:

I. Background

On December 13, 2023, the Commission adopted rules under the Securities Exchange Act of 1934 (''Exchange Act'') to amend the standards applicable to covered clearing agencies for U.S. Treasury securities (''U.S. Treasury securities CCAs'') to enhance risk management practices for central counterparties in the U.S. Treasury market and facilitate additional clearing of U.S. Treasury securities transactions.[1] The Commission also amended the formula for computing reserve account requirements under the broker-dealer customer protection rule.[2] The amendments to the formula—which are set forth in Rule 15c3–3a—permit margin required and on deposit with a U.S. Treasury securities CCA to be included as a debit when computing reserve requirements with respect to customers and proprietary accounts of broker-dealers (''PAB''), subject to certain conditions.[3] In particular, the amendments added Item 15 to the customer and PAB reserve computations on which to record the value of the debit and prescribed conditions—set forth in Note H to Item 15—for including the debit in the formulas.[4] Each of the conditions in Note H needs to be met for a broker-dealer to include a debit equal to the amount of customer or PAB account holder margin required and on deposit at the U.S. Treasury securities CCA.[5]

Certain of the conditions in Note H require the broker-dealer to take a number of steps with respect to the customer and PAB account holder margin in its custody.[6] Other conditions provide that the U.S. Treasury securities CCA that will receive the customer or PAB account holder margin from the broker-dealer must have adopted rules—approved by the Commission—that require it to take certain steps with respect to calculating margin requirements and handling customer and PAB account holder margin received from the broker-dealer.[7] The requirements of Note H are designed to permit the inclusion of the debit in the customer and PAB reserve computations under conditions that ''provide maximum protection'' to the broker-dealer's customers and PAB account holders and that do not diminish the customer protection objectives of Rules 15c3–3 and 15c3–3a.[8]

Paragraph (b)(3) to Note H sets forth the final condition: that the Commission has approved rules of the U.S. Treasury securities CCA that meet the conditions of Note H and has published (and not subsequently withdrawn) a notice that broker-dealers may include a debit in the customer and/or PAB reserve computations when depositing cash, U.S. Treasury securities, and/or qualified customer securities to meet a margin requirement of the U.S. Treasury securities CCA resulting from positions in U.S. Treasury securities of the customers or PAB account holders of the broker-dealer.[9] The Commission stated that its staff would analyze the U.S. Treasury securities CCA's approved rules and practices regarding the treatment of customer position margin and make a recommendation as to whether they adequately implement the customer protection objectives of the conditions set forth in Note H.[10] If satisfied with the staff's recommendation, the Commission stated it will publish a positive notice.

II. Notice

On August 1, 2025, ICC filed with the Commission an application on Form CA–1 under section 17A of the Exchange Act[11] seeking to register as a clearing agency to provide central counterparty clearing services with respect to secondary cash market transactions and repurchase and reverse repurchase transactions in U.S. Treasury securities.[12] On January 30, 2026, the Commission approved ICC's application.[13] ICC's application, among other things, included rules, and policies and procedures to address the conditions of Note H of the customer and PAB reserve computations set forth in Rule 15c3–3a. On July 24, 2026, the Division of Trading and Markets, pursuant to delegated authority, approved proposed rule change SR–ICC–2026–002 (''ICC rule change'').[14]

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[1] *See Standards for Covered Clearing Agencies for U.S. Treasury Securities and Application of the Broker-Dealer Customer Protection Rule With Respect to U.S. Treasury Securities,* Exchange Act Release No. 99149 (Dec. 13, 2023), 89 FR 2714 (Jan. 16, 2024) (''Treasury Clearing Release'').

[2] *See* Treasury Clearing Release, 89 FR at 2760–68. *See also* 17 CFR 240.15c3–3a (the formula for computing reserve requirements under the customer protection rule) (''Rule 15c3–3a''); 17 CFR 240.15c3–3 (the customer protection rule) (''Rule 15c3–3''). Rule 15c3–3 requires a broker-dealer to compute the net amount of cash owed to customers and PAB account holders under a formula in Rule 15c3–3a (''customer and PAB reserve computations''). Generally, broker-dealers must perform their customer and PAB reserve computations and make any required deposits in a special reserve account at a bank weekly or daily. *See* paragraph (e)(3) to Rule 15c3–3.

[3] *See* Treasury Clearing Release, 89 FR at 2760–68.

[4] *See id.* The amendments also modified Note B to Item 2 of the customer and PAB reserve computations to provide that this item in the reserve computations must include as a credit the market value of customers' and PAB account holders' securities on deposit at a U.S. Treasury CCA. *See id.* at 2761.

[5] *See* Treasury Clearing Release, 89 FR at 2760–68.

[6] *See* Rule 15c3–3a, Note H(a) and (b)(1).

[7] *See* Rule 15c3–3a, Note H(b)(2).

[8] *See* Treasury Clearing Release, 89 FR at 2760.

[9] *See* Rule 15c3–3a, Note H(b)(3).

[10] *See* Treasury Clearing Release, 89 FR at 2768.

[11] 15 U.S.C. 78q–1.

[12] *See* Notice of Filing of an Application for Registration as a Clearing Agency Under section 17A of the Securities Exchange Act of 1934, Exchange Act Release No. 103727 (Aug. 18, 2025), 90 FR 40879 (Aug. 21, 2025).

[13] Order Granting an Application for Registration as a Clearing Agency under section 17A of the Securities Exchange Act of 1934, Exchange Act Release No. 104762 (Jan. 30, 2026), 91 FR 5528 (Feb. 6, 2026).

[14] Order Approving Proposed Rule Change Relating to the Treasury Clearing Rules and Treasury Clearing Service Treasury Operations Policies and Liquidity Risk Management

The ICC rule change makes, among other changes, certain modifications to its rulebook regarding the conditions of Note H of the customer and PAB reserve computations set forth in Rule 15c3–3a. The staff has analyzed ICC's rules, as well as the changes made pursuant to the ICC rule change, and made a recommendation to the Commission that they adequately implement the customer protection objectives of the conditions set forth in Note H.

Accordingly, the Commission is publishing this notice to advise broker-dealers that they may include a debit in their customer and/or PAB reserve computations when depositing cash, U.S. Treasury securities, and/or qualified customer securities to meet a margin requirement of ICC resulting from positions in U.S. Treasury securities of the customers of the broker-dealer.[15] Any changes to the relevant ICC rules and practices that would undermine these customer protection objectives could result in the Commission withdrawing this notice, at which point a broker-dealer could no longer include the debit in the customer and/or PAB reserve computations.

By the Commission.

Dated: September 3, 2026.

Sherry R. Haywood,

Assistant Secretary.

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SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–106275; File No. SR–FINRA–2026–018]

Self-Regulatory Organizations; Financial Industry Regulatory Authority, Inc.; Notice of Filing of a Proposed Rule Change To Amend FINRA Rules 0150 (Application of Rules to Exempted Securities Except Municipal Securities), 2165 (Financial Exploitation of Specified Adults) and 4512 (Customer Account Information) and To Adopt FINRA Rule 2166 (Temporary Delays for Suspected Fraud)

September 3, 2026.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (''Exchange Act'' or ''Act'')[1] and Rule 19b–4 thereunder,[2] notice is hereby given that on August 20, 2026, the Financial Industry Regulatory Authority, Inc. (''FINRA'') filed with the Securities and Exchange Commission (''SEC'' or ''Commission'') the proposed rule change as described in Items I, II, and III below, which Items have been prepared by FINRA. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

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

FINRA is proposing to amend FINRA Rules 0150 (Application of Rules to Exempted Securities Except Municipal Securities), 2165 (Financial Exploitation of Specified Adults) and 4512 (Customer Account Information) and to adopt new FINRA Rule 2166 (Temporary Delays for Suspected Fraud) to modernize protections for senior and vulnerable investors and to make additional fraud prevention tools available for all customers.

The text of the proposed rule change is available on FINRA's website at *http://www.finra.org* and at the principal office of FINRA.

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

In its filing with the Commission, FINRA included statements concerning the purpose of and basis for the proposed rule change and discussed any comments it received on the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. FINRA 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 the Purpose of, and Statutory Basis for, the Proposed Rule Change

1. Purpose

I. Background

A. FINRA's Existing Senior Investor Protection Rules

FINRA has long been committed to protecting senior investors and combating financial fraud through regulation, investor education and assistance, and engagement with member firms, state and federal agencies and investor protection advocates. FINRA recognizes that member firms are on the front line of protecting customers from threat actors and has developed a regulatory framework designed to provide member firms with flexible tools to help protect senior and vulnerable investors from financial exploitation. This framework includes two rules that facilitate early detection and intervention through member firms' ability to contact a customer's trusted contact person and place a temporary hold on a transaction or disbursement when they have a reasonable suspicion of financial exploitation.[3]

Trusted Contact Persons

Rule 4512, in part, requires member firms to make reasonable efforts to obtain the information for a trusted contact person upon the opening of all non-institutional customer accounts. The trusted contact person is intended to serve as a resource for the member firm in various situations, including helping to update customer contact information when a customer becomes unavailable, assisting when concerns arise over possible diminished capacity or other health issues, protecting assets, and responding to possible financial exploitation. Rule 4512 is not limited to senior investors, and a trusted contact person can be a valuable tool for customers of all ages. Designation as a trusted contact person does not give the person power of attorney-type authority over customer accounts, and does not give the person authority to execute transactions or make decisions about an account. Rather, trusted contact persons are an important resource for member firms and customers in special circumstances.

While the trusted contact framework has proven valuable, greater rates of adoption could significantly improve investor protection. According to the FINRA Foundation's National Financial Capability Study: 2024 Investor Survey, 42 percent of respondents say they have authorized a trusted contact person for their investment accounts, up from 38 percent in 2021, while over half (53 percent) say they have not.[4] Among those who have not named a trusted contact person, nearly half (49 percent, or just over one-quarter of all survey respondents) say they would be willing to do so.[5]

Framework, Exchange Act Release No. 105986 (Jul. 24, 2026), 91 FR 47864 (Jul. 29, 2026).

[15] *See supra* note 5 and accompanying text (discussing Note H conditions).

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

[2] 17 CFR 240.19b–4.

[3] Other FINRA rules that are generally applicable to all customers, but can be particularly relevant in protecting senior investors, include FINRA Rule 3240 (Prohibition on Borrowing From or Lending to Customers) and FINRA Rule 3241 (Registered Person Being Named a Customer's Beneficiary or Holding a Position of Trust for a Customer).

[4] Judy T. Lin, Christopher Bumcrot, Olivia Valdes, Gary Mottola, Susan Sarver, Robert Ganem, Christine Kieffer, & Gerri Walsh, *Investors in the United States: A Report of the National Financial Capability Study,* FINRA Investor Education Foundation (December 2025) (''National Financial Capability Study'').

[5] To increase familiarity with and use of this important tool, FINRA has sought to educate

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