

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-105323; File No. SR-NYSEAMER-2026-29]

Self-Regulatory Organizations; NYSE American LLC; Notice of Filing and Immediate Effectiveness of Proposed Change to Amend Rules 353 and 931NY

April 28, 2026.

Pursuant to Section 19(b)(1)¹ of the Securities Exchange Act of 1934 (“Act”)² and Rule 19b-4 thereunder,³ notice is hereby given that, on April 13, 2026, NYSE American LLC (“NYSE American” or the “Exchange”) filed with the Securities and Exchange Commission (the “Commission”) the proposed rule change as described in Items I, II, and III below, which Items have been prepared by the self-regulatory organization. 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

The Exchange proposes to amend Rules 353 and 931NY to eliminate certain of the Exchange’s publication obligations as outdated and unnecessary. The proposed rule change is available on the Exchange’s website at www.nyse.com and at the principal office of the Exchange.

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

In its filing with the Commission, the self-regulatory organization included statements concerning the purpose of, and basis for, the proposed rule change and discussed any comments

¹ 15 U.S.C. 78s(b)(1).

² 15 U.S.C. 78a.

³ 17 CFR 240.19b-4.

it received on the proposed rule change. The text of those statements may be examined at the places specified in Item IV below. The Exchange has prepared summaries, set forth in sections A, B, and C below, of the most significant parts of such statements.

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

1. Purpose

The Exchange proposes to amend Rules 353 (American Trading Permit Requirements), and 931NY (Registration of Floor Brokers) to eliminate certain of the Exchange's publication obligations as outdated and unnecessary. The Exchange also proposes related conforming changes to Rules 452 (Equities. Giving Proxies by Member Organizations) and 459 (Equities. Other Persons to File Information When Associate with Member).

Rule 353 describes the procedure for applying for status as an American Trading Permit ("ATP") Holder on the Exchange. Subparagraph (2) under the "Admissions Procedure" section of Rule 353 provides that, in connection with an application for an ATP, there is a minimum posting period of seven days, which period may be extended by the Exchange when necessary, and that notice of the proposed issuance of an ATP must be posted in the Exchange's Weekly Bulletin. This subparagraph further provides that the minimum posting period will be waived for prior active members. The Exchange proposes to delete the posting requirement set forth in this subparagraph (and to renumber the remaining subparagraphs accordingly) because the Exchange no longer accepts comments from ATP Holders in connection with the ATP application process; instead, the Exchange's decisions regarding such applications are based on objective criteria set forth in its rules.⁴ The Exchange also currently maintains on its website an up-to-date online

⁴ See, e.g., Rule 353 (American Trading Permit Requirements).

directory listing the name and contact information of each OTP Holder or OTP Firm (the “Membership Directory”).⁵ The Exchange believes that the Membership Directory, which is publicly available, has rendered the requirement to separately publish the names of newly approved ATP Holders redundant and inefficient. Accordingly, the Exchange believes that the requirements to post the names of ATP applicants and publish such names in the Weekly Bulletin are no longer necessary or relevant and proposes to delete these requirements to eliminate an unnecessary burden on Exchange resources.⁶

Rule 931NY(a) requires that an applicant for registration as a Floor Broker must file an application in writing with the Exchange on such form or forms as the Exchange may prescribe and must pass a Floor Broker examination prescribed by the Exchange. The rule further provides that, before a registration becomes effective, the Exchange will post the name of the applicant on the bulletin board on the Floor of the Exchange for three business days. The Exchange proposes to delete the posting requirement as set forth in Rule 931NY(a) because the Exchange no longer accepts comments in connection with Floor Broker applications; instead, the Exchange’s decisions regarding such applications are based solely upon objective criteria set

⁵ See Membership Directory, available at: <https://www.nyse.com/trade/membership#directories>.

⁶ The Exchange previously filed to delete references to the Weekly Bulletin in its rules where the information that would have been reflected therein would be available on its website. See Securities Exchange Act Release No. 56947 (December 12, 2007), 72 FR 72419 (December 20, 2007) (SR-Amex-2007-134). The Exchange’s affiliate, NYSE Arca, Inc. (“NYSE Arca”), recently eliminated similar requirements to post the names of Options Trading Permit (“OTP”) applicants and publish the names of new OTP Holders and OTP Firms in its Weekly Bulletin. See Securities Exchange Act Release No. 105043 (March 18, 2026), 91 FR 13898 (March 23, 2026) (SR-NYSEARCA-2026-29) (Notice of Filing and Immediate Effectiveness of a Proposed Rule Change To Amend Rules 2.4, 2.6, and 6.44-O To Eliminate Certain Outdated Publication Obligations). The Exchange further notes that Cboe Exchange, Inc. (“Cboe Options”) similarly no longer requires the publication of Trading Permit Holder applicants in its weekly bulletin or the posting of such applicants on its bulletin board. See Securities Exchange Act Release No. 71436 (January 29, 2014), 79 FR 6662 (February 4, 2014) (SR-CBOE-2014-009).

forth in its rules.⁷ Accordingly, the Exchange believes the posting of the names of not-yet-approved Floor Broker applicants is no longer necessary or relevant.⁸ The Exchange therefore proposes to delete the portion of Rule 931NY(a) noted above, for the same reasons discussed above for the proposed deletion of subparagraph (2) under the “Admissions Procedures” section of Rule 353. The Exchange further notes that, as with ATP Holders, the Exchange currently maintains an up-to-date list of Floor Brokers in the Membership Directory on its website, which includes the names of each Floor Broker firm and contact information.⁹

Finally, with the proposed elimination of the publication and posting requirements in Rules 353 and 931NY as described above and given that the Exchange posts information relevant to market participants on its publicly available website, the Exchange also proposes to discontinue publication of the Weekly Bulletin and use of a physical bulletin board on the Trading Floor.¹⁰ To effect this change, the Exchange proposes to replace references to the Weekly Bulletin in Rules 452 and 459 with references to the Exchange’s website, where the information referenced in such rules will continue to be available.

⁷ Per Rule 931NY(a), in addition to submitting a written application with the Exchange on such form or forms as the Exchange may prescribe, prospective Floor Brokers must pass a Floor Broker examination prescribed by the Exchange, which objective standard must be met for registration approval.

⁸ The Exchange notes that NYSE Arca also recently eliminated a similar requirement with respect to the posting of Floor Broker applicants’ names. See Securities Exchange Act Release No. 105043 (March 18, 2026), 91 FR 13898 (March 23, 2026) (SR-NYSEARCA-2026-29) (Notice of Filing and Immediate Effectiveness of a Proposed Rule Change To Amend Rules 2.4, 2.6, and 6.44-O To Eliminate Certain Outdated Publication Obligations). The Exchange further notes that it has consulted the Floor Broker registration rules of other options exchanges that have a physical trading floor and determined that none include a similar posting requirement. See, e.g., Nasdaq Phlx LLC, Options 8, Section 6 (Registration of Floor Brokers); Cboe Options Rule 3.50(b) (Floor Brokers, Registration); BOX Exchange LLC Rule 7550 (Registration of Floor Brokers); MIAX Sapphire Options Exchange Rule 2020 (Registration of Floor Brokers).

⁹ See note 5, supra.

¹⁰ As noted above, the Exchange has previously eliminated references to the Weekly Bulletin in its rules where the information was available to market participants via its website, and both NYSE Arca and Cboe Options have similarly eliminated requirements to publish or post information in a weekly bulletin and/or on a physical bulletin board, based on the availability of such information via the exchange’s website. See note 6, supra.

2. Statutory Basis

The Exchange believes that the proposed rule change is consistent with Section 6(b) of the Act,¹¹ in general, and furthers the objectives of Section 6(b)(5) of the Act,¹² in particular, because it is 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, and, in general, to protect investors and the public interest, and because it is not designed to permit unfair discrimination between customers, issuers, brokers, or dealers.

The Exchange believes the proposed rule change would remove impediments to, and perfect the mechanism of, a free and open market and a national market system because it eliminates publication and posting requirements that are outdated, unduly burdensome, and redundant of information publicly available on the Exchange's website. With respect to the posting requirements for ATP and Floor Broker applicants, as set forth in Rules 353 and 931NY(a), respectively, the Exchange believes that the original rationale for posting such information—to put market participants on notice of certain applications and provide them an opportunity to submit comments to the Exchange regarding such applications—is no longer relevant, given that the Exchange no longer accepts such comments. Instead, as noted above, the Exchange evaluates ATP Holder and Floor Broker applications based on objective criteria set forth in Exchange rules. The Exchange thus believes that eliminating these requirements would

¹¹ 15 U.S.C. 78f(b).

¹² 15 U.S.C. 78f(b)(5).

streamline Exchange rules, while promoting clarity and transparency as to the Exchange's practices with respect to evaluating such applications. The Exchange also believes that the elimination of the requirement, as set forth in Rule 353, to publish new ATP Holders in the Exchange's Weekly Bulletin is similarly unnecessary given that the Exchange maintains an up-to-date Membership Directory on its website, which makes publicly available to market participants the names of approved ATP Holders. Thus, the Exchange believes the proposed change would likewise streamline Exchange rules by removing unnecessary and outdated requirements. Finally, the Exchange believes that the proposed change to discontinue publication of the Weekly Bulletin and use of a physical bulletin board on the Trading Floor would similarly remove impediments to, and perfect the mechanism of, a free and open market and a national market system because it would reduce an administrative burden on the Exchange without impacting the continued availability of relevant information to market participants via the Exchange's website.

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. The Exchange believes that the proposed rule change will not impose an undue burden on intramarket competition because the changes will impact all similarly situated market participants equally. The Exchange believes that the proposed rule change will not impose an undue burden on intermarket competition because it is intended to streamline Exchange rules by removing unnecessary and outdated requirements that other exchanges have similarly eliminated or otherwise do not have in their rules.¹³

¹³ See notes 6 & 8, supra.

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.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

The Exchange has filed the proposed rule change pursuant to Section 19(b)(3)(A)(iii) of the Act¹⁴ and Rule 19b-4(f)(6) thereunder.¹⁵ Because the proposed rule change does not: (i) significantly affect the protection of investors or the public interest; (ii) impose any significant burden on competition; and (iii) become operative prior to 30 days from the date on which it was filed, or such shorter time as the Commission may designate, if consistent with the protection of investors and the public interest, the proposed rule change has become effective pursuant to Section 19(b)(3)(A) of the Act and Rule 19b-4(f)(6)(iii) thereunder.

A proposed rule change filed under Rule 19b-4(f)(6)¹⁶ normally does not become operative prior to 30 days after the date of the filing. However, pursuant to Rule 19b-4(f)(6)(iii),¹⁷ the Commission may designate a shorter time if such action is consistent with the protection of investors and the public interest. The Exchange has asked the Commission to waive the 30-day operative delay so that the proposal may become operative immediately upon filing. In the filing, the Exchange stated the proposed changes are intended to eliminate posting and publication requirements that are no longer relevant or necessary based on the Exchange's current processes for evaluating ATP and Floor Broker applications and/or that are redundant of

¹⁴ 15 U.S.C. 78s(b)(3)(A)(iii).

¹⁵ 17 CFR 240.19b-4(f)(6). In addition, Rule 19b-4(f)(6)(iii) requires the Exchange to give the Commission written notice of the Exchange's intent to file the proposed rule change, along with a brief description and text of the proposed rule change, at least five business days prior to the date of filing of the proposed rule change, or such shorter time as designated by the Commission. The Exchange has satisfied this requirement.

¹⁶ 17 CFR 240.19b-4(f)(6).

¹⁷ 17 CFR 240.19b-4(f)(6)(iii).

information publicly available on the Exchange's website. The Exchange further states that it believes that the proposed change is not controversial and will not impose an undue burden on competition because it is intended to streamline Exchange rules by removing unnecessary and outdated requirements that other exchanges have similarly eliminated or otherwise do not have in their rules. These changes to remove outdated content that is no longer necessary based on the Exchange's current processes and/or that is available on the Exchange's website do not impose any significant burden on competition because they do not raise any novel issues, and waiver of the operative delay allows for the immediate clarification of the Exchange's rules to reflect these changes. Therefore, waiver of the 30-day operative delay is consistent with the protection of investors and the public interest. Accordingly, the Commission hereby waives the operative delay and designates the proposal operative upon filing¹⁸.

At any time within 60 days of the filing of such proposed rule change, the Commission summarily may temporarily suspend such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act. If the Commission takes such action, the Commission shall institute proceedings under Section 19(b)(2)(B)¹⁹ of the Act to determine whether the proposed rule change should be approved or disapproved.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act. Comments may be submitted by any of the following methods:

¹⁸ For purposes only of waiving the 30-day operative delay, the Commission has considered the proposed rule's impact on efficiency, competition, and capital formation. See 15 U.S.C. 78c(f).

¹⁹ 15 U.S.C. 78s(b)(2)(B).

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-2026-29 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-2026-29. 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-2026-29 and should be submitted on or before [INSERT DATE 21 DAYS AFTER DATE OF PUBLICATION IN THE *FEDERAL REGISTER*].

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.²⁰

Vanessa A. Countryman,

Secretary.

²⁰ 17 CFR 200.30-3(a)(12), (59).