

SECURITIES AND EXCHANGE COMMISSION

(Release No. 34-81885; File Nos. SR-DTC-2017-004; SR-NSCC-2017-005; SR-FICC-2017-008)

October 16, 2017

Self-Regulatory Organizations; The Depository Trust Company; National Securities Clearing Corporation; Fixed Income Clearing Corporation; Notice of Designation of Longer Period for Commission Action on Proceedings to Determine Whether to Approve or Disapprove Proposed Rule Changes, as Modified by Amendments No. 1 and No. 3, to Adopt the Clearing Agency Liquidity Risk Management Framework

On April 6, 2017, The Depository Trust Company (“DTC”), National Securities Clearing Corporation (“NSCC”), and Fixed Income Clearing Corporation (“FICC,” and together with DTC and NSCC, the “Clearing Agencies”), filed with the Securities and Exchange Commission (“Commission”) proposed rule changes SR-DTC-2017-004, SR-NSCC-2017-005, SR-FICC-2017-008, respectively, pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (“Act”)¹ and Rule 19b-4 thereunder.² On April 13, 2017, the Clearing Agencies each filed Amendment No. 1 to their respective proposed rule changes. The proposed rule changes, as modified in each instance by Amendment No. 1, were published for comment in the Federal Register on April 25, 2017.³ On June 7, 2017, the Commission designated a longer period for Commission Action on the proposed rule changes, as amended in each instance by Amendment No. 1.⁴

¹ 15 U.S.C. 78s(b)(1).

² 17 CFR 240.19b-4.

³ Securities Exchange Act Release No. 80489 (April 19, 2017), 82 FR 19120 (April 25, 2017) (SR-DTC-2017-004, SR-NSCC-2017-005, SR-FICC-2017-008).

⁴ Securities Exchange Act Release No. 80877 (June 7, 2017), 82 FR 27094 (June 13, 2017) (SR-DTC-2017-004, SR-NSCC-2017-005, SR-FICC-2017-008).

On July 20, 2017, the Clearing Agencies each filed Amendment No. 2 to their respective proposed rule changes. On July 21, 2017, the Clearing Agencies each filed Amendment No. 3 to their respective proposed rule changes to supersede and replace Amendment No. 2, in its entirety, due to a technical defect. On July 28, 2017, the Commission published a notice in the Federal Register of filing Amendments No. 2 and No. 3, and issued an order instituting proceedings under Section 19(b)(2)(B) of the Act⁵ to determine whether to approve or disapprove the proposed rule changes, as amended.⁶ The Commission did not receive any comment letters on the proposed rule changes, as modified by Amendments No. 1 and No. 3.

Section 19(b)(2)(B)(ii) of the Act provides that, after initiating proceedings, the Commission shall issue an order approving or disapproving the proposed rule change not later than 180 days after the date of publication of notice of filing of the proposed rule change.⁷ The Commission may, however, extend the period for issuing an order approving or disapproving the proposed rule change by not more than 60 days if the Commission determines that a longer period is appropriate and publishes the reasons for such determination.⁸

The 180th day after publication of the notice for the Proposed Rule Changes in the Federal Register is October 22, 2017. The Commission finds it appropriate to designate a longer period within which to issue an order approving or disapproving the proposed rule changes, as amended, so that it has sufficient time to consider the proposed rule changes and the

⁵ 15 U.S.C. 78s(b)(2)(B)(i).

⁶ See Securities Exchange Act Release No. 81194 (July 28, 2017), 82 FR 35241 (July 28, 2017) (SR-DTC-2017-004; SR-NSCC-2017-005; SR-FICC-2017-008).

⁷ 15 U.S.C. 78s(b)(2)(B)(ii).

⁸ Id.

amendments. Accordingly, the Commission, pursuant to Section 19(b)(2)(B)(ii) of the Act,⁹ designates December 21, 2017 as the date by which the Commission shall either approve or disapprove proposed rule changes SR-DTC-2017-004, SR-NSCC-2017-005, SR-FICC-2017-008, as amended.

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

Eduardo A. Aleman
Assistant Secretary

⁹ Id.

¹⁰ 17 CFR 200.30-3(a)(57).