DIVISION OF INVESTMENT MANAGEMENT STAFF STATEMENT ON HEARING REQUESTS ON APPLICATIONS Filed UNDER THE INVESTMENT COMPANY ACT OF 1940 AND INVESTMENT ADVISERS ACT OF 1940

The Division of Investment Management’s Chief Counsel’s Office is responsible for reviewing applications under the Investment Company Act of 1940 and the Investment Advisers Act of 1940. When the Commission issues a notice that an application has been filed, the notice generally outlines a procedure for interested persons to request a hearing on the matter. That procedure typically includes writing to the Commission’s Secretary, and the Commission’s notice includes the Commission’s physical mailing address. However, due to the disruptions caused by the coronavirus disease 2019 (COVID-19), the Commission will be requiring interested persons to submit written hearing requests by sending an e-mail to the Commission’s Secretary at Secretarys-Office@sec.gov. The Commission will reflect this e-mail requirement in forthcoming notices.

Furthermore, the notices listed in Appendix A below, for which the Commission has not yet issued an order as of the date of this Information Update, do not indicate that hearing requests must be e-mailed to the Commission’s Secretary. In light of the disruptions caused by COVID-19, however, we are issuing this statement to ask that interested persons who request, or have already requested, a hearing on an application listed in Appendix A to also send a copy of the written hearing request by e-mail to the Commission’s Secretary at Secretarys-Office@sec.gov. If the Commission’s Secretary does not receive a copy of the written hearing request by e-mail by April 21, 2020, the Commission will issue an order thereafter, unless the Commission otherwise orders a hearing.

As a reminder, Commission notices generally also require interested persons to serve applicants with a copy of any hearing request, personally or by mail. In light of COVID-19, however, Division staff will offer applicants the option to provide an e-mail address to be included in the Commission’s notice so that interested persons may instead serve applicants by e-mail.
This Staff Statement represents the views of the staff of the Division of Investment Management. It is not a rule, regulation, or statement of the Securities and Exchange Commission. The Commission has neither approved nor disapproved its content. This Staff Statement, like all staff guidance, has no legal force or effect: it does not alter or amend applicable law, and it creates no new or additional obligations for any person.

Endnotes
Appendix A


