

checks. NRC Form 754 collects the information required to perform the necessary firearms background checks. The background check uses the person's fingerprints and other identifying information and is performed under the Federal Bureau of Investigation's National Instant Criminal Background Check System to determine if an individual is prohibited under Federal or State law from possessing or receiving firearms. Licensees submit NRC Form 754 for all security personnel protecting Commission designated facilities, radioactive material, or other property whose duties require them to have access to these weapons.

For the Nuclear Regulatory Commission.

Dated: March 20, 2026.

Heather Dempsey,

Acting NRC Clearance Officer, Office of the Chief Information Officer.

[FR Doc. 2026-05769 Filed 3-24-26; 8:45 am]

BILLING CODE 7590-01-P

SECURITIES AND EXCHANGE COMMISSION

[Investment Company Act Release No. 36028; 812-15921]

The 2023 ETF Series Trust, et al.

March 20, 2026.

AGENCY: Securities and Exchange Commission ("Commission").

ACTION: Notice.

Notice of an application under section 6(c) of the Investment Company Act of 1940 ("Act") for an exemption from section 15(a) of the Act, as well as from certain disclosure requirements in rule 20a-1 under the Act, Item 19(a)(3) of Form N-1A, Items 22(c)(1)(ii), 22(c)(1)(iii), 22(c)(8) and 22(c)(9) of Schedule 14A under the Securities Exchange Act of 1934, and sections 6-07(2)(a), (b), and (c) of Regulation S-X ("Disclosure Requirements").

SUMMARY OF APPLICATION: The requested exemption would permit Applicants to enter into and materially amend subadvisory agreements with certain subadvisers without shareholder approval and grant relief from the Disclosure Requirements as they relate to fees paid to the subadvisers.

APPLICANTS: The 2023 ETF Series Trust and Pictet Asset Management SA and Pictet Asset Management Ltd.

FILING DATES: The application was filed on October 23, 2025 and amended on March 4, 2026.

HEARING OR NOTIFICATION OF HEARING: An order granting the requested relief will be issued unless the Commission orders

a hearing. Interested persons may request a hearing on any application by emailing the SEC's Secretary at Secretarys-Office@sec.gov and serving the Applicants with a copy of the request by email, if an email address is listed for the relevant Applicant below, or personally or by mail, if a physical address is listed for the relevant Applicant below. The email should include the file number referenced above. Hearing requests should be received by the Commission by 5:30 p.m. Eastern time on April 14, 2026, and should be accompanied by proof of service on the Applicants, in the form of an affidavit, or, for lawyers, a certificate of service. Pursuant to rule 0-5 under the Act, hearing requests should state the nature of the writer's interest, any facts bearing upon the desirability of a hearing on the matter, the reason for the request, and the issues contested. Persons who wish to be notified of a hearing may request notification by emailing the Commission's Secretary.

ADDRESSES: The Commission: Secretarys-Office@sec.gov. Applicants: Lissa Richter, Secretary, 2023 ETF Series Trust, 234 West Florida Street, Suite 203, Milwaukee, Wisconsin 53204; Christopher Menconi, Esquire, Morgan, Lewis & Bockius LLP, 1111 Pennsylvania Avenue NW, Washington, DC 20004.

FOR FURTHER INFORMATION CONTACT: Kris Easter Guidroz, Senior Counsel, or Thomas Ahmadifar, Branch Chief, at (202) 551-6825 (Division of Investment Management, Chief Counsel's Office).

SUPPLEMENTARY INFORMATION: For Applicants' representations, legal analysis, and conditions, please refer to Applicants' amended and restated application, dated March 4, 2026, which may be obtained via the Commission's website by searching for the file number at the top of this document, or for an Applicant using the Company name search field on the SEC's EDGAR system. The SEC's EDGAR system may be searched at <https://www.sec.gov/search-filings>. You may also call the SEC's Office of Investor Education and Advocacy at (202) 551-8090.

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

Vanessa A. Countryman,

Secretary.

[FR Doc. 2026-05752 Filed 3-24-26; 8:45 am]

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SECURITIES AND EXCHANGE COMMISSION

[OMB Control No. 3235-0467]

Agency Information Collection Activities; Proposed Collection; Comment Request; Extension: Rule 102

Upon Written Request, Copies Available From: Securities and Exchange Commission, Office of FOIA Services, 100 F Street NE, Washington, DC 20549-2736

Notice is hereby given that pursuant to the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*), the Securities and Exchange Commission ("SEC" or "Commission") is soliciting comments on the existing collection of information provided for in Rule 102 of Regulation M (17 CFR 242.102), under the Securities Exchange Act of 1934 (15 U.S.C. 78a *et seq.*).

Rule 102 prohibits distribution participants, issuers, and selling security holders from purchasing activities at specified times during a distribution of securities. Persons otherwise covered by this rule may seek to use several applicable exceptions such as exclusion for actively traded reference securities and the maintenance of policies regarding information barriers between their affiliates.

There are approximately 1,194 respondents per year that require an aggregate total of 2,094 hours to comply with this rule. Each respondent makes an estimated 1 annual response. Each response takes on average approximately 1.754 hours to complete. Thus, the total hour burden per year is approximately 2,094 hours. The total aggregate internal compliance cost for all respondents is approximately \$343,416, resulting in an aggregate internal cost of compliance per respondent of approximately \$287.62 (\$343,416/1,194 respondents).

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid Office of Management and Budget ("OMB") control number.

Written comments are invited on: (a) whether the proposed collection of information is necessary for the proper performance of the functions of the SEC, including whether the information shall have practical utility; (b) the accuracy of the SEC's estimates of the burden of the proposed collection of information, including the validity of the methodology and the assumptions used; (c) ways to enhance the quality, utility,

and clarity of the information collected; and (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated, electronic collection techniques or other forms of information technology.

Please direct your written comments on this 60-Day Collection Notice to Austin Gerig, Director/Chief Data Officer, Securities and Exchange Commission, c/o Tanya Ruttenberg via email to PaperworkReductionAct@sec.gov by May 26, 2026. There will be a second opportunity to comment on this SEC request following the **Federal Register** publishing a 30-Day Submission Notice.

Dated: March 23, 2026.

Vanessa A. Countryman,
Secretary.

[FR Doc. 2026-05804 Filed 3-24-26; 8:45 am]

BILLING CODE 8011-01-P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-105058; File No. S7-2026-10]

Notice of an Application of MEMX LLC for Temporary Exemptive Relief From Compliance With Certain Provisions of Rule 610(c) of Regulation NMS, as Amended, Pursuant to Section 36(a)(1) of the Securities Exchange Act of 1934 and Rule 610(f) of Regulation NMS, and Request for Comment

March 20, 2026.

On February 26, 2026, the Securities and Exchange Commission (the "Commission") received an application from MEMX LLC ("MEMX" or the "Exchange") to obtain temporary exemptive relief¹ pursuant to Section 36(a)(1) of the Securities Exchange Act of 1934 ("Exchange Act")² and Rule 610(f) of Regulation NMS,³ in

¹ See Letter from Adrian Griffiths, Head of Market Structure, MEMX LLC, dated February 26, 2026 ("Application"). The Application is attached as an Appendix to this notice. The Appendix may be found on <https://www.sec.gov/rules-regulations/exchange-act-exemptive-notices-orders>. Defined terms in this notice are the same as used in the Application, unless otherwise noted.

² 15 U.S.C. 78mm(a)(1). Section 36(a)(1) of the Exchange Act gives the Commission the authority to exempt any person, security or transaction or any class or classes of persons, securities or transactions, conditionally or unconditionally, from any Exchange Act provision or any rule or regulation thereunder by rule, regulation or order, to the extent that the exemption is necessary or appropriate in the public interest and consistent with the protection of investors.

³ 17 CFR 242.610(f). Rule 610(f) of Regulation NMS states that "[t]he Commission, by order, may exempt from the provisions of this section, either unconditionally or on specified terms and

accordance with relevant procedures set forth in Exchange Act Rule 0-12,⁴ to temporarily delay the implementation of certain amendments to Rule 610(c) of Regulation NMS that the Commission adopted in September 2024.⁵

Specifically, the temporary exemptive relief, which would apply to all trading centers subject to Rule 610(c), would delay implementation of the amendments to Rule 610(c) to: (a) protected quotations and other best bids and offers in those NMS stocks that would continue to be subject to a \$0.01 minimum pricing increment pursuant to Rule 612(b)(2)(i), and (b) protected quotations and other best bids and offers in NMS stocks that are priced below \$1.00. In addition, MEMX requested temporary exemptive relief to allow exchanges to charge an access fee of up to \$0.0015, by modifying the \$0.0010 amended access fee cap as adopted for those NMS stocks that would be subject to the new minimum pricing increment of \$0.005 pursuant to Rule 612(b)(2)(ii). The Commission is publishing this notice to provide interested persons with an opportunity to comment.

I. Background

On September 18, 2024, the Commission adopted Regulation NMS: Minimum Pricing Increments, Access Fees and Transparency of Better Priced Orders,⁶ which among other things: (1) amended Rule 612 of Regulation NMS to establish a minimum pricing increment of \$0.005 for bids, offers, orders and indications of interest that are priced equal to or greater than \$1.00 per share in certain NMS stocks;⁷ and (2) reduced the level of the access fee caps under Rule 610(c) of Regulation NMS to \$0.001 per share for protected quotations and other best bids and offers in NMS stocks priced at \$1.00 or more per share and 0.1 percent of the quotation price for protected quotations and other best bids and offers in NMS stocks priced less than \$1.00 per share.⁸ The Commission adopted compliance dates for the amendments, setting the dates upon which the rules must be

conditions, any person, security, quotations, orders, or fees, or any class or classes of persons, securities, quotations, orders, or fees, if the Commission determines that such exemption is necessary or appropriate in the public interest, and is consistent with the protection of investors."

⁴ 17 CFR 240.0-12. Exchange Act Rule 0-12 sets forth procedures for filing applications for orders for exemptive relief pursuant to Section 36 of the Exchange Act.

⁵ See Securities Exchange Act Release No. 101070 (Sept. 18, 2024), 89 FR 81620 (Oct. 8, 2024) ("Adopting Release").

⁶ See Adopting Release, *supra* note 5.

⁷ 17 CFR 242.612.

⁸ 17 CFR 242.610(c).

implemented.⁹ On October 31, 2025, the Commission, among other things, granted temporary exemptive relief from the compliance dates for Rules 600(b)(89)(i)(F), 610(c) and 612, as amended in the Adopting Release, until the first business day of November 2026 to allow affected entities additional time to come into compliance with the amendments.¹⁰

II. Summary of the Application

In its Application,¹¹ the Exchange states that it believes that the requested relief is necessary and appropriate given other market structure rule changes currently being contemplated by the Commission that it believes would directly impact the amendments to Rule 610(c).¹² Specifically, MEMX states that its request is designed to give the Commission time to consider and discuss with market participants whether and how access fees should be regulated in light of possible changes to Rule 611 of Regulation NMS.¹³ MEMX states that it seeks to ensure that the Commission is able to consider the interplay between Rules 610 and 611 of Regulation NMS before implementing the amendments to Rule 610(c), amendments which MEMX states may need to be undone or modified should changes to Rule 611 be made.¹⁴ MEMX states that a temporary implementation delay would ensure that the industry does not have to implement new regulations that the Commission may later eliminate or modify.¹⁵ At the same time, however, MEMX states that its own analysis has highlighted the need to implement the amendments to the minimum pricing increment provisions in Rule 612 of Regulation NMS, as amended, which, according to MEMX,

⁹ See Adopting Release, *supra* note 6 at 81679-81.

¹⁰ In connection with petitions filed in the U.S. Court of Appeals for the District of Columbia Circuit ("D.C. Circuit"), a motion was filed by petitioners with the Commission to stay the effect of the amendments to Rules 610 and 612 of Regulation NMS pending resolution of their petition for review. On December 12, 2024, the Commission issued an order granting a partial stay of the effect of the amendments to Rules 600(b)(89)(i)(F), 610, and 612 pending the completion of judicial review. See Securities Exchange Act Release No. 101899 (Dec. 12, 2024) (Order Granting Partial Stay). On October 14, 2025, the D.C. Circuit issued an opinion denying the petitions for review. On October 31, 2025, the Commission issued an order granting temporary exemptive relief from, among other things, Rules 600(b)(89)(i)(F), 610(c), and 612 until the first business day of November 2026. See Securities Exchange Act Release No. 104172 (Oct. 31, 2025), 90 FR 51418 (Nov. 17, 2025).

¹¹ See Appendix.

¹² See Application, p. 1.

¹³ See Application, p. 2.

¹⁴ See *id.*

¹⁵ See Application, p. 13.