OMB Number: 3235-0045 Estimated average burden hours per response			
Page 1 of * 18 SECURITIES AND EXCHANGE COMMISSION File No.* SR - 2019 - * 018 WASHINGTON, D.C. 20549 Form 19b-4 Amendment No. (req. for Amendments *)			
Filing by Financial Industry Regulatory Authority Pursuant to Rule 19b-4 under the Securities Exchange Act of 1934			
Initial *     Amendment *     Withdrawal     Section 19(b)(2) *     Section 19(b)(3)(A) *     Section 19(b)(3)(B)       V     Image: Constraint of the section of the sectin of the section of the section of the section of the sec	*		
Pilot         Extension of Time Period for Commission Action *         Date Expires *         19b-4(f)(1)         19b-4(f)(4)           19b-4(f)(2)         19b-4(f)(5)         19b-4(f)(3)         19b-4(f)(6)			
Notice of proposed change pursuant to the Payment, Clearing, and Settlement Act of 2010       Security-Based Swap Submission pursuant to the Securities Exchange Act of 1934         Section 806(e)(1)*       Section 806(e)(2)*       Section 3C(b)(2)*         Image: Clear of the securities exchange Act of 1934       Section 3C(b)(2)*			
Exhibit 2 Sent As Paper Document Exhibit 3 Sent As Paper Document			
Description			
Provide a brief description of the action (limit 250 characters, required when Initial is checked *).			
Proposed Rule Change to Make Technical and Other Non-Substantive Changes within FINRA Rules			
Contact Information Provide the name, telephone number, and e-mail address of the person on the staff of the self-regulatory organization prepared to respond to questions and comments on the action.			
First Name * Sarah Last Name * Kwak			
Title * Assistant General Counsel			
E-mail * sarah.kwak@finra.org			
Telephone *         (202) 728-8471         Fax         (202) 728-8264			
<b>Signature</b> Pursuant to the requirements of the Securities Exchange Act of 1934, has duly caused this filing to be signed on its behalf by the undersigned thereunto duly authorized.			
(Title *)			
Date 06/27/2019 Senior Vice President and Deputy General Counsel			
By Patrice Gliniecki			
(Name *) NOTE: Clicking the button at right will digitally sign and lock this form. A digital signature is as legally binding as a physical signature, and once signed, this form cannot be changed.			

OMB APPROVAL

SECURITIES AND EXCHANGE COMMISSION WASHINGTON, D.C. 20549		
For complete Form 19b-4 instructions please refer to the EFFS website.		
Form 19b-4 Information *       Add     Remove       View	The self-regulatory organization must provide all required information, presented in a clear and comprehensible manner, to enable the public to provide meaningful comment on the proposal and for the Commission to determine whether the proposal is consistent with the Act and applicable rules and regulations under the Act.	
Exhibit 1 - Notice of Proposed Rule Change * Add Remove View	The Notice section of this Form 19b-4 must comply with the guidelines for publication in the Federal Register as well as any requirements for electronic filing as published by the Commission (if applicable). The Office of the Federal Register (OFR) offers guidance on Federal Register publication requirements in the Federal Register Document Drafting Handbook, October 1998 Revision. For example, all references to the federal securities laws must include the corresponding cite to the United States Code in a footnote. All references to SEC rules must include the corresponding cite to the Code of Federal Regulations in a footnote. All references to Securities Exchange Act Releases must include the release number, release date, Federal Register cite, Federal Register date, and corresponding file number (e.g., SR-[SRO] -xx-xx). A material failure to comply with these guidelines will result in the proposed rule change being deemed not properly filed. See also Rule 0-3 under the Act (17 CFR 240.0-3)	
Exhibit 1A- Notice of Proposed Rule Change, Security-Based Swap Submission, or Advance Notice by Clearing Agencies * Add Remove View	The Notice section of this Form 19b-4 must comply with the guidelines for publication in the Federal Register as well as any requirements for electronic filing as published by the Commission (if applicable). The Office of the Federal Register (OFR) offers guidance on Federal Register publication requirements in the Federal Register Document Drafting Handbook, October 1998 Revision. For example, all references to the federal securities laws must include the corresponding cite to the United States Code in a footnote. All references to SEC rules must include the corresponding cite to the Code of Federal Regulations in a footnote. All references to Securities Exchange Act Releases must include the release number, release date, Federal Register cite, Federal Register date, and corresponding file number (e.g., SR-[SRO] -xx-xx). A material failure to comply with these guidelines will result in the proposed rule change, security-based swap submission, or advance notice being deemed not properly filed. See also Rule 0-3 under the Act (17 CFR 240.0-3)	
Exhibit 2 - Notices, Written Comments, Transcripts, Other Communications         Add       Remove       View         Exhibit Sent As Paper Document	Copies of notices, written comments, transcripts, other communications. If such documents cannot be filed electronically in accordance with Instruction F, they shall be filed in accordance with Instruction G.	
Add       Remove       View         Exhibit Sent As Paper Document	Copies of any form, report, or questionnaire that the self-regulatory organization proposes to use to help implement or operate the proposed rule change, or that is referred to by the proposed rule change.	
Exhibit 4 - Marked CopiesAddRemoveView	The full text shall be marked, in any convenient manner, to indicate additions to and deletions from the immediately preceding filing. The purpose of Exhibit 4 is to permit the staff to identify immediately the changes made from the text of the rule with which it has been working.	
Add     Remove     View	The self-regulatory organization may choose to attach as Exhibit 5 proposed changes to rule text in place of providing it in Item I and which may otherwise be more easily readable if provided separately from Form 19b-4. Exhibit 5 shall be considered part of the proposed rule change.	
Partial Amendment Add Remove View	If the self-regulatory organization is amending only part of the text of a lengthy proposed rule change, it may, with the Commission's permission, file only those portions of the text of the proposed rule change in which changes are being made if the filing (i.e. partial amendment) is clearly understandable on its face. Such partial amendment shall be clearly identified and marked to show deletions and additions.	

# 1. <u>Text of the Proposed Rule Change</u>

(a) Pursuant to the provisions of Section 19(b)(1) of the Securities Exchange Act of 1934 ("Act" or "Exchange Act"),<sup>1</sup> Financial Industry Regulatory Authority, Inc.
("FINRA") is filing with the Securities and Exchange Commission ("SEC" or "Commission") a proposed rule change to make technical and other non-substantive changes within FINRA rules.

The text of the proposed rule change is attached as Exhibit 5.

(b) Not applicable.

(c) Not applicable.

# 2. <u>Procedures of the Self-Regulatory Organization</u>

The Chief Legal Officer of FINRA authorized the filing of the proposed rule change with the SEC pursuant to delegated authority. No other action by FINRA is necessary for the filing of the proposed rule change.

FINRA has filed the proposed rule change for immediate effectiveness and has requested that the SEC waive the requirement that the proposed rule change not become operative for 30 days after the date of the filing, so FINRA can implement the proposed rule change immediately.

## 3. <u>Self-Regulatory Organization's Statement of the Purpose of, and Statutory</u> <u>Basis for, the Proposed Rule Change</u>

(a) Purpose

On April 10, 2019, the SEC announced the immediate effectiveness of the adoption of the remaining legacy NASD rules as FINRA rules in the consolidated FINRA rulebook and the remaining Incorporated NYSE Rules and Incorporated NYSE Rule

<sup>1</sup> 15 U.S.C. 78s(b)(1).

Interpretations in the consolidated FINRA rulebook as a separate Temporary Dual FINRA-NYSE Member Rules Series.<sup>2</sup> Among other things, the rule change, File No. SR-FINRA-2019-009, was intended to move, without any substantive changes, specified Incorporated NYSE Rules, including their supplementary materials, to the Temporary Dual FINRA-NYSE Member Rules Series.<sup>3</sup> These rules now bear a "T" modifier after the rule and interpretation number to denote their placement in the Temporary Dual FINRA-NYSE Member Rules Series. In File No. SR-FINRA-2019-009, Supplementary Material .10 (Exceptions to Rule 409(b)) under Incorporated NYSE Rule 409 (Statements of Accounts to Customers) was inadvertently omitted from the set of Incorporated NYSE Rules described in the rule change.<sup>4</sup> Neither Exhibit 4 nor Exhibit 5 to File No. SR-FINRA-2019-009 included this supplementary material as rule text. Consequently,

 See supra note 2. See also retired Incorporated NYSE Rule 409.10 located at: http://finra.complinet.com/en/display/display\_main.html?rbid=2403&reco rd\_id=13957. Retired Incorporated NYSE Rule 409.10 includes a reference to "[¶2409]," which FINRA is proposing to eliminate on the basis that the cross-reference is obsolete.

<sup>&</sup>lt;sup>2</sup> See Securities Exchange Act Release No. 85589 (April 10, 2019), 84 FR 15646 (April 16, 2019) (Notice of Filing and Immediate Effectiveness of File No. SR-FINRA-2019-009).

<sup>&</sup>lt;sup>3</sup> File No. SR-FINRA-2019-009 specified some Incorporated NYSE Rule definitions and Incorporated NYSE Rule 375 and the related Interpretation to be deleted. Some of the then existing set of Incorporated NYSE Rules that also had supplementary materials and were moved to the Temporary Dual FINRA-NYSE Member Rules Series included: NYSE Rule 311T (Formation and Approval of Member Organization); NYSE Rule 313T (Submission of Partnership Articles— Submission of Corporate Documents); NYSE Rule 321T (Formation or Acquisition of Subsidiaries); NYSE Rule 408T (Discretionary Power in Customers' Accounts); and NYSE Rule 416T (Questionnaires and Reports).

Supplementary Material .10 to Incorporated NYSE Rule 409 does not appear in Temporary Dual FINRA-NYSE Rule 409T as was originally intended. The proposed rule change would correct this technical error by restoring Supplementary Material .10 from Incorporated NYSE Rule 409 to Temporary Dual FINRA-NYSE Rule 409T.

In addition, the proposed rule change would update a rule reference in FINRA CAT, LLC Delegation Plan to clarify that the SEC Rule 613 referenced in the Delegation Plan refers to Rule 613 of SEC Regulation NMS and to reflect FINRA Manual style convention changes. The FINRA CAT, LLC Delegation Plan was filed for immediate effectiveness on April 24, 2019.<sup>5</sup>

As noted in Item 2 of this filing, FINRA has filed the proposed rule change for immediate effectiveness and has requested that the SEC waive the requirement that the proposed rule change not become operative for 30 days after the date of the filing, so FINRA can implement the proposed rule change immediately.

(b) Statutory Basis

FINRA believes that the proposed rule change is consistent with the provisions of Section 15A(b)(6) of the Act,<sup>6</sup> which requires, among other things, that FINRA rules must be designed to prevent fraudulent and manipulative acts and practices, to promote just and equitable principles of trade, and, in general, to protect investors and the public interest. FINRA believes that the proposed rule change will provide greater clarity to

See Securities Exchange Act Release No. 85764 (May 2, 2019), 84 FR 20173 (May 8, 2019) (Notice of Filing and Immediate Effectiveness of File No. SR-FINRA-2019-015).

<sup>&</sup>lt;sup>6</sup> 15 U.S.C. 78<u>o</u>-3(b)(6).

members and the public regarding FINRA rules by restoring the text of Incorporated NYSE Rule 409.10 to the consolidated FINRA rulebook as Temporary Dual FINRA-NYSE Rule 409T.10 and by making technical updates to FINRA CAT, LLC Delegation Plan.

# 4. <u>Self-Regulatory Organization's Statement on Burden on Competition</u>

FINRA does not believe that the proposed rule change will result in any burden on competition that is not necessary or appropriate in furtherance of the purposes of the Act. The proposed rule change brings clarity and consistency to FINRA rules without adding any burden on firms.

# 5. <u>Self-Regulatory Organization's Statement on Comments on the Proposed</u> <u>Rule Change Received from Members, Participants, or Others</u>

Written comments were neither solicited nor received.

# 6. <u>Extension of Time Period for Commission Action</u>

Not applicable.

# 7. <u>Basis for Summary Effectiveness Pursuant to Section 19(b)(3) or for</u> <u>Accelerated Effectiveness Pursuant to Section 19(b)(2) or Section 19(b)(7)(D)</u>

The proposed rule change is effective upon filing pursuant to Section 19(b)(3) of the Act<sup>7</sup> and paragraph (f)(6) of Rule 19b-4 thereunder,<sup>8</sup> in that the proposed rule change does not significantly affect the protection of investors or the public interest and does not impose any significant burden on competition because FINRA is proposing only corrective, non-substantive changes. In addition, the proposed rule change does not

<sup>&</sup>lt;sup>7</sup> 15 U.S.C. 78s(b)(3).

<sup>&</sup>lt;sup>8</sup> 17 CFR 240.19b-4(f)(6).

become operative for 30 days after filing or such shorter time as the Commission may designate.

FINRA requests that the Commission waive the requirement that the rule change, by its terms, not become operative for 30 days after the date of the filing as set forth in Rule 19b-4(f)(6)(iii),<sup>9</sup> so FINRA can implement the proposed rule change immediately to make the proposed corrective, non-substantive changes, including restoring the text of Incorporated NYSE Rule 409.10 to the consolidated FINRA rulebook as Temporary Dual FINRA-NYSE Rule 409T.10. In accordance with Rule 19b-4(f)(6),<sup>10</sup> FINRA submitted written notice of its 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, or such shorter time as the Commission may designate, as specified in Rule 19b-4(f)(6)(iii) under the Act.<sup>11</sup>

## 8. <u>Proposed Rule Change Based on Rules of Another Self-Regulatory</u> <u>Organization or of the Commission</u>

Not applicable.

9. <u>Security-Based Swap Submissions Filed Pursuant to Section 3C of the Act</u> Not applicable.

## 10. <u>Advance Notices Filed Pursuant to Section 806(e) of the Payment, Clearing</u> and Settlement Supervision Act

Not applicable.

- <sup>10</sup> 17 CFR 240.19b-4(f)(6).
- <sup>11</sup> 17 CFR 240.19b-4(f)(6)(iii).

<sup>&</sup>lt;sup>9</sup> 17 CFR 240.19b-4(f)(6)(iii).

# 11. <u>Exhibits</u>

Exhibit 1. Completed notice of proposed rule change for publication in the <u>Federal Register</u>.

Exhibit 5. Text of the proposed rule change.

## EXHIBIT 1

## SECURITIES AND EXCHANGE COMMISSION (Release No. 34- ; File No. SR-FINRA-2019-018)

Self-Regulatory Organizations; Financial Industry Regulatory Authority, Inc.; Notice of Filing and Immediate Effectiveness of a Proposed Rule Change to Make Technical and Other Non-Substantive Changes within FINRA Rules

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 ("Act" or

"Exchange Act")<sup>1</sup> and Rule 19b-4 thereunder,<sup>2</sup> notice is hereby given that on

, 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. FINRA has

designated the proposed rule change as constituting a "non-controversial" rule change

under paragraph (f)(6) of Rule 19b-4 under the Act,<sup>3</sup> which renders the proposal effective

upon receipt of this filing by the Commission. The Commission is publishing this notice

to solicit comments on the proposed rule change from interested persons.

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

FINRA is proposing to make technical and other non-substantive changes within

FINRA rules.

The text of the proposed rule change is available on FINRA's website at

http://www.finra.org, at the principal office of FINRA and at the Commission's Public Reference Room.

- <sup>1</sup> 15 U.S.C. 78s(b)(1).
- <sup>2</sup> 17 CFR 240.19b-4.
- <sup>3</sup> 17 CFR 240.19b-4(f)(6).

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

1. Purpose

On April 10, 2019, the SEC announced the immediate effectiveness of the adoption of the remaining legacy NASD rules as FINRA rules in the consolidated FINRA rulebook and the remaining Incorporated NYSE Rules and Incorporated NYSE Rule Interpretations in the consolidated FINRA rulebook as a separate Temporary Dual FINRA-NYSE Member Rules Series.<sup>4</sup> Among other things, the rule change, File No. SR-FINRA-2019-009, was intended to move, without any substantive changes, specified Incorporated NYSE Rules, including their supplementary materials, to the Temporary Dual FINRA-NYSE Member Rules Series.<sup>5</sup> These rules now bear a "T" modifier after

<sup>&</sup>lt;sup>4</sup> See Securities Exchange Act Release No. 85589 (April 10, 2019), 84 FR 15646 (April 16, 2019) (Notice of Filing and Immediate Effectiveness of File No. SR-FINRA-2019-009).

<sup>&</sup>lt;sup>5</sup> File No. SR-FINRA-2019-009 specified some Incorporated NYSE Rule definitions and Incorporated NYSE Rule 375 and the related Interpretation to be deleted. Some of the then existing set of Incorporated NYSE Rules that also had supplementary materials and were moved to the Temporary Dual FINRA-NYSE Member Rules Series included: NYSE Rule 311T (Formation and Approval of Member Organization); NYSE Rule 313T (Submission of Partnership Articles— Submission of Corporate Documents); NYSE Rule 321T (Formation or

the rule and interpretation number to denote their placement in the Temporary Dual FINRA-NYSE Member Rules Series. In File No. SR-FINRA-2019-009, Supplementary Material .10 (Exceptions to Rule 409(b)) under Incorporated NYSE Rule 409 (Statements of Accounts to Customers) was inadvertently omitted from the set of Incorporated NYSE Rules described in the rule change.<sup>6</sup> Neither Exhibit 4 nor Exhibit 5 to File No. SR-FINRA-2019-009 included this supplementary material as rule text. Consequently, Supplementary Material .10 to Incorporated NYSE Rule 409 does not appear in Temporary Dual FINRA-NYSE Rule 409T as was originally intended. The proposed rule change would correct this technical error by restoring Supplementary Material .10 from Incorporated NYSE Rule 409 to Temporary Dual FINRA-NYSE Rule 409T.

In addition, the proposed rule change would update a rule reference in FINRA CAT, LLC Delegation Plan to clarify that the SEC Rule 613 referenced in the Delegation Plan refers to Rule 613 of SEC Regulation NMS and to reflect FINRA Manual style convention changes. The FINRA CAT, LLC Delegation Plan was filed for immediate effectiveness on April 24, 2019.<sup>7</sup>

Acquisition of Subsidiaries); NYSE Rule 408T (Discretionary Power in Customers' Accounts); and NYSE Rule 416T (Questionnaires and Reports).

See supra note 4. See also retired Incorporated NYSE Rule 409.10 located at:
 http://finra.complinet.com/en/display/display\_main.html?rbid=2403&reco
 rd\_id=13957. Retired Incorporated NYSE Rule 409.10 includes a reference to "[¶2409]," which FINRA is proposing to eliminate on the basis that the cross-reference is obsolete.

6

See Securities Exchange Act Release No. 85764 (May 2, 2019), 84 FR 20173 (May 8, 2019) (Notice of Filing and Immediate Effectiveness of File No. SR-FINRA-2019-015).

#### Page 12 of 18

FINRA has filed the proposed rule change for immediate effectiveness and has requested that the SEC waive the requirement that the proposed rule change not become operative for 30 days after the date of the filing, so FINRA can implement the proposed rule change immediately.

2. Statutory Basis

FINRA believes that the proposed rule change is consistent with the provisions of Section 15A(b)(6) of the Act,<sup>8</sup> which requires, among other things, that FINRA rules must be designed to prevent fraudulent and manipulative acts and practices, to promote just and equitable principles of trade, and, in general, to protect investors and the public interest. FINRA believes that the proposed rule change will provide greater clarity to members and the public regarding FINRA rules by restoring the text of Incorporated NYSE Rule 409.10 to the consolidated FINRA rulebook as Temporary Dual FINRA-NYSE Rule 409T.10 and by making technical updates to FINRA CAT, LLC Delegation Plan.

#### B. <u>Self-Regulatory Organization's Statement on Burden on Competition</u>

FINRA does not believe that the proposed rule change will result in any burden on competition that is not necessary or appropriate in furtherance of the purposes of the Act. The proposed rule change brings clarity and consistency to FINRA rules without adding any burden on firms.

## C. <u>Self-Regulatory Organization's Statement on Comments on the Proposed</u> <u>Rule Change Received from Members, Participants, or Others</u>

Written comments were neither solicited nor received.

15 U.S.C. 78<u>o</u>-3(b)(6).

8

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

Because the foregoing 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 for 30 days from the date on which it was filed, or such shorter time as the Commission may designate, it has become effective pursuant to Section 19(b)(3)(A) of the Act<sup>9</sup> and Rule 19b-4(f)(6) thereunder.<sup>10</sup>

At any time within 60 days of the filing of the 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 to determine whether the proposed rule 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:

## Electronic Comments:

- Use the Commission's Internet comment form (<u>http://www.sec.gov/rules/sro.shtml</u>); or
- Send an e-mail to <u>rule-comments@sec.gov</u>. Please include File Number SR-FINRA-2019-018 on the subject line.

<sup>&</sup>lt;sup>9</sup> 15 U.S.C. 78s(b)(3)(A).

<sup>&</sup>lt;sup>10</sup> 17 CFR 240.19b-4(f)(6).

#### 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-FINRA-2019-018. This file number should be included on the subject line if e-mail 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 (http://www.sec.gov/rules/sro.shtml). Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change that are filed with the Commission, and all written communications relating to the proposed rule change between the Commission and any person, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for website viewing and printing in the Commission's Public Reference Room, 100 F Street, NE, Washington, DC 20549, on official business days between the hours of 10 a.m. and 3 p.m. Copies of such filing also will be available for inspection and copying at the principal office of FINRA. All comments received will be posted without change. Persons submitting comments are cautioned that we do not redact or edit personal identifying information from comment submissions. You should submit only information that you wish to make available publicly. All submissions should refer to File Number SR-FINRA-2019-018 and should be submitted on or before [insert date 21 days from publication in the Federal Register].

# Page 15 of 18

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.<sup>11</sup>

Eduardo A. Aleman Deputy Secretary

<sup>&</sup>lt;sup>11</sup> 17 CFR 200.30-3(a)(12).

## Exhibit 5

Below is the text of the proposed rule change. Proposed new language is underlined; proposed deletions are in brackets.

\* \* \* \* \*

#### Plan of Allocation and Delegation of Functions by FINRA to Subsidiaries

\* \* \* \* \*

### III. FINRA CAT, LLC

Delegation of Functions and Authority:

A. Subject to Section I.B.9., FINRA hereby delegates to FINRA CAT and

FINRA CAT assumes the following responsibilities and functions as a registered securities association:

1. To act as a Plan Processor in accordance with [SEC] Rule 613 of SEC

<u>Regulation NMS</u> and the provisions of the CAT NMS Plan.

2. To create, operate and maintain the consolidated audit trail ("CAT") and central repository pursuant to Rule 613 of SEC Regulation NMS and the provisions of the CAT NMS Plan.

3. To develop and implement policies, procedures, and control structures related to the CAT System.

4. To ensure the effective management and operation of the CAT.

5. To ensure the accuracy of the consolidation of the CAT Data reported to the Central Repository.

B. The responsibilities and functions delegated by FINRA to FINRA CAT include, but are not limited to, those specified in Section A. All action taken pursuant to authority delegated pursuant to Section A shall be taken in accordance with the terms of

the CAT NMS Plan and [SEC] Rule 613 of SEC Regulation NMS, and in consultation with the CAT NMS Plan Operating Committee, as applicable.

C. Capitalized terms used herein, but not otherwise defined, shall have the

meanings ascribed to them in the CAT NMS Plan.

\* \* \* \* \*

#### **Temporary Dual FINRA-NYSE Member Rule Series**

\* \* \* \* \*

Rules

\* \* \* \* \*

## **Rule 409T. Statements of Accounts to Customers**

(a) through (g) No Change.

#### ••• Supplementary Material: ------

#### .10 Exceptions to Rule 409T(b)

The provisions of Rule 409T(b), above, are not considered applicable to the following:

(1) General or special partners or holders of voting or non-voting stock other than any freely transferable security of member organizations.

(2) Employees of member organizations.

(3) Persons who maintain desk space at the office of a member or member

organization and who thereby establish such office as their place of business.

(4) Corporations of which partners, stockholders or employees are officers or directors, and corporation accounts over which such persons have powers of attorney, provided, in each such case, the partner, stockholder or employee is duly authorized by the corporation to receive communications covering the account.

(5) Trust accounts, when a partner, stockholder or employee of a member organization is a trustee and has been duly authorized by all other trustees to receive communications covering the account.

(6) Estate accounts, when a partner, stockholder or employee of a member organization is an executor or administrator of the estate and has been duly authorized by all other executors or administrators to receive communications covering the account.

(7) Upon the written instructions of a customer and with the written approval of a member or supervisor of a member organization, a member organization may hold mail for a customer who will not be at his usual address for the period of his absence, but (a) not to exceed two months if the organization is advised that such customer will be on vacation or travelling or (b) not be exceed three months if the customer is going abroad.

\* \* \* \* \*