Cboe

433 W Van Buren St.
Chicago, IL
60607
United States

cboe.com

February 17, 2026

VIA ELECTRONIC SUBMISSION

Vanessa A. Countryman, Secretary
Securities and Exchange Commission
100 F Street, NE
Washington, DC 20549-1090

Re: Notice of Filing of a Proposed Rule Change to Amend FINRA Rule 4210 (Margin Requirements) to Replace the Day Trading Margin Provisions with Intraday Margin Standards (Release No. 34-104572; File No. SR-FINRA-2025-017)

Dear Ms. Countryman,

The Securities and Exchange Commission ("SEC" or "Commission") is requesting comment on a proposed rule change by the Financial Industry Regulatory Authority, Inc. ("FINRA") impacting Rule 4210 and the treatment of pattern day traders.[1] As the operator of six national securities exchanges[2] and a leader in exchange-traded derivatives, Cboe Global Markets, Inc. ("Cboe") is grateful for the opportunity to provide our perspective on this proposal.

Nearly 25 years ago, FINRA enacted the pattern day trader rule.[3] In October 2024, as part of a rule modernization initiative, FINRA sought comments on updating this rule. Cboe, along with many other industry participants, provided feedback noting that there have been many technological and industry advancements that render the existing pattern day trader requirements outdated.[4] We are appreciative of FINRA's efforts to modernize the rule and are supportive of this proposal as it better reflects the current environment and existing risk management practices.

In this rule change, FINRA proposes amending Rule 4210 to replace day trading margin provisions with intraday margin standards. FINRA proposes to remove the pattern day trader designation and eliminate both the $25,000 minimum equity requirement and DTBP. We agree

[1] See Securities Exchange Act Release No. 34-104572, 91 FR 1580 (January 14, 2026).
[2] Cboe's six national securities exchanges include Cboe Exchange, Cboe C2 Exchange, Cboe BYX Exchange, Cboe BZX Exchange, Cboe EDGA Exchange, and Cboe EDGX Exchange.
[3] See Securities Exchange Act Release No. 44009, 66 FR 13608 (March 6, 2001).
[4] See Letter from Cboe Global Markets, Inc., to FINRA (January 28, 2025), *available at* https://cdn.cboe.com/resources/government_relations/Cboe-s-Response-to-FINRA-s-RFC-re-Day-Trading-1-28-25-FINAL.pdf.

with this approach as the current requirements and $25,000 minimum equity obligation are unnecessarily locking investors out of the market.

In terms of the intraday margin standards, FINRA proposes to require FINRA members to calculate the intraday margin level ("IML") for each margin account (excluding good faith or portfolio margin accounts); identify any IML-reducing transactions that cause intraday margin deficits; and to require clients to satisfy intraday deficits as promptly as possible, by deposits to the account or liquidations of positions to increase the maintenance margin.

Cboe is supportive of the new requirements. We agree that the existing pattern day trader rule is antiquated in today's trading environment, and importantly this proposal would allow brokers to leverage their existing real-time monitoring technology to block trades that would create or increase customer intraday margin deficits – a feature that is already widely utilized for purposes of blocking trades that would result in depleted maintenance margin. Additionally, Cboe agrees that the new IML requirements should not be triggered by intraday changes in the value of an investor's portfolio, which would remain subject to the existing, separate maintenance margin requirements; IML obligations should be triggered by investor-initiated transactions only.

The proposed standards better reflect today's market dynamics, as does the removal of the pattern day trader designation and elimination of both the $25,000 minimum equity requirement and DTBP. Advancements in real-time monitoring technology have enabled better risk management, making aspects of the pattern day trader rule unnecessary and the proposed intraday margin standard a better fit for current market infrastructure. Risks can be properly addressed by members' ability to block trades in which intraday margin deficits are created or exacerbated. Importantly, under this new rule, investors would have more freedom to pursue their desired trading strategies without the negative implications of the current rule.

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Cboe commends FINRA for taking the initiative to modernize the pattern day trader rule. This proposal is a commonsense approach that reflects current technology and market dynamics while better aligning margin requirements with actual risk. This benefits both broker-dealers and investors alike. Cboe thanks the Commission for the opportunity to share our views on this proposal and welcomes further discussion.

Sincerely,

/s/ Patrick Sexton

Patrick Sexton
EVP, General Counsel, and Corporate Secretary
Cboe Global Markets, Inc.