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Page 1 of * 60

SECURITIES AND EXCHANGE COMMISSION
WASHINGTON, D.C. 20549
Form 19b-4

File No. * SR 2026 - * 089
Amendment No. (req. for Amendments *)

Filing by Cboe Exchange, Inc.

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) * ☐

Pilot ☐

Extension of Time Period for Commission Action * ☐

Date Expires *

Rule

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

Section 806(e)(1) * ☐ Section 806(e)(2) * ☐

Security-Based Swap Submission pursuant to 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 *).

The Exchange proposes to amend the Short Term Option Series Program to permit additional expirations for Exchange Traded Funds and establish new, additional criteria for Qualifying Securities for ETFs.

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 * Karen Last Name * Bilek

Title * Assistant General Counsel

E-mail * kbilek@cboe.com

Telephone * (224) 461-3523 Fax

Signature

Pursuant to the requirements of the Securities Exchange of 1934, Cboe Exchange, Inc.
has duly caused this filing to be signed on its behalf by the undersigned thereunto duly authorized.

Date 11/20/2026

By Laura G. Dickman
(Name *)

(Title *)
VP, Associate General Counsel

NOTE: Clicking the signature block at right will initiate digitally signing the form. A digital signature is as legally binding as a physical signature, and once signed, this form cannot be changed.

Laura Dickman Date: 2026.11.20 12:49:46 -06'00'

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SECURITIES AND EXCHANGE COMMISSION
WASHINGTON, D.C. 20549

For complete Form 19b-4 instructions please refer to the EFFS website.

Form 19b-4 Information *

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26-089 19b-4 (Tu Th ETF expirations

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 *

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26-089 Exhibit 1 (Tu Th ETF expiratio

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 Advanced Notice by Clearing Agencies *

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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 2- Notices, Written Comments, Transcripts, Other Communications

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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.

☐ Exhibit Sent As Paper Document

Exhibit 3 - Form, Report, or Questionnaire

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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 Sent As Paper Document

Exhibit 4 - Marked Copies

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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.

Exhibit 5 - Proposed Rule Text

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26-089 Exhibit 5 (Tu Th Expirations Qu

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

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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.

Item 1. Text of the Proposed Rule Change

(a) Cboe Exchange, Inc. (the "Exchange" or "Cboe Options") proposes to amend the Short Term Option Series Program to permit additional expirations for Exchange-Traded Funds ("ETFs") and establish new, additional criteria for Qualifying Securities for ETFs. The text of the proposed rule change is provided in Exhibit 5.

(b) Not applicable.

(c) Not applicable.

Item 2. Procedures of the Self-Regulatory Organization

(a) The Exchange's President (or designee) pursuant to delegated authority approved the proposed rule change on September 14, 2026.

(b) Please refer questions and comments on the proposed rule change to Pat Sexton, Executive Vice President, General Counsel, and Corporate Secretary, (312) 786-7467, or Karen Bilek, (312) 786-7128, Cboe Exchange, Inc., 433 West Van Buren Street, Chicago, Illinois 60607.

Item 3. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

(a) Purpose

The Exchange proposes to amend the Short Term Option Series Program in Rule 4.5(d). Specifically, the Exchange proposes to amend Qualifying Securities to: (1) permit the listing of up to two Tuesday and Thursday Expirations for options on certain ETFs that meet the current criteria in addition to the existing Monday and Wednesday Expirations; and (2) permit the listing of up to two Monday and Wednesday Expirations for options on additional ETFs that meet new criteria. The Exchange also proposes to designate the ETFs that meet the

current criteria in Rule 4.5(d) as "Tier 1 Qualifying Securities" and designate the ETFs that meet the proposed new set of criteria for Qualifying Securities that would only be permitted to trade up to two Monday and Wednesday Expirations, as "Tier 2 Qualifying Securities." This proposed rule change is based on a proposal recently submitted by Nasdaq ISE, LLC ("ISE") and approved by the Securities and Exchange Commission (the "Commission").[1]

Background

Currently, as set forth in Rule 4.5(d), after an option class has been approved for listing and trading on the Exchange as a Short Term Option Series pursuant to Rule 4.5(d),[2] the Exchange may open for trading on any Thursday or Friday that is a business day ("Short Term Option Opening Date") series of options on that class that expire at the close of business on each of the next five Fridays that are business days and are not Fridays in which

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1 See Securities Exchange Act Release No. 34-105801 (June 29, 2026), 91 FR 40603 (July 2, 2026) (SR-ISE-2026-34) (Notice of Filing of a Proposed Rule Change to Amend the Short Term Option Series Program Related to Qualifying Securities).

2 Rule 4.5(d) provides that a Short Term Option Series may be listed on symbols named in Rule 4.5(d) in Table 1 and in Table 2 for "Qualifying Securities" that meet the criteria in Rule 4.5(d). For symbols in the Short Term Option Series Program, the Exchange may list short-term options series expiring on each of the next two business-day Mondays, Tuesdays, Wednesdays, or Thursdays (excluding days that coincide with standard, Monthly, or Quarterly Options Series expirations). Monday Expirations may be opened for trading on the preceding Friday or Monday, Tuesday Expirations on the preceding Monday or Tuesday, Wednesday Expirations on the preceding Tuesday or Wednesday, and Thursday Expirations on the preceding Wednesday or Thursday. Monday Expirations listed on a Friday must be listed at least one business week and one business day prior to expiration. For Qualifying Securities, the Exchange will not list a Monday or Wednesday expiry on a day when an Earnings Announcement (i.e., an official quarterly or yearly earnings filing with the SEC) is scheduled to occur after market close. Monday Short Term Option Expiration Dates, Tuesday Short Term Option Expiration Dates, Wednesday Short Term Option Expiration Dates, and Thursday Short Term Option Expiration Dates, together with Friday Short Term Option Expiration Dates, are collectively "Short Term Option Expiration Dates." If the Exchange is not open for business on a Monday, the Monday Short Term Option Expiration Date will be the business day immediately following that Monday. If the Exchange is not open for business on a Tuesday, Wednesday, or Thursday, the Tuesday Short Term Option Expiration Date, Wednesday Short Term Option Expiration Date, and Thursday Short Term Option Expiration Date, respectively, will be the first business day immediately prior to that Tuesday, Wednesday, or Thursday, respectively.

standard expiration options series, Monthly Options Series, or Quarterly Options Series expire ("Friday Short Term Option Expiration Dates"). The Exchange may have no more than a total of five Short Term Option Expiration Dates ("Short Term Option Weekly Expirations"). Further, if the Exchange is not open for business on the respective Thursday or Friday, the Short Term Option Opening Date for Short Term Option Weekly Expirations will be the first business day immediately prior to that respective Thursday or Friday. Similarly, if the Exchange is not open for business on a Friday, the Short Term Option Expiration Date for Short Term Option Weekly Expirations will be the first business day immediately prior to that Friday.

Additionally, the Exchange may open for trading series of options on the symbols provided in Table 1 of Rule 4.5(d) that expire at the close of business on each of the next two Mondays, Tuesdays, Wednesdays, and Thursdays, respectively, that are business days beyond the current week and are not business days in which standard expiration options series, Monthly Options Series, or Quarterly Options Series expire ("Short Term Option Daily Expirations").[3] For those symbols listed in Table 1, the Exchange may have no more than a total of two Short Term Option Daily Expirations beyond the current week for each of Monday, Tuesday, Wednesday, and Thursday expirations, as applicable, at one time.

Further, the Exchange may open for trading series of options on the symbols provided in Table 2 of Rule 4.5(d) ("Qualifying Securities") that expire at the close of

[3] As set forth in Table 1 of Rule 4.5(d), the Exchange currently permits expirations in SPY, IWM, and QQQ on Mondays, Tuesdays, Wednesdays and Thursdays. Also, the Exchange permits expirations in GLD, SLV and TLT on Mondays and Wednesdays. Finally, the Exchange permits expirations in USO and UNG on Wednesdays.

business on each of the next two Mondays and Wednesdays, respectively, that are business days beyond the current week and are not business days in which standard expiration options series, Monthly Options Series, or Quarterly Options Series expire. For those symbols listed in Table 2, the Exchange may have no more than a total of two Short Term Option Daily Expirations beyond the current week for each of Monday and Wednesday Expirations, at one time.

Qualifying Securities may be eligible individual stocks or ETFs that meet the following criteria on a quarterly basis:

(1) an underlying security, as measured on the last day of the prior calendar quarter, must have:

(A) a market capitalization of greater than 700 billion dollars for an individual stock based on the closing price[4], **or**

(B) Assets under Management ("AUM") greater than 50 billion dollars for an ETF based on net asset value ("NAV");

(2) monthly options volume, as measured by sides traded in the last month preceding the quarter end, of greater than 10 million options;

(3) a position limit of at least 250,000 contracts; and

(4) participate in the Penny Interval Program.

Each calendar quarter, the Exchange will apply the above criteria to individual stocks and ETFs to determine eligibility for the following quarter as a Qualifying Security. Beginning on the second trading day in the first month of each calendar quarter, the market capitalization of individual stocks shall be calculated based on the closing price established on the primary exchange on the last trading day of the prior calendar quarter and the AUM

[4] The closing price and the opening price shall be that of the primary exchange where the security is listed.

for ETFs shall be calculated based on the NAV established on the primary exchange on the last trading day of the prior calendar quarter. The data establishing the volume thresholds will be established by using data from the last month of the prior calendar quarter from The Options Clearing Corporation ("OCC"). For options listed on the first trading day of a given calendar quarter, the volume shall be calculated using the last month of the quarter prior to that calendar quarter.[5] The Exchange provides a list of Qualifying Securities available by the close of business on the first trading day of the quarter.[6]

Eligible Qualifying Securities are permitted to list two Short Term Option Expiration Dates beyond the current week for each Monday and Wednesday expiration at one time. For Qualifying Securities, the Exchange would not list an expiry on a day when there will be an Earnings Announcement that takes place after market close.[7] Qualifying Securities that do not continue to meet the above criteria are no longer permitted to list Monday and Wednesday Expirations beginning on the second day of the following quarter.

Proposal

At this time, the Exchange proposes to amend the listing and trading of Qualifying Securities to: (1) permit the listing of up to two Tuesday and Thursday Expirations for options on certain ETFs that meet the current criteria in addition to the existing Monday and Wednesday Expirations; and (2) permit the listing of up to two Monday and

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5 OCC data becomes available for the end of a quarter on the first trading day of a new quarter.

6 The Exchange posts this information on its website.

7 With respect to individual stock options, the Exchange does not list an expiry on a day when there will be an Earnings Announcement that takes place after market close with respect to individual stock to avoid permitting an additional expiry on a day where post-close price volatility may be impacted due to the Earnings Announcement. Pursuant to Rule 4.5(d), an Earnings Announcement shall include official public quarterly or yearly earnings filed with the Securities and Exchange Commission.

Wednesday Expirations for options on additional ETFs that meet new additional criteria. As noted above, the Exchange proposes to designate the ETFs that meet the current criteria in Rule 4.5(d) as "Tier 1 Qualifying Securities" and designate the ETFs that meet the proposed new set of criteria for Qualifying Securities that would only be permitted to trade up to two Monday and Wednesday Expirations, as "Tier 2 Qualifying Securities."

Expansion of ETF Qualifying Securities

On January 16, 2026, the Exchange filed a rule proposal, which was operative upon filing, to permit the listing of Qualifying Securities.[8] The Exchange began listing Qualifying Securities on January 26, 2026, on Tesla, Inc. (TSLA); NVIDIA Corporation (NVDA); Apple Inc. (AAPL); iShares Bitcoin Trust ETF (IBIT)[9]; Amazon.com, Inc. (AMZN); Meta Platforms, Inc. (META); Broadcom Inc. (AVGO); Alphabet, Inc. (GOOGL); and Microsoft Corporation (MSFT).[10] These securities continue to trade in the current calendar quarter. Based on the required review, the Exchange added Advanced Micro Devices, Inc. (AMD), Micron Technology, Inc. (MU), VanEck Semiconductor ETF (SMH), Financial Select Sector SPDR Fund (XLF), and Intel Corporation (INTC) as additional Qualifying Securities on July 6, 2026.[11]

Tier 1 Expansion

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8 See Securities Exchange Act Release No. 34-104643 (January 21, 2026), 91 FR 3268 (January 26, 2026) (SR-CBOE-2026-007) (Notice of Immediate Effectiveness of a Proposed Rule Change to Amend the Short Term Option Series Program in Rule 4.5(d)).

9 IBIT was removed from the list of Qualifying Securities following a subsequent quarterly review. See https://www.cboe.com/notices/content/?id=60869.

10 See https://www.cboe.com/notices/content/?id=58202.

11 See https://www.cboe.com/notices/content/?id=60869.

At this time, the Exchange proposes to permit the listing and trading of Qualifying Securities on ETFs that meet the current criteria in Rule 4.5(d) of up to two Tuesday and Thursday Expirations in addition to the existing Monday and Wednesday Expirations and redesignate them as Tier 1 Qualifying Securities.

The proposed Tuesday Qualifying Securities expirations on ETFs for Tier 1 Qualifying Securities will be similar to the current Tuesday Expirations in SPDR S&P 500 ETF Trust ("SPY"), Invesco QQQ Trust ("QQQ"), and iShares Russell 2000 ETF ("IWM") in Short Term Option Daily Expirations set forth in Rule 4.5(d), such that the Exchange may open for trading on any Monday or Tuesday that is a business day series of options on the symbols provided in Table 1 and eligible as Qualifying Securities through Table 2 that expire at the close of business on each of the next two Tuesdays that are business days and are not business days in which standard expiration options series, Monthly Options Series, or Quarterly Options Series expire ("Tuesday Short Term Option Expiration Date").[12] In the event Tier 1 Qualifying Securities expire on a Tuesday and that Tuesday is the same day that a standard expiration options series, Monthly Options Series, or Quarterly Options Series expires, the Exchange would skip that week's listing and instead list the following week; the two weeks would therefore not be consecutive. Today, Tuesday Expirations in SPY, QQQ, and IWM similarly skip the weekly listing in the event the weekly listing expires on the same day in the same class as a standard expiration options series, Monthly Options Series, or Quarterly Options Series.

[12] They may also trade on Fridays, as is the case for all options series in the Short Term Option Series Program.

The proposed Thursday Qualifying Securities expirations on ETFs for Tier 1 Qualifying Securities will be similar to the current Thursday SPY, QQQ, and IWM in Short Term Option Daily Expirations set forth in Rule 4.5(d), such that the Exchange may open for trading on any Wednesday or Thursday that is a business day series of options on the symbols provided in Table 1 and Table 2 above that expire at the close of business on each of the next two Thursdays that are business days and are not business days in which standard expiration options series, Monthly Options Series, or Quarterly Options Series expire ("Thursday Short Term Option Expiration Date").[13] In the event Tier 1 Qualifying Securities expire on a Thursday and that Thursday is the same day that a standard expiration options series, Monthly Options Series, or Quarterly Options Series expires, the Exchange would skip that week's listing and instead list the following week; the two weeks would therefore not be consecutive. Today, Thursday Expirations in SPY, QQQ, and IWM similarly skip the weekly listing in the event the weekly listing expires on the same day in the same class as a standard expiration options series, Monthly Options Series, or Quarterly Options Series.

The interval between strike prices for the proposed Tuesday and Thursday Tier 1 Qualifying Securities Expirations will be the same as those currently applicable for SPY, QQQ, and IWM Tuesday and Thursday Expirations (among other symbols that may list a Tuesday or Thursday Expiration) in the Short Term Option Series Program.[14] Specifically, the Tuesday and Thursday Tier 1 Qualifying Securities Expirations will have a strike interval of (i) $0.50 or greater for strike prices below $100, and $1 or greater

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13 See Rule 4.5(d), *Short Term Option Daily Expirations*.

14 See Rule 4.5(d), *Regarding Short Term Option Series* (5).

for strike prices between $100 and $150 for all option classes that participate in the Short Term Option Series Program, (ii) $0.50 for option classes that trade in one dollar increments and are in the Short Term Option Series Program, or (iii) $2.50 or greater for strike prices above $150.[15] As is the case with other equity options series listed pursuant to the Short Term Option Series Program, the Tuesday and Thursday Tier 1 Qualifying Securities Expirations series will be P.M.-settled.

Pursuant to Rule 4.5(d), with respect to the Short Term Option Series Program, if a Tuesday is not a business day, the series shall expire on the first business day immediately prior to that Tuesday, e.g., Monday of that week if the Tuesday is not a business day. Also, pursuant to Rule 4.5(d), with respect to the Short Term Option Series Program, a Thursday Expiration series shall expire on the first business day immediately prior to that Thursday, e.g., Wednesday of that week if the Thursday is not a business day.

Currently, for each option class eligible for participation in the Short Term Option Series Program, the Exchange is limited to opening thirty (30) series for each expiration date for the specific class.[16] The thirty (30) series restriction does not include series that are opened by other securities exchanges under their respective weekly rules; the Exchange may list these additional series that are listed by other options exchanges.[17] With the proposed changes, this thirty (30) series restriction would apply to Tuesday and Thursday Tier 1 Qualifying Securities Expirations as well. In addition, the Exchange will be able to

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15 See id.

16 See Rule 4.5(d), *Regarding Short Term Option Series* (1).

17 See id.

list series that are listed by other exchanges, assuming they file similar rules with the Commission to list Tuesday and Thursday Tier 1 Qualifying Securities Expirations.

With this proposal, Tuesday and Thursday Tier 1 Qualifying Securities Expirations would be treated similarly to existing SPY, QQQ, and IWM Tuesday and Thursday Expirations. With respect to standard expiration option series, Tuesday and Thursday Tier 1 Qualifying Securities Expirations will be permitted to expire in the same week in which standard expiration option series on the same class expire.[18] Not listing Tuesday and Thursday Tier 1 Qualifying Securities Expirations for one week every month because there was a standard options series on that same class on the Friday of that week would create investor confusion.

Further, as with SPY, QQQ, and IWM Tuesday and Thursday Expirations, the Exchange would not permit Tuesday and Thursday Tier 1 Qualifying Securities Expirations to expire on a business day in which standard expiration option series, Monthly Options Series, or Quarterly Options Series expire.[19] Therefore, all Tuesday and Thursday Tier 1 Qualifying Securities Expirations would expire at the close of business on each of the next two Tuesdays and Thursdays, respectively, that are business days and are not business days in which standard expiration option series, Monthly Options Series, or Quarterly Options Series expire. The Exchange believes that it is reasonable to not permit two expirations on the same day in which a standard expiration option series, Monthly Options Series, or a Quarterly Options Series would expire because those options would be duplicative of each other.

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[18] See Rule 4.5(d), *Regarding Short Term Option Series* (2).

[19] See id.

The Exchange does not believe that any market disruptions will be encountered with the introduction of Tuesday and Thursday Tier 1 Qualifying Securities Expirations. The Exchange currently trades P.M.-settled Short Term Option Series that expire Monday, Tuesday, Wednesday and Thursday on several symbols[20] and has not experienced any market disruptions or issues with capacity. Today, the Exchange has surveillance programs in place to support and properly monitor trading in Short Term Option Series that expire Monday, Tuesday, Wednesday and Thursday on several symbols.[21] The Exchange believes that it has the necessary capacity and surveillance programs in place to support and properly monitor trading in the proposed Tuesday and Thursday Tier 1 Qualifying Securities Expirations.

Tier 2 Expansion

The Exchange also proposes to permit the listing of up to two Monday and Wednesday Expirations for options on additional ETFs that meet new additional criteria as Qualifying Securities. The Exchange proposes a different set of criteria for Qualifying Securities that are ETFs that would only be permitted to trade up to two Monday and Wednesday Expirations as follows: an underlying security, as measured on the last day of the prior calendar quarter, must have: AUM greater than $25 billion for an ETF based on NAV,[22] and monthly options volume, as measured by sides traded in the last month preceding the quarter end, of greater than 5 million options; a position limit of at least

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20 See supra note 3.

21 See supra note 2.

22 Currently, ETF Shares that are Qualifying Securities must have an AUM greater than $50 billion based on NAV.

250,000 contracts;[23] and participate in the Penny Interval Program ("Tier 2 Qualifying Securities").

As with any Qualifying Security, each calendar quarter, the Exchange will apply the above criteria to the proposed new Tier 2 Qualifying Securities to determine eligibility for the following quarter as a Qualifying Security. Beginning on the second trading day in the first month of each calendar quarter, the AUM for ETFs that are Tier 2 Qualifying Securities shall be calculated based on the NAV established on the primary exchange on the last trading day of the prior calendar quarter. As is the case for all Qualifying Securities, the data establishing the volume thresholds will be established by using data from the last month of the prior calendar quarter from OCC. For options listed on the first trading day of a given calendar quarter, the volume shall be calculated using the last month of the quarter prior to that calendar quarter.[24] The Exchange will make the list of Qualifying Securities available by close of business on the first trading day of the quarter.[25]

Eligible Qualifying Securities for the proposed Tier 2 Qualifying Securities would be permitted to list two Short Term Option Expiration Dates beyond the current week for each Monday and Wednesday Expirations at one time. Tier 2 Qualifying Securities that do not continue to meet the above criteria would no longer be permitted to list Monday and Wednesday Expirations beginning on the second day of the following quarter.[26]

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23 Currently, ETF Shares that are Qualifying Securities must have a monthly options volume, as measured by sides traded in the last month preceding the quarter end, of greater than 10 million options.

24 OCC data becomes available for the end of a quarter on the first trading day of a new quarter.

25 The Exchange will continue to make this information available on its website. See supra note 6.

26 The Exchange has noted the additional expirations in Table 2 of Rule 4.5(d) along with the criteria for a Qualifying Security for the proposed Tier 2 Qualifying Securities.

The proposed Monday Tier 2 Qualifying Securities Expirations will be similar to the Monday Expirations for the existing Qualifying Securities (among other symbols that may list a Monday Expiration) in Short Term Option Daily Expirations set forth in Rule 4.5(d), such that the Exchange may open for trading on any Friday or Monday that is a business day (beyond the current week) series of options on Tier 2 Qualifying Securities to expire on any Monday of the month that is a business day and is not a Monday in which standard expiration options series, Monthly Options Series, or Quarterly Options Series expire, provided that Monday expirations that are listed on a Friday must be listed at least one business week and one business day prior to the expiration ("Monday Qualifying Securities Expirations").[27] In the event Tier 2 Qualifying Securities expire on a Monday and that Monday is the same day that a standard expiration options series, Monthly Options Series, or Quarterly Options Series expires, the Exchange would skip that week's listing and instead list the following week; the two weeks would therefore not be consecutive. Today, Monday expirations for the existing Qualifying Securities similarly skip the weekly listing in the event the weekly listing expires on the same day in the same class as a standard expiration options series, Monthly Options Series, or Quarterly Options Series.

The proposed Wednesday Tier 2 Qualifying Securities expirations will be similar to the current Wednesday Expirations for the existing Qualifying Securities (among other symbols that may list a Wednesday Expiration) in Short Term Option Daily Expirations set forth in Rule 4.5(d), such that the Exchange may open for trading on any Tuesday or Wednesday that is a business day (beyond the current week) series of options on Tier 2

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[27] They may also trade on Fridays, as is the case for all options series in the Short Term Option Series Program.

Qualifying Securities to expire on any Wednesday of the month that is a business day and is not a Wednesday in which standard expiration options series, Monthly Options Series, or Quarterly Options Series expire ("Wednesday Qualifying Securities Expirations").[28] In the event Tier 2 Qualifying Securities expire on a Wednesday and that Wednesday is the same day that a standard expiration options series, Monthly Options Series, or Quarterly Options Series expires, the Exchange would skip that week's listing and instead list the following week; the two weeks would therefore not be consecutive. Today, Wednesday Expirations in existing Qualifying Securities similarly skip the weekly listing in the event the weekly listing expires on the same day in the same class as a standard expiration options series, Monthly Options Series, or Quarterly Options Series.

The interval between strike prices for the proposed Monday and Wednesday Tier 2 Qualifying Securities Expirations will be the same as those currently applicable for Monday and Wednesday Expirations in existing Qualifying Securities (among other symbols that may list a Monday or Wednesday Expiration) in the Short Term Option Series Program.[29] Specifically, the Monday and Wednesday Tier 2 Qualifying Securities Expirations for the proposed new ETFs will have a strike interval of (i) $0.50 or greater for strike prices below $100, and $1 or greater for strike prices between $100 and $150 for all option classes that participate in the Short Term Option Series Program, (ii) $0.50 for option classes that trade in one dollar increments and are in the Short Term Option Series Program, or (iii) $2.50 or greater for strike prices above $150.[30] As is the case with other

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28 See id; see also Rule 4.5(d).

29 See Rule 4.5(d) *Regarding Short Term Option Series* (5).

30 See id.

equity options series listed pursuant to the Short Term Option Series Program, the Monday and Wednesday Tier 2 Qualifying Securities Expirations will be P.M.-settled.

As noted above, pursuant to Rule 4.5(d), with respect to the Short Term Option Series Program, if a Monday is not a business day, the series shall expire on the first business day immediately following that Monday. Also, pursuant to Rule 4.5(d), with respect to the Short Term Option Series Program, a Wednesday Expiration series shall expire on the first business day immediately prior to that Wednesday, e.g., Tuesday of that week if the Wednesday is not a business day.

As noted above, currently, for each option class eligible for participation in the Short Term Option Series Program, the Exchange is limited to opening thirty (30) series for each expiration date for the specific class.[31] The thirty (30) series restriction does not include series that are opened by other securities exchanges under their respective weekly rules; the Exchange may list these additional series that are listed by other options exchanges.[32] With the proposed changes, this thirty (30) series restriction would apply to Monday and Wednesday Tier 2 Qualifying Securities Expirations as well. In addition, the Exchange will be able to list series that are listed by other exchanges, assuming they file similar rules with the Commission to list Monday and Wednesday Tier 2 Qualifying Securities Expirations.

With this proposal, Monday and Wednesday Tier 2 Qualifying Securities Expirations would be treated similarly to existing Monday and Wednesday Qualifying Securities Expirations. With respect to standard expiration option series, Monday and

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31 See Rule 4.5(d) *Regarding Short Term Option Series* (1).

32 See id.

Wednesday Tier 2 Qualifying Securities Expirations will be permitted to expire in the same week in which standard expiration option series on the same class expire.[33] Not listing Monday and Wednesday Tier 2 Qualifying Securities Expirations for one week every month because there was a standard options series on that same class on the Friday of that week would create investor confusion.

Further, as with existing Monday and Wednesday Qualifying Security Expirations, the Exchange would not permit Monday and Wednesday Tier 2 Qualifying Securities Expirations to expire on a business day in which standard expiration option series, Monthly Options Series, or Quarterly Options Series expire.[34] Therefore, all Monday and Wednesday Tier 2 Qualifying Securities Expirations would expire at the close of business on each of the next two Mondays and Wednesdays, respectively, that are business days and are not business days in which standard expiration option series, Monthly Options Series, or Quarterly Options Series expire. The Exchange believes that it is reasonable to not permit two expirations for the proposed Tier 2 Qualifying Securities on the same day in which a standard expiration option series, Monthly Options Series, or a Quarterly Options Series would expire because those options would be duplicative of each other.

The Exchange does not believe that any market disruptions will be encountered with the introduction of Monday and Wednesday Tier 2 Qualifying Securities Expirations. The Exchange currently trades P.M.-settled Short Term Option Series that expire Monday, Tuesday, Wednesday and Thursday on several symbols[35] and has not experienced any

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33 See id; see also Rule 4.5(d) *Regarding Short Term Option Series* (2).

34 See Rule 4.5(d) *Regarding Short Term Option Series* (2).

35 See supra note 3.

market disruptions or issues with capacity. Today, the Exchange has surveillance programs in place to support and properly monitor trading in Short Term Option Series that expire Monday, Tuesday, Wednesday and Thursday on several symbols.[36] The Exchange believes that it has the necessary capacity and surveillance programs in place to support and properly monitor trading in the proposed Monday and Wednesday Tier 2 Qualifying Securities Expirations.

(b) Statutory Basis

The Exchange believes the proposed rule change is consistent with the Act and the rules and regulations thereunder applicable to the Exchange and, in particular, the requirements of Section 6(b) of the Act.[6] Specifically, the Exchange believes the proposed rule change is consistent with the Section 6(b)(5)[7] requirements that the rules of an exchange be designed to prevent fraudulent and manipulative acts and practices, to promote just and equitable principles of trade, to foster cooperation and coordination with persons engaged in regulating, clearing, settling, processing information with respect to, and facilitating transactions in securities, to remove impediments to and perfect the mechanism of a free and open market and a national market system, and, in general, to protect investors and the public interest.

The Exchange believes the proposal to permit Tuesday and Thursday Tier 1 Qualifying Securities Expirations and Monday and Wednesday Tier 2 Qualifying Security Expirations, subject to the proposed limitation of two expirations beyond the current week, would protect investors and the public interest by providing the investing public and other market participants more choice and flexibility to closely tailor their investment and

36 See supra note 2.

hedging decisions in these options and allow for a reduced premium cost of buying portfolio protection, thus allowing them to better manage their risk exposure.

The Exchange believes that the proposed criteria for Tier 1 Qualifying Securities requires ETFs to be highly liquid. An AUM of $50 billion for an ETF Share, in conjunction with the monthly options volume requirement of greater than 10 million options as measured by sides traded in the last month preceding the quarter end, is very restrictive. This requirement represents substantially less than 1% of ETF Shares. Therefore, an ETF Share that meets the aforementioned market capitalization and volume requirements is highly liquid and could be viewed as a stable security.

Further, with respect to the Tier 2 Qualifying Securities, which have a lower AUM of $25 billion and monthly options volume as measured by sides traded in the last month preceding the quarter end, of greater than 5 million options for an ETF Share, the Exchange believes that despite the lower criteria, these ETF Shares represent highly liquid securities. This requirement also represents substantially less than 1% of ETF Shares. Therefore, an ETF Share that meets the aforementioned market capitalization and volume requirements would also be highly liquid and could be viewed as a stable security.

The Exchange notes that with respect to position limits, *Interpretations and Policies* .02(e) to Rule 8.30 provides that "[t]o be eligible for the 250,000 option contract limit, either the most recent six-month trading volume of the underlying security must have totaled at least 100,000,000 shares; or the most recent six-month trading volume of the underlying security must have totaled at least 75,000,000 shares and the underlying security must have at least 300,000,000 shares currently outstanding." The 250,000 contract position limit is the highest position limit by Exchange rule. Options that qualify

for the 250,000 position (and exercise) limit are highly liquid securities that have met the stringent requirements noted in *Interpretations and Policies* .02(e) to Rule 8.30 to qualify for the highest position limit.

Finally, a Qualifying Security must participate in the Penny Interval Program. In order to qualify for the Penny Interval Program, an options class must be among the 300 most actively traded multiply listed option classes overlying securities priced below $200.[37] The most actively traded options classes are included in the Penny Interval Program based on certain objective criteria (trading volume thresholds and initial price tests).

The Exchange believes the improvement in price transparency brought about by the existing Monday and Wednesday Qualifying Security Expirations offers Market Makers and investors better volatility pricing which informs trading on the related products to these indexes. The Exchange believes that the proposed criteria for Tier 1 Qualifying Securities is consistent with the protection of investors and the general public because the criteria targets the most liquid ETF Shares. The addition of Tuesday and Thursday Qualifying Security Expirations would further provide Market Makers and investors with volatility pricing clarity. Further, the expansion of the Qualifying Securities program for Tier 2 would engender the same benefits to a select few additional ETF Shares.

Qualifying Securities that do not continue to meet the above criteria would no longer be permitted to list Monday, Tuesday, Wednesday or Thursday expirations in the following quarter, although the Qualifying Security would potentially have two weeks of

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[37] See Rule 5.4(d). Each December OCC ranks all multiply listed option classes based on National Cleared Volume for the six full calendar months from June 1 through November 30 for determination of the most actively traded option classes.

strikes already listed which will persist. These remaining listings could continue to be traded until they expire.

With this proposal, overall, the Exchange would add a small number of additional Tuesday and Thursday Tier 1 Qualifying Security Expirations and new Monday and Wednesday Tier 2 Qualifying Securities and would continue to limit the addition of two Monday, Tuesday, Wednesday and Thursday Expirations, respectively, beyond the current week. The Exchange believes these additional Monday, Tuesday, Wednesday and Thursday Tier 1 and Tier 2 Qualifying Security Expirations would remove impediments to and perfect the mechanism of a free and open market by encouraging Market Makers to continue to deploy capital more efficiently and improve displayed market quality.[38] The Exchange believes that the proposal will continue to allow Trading Permit Holders ("TPHs") to expand hedging tools and tailor their investment and hedging needs more effectively in Qualifying Securities as these funds are most likely to be utilized by market participants to hedge the underlying asset classes.

Similar to SPY, QQQ, and IWM, the Exchange believes the additional Tuesday and Thursday Tier 1 Qualifying Securities, as well as the new Monday and Wednesday Expirations for Tier 2 Qualifying Securities, are consistent with the Act as they will, among other things, expand hedging tools available to market participants and allow for a reduced premium cost of buying portfolio protection. The Exchange believes that Tier 1 and Tier 2 Qualifying Security Expirations will allow market participants to purchase options on Qualifying Securities based on their timing as needed and allow them to tailor their

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[38] Today, Market Makers, Designated Primary Market Makers, and Lead Market Makers are required to quote a specified time in their assigned options series. See Rules 5.52, 5.54, and 5.55 (respectively).

investment and hedging needs more effectively, thus allowing them to better manage their risk exposure.

In particular, the Exchange believes the Short Term Option Series Program has been successful to date and that proposed Tier 1 and Tier 2 Qualifying Security Expirations (Monday, Tuesday, Wednesday and Thursday) should simply expand the ability of investors to hedge risk against market movements stemming from economic releases or market events that occur throughout the month in the same way that the Short Term Option Series Program has expanded the landscape of hedging.

There are no material differences in the treatment of SPY, QQQ, and IWM Tuesday and Thursday Qualifying Security Expirations compared to the proposed Tuesday and Thursday Tier 1 Qualifying Security Expirations. Further, there are no material differences in the treatment of current Qualifying Securities that will qualify as Tier 1 Monday and Wednesday Expirations compared to the proposed Monday and Wednesday Tier 2 Qualifying Security Expirations.

Additionally, market participants that elect to utilize options receive a copy of the Options Disclosure Document ("ODD") which explains the risks inherent in options trading. Also, broker-dealers must have a reasonable basis to believe that a recommended transaction or investment strategy involving a security or securities is suitable for the customer.[39] Suitability rules are intended to distinguish the trading of customers with those of professional traders who are likely to have distinct risk/reward profiles, risk tolerance and capital. Regardless of whether the account is self-directed or options are being recommended, broker-dealers must perform due diligence on the customer and collect

[39] See FINRA Rule 2111.

information about the customer to support a determination that options trading is appropriate for the customer. Options accounts are subject to specific supervisory reviews, including, among others, reviewing the compatibility of options transactions with investment objectives and with the types of transactions for which the account was approved, and are subject to other FINRA rules that apply when opening customer accounts, including, among others, customer identification requirements under anti-money laundering rules.[40] Therefore, the Exchange does not believe that listing of up to two Monday and Wednesday Expirations for options on certain individual stocks or ETF Shares is inconsistent with the Act.

The Exchange represents that it has an adequate surveillance program in place to detect manipulative trading in the proposed option expirations, in the same way that it monitors trading in the current Qualifying Security Expirations. The Exchange also represents that it has the necessary system capacity to support the new expirations. Finally, the Exchange does not believe that any market disruptions will be encountered with the introduction of these option expirations. As discussed above, the Exchange believes that its proposal is a modest expansion of weekly expiration dates for Qualifying Security Expirations given that it will be limited to two expirations beyond the current week.

Item 4. Self-Regulatory Organization's Statement on Burden on Competition

The Exchange does not believe that the proposed rule change will impose any burden on competition that is not necessary or appropriate in furtherance of the purposes of the Act. While the proposal will expand the Short Term Options Expirations to allow Tuesday and Thursday Tier 1 Qualifying Securities for ETFs to be listed in addition to

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[40] See https://www.finra.org/rules-guidance/notices/21-15.

Monday and Wednesday Qualifying Securities, the Exchange believes that this limited expansion for Tuesday and Thursday Tier 1 Qualifying Securities for ETFs will not impose an undue burden on competition; rather, it will meet customer demand. The Exchange would uniformly continue to apply the Qualifying Security criteria to options in individual stocks and ETF Shares. The Exchange believes that TPHs will continue to be able to expand hedging tools and tailor their investment and hedging needs more effectively in the Qualifying Securities.

Similar to SPY, QQQ and IWM Tuesday and Thursday Expirations, the introduction of Tuesday and Thursday Expirations for Tier 1 Qualifying Security Expirations on Exchange Traded Fund Shares does not impose an undue burden on competition. The Exchange believes that it will, among other things, expand the hedging tools available to market participants and allow for a reduced premium cost of buying portfolio protection. The Exchange believes that Tuesday and Thursday Tier 1 Qualifying Security Expirations will allow market participants to purchase options on ETF Shares that meet the criteria based on their timing as needed and allow them to tailor their investment and hedging needs more effectively.

The Exchange does not believe the proposal will impose any burden on inter-market competition, as nothing prevents other options exchanges from proposing similar rules to list and trade Tuesday and Thursday Tier 1 Qualifying Security Expirations on ETF Shares. Further, the Exchange does not believe the proposal will impose any burden on intramarket competition, as all market participants will be treated in the same manner under this proposal.

With respect to the proposed expansion of Monday and Wednesday Expirations for Tier 2 Qualifying Securities that are ETF Shares, in addition to the current Monday and Wednesday Qualifying Securities, the Exchange believes that this limited expansion will not impose an undue burden on competition; rather, it will meet customer demand. The Exchange would uniformly continue to apply the Qualifying Security criteria to options in individual stocks and ETF Shares that are Tier 1 and Tier 2 Qualifying Securities. The Exchange believes that TPHs will continue to be able to expand hedging tools and tailor their investment and hedging needs more effectively in the Qualifying Securities.

Similar to Monday and Wednesday Expirations for Qualifying Securities for ETFs, the introduction of Monday and Wednesday Expirations for Tier 2 Qualifying Securities that are ETF Shares does not impose an undue burden on competition. The Exchange believes that it will, among other things, expand the hedging tools available to market participants and allow for a reduced premium cost of buying portfolio protection. The Exchange believes that Monday and Wednesday Expirations for Tier 2 Qualifying Securities will allow market participants to purchase options on ETF Shares that meet the criteria based on their timing as needed and allow them to tailor their investment and hedging needs more effectively.

The Exchange does not believe the proposal will impose any burden on inter-market competition, as nothing prevents other options exchanges from proposing similar rules to list and trade Monday and Wednesday Expirations for Tier 2 Qualifying Securities that are Exchange Traded Fund Shares. Further, the Exchange does not believe the proposal will impose any burden on intra-market competition, as all market participants will be treated in the same manner under this proposal.

Item 5. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received from Members, Participants, or Others

The Exchange neither solicited nor received comments on the proposed rule change.

Item 6. Extension of Time Period for Commission Action

Not applicable.

Item 7. Basis for Summary Effectiveness Pursuant to Section 19(b)(3) or for Accelerated Effectiveness Pursuant to Section 19(b)(2) or Section 19(b)(7)(D)

(a) The proposed rule change is filed for immediate effectiveness pursuant to Section 19(b)(3)(A) of the Act[41] and Rule 19b-4(f)(6)[42] thereunder.

(b) The Exchange designates that the proposed rule change effects a change that (i) does not significantly affect the protection of investors or the public interest; (ii) does not impose any significant burden on competition; and (iii) by its terms, does not become operative for 30 days after the date of the filing, or such shorter time as the Commission may designate if consistent with the protection of investors and the public interest. Additionally, the Exchange has given the Commission 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 of the proposed rule change, or such shorter time as designated by the Commission.

The proposed rule change is substantially similar in all material respects to a proposal submitted by ISE.[43] The Exchange believes that this proposed rule change, which is essential for competitive purposes and to promote a free and open market for the benefit

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41 15 U.S.C. 78s(b)(3)(A).

42 17 CFR 240.19b-4(f)(6).

43 See supra note 1.

of investors, does not raise any new, unique or substantive issues from those raised in the ISE filing.

The Exchange believes that the proposed rule change does not significantly affect the protection of investors or the public interest because this limited expansion of the Short Term Options Expirations will allow market participants to purchase options on Qualifying Securities based on their timing as needed and allow them to tailor their investment and hedging needs more effectively. Further, the Exchange believes the proposal, subject to the proposed limitation, would protect investors and the public interest by providing the investing public and other market participants (i) more flexibility to tailor their investment objectives more effectively; and (ii) greater hedging opportunities to allow them to better manage their risk exposure. The proposed rule change is substantially similar to a proposal by ISE that was recently approved by the Commission.[44] Therefore, the Exchange believes that this proposal raises no new or novel issues that have not been previously considered by the Commission. Additionally, the Exchange believes this proposal does not impose any significant burden on competition but rather promotes competition among the options exchanges.

The Exchange respectfully requests that the Commission waive the requirement that the proposed 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),[45] so that the proposed rule changes may become operative immediately. The Exchange states that the proposed changes will not adversely impact investors and will create greater trading and hedging opportunities and

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44 See supra note 1.

45 17 CFR 240.19b-4(f)(6).

flexibility and will provide customers with the ability to tailor their investment objectives more effectively. Because the proposed rule change does not raise any novel regulatory issues, the Exchange believes that waiver of the operative delay would be consistent with the protection of investors and the public interest. Waiving the 30-day operative delay would permit the Exchange to immediately implement its proposal, which would promote competition within the marketplace and benefit investors. Waiver of the operative delay is consistent with the protection of investors and the public interest because it would allow the Exchange to immediately offer an additional market to investors to trade, and to compete with at least one other exchange that has approval to list and trade the same option series.[46] Waiver of the operative delay would, therefore, enhance competition among exchanges by allowing options on Qualifying Securities to be traded on multiple exchanges and therefore expand the available pools of liquidity for investors to access. Based on the foregoing, the Exchange believes that waiver of the 30-day operative delay is consistent with the protection of investors and the public interest.

For the foregoing reasons, this rule filing qualifies as a "non-controversial" rule change under Rule 19b-4(f)(6), which renders the proposed rule change effective upon filing with the Commission. At any time within 60 days of the filing of this 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 will institute proceedings to determine whether the proposed rule change should be approved or disapproved.

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46 Id.

(c) Not applicable.

(d) Not applicable.

Item 8. Proposed Rule Change Based on Rules of Another Self-Regulatory Organization or of the Commission

As discussed above, the proposed rule change is substantially similar in all material respects to a proposal submitted by ISE.[47]

Item 9. Security-Based Swap Submissions Filed Pursuant to Section 3C of the Act

Not applicable.

Item 10. Advance Notices Filed Pursuant to Section 806(e) of the Payment, Clearing and Settlement Supervision Act

Not applicable.

Item 11. Exhibits

Exhibit 1. Completed Notice of Proposed Rule Change for publication in the Federal Register.

Exhibit 5. Proposed rule text.

47 Id.

EXHIBIT 1

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34- ; File No. SR-CBOE-2026-089]

[Insert date]

Self-Regulatory Organizations; Cboe Exchange, Inc.; Notice of Filing and Immediate Effectiveness of a Proposed Rule Change to Amend the Short Term Option Series Program to Permit Additional Expirations for Exchange-Traded Funds ("ETFs") and Establish New, Additional Criteria for Qualifying Securities for ETFs

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (the "Act"),[1] and Rule 19b-4 thereunder,[2] notice is hereby given that on [insert date], Cboe Exchange, Inc. (the "Exchange" or "Cboe Options") filed with the Securities and Exchange Commission (the "Commission") the proposed rule change as described in Items I, II, and III below, which Items have been prepared by the Exchange. The Exchange filed the proposal as a "non-controversial" proposed rule change pursuant to Section 19(b)(3)(A)(iii) of the Act[3] and Rule 19b-4(f)(6) thereunder.[4] The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

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

Cboe Exchange, Inc. (the "Exchange" or "Cboe Options") proposes to amend the Short Term Option Series Program to permit additional expirations for Exchange-Traded Funds ("ETFs") and establish new, additional criteria for Qualifying Securities for ETFs. The text of the proposed rule change is provided in Exhibit 5.

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1 15 U.S.C. 78s(b)(1).

2 17 CFR 240.19b-4.

3 15 U.S.C. 78s(b)(3)(A)(iii).

4 17 CFR 240.19b-4(f)(6).

The text of the proposed rule change is also available on the Commission's website (https://www.sec.gov/rules/sro.shtml), the Exchange's website (https://www.cboe.com/us/options/regulation/rule_filings/cone/), and at the principal office of the Exchange.

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

In its filing with the Commission, the Exchange 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. The Exchange has prepared summaries, set forth in sections A, B, and C below, of the most significant aspects of such statements.

A. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

1. Purpose

The Exchange proposes to amend the Short Term Option Series Program in Rule 4.5(d). Specifically, the Exchange proposes to amend Qualifying Securities to: (1) permit the listing of up to two Tuesday and Thursday Expirations for options on certain ETFs that meet the current criteria in addition to the existing Monday and Wednesday Expirations; and (2) permit the listing of up to two Monday and Wednesday Expirations for options on additional ETFs that meet new criteria. The Exchange also proposes to designate the ETFs that meet the current criteria in Rule 4.5(d) as "Tier 1 Qualifying Securities" and designate the ETFs that meet the proposed new set of criteria for Qualifying Securities that would only be permitted to trade up to two Monday and Wednesday Expirations, as "Tier 2 Qualifying Securities."

This proposed rule change is based on a proposal recently submitted by Nasdaq ISE, LLC ("ISE") and approved by the Securities and Exchange Commission (the "Commission").[5]

Background

Currently, as set forth in Rule 4.5(d), after an option class has been approved for listing and trading on the Exchange as a Short Term Option Series pursuant to Rule 4.5(d),[6] the Exchange may open for trading on any Thursday or Friday that is a business day ("Short Term Option Opening Date") series of options on that class that expire at the close of business on each of the next five Fridays that are business days and are not Fridays in which standard expiration options series, Monthly Options Series, or Quarterly Options Series expire ("Friday Short Term Option Expiration Dates"). The Exchange may have no more than a total of five Short Term Option Expiration Dates ("Short Term Option Weekly Expirations"). Further, if the Exchange is not open for business on the respective Thursday

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5 See Securities Exchange Act Release No. 34-105801 (June 29, 2026), 91 FR 40603 (July 2, 2026) (SR-ISE-2026-34) (Notice of Filing of a Proposed Rule Change to Amend the Short Term Option Series Program Related to Qualifying Securities).

6 Rule 4.5(d) provides that a Short Term Option Series may be listed on symbols named in Rule 4.5(d) in Table 1 and in Table 2 for "Qualifying Securities" that meet the criteria in Rule 4.5(d). For symbols in the Short Term Option Series Program, the Exchange may list short-term options series expiring on each of the next two business-day Mondays, Tuesdays, Wednesdays, or Thursdays (excluding days that coincide with standard, Monthly, or Quarterly Options Series expirations). Monday Expirations may be opened for trading on the preceding Friday or Monday, Tuesday Expirations on the preceding Monday or Tuesday, Wednesday Expirations on the preceding Tuesday or Wednesday, and Thursday Expirations on the preceding Wednesday or Thursday. Monday Expirations listed on a Friday must be listed at least one business week and one business day prior to expiration. For Qualifying Securities, the Exchange will not list a Monday or Wednesday expiry on a day when an Earnings Announcement (i.e., an official quarterly or yearly earnings filing with the SEC) is scheduled to occur after market close. Monday Short Term Option Expiration Dates, Tuesday Short Term Option Expiration Dates, Wednesday Short Term Option Expiration Dates, and Thursday Short Term Option Expiration Dates, together with Friday Short Term Option Expiration Dates, are collectively "Short Term Option Expiration Dates." If the Exchange is not open for business on a Monday, the Monday Short Term Option Expiration Date will be the business day immediately following that Monday. If the Exchange is not open for business on a Tuesday, Wednesday, or Thursday, the Tuesday Short Term Option Expiration Date, Wednesday Short Term Option Expiration Date, and Thursday Short Term Option Expiration Date, respectively, will be the first business day immediately prior to that Tuesday, Wednesday, or Thursday, respectively.

or Friday, the Short Term Option Opening Date for Short Term Option Weekly Expirations will be the first business day immediately prior to that respective Thursday or Friday. Similarly, if the Exchange is not open for business on a Friday, the Short Term Option Expiration Date for Short Term Option Weekly Expirations will be the first business day immediately prior to that Friday.

Additionally, the Exchange may open for trading series of options on the symbols provided in Table 1 of Rule 4.5(d) that expire at the close of business on each of the next two Mondays, Tuesdays, Wednesdays, and Thursdays, respectively, that are business days beyond the current week and are not business days in which standard expiration options series, Monthly Options Series, or Quarterly Options Series expire ("Short Term Option Daily Expirations").[7] For those symbols listed in Table 1, the Exchange may have no more than a total of two Short Term Option Daily Expirations beyond the current week for each of Monday, Tuesday, Wednesday, and Thursday expirations, as applicable, at one time.

Further, the Exchange may open for trading series of options on the symbols provided in Table 2 of Rule 4.5(d) ("Qualifying Securities") that expire at the close of business on each of the next two Mondays and Wednesdays, respectively, that are business days beyond the current week and are not business days in which standard expiration options series, Monthly Options Series, or Quarterly Options Series expire. For those symbols listed in Table 2, the Exchange may have no more than a total of two

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[7] As set forth in Table 1 of Rule 4.5(d), the Exchange currently permits expirations in SPY, IWM, and QQQ on Mondays, Tuesdays, Wednesdays and Thursdays. Also, the Exchange permits expirations in GLD, SLV and TLT on Mondays and Wednesdays. Finally, the Exchange permits expirations in USO and UNG on Wednesdays.

Short Term Option Daily Expirations beyond the current week for each of Monday and Wednesday Expirations, at one time.

Qualifying Securities may be eligible individual stocks or ETFs that meet the following criteria on a quarterly basis:

(1) an underlying security, as measured on the last day of the prior calendar quarter, must have:

(A) a market capitalization of greater than 700 billion dollars for an individual stock based on the closing price[8], **or**

(B) Assets under Management ("AUM") greater than 50 billion dollars for an ETF based on net asset value ("NAV");

(2) monthly options volume, as measured by sides traded in the last month preceding the quarter end, of greater than 10 million options;

(3) a position limit of at least 250,000 contracts; and

(4) participate in the Penny Interval Program.

Each calendar quarter, the Exchange will apply the above criteria to individual stocks and ETFs to determine eligibility for the following quarter as a Qualifying Security. Beginning on the second trading day in the first month of each calendar quarter, the market capitalization of individual stocks shall be calculated based on the closing price established on the primary exchange on the last trading day of the prior calendar quarter and the AUM for ETFs shall be calculated based on the NAV established on the primary exchange on the last trading day of the prior calendar quarter. The data establishing the volume thresholds will be established by using data from the last month of the prior calendar quarter from The Options Clearing Corporation ("OCC"). For options listed on the first trading day of a

[8] The closing price and the opening price shall be that of the primary exchange where the security is listed.

given calendar quarter, the volume shall be calculated using the last month of the quarter prior to that calendar quarter.[9] The Exchange provides a list of Qualifying Securities available by the close of business on the first trading day of the quarter.[10]

Eligible Qualifying Securities are permitted to list two Short Term Option Expiration Dates beyond the current week for each Monday and Wednesday expiration at one time. For Qualifying Securities, the Exchange would not list an expiry on a day when there will be an Earnings Announcement that takes place after market close.[11] Qualifying Securities that do not continue to meet the above criteria are no longer permitted to list Monday and Wednesday Expirations beginning on the second day of the following quarter.

Proposal

At this time, the Exchange proposes to amend the listing and trading of Qualifying Securities to: (1) permit the listing of up to two Tuesday and Thursday Expirations for options on certain ETFs that meet the current criteria in addition to the existing Monday and Wednesday Expirations; and (2) permit the listing of up to two Monday and Wednesday Expirations for options on additional ETFs that meet new additional criteria. As noted above, the Exchange proposes to designate the ETFs that meet the current criteria in Rule 4.5(d) as "Tier 1 Qualifying Securities" and designate the ETFs that meet the

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9 OCC data becomes available for the end of a quarter on the first trading day of a new quarter.

10 The Exchange posts this information on its website.

11 With respect to individual stock options, the Exchange does not list an expiry on a day when there will be an Earnings Announcement that takes place after market close with respect to individual stock to avoid permitting an additional expiry on a day where post-close price volatility may be impacted due to the Earnings Announcement. Pursuant to Rule 4.5(d), an Earnings Announcement shall include official public quarterly or yearly earnings filed with the Securities and Exchange Commission.

proposed new set of criteria for Qualifying Securities that would only be permitted to trade up to two Monday and Wednesday Expirations, as "Tier 2 Qualifying Securities."

Expansion of ETF Qualifying Securities

On January 16, 2026, the Exchange filed a rule proposal, which was operative upon filing, to permit the listing of Qualifying Securities.[12] The Exchange began listing Qualifying Securities on January 26, 2026, on Tesla, Inc. (TSLA); NVIDIA Corporation (NVDA); Apple Inc. (AAPL); iShares Bitcoin Trust ETF (IBIT)[13]; Amazon.com, Inc. (AMZN); Meta Platforms, Inc. (META); Broadcom Inc. (AVGO); Alphabet, Inc. (GOOGL); and Microsoft Corporation (MSFT).[14] These securities continue to trade in the current calendar quarter. Based on the required review, the Exchange added Advanced Micro Devices, Inc. (AMD), Micron Technology, Inc. (MU), VanEck Semiconductor ETF (SMH), Financial Select Sector SPDR Fund (XLF), and Intel Corporation (INTC) as additional Qualifying Securities on July 6, 2026.[15]

Tier 1 Expansion

At this time, the Exchange proposes to permit the listing and trading of Qualifying Securities on ETFs that meet the current criteria in Rule 4.5(d) of up to two Tuesday and Thursday Expirations in addition to the existing Monday and Wednesday Expirations and redesignate them as Tier 1 Qualifying Securities.

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12 See Securities Exchange Act Release No. 34-104643 (January 21, 2026), 91 FR 3268 (January 26, 2026) (SR-CBOE-2026-007) (Notice of Immediate Effectiveness of a Proposed Rule Change to Amend the Short Term Option Series Program in Rule 4.5(d)).

13 IBIT was removed from the list of Qualifying Securities following a subsequent quarterly review. See https://www.cboe.com/notices/content/?id=60869.

14 See https://www.cboe.com/notices/content/?id=58202.

15 See https://www.cboe.com/notices/content/?id=60869.

The proposed Tuesday Qualifying Securities expirations on ETFs for Tier 1 Qualifying Securities will be similar to the current Tuesday Expirations in SPDR S&P 500 ETF Trust ("SPY"), Invesco QQQ Trust ("QQQ"), and iShares Russell 2000 ETF ("IWM") in Short Term Option Daily Expirations set forth in Rule 4.5(d), such that the Exchange may open for trading on any Monday or Tuesday that is a business day series of options on the symbols provided in Table 1 and eligible as Qualifying Securities through Table 2 that expire at the close of business on each of the next two Tuesdays that are business days and are not business days in which standard expiration options series, Monthly Options Series, or Quarterly Options Series expire ("Tuesday Short Term Option Expiration Date").[16] In the event Tier 1 Qualifying Securities expire on a Tuesday and that Tuesday is the same day that a standard expiration options series, Monthly Options Series, or Quarterly Options Series expires, the Exchange would skip that week's listing and instead list the following week; the two weeks would therefore not be consecutive. Today, Tuesday Expirations in SPY, QQQ, and IWM similarly skip the weekly listing in the event the weekly listing expires on the same day in the same class as a standard expiration options series, Monthly Options Series, or Quarterly Options Series.

The proposed Thursday Qualifying Securities expirations on ETFs for Tier 1 Qualifying Securities will be similar to the current Thursday SPY, QQQ, and IWM in Short Term Option Daily Expirations set forth in Rule 4.5(d), such that the Exchange may open for trading on any Wednesday or Thursday that is a business day series of options on the symbols provided in Table 1 and Table 2 above that expire at the close of business on each

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[16] They may also trade on Fridays, as is the case for all options series in the Short Term Option Series Program.

of the next two Thursdays that are business days and are not business days in which standard expiration options series, Monthly Options Series, or Quarterly Options Series expire ("Thursday Short Term Option Expiration Date").[17] In the event Tier 1 Qualifying Securities expire on a Thursday and that Thursday is the same day that a standard expiration options series, Monthly Options Series, or Quarterly Options Series expires, the Exchange would skip that week's listing and instead list the following week; the two weeks would therefore not be consecutive. Today, Thursday Expirations in SPY, QQQ, and IWM similarly skip the weekly listing in the event the weekly listing expires on the same day in the same class as a standard expiration options series, Monthly Options Series, or Quarterly Options Series.

The interval between strike prices for the proposed Tuesday and Thursday Tier 1 Qualifying Securities Expirations will be the same as those currently applicable for SPY, QQQ, and IWM Tuesday and Thursday Expirations (among other symbols that may list a Tuesday or Thursday Expiration) in the Short Term Option Series Program.[18] Specifically, the Tuesday and Thursday Tier 1 Qualifying Securities Expirations will have a strike interval of (i) $0.50 or greater for strike prices below $100, and $1 or greater for strike prices between $100 and $150 for all option classes that participate in the Short Term Option Series Program, (ii) $0.50 for option classes that trade in one dollar increments and are in the Short Term Option Series Program, or (iii) $2.50 or greater for strike prices above $150.[19] As is the case with other equity options series listed pursuant

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17 See Rule 4.5(d), *Short Term Option Daily Expirations*.

18 See Rule 4.5(d), *Regarding Short Term Option Series* (5).

19 See id.

to the Short Term Option Series Program, the Tuesday and Thursday Tier 1 Qualifying Securities Expirations series will be P.M.-settled.

Pursuant to Rule 4.5(d), with respect to the Short Term Option Series Program, if a Tuesday is not a business day, the series shall expire on the first business day immediately prior to that Tuesday, e.g., Monday of that week if the Tuesday is not a business day. Also, pursuant to Rule 4.5(d), with respect to the Short Term Option Series Program, a Thursday Expiration series shall expire on the first business day immediately prior to that Thursday, e.g., Wednesday of that week if the Thursday is not a business day.

Currently, for each option class eligible for participation in the Short Term Option Series Program, the Exchange is limited to opening thirty (30) series for each expiration date for the specific class.[20] The thirty (30) series restriction does not include series that are opened by other securities exchanges under their respective weekly rules; the Exchange may list these additional series that are listed by other options exchanges.[21] With the proposed changes, this thirty (30) series restriction would apply to Tuesday and Thursday Tier 1 Qualifying Securities Expirations as well. In addition, the Exchange will be able to list series that are listed by other exchanges, assuming they file similar rules with the Commission to list Tuesday and Thursday Tier 1 Qualifying Securities Expirations.

With this proposal, Tuesday and Thursday Tier 1 Qualifying Securities Expirations would be treated similarly to existing SPY, QQQ, and IWM Tuesday and Thursday Expirations. With respect to standard expiration option series, Tuesday and Thursday Tier 1 Qualifying Securities Expirations will be permitted to expire in the same week in which

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20 See Rule 4.5(d), *Regarding Short Term Option Series* (1).

21 See id.

standard expiration option series on the same class expire.[22] Not listing Tuesday and Thursday Tier 1 Qualifying Securities Expirations for one week every month because there was a standard options series on that same class on the Friday of that week would create investor confusion.

Further, as with SPY, QQQ, and IWM Tuesday and Thursday Expirations, the Exchange would not permit Tuesday and Thursday Tier 1 Qualifying Securities Expirations to expire on a business day in which standard expiration option series, Monthly Options Series, or Quarterly Options Series expire.[23] Therefore, all Tuesday and Thursday Tier 1 Qualifying Securities Expirations would expire at the close of business on each of the next two Tuesdays and Thursdays, respectively, that are business days and are not business days in which standard expiration option series, Monthly Options Series, or Quarterly Options Series expire. The Exchange believes that it is reasonable to not permit two expirations on the same day in which a standard expiration option series, Monthly Options Series, or a Quarterly Options Series would expire because those options would be duplicative of each other.

The Exchange does not believe that any market disruptions will be encountered with the introduction of Tuesday and Thursday Tier 1 Qualifying Securities Expirations. The Exchange currently trades P.M.-settled Short Term Option Series that expire Monday, Tuesday, Wednesday and Thursday on several symbols[24] and has not experienced any market disruptions or issues with capacity. Today, the Exchange has surveillance programs in place to support and properly monitor trading in Short Term Option Series that expire

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22 See Rule 4.5(d), *Regarding Short Term Option Series* (2).

23 See id.

24 See supra note 7.

Monday, Tuesday, Wednesday and Thursday on several symbols.[25] The Exchange believes that it has the necessary capacity and surveillance programs in place to support and properly monitor trading in the proposed Tuesday and Thursday Tier 1 Qualifying Securities Expirations.

Tier 2 Expansion

The Exchange also proposes to permit the listing of up to two Monday and Wednesday Expirations for options on additional ETFs that meet new additional criteria as Qualifying Securities. The Exchange proposes a different set of criteria for Qualifying Securities that are ETFs that would only be permitted to trade up to two Monday and Wednesday Expirations as follows: an underlying security, as measured on the last day of the prior calendar quarter, must have: AUM greater than $25 billion for an ETF based on NAV,[26] and monthly options volume, as measured by sides traded in the last month preceding the quarter end, of greater than 5 million options; a position limit of at least 250,000 contracts;[27] and participate in the Penny Interval Program ("Tier 2 Qualifying Securities").

As with any Qualifying Security, each calendar quarter, the Exchange will apply the above criteria to the proposed new Tier 2 Qualifying Securities to determine eligibility for the following quarter as a Qualifying Security. Beginning on the second trading day in the first month of each calendar quarter, the AUM for ETFs that are Tier 2 Qualifying

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25 See supra note 6.

26 Currently, ETF Shares that are Qualifying Securities must have an AUM greater than $50 billion based on NAV.

27 Currently, ETF Shares that are Qualifying Securities must have a monthly options volume, as measured by sides traded in the last month preceding the quarter end, of greater than 10 million options.

Securities shall be calculated based on the NAV established on the primary exchange on the last trading day of the prior calendar quarter. As is the case for all Qualifying Securities, the data establishing the volume thresholds will be established by using data from the last month of the prior calendar quarter from OCC. For options listed on the first trading day of a given calendar quarter, the volume shall be calculated using the last month of the quarter prior to that calendar quarter.[28] The Exchange will make the list of Qualifying Securities available by close of business on the first trading day of the quarter.[29]

Eligible Qualifying Securities for the proposed Tier 2 Qualifying Securities would be permitted to list two Short Term Option Expiration Dates beyond the current week for each Monday and Wednesday Expirations at one time. Tier 2 Qualifying Securities that do not continue to meet the above criteria would no longer be permitted to list Monday and Wednesday Expirations beginning on the second day of the following quarter.[30]

The proposed Monday Tier 2 Qualifying Securities Expirations will be similar to the Monday Expirations for the existing Qualifying Securities (among other symbols that may list a Monday Expiration) in Short Term Option Daily Expirations set forth in Rule 4.5(d), such that the Exchange may open for trading on any Friday or Monday that is a business day (beyond the current week) series of options on Tier 2 Qualifying Securities to expire on any Monday of the month that is a business day and is not a Monday in which standard expiration options series, Monthly Options Series, or Quarterly Options Series expire, provided that Monday expirations that are listed on a Friday must be listed at least

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28 OCC data becomes available for the end of a quarter on the first trading day of a new quarter.

29 The Exchange will continue to make this information available on its website. See supra note 10.

30 The Exchange has noted the additional expirations in Table 2 of Rule 4.5(d) along with the criteria for a Qualifying Security for the proposed Tier 2 Qualifying Securities.

one business week and one business day prior to the expiration ("Monday Qualifying Securities Expirations").[31] In the event Tier 2 Qualifying Securities expire on a Monday and that Monday is the same day that a standard expiration options series, Monthly Options Series, or Quarterly Options Series expires, the Exchange would skip that week's listing and instead list the following week; the two weeks would therefore not be consecutive. Today, Monday expirations for the existing Qualifying Securities similarly skip the weekly listing in the event the weekly listing expires on the same day in the same class as a standard expiration options series, Monthly Options Series, or Quarterly Options Series.

The proposed Wednesday Tier 2 Qualifying Securities expirations will be similar to the current Wednesday Expirations for the existing Qualifying Securities (among other symbols that may list a Wednesday Expiration) in Short Term Option Daily Expirations set forth in Rule 4.5(d), such that the Exchange may open for trading on any Tuesday or Wednesday that is a business day (beyond the current week) series of options on Tier 2 Qualifying Securities to expire on any Wednesday of the month that is a business day and is not a Wednesday in which standard expiration options series, Monthly Options Series, or Quarterly Options Series expire ("Wednesday Qualifying Securities Expirations").[32] In the event Tier 2 Qualifying Securities expire on a Wednesday and that Wednesday is the same day that a standard expiration options series, Monthly Options Series, or Quarterly Options Series expires, the Exchange would skip that week's listing and instead list the following week; the two weeks would therefore not be consecutive. Today, Wednesday Expirations in existing Qualifying Securities similarly skip the weekly listing in the event

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31 They may also trade on Fridays, as is the case for all options series in the Short Term Option Series Program.

32 See id; see also Rule 4.5(d).

the weekly listing expires on the same day in the same class as a standard expiration options series, Monthly Options Series, or Quarterly Options Series.

The interval between strike prices for the proposed Monday and Wednesday Tier 2 Qualifying Securities Expirations will be the same as those currently applicable for Monday and Wednesday Expirations in existing Qualifying Securities (among other symbols that may list a Monday or Wednesday Expiration) in the Short Term Option Series Program.[33] Specifically, the Monday and Wednesday Tier 2 Qualifying Securities Expirations for the proposed new ETFs will have a strike interval of (i) $0.50 or greater for strike prices below $100, and $1 or greater for strike prices between $100 and $150 for all option classes that participate in the Short Term Option Series Program, (ii) $0.50 for option classes that trade in one dollar increments and are in the Short Term Option Series Program, or (iii) $2.50 or greater for strike prices above $150.[34] As is the case with other equity options series listed pursuant to the Short Term Option Series Program, the Monday and Wednesday Tier 2 Qualifying Securities Expirations will be P.M.-settled.

As noted above, pursuant to Rule 4.5(d), with respect to the Short Term Option Series Program, if a Monday is not a business day, the series shall expire on the first business day immediately following that Monday. Also, pursuant to Rule 4.5(d), with respect to the Short Term Option Series Program, a Wednesday Expiration series shall expire on the first business day immediately prior to that Wednesday, e.g., Tuesday of that week if the Wednesday is not a business day.

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33 See Rule 4.5(d) *Regarding Short Term Option Series* (5).

34 See id.

As noted above, currently, for each option class eligible for participation in the Short Term Option Series Program, the Exchange is limited to opening thirty (30) series for each expiration date for the specific class.[35] The thirty (30) series restriction does not include series that are opened by other securities exchanges under their respective weekly rules; the Exchange may list these additional series that are listed by other options exchanges.[36] With the proposed changes, this thirty (30) series restriction would apply to Monday and Wednesday Tier 2 Qualifying Securities Expirations as well. In addition, the Exchange will be able to list series that are listed by other exchanges, assuming they file similar rules with the Commission to list Monday and Wednesday Tier 2 Qualifying Securities Expirations.

With this proposal, Monday and Wednesday Tier 2 Qualifying Securities Expirations would be treated similarly to existing Monday and Wednesday Qualifying Securities Expirations. With respect to standard expiration option series, Monday and Wednesday Tier 2 Qualifying Securities Expirations will be permitted to expire in the same week in which standard expiration option series on the same class expire.[37] Not listing Monday and Wednesday Tier 2 Qualifying Securities Expirations for one week every month because there was a standard options series on that same class on the Friday of that week would create investor confusion.

Further, as with existing Monday and Wednesday Qualifying Security Expirations, the Exchange would not permit Monday and Wednesday Tier 2 Qualifying Securities Expirations to expire on a business day in which standard expiration option series, Monthly

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35 See Rule 4.5(d) *Regarding Short Term Option Series* (1).

36 See id.

37 See id; see also Rule 4.5(d) *Regarding Short Term Option Series* (2).

Options Series, or Quarterly Options Series expire.[38] Therefore, all Monday and Wednesday Tier 2 Qualifying Securities Expirations would expire at the close of business on each of the next two Mondays and Wednesdays, respectively, that are business days and are not business days in which standard expiration option series, Monthly Options Series, or Quarterly Options Series expire. The Exchange believes that it is reasonable to not permit two expirations for the proposed Tier 2 Qualifying Securities on the same day in which a standard expiration option series, Monthly Options Series, or a Quarterly Options Series would expire because those options would be duplicative of each other.

The Exchange does not believe that any market disruptions will be encountered with the introduction of Monday and Wednesday Tier 2 Qualifying Securities Expirations. The Exchange currently trades P.M.-settled Short Term Option Series that expire Monday, Tuesday, Wednesday and Thursday on several symbols[39] and has not experienced any market disruptions or issues with capacity. Today, the Exchange has surveillance programs in place to support and properly monitor trading in Short Term Option Series that expire Monday, Tuesday, Wednesday and Thursday on several symbols.[40] The Exchange believes that it has the necessary capacity and surveillance programs in place to support and properly monitor trading in the proposed Monday and Wednesday Tier 2 Qualifying Securities Expirations.

2. Statutory Basis

The Exchange believes the proposed rule change is consistent with the Act and the rules and regulations thereunder applicable to the Exchange and, in particular, the

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38 See Rule 4.5(d) *Regarding Short Term Option Series* (2).

39 See supra note 7.

40 See supra note 6.

requirements of Section 6(b) of the Act.[6] Specifically, the Exchange believes the proposed rule change is consistent with the Section 6(b)(5)[7] requirements that the rules of an exchange be designed to prevent fraudulent and manipulative acts and practices, to promote just and equitable principles of trade, to foster cooperation and coordination with persons engaged in regulating, clearing, settling, processing information with respect to, and facilitating transactions in securities, to remove impediments to and perfect the mechanism of a free and open market and a national market system, and, in general, to protect investors and the public interest.

The Exchange believes the proposal to permit Tuesday and Thursday Tier 1 Qualifying Securities Expirations and Monday and Wednesday Tier 2 Qualifying Security Expirations, subject to the proposed limitation of two expirations beyond the current week, would protect investors and the public interest by providing the investing public and other market participants more choice and flexibility to closely tailor their investment and hedging decisions in these options and allow for a reduced premium cost of buying portfolio protection, thus allowing them to better manage their risk exposure.

The Exchange believes that the proposed criteria for Tier 1 Qualifying Securities requires ETFs to be highly liquid. An AUM of $50 billion for an ETF Share, in conjunction with the monthly options volume requirement of greater than 10 million options as measured by sides traded in the last month preceding the quarter end, is very restrictive. This requirement represents substantially less than 1% of ETF Shares. Therefore, an ETF Share that meets the aforementioned market capitalization and volume requirements is highly liquid and could be viewed as a stable security.

Further, with respect to the Tier 2 Qualifying Securities, which have a lower AUM of $25 billion and monthly options volume as measured by sides traded in the last month preceding the quarter end, of greater than 5 million options for an ETF Share, the Exchange believes that despite the lower criteria, these ETF Shares represent highly liquid securities. This requirement also represents substantially less than 1% of ETF Shares. Therefore, an ETF Share that meets the aforementioned market capitalization and volume requirements would also be highly liquid and could be viewed as a stable security.

The Exchange notes that with respect to position limits, *Interpretations and Policies* .02(e) to Rule 8.30 provides that "[t]o be eligible for the 250,000 option contract limit, either the most recent six-month trading volume of the underlying security must have totaled at least 100,000,000 shares; or the most recent six-month trading volume of the underlying security must have totaled at least 75,000,000 shares and the underlying security must have at least 300,000,000 shares currently outstanding." The 250,000 contract position limit is the highest position limit by Exchange rule. Options that qualify for the 250,000 position (and exercise) limit are highly liquid securities that have met the stringent requirements noted in *Interpretations and Policies* .02(e) to Rule 8.30 to qualify for the highest position limit.

Finally, a Qualifying Security must participate in the Penny Interval Program. In order to qualify for the Penny Interval Program, an options class must be among the 300 most actively traded multiply listed option classes overlying securities priced below $200.[41] The most actively traded options classes are included in the Penny Interval

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41 See Rule 5.4(d). Each December OCC ranks all multiply listed option classes based on National Cleared Volume for the six full calendar months from June 1 through November 30 for determination of the most actively traded option classes.

Program based on certain objective criteria (trading volume thresholds and initial price tests).

The Exchange believes the improvement in price transparency brought about by the existing Monday and Wednesday Qualifying Security Expirations offers Market Makers and investors better volatility pricing which informs trading on the related products to these indexes. The Exchange believes that the proposed criteria for Tier 1 Qualifying Securities is consistent with the protection of investors and the general public because the criteria targets the most liquid ETF Shares. The addition of Tuesday and Thursday Qualifying Security Expirations would further provide Market Makers and investors with volatility pricing clarity. Further, the expansion of the Qualifying Securities program for Tier 2 would engender the same benefits to a select few additional ETF Shares.

Qualifying Securities that do not continue to meet the above criteria would no longer be permitted to list Monday, Tuesday, Wednesday or Thursday expirations in the following quarter, although the Qualifying Security would potentially have two weeks of strikes already listed which will persist. These remaining listings could continue to be traded until they expire.

With this proposal, overall, the Exchange would add a small number of additional Tuesday and Thursday Tier 1 Qualifying Security Expirations and new Monday and Wednesday Tier 2 Qualifying Securities and would continue to limit the addition of two Monday, Tuesday, Wednesday and Thursday Expirations, respectively, beyond the current week. The Exchange believes these additional Monday, Tuesday, Wednesday and Thursday Tier 1 and Tier 2 Qualifying Security Expirations would remove impediments to and perfect the mechanism of a free and open market by encouraging Market Makers to

continue to deploy capital more efficiently and improve displayed market quality.[42] The Exchange believes that the proposal will continue to allow Trading Permit Holders ("TPHs") to expand hedging tools and tailor their investment and hedging needs more effectively in Qualifying Securities as these funds are most likely to be utilized by market participants to hedge the underlying asset classes.

Similar to SPY, QQQ, and IWM, the Exchange believes the additional Tuesday and Thursday Tier 1 Qualifying Securities, as well as the new Monday and Wednesday Expirations for Tier 2 Qualifying Securities, are consistent with the Act as they will, among other things, expand hedging tools available to market participants and allow for a reduced premium cost of buying portfolio protection. The Exchange believes that Tier 1 and Tier 2 Qualifying Security Expirations will allow market participants to purchase options on Qualifying Securities based on their timing as needed and allow them to tailor their investment and hedging needs more effectively, thus allowing them to better manage their risk exposure.

In particular, the Exchange believes the Short Term Option Series Program has been successful to date and that proposed Tier 1 and Tier 2 Qualifying Security Expirations (Monday, Tuesday, Wednesday and Thursday) should simply expand the ability of investors to hedge risk against market movements stemming from economic releases or market events that occur throughout the month in the same way that the Short Term Option Series Program has expanded the landscape of hedging.

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42 Today, Market Makers, Designated Primary Market Makers, and Lead Market Makers are required to quote a specified time in their assigned options series. See Rules 5.52, 5.54, and 5.55 (respectively).

There are no material differences in the treatment of SPY, QQQ, and IWM Tuesday and Thursday Qualifying Security Expirations compared to the proposed Tuesday and Thursday Tier 1 Qualifying Security Expirations. Further, there are no material differences in the treatment of current Qualifying Securities that will qualify as Tier 1 Monday and Wednesday Expirations compared to the proposed Monday and Wednesday Tier 2 Qualifying Security Expirations.

Additionally, market participants that elect to utilize options receive a copy of the Options Disclosure Document ("ODD") which explains the risks inherent in options trading. Also, broker-dealers must have a reasonable basis to believe that a recommended transaction or investment strategy involving a security or securities is suitable for the customer.[43] Suitability rules are intended to distinguish the trading of customers with those of professional traders who are likely to have distinct risk/reward profiles, risk tolerance and capital. Regardless of whether the account is self-directed or options are being recommended, broker-dealers must perform due diligence on the customer and collect information about the customer to support a determination that options trading is appropriate for the customer. Options accounts are subject to specific supervisory reviews, including, among others, reviewing the compatibility of options transactions with investment objectives and with the types of transactions for which the account was approved, and are subject to other FINRA rules that apply when opening customer accounts, including, among others, customer identification requirements under anti-money laundering rules.[44] Therefore, the Exchange does not believe that listing of up to two

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43 See FINRA Rule 2111.

44 See https://www.finra.org/rules-guidance/notices/21-15.

Monday and Wednesday Expirations for options on certain individual stocks or ETF Shares is inconsistent with the Act.

The Exchange represents that it has an adequate surveillance program in place to detect manipulative trading in the proposed option expirations, in the same way that it monitors trading in the current Qualifying Security Expirations. The Exchange also represents that it has the necessary system capacity to support the new expirations. Finally, the Exchange does not believe that any market disruptions will be encountered with the introduction of these option expirations. As discussed above, the Exchange believes that its proposal is a modest expansion of weekly expiration dates for Qualifying Security Expirations given that it will be limited to two expirations beyond the current week.

B. Self-Regulatory Organization's Statement on Burden on Competition

The Exchange does not believe that the proposed rule change will impose any burden on competition that is not necessary or appropriate in furtherance of the purposes of the Act. While the proposal will expand the Short Term Options Expirations to allow Tuesday and Thursday Tier 1 Qualifying Securities for ETFs to be listed in addition to Monday and Wednesday Qualifying Securities, the Exchange believes that this limited expansion for Tuesday and Thursday Tier 1 Qualifying Securities for ETFs will not impose an undue burden on competition; rather, it will meet customer demand. The Exchange would uniformly continue to apply the Qualifying Security criteria to options in individual stocks and ETF Shares. The Exchange believes that TPHs will continue to be able to expand hedging tools and tailor their investment and hedging needs more effectively in the Qualifying Securities.

Similar to SPY, QQQ and IWM Tuesday and Thursday Expirations, the introduction of Tuesday and Thursday Expirations for Tier 1 Qualifying Security

Expirations on Exchange Traded Fund Shares does not impose an undue burden on competition. The Exchange believes that it will, among other things, expand the hedging tools available to market participants and allow for a reduced premium cost of buying portfolio protection. The Exchange believes that Tuesday and Thursday Tier 1 Qualifying Security Expirations will allow market participants to purchase options on ETF Shares that meet the criteria based on their timing as needed and allow them to tailor their investment and hedging needs more effectively.

The Exchange does not believe the proposal will impose any burden on inter-market competition, as nothing prevents other options exchanges from proposing similar rules to list and trade Tuesday and Thursday Tier 1 Qualifying Security Expirations on ETF Shares. Further, the Exchange does not believe the proposal will impose any burden on intramarket competition, as all market participants will be treated in the same manner under this proposal.

With respect to the proposed expansion of Monday and Wednesday Expirations for Tier 2 Qualifying Securities that are ETF Shares, in addition to the current Monday and Wednesday Qualifying Securities, the Exchange believes that this limited expansion will not impose an undue burden on competition; rather, it will meet customer demand. The Exchange would uniformly continue to apply the Qualifying Security criteria to options in individual stocks and ETF Shares that are Tier 1 and Tier 2 Qualifying Securities. The Exchange believes that TPHs will continue to be able to expand hedging tools and tailor their investment and hedging needs more effectively in the Qualifying Securities.

Similar to Monday and Wednesday Expirations for Qualifying Securities for ETFs, the introduction of Monday and Wednesday Expirations for Tier 2 Qualifying Securities

that are ETF Shares does not impose an undue burden on competition. The Exchange believes that it will, among other things, expand the hedging tools available to market participants and allow for a reduced premium cost of buying portfolio protection. The Exchange believes that Monday and Wednesday Expirations for Tier 2 Qualifying Securities will allow market participants to purchase options on ETF Shares that meet the criteria based on their timing as needed and allow them to tailor their investment and hedging needs more effectively.

The Exchange does not believe the proposal will impose any burden on inter-market competition, as nothing prevents other options exchanges from proposing similar rules to list and trade Monday and Wednesday Expirations for Tier 2 Qualifying Securities that are Exchange Traded Fund Shares. Further, the Exchange does not believe the proposal will impose any burden on intra-market competition, as all market participants will be treated in the same manner under this proposal.

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

The Exchange neither solicited nor received comments on the proposed rule change.

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

Because the foregoing proposed rule change does not:

A. significantly affect the protection of investors or the public interest;

B. impose any significant burden on competition; and

C. 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[45] and Rule 19b-4(f)(6)[46] thereunder. 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 will institute proceedings to determine whether the proposed rule change 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 (https://www.sec.gov/rules/sro.shtml); or
- Send an email to rule-comments@sec.gov. Please include file number SR-CBOE-2026-089 on the subject line.

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-CBOE-2026-089. This file number should be included on the subject line if email is used. To help the Commission process

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45 15 U.S.C. 78s(b)(3)(A).

46 17 CFR 240.19b-4(f)(6).

and review your comments more efficiently, please use only one method. The Commission will post all comments on the Commission's internet website (https://www.sec.gov/rules/sro.shtml). Copies of the filing will be available for inspection and copying at the principal office of the Exchange. Do not include personal identifiable information in submissions; you should submit only information that you wish to make available publicly. We may redact in part or withhold entirely from publication submitted material that is obscene or subject to copyright protection. All submissions should refer to file number SR-CBOE-2026-089 and should be submitted on or before [INSERT DATE 21 DAYS AFTER DATE OF PUBLICATION IN THE *FEDERAL REGISTER*].

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[47]

Sherry R. Haywood,

Assistant Secretary.

Secretary

[47] 17 CFR 200.30-3(a)(12).

EXHIBIT 5

(additions are underlined; deletions are [bracketed])

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Rules of Cboe Exchange, Inc.

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Rule 4.5. Series of Option Contracts Open for Trading

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(d) *Short Term Option Series Program.* After an option class has been approved for listing and trading on the Exchange, the Exchange may open for trading on any Thursday or Friday that is a business day ("Short Term Option Opening Date") series of options on that class that expire at the close of business on each of the next five Fridays that are business days and are not Fridays on which standard expiration options series, Monthly Options Series, or Quarterly Options Series expire ("Friday Short Term Option Expiration Dates"). The Exchange may have no more than a total of five Friday Short Term Option Expiration Dates ("Short Term Option Weekly Expirations"). If the Exchange is not open for business on the respective Thursday or Friday, the Short Term Option Opening Date for Short Term Option Weekly Expirations will be the first business day immediately prior to that respective Thursday or Friday. Similarly, if the Exchange is not open for business on a Friday, the Short Term Option Expiration Date for Short Term Option Weekly Expirations will be the first business day immediately prior to that Friday.

Short Term Option Daily Expirations.

In addition to the above, the Exchange may open for trading series of options on the symbols provided in Table 1 and Table 2 below that expire at the close of business on each of the next two Mondays, Tuesdays, Wednesdays, and Thursdays, respectively, that are business days beyond the current week and are not business days on which standard expiration options series, Monthly Options Series, or Quarterly Options Series expire ("Short Term Option Daily Expirations"). The Exchange may have no more than a total of two Short Term Option Daily Expirations beyond the current week for each of Monday, Tuesday, Wednesday, and Thursday expirations at one time. Short Term Option Daily Expirations would be subject to this paragraph (d).

Table 1

Symbol	**Number of Expirations**			
	Monday	**Tuesday**	**Wednesday**	**Thursday**
SPY	2	2	2	2
IWM	2	2	2	2
QQQ	2	2	2	2
USO	0	0	2	0

UNG	0	0	2	0
GLD	2	0	2	0
SLV	2	0	2	0
TLT	2	0	2	0

Table 2

Symbol	**Number of Expirations**			
	Monday	**Tuesday**	**Wednesday**	**Thursday**
Individual Stock Qualifying Securities*	2	0	2	0
ETF Qualifying Securities that qualify under (1)(B)(i)	2	2	2	2
ETF Qualifying Securities that qualify under (1)(B)(ii)	2	0	2	0

* "Qualifying Securities" are eligible individual stocks or ETFs, which are separate and apart from the symbols listed in Table 1, that have received approval to list additional expiries on specific symbols, that meet the following criteria on a quarterly basis:

(1) an underlying security, as measured on the last day of the prior calendar quarter, must have:

(A) a market capitalization of greater than $700 billion [dollars] for an individual stock based on the closing price, or

(B) (i) Assets under Management ("AUM") greater than $50 billion [dollars] for an ETF based on net asset value ("NAV"); or (ii) AUM greater than $25 billion for an ETF based on NAV;

(2) monthly options volume, as measured by sides traded in the last month preceding the quarter end, of greater than 10 million options; or monthly options volume, as measured by sides traded in the last month preceding the quarter end, of greater than 5 million options for an ETF that qualified under subparagraph (1)(B)(ii) above;

(3) a position limit of at least 250,000 contracts; and

(4) participate in the Penny Interval Program.

Each calendar quarter, the Exchange will apply the above criteria to individual stocks and ETFs to determine eligibility for the following quarter as a Qualifying Security. Beginning on the second trading day in the first month of each calendar quarter, the market capitalization of individual stocks shall be calculated based on the closing price established on the primary exchange on the last trading day of the prior calendar quarter and the AUM for ETFs shall be calculated based on the NAV established on the primary exchange on the last trading day of the prior calendar quarter. The data establishing the volume thresholds will be established by using data from the last month of the prior calendar quarter from OCC. For options listed on the first trading day of a given calendar quarter, the volume shall be calculated using the last month of the quarter prior to the last trading calendar quarter.

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