

### **Alert: SEC's Pandemic No-Action Relief**

The Operating Committee for the CAT NMS Plan recognizes that, in light of current global events related to COVID-19, the staff of the SEC's Division of Trading and Markets has provided the Participants to the CAT NMS Plan with no-action relief from enforcing their CAT Compliance Rules with regard to CAT implementation deadlines against Industry Members. Such no-action relief will be in effect through May 20, 2020.<sup>1</sup> The Division indicates that its no-action relief only applies through May 20, 2020, but could be extended.

Accordingly, the Operating Committee understands that the Participants will not take disciplinary action against their members for a failure to commence reporting to the CAT prior to May 20, 2020.

However, for those Industry Members that have completed the required production readiness certifications and are ready to begin reporting as of April 20, 2020, the CAT will be ready to accept CAT reports from Industry Members as of April 20, 2020. Industry Members should be mindful that completion of production readiness testing and certification generally should occur 14 calendar days prior to reporting, so an Industry Member wishing to report on April 20, for example, should complete certifications and testing by April 6. Similarly, Industry Members wishing to report on May 20 should complete certifications and testing by May 6. Please note that FINRA CAT, the CAT Plan Processor, cannot guarantee access to the production environment by May 20 for those Industry Members that do not complete production readiness testing by May 6. Details and requirements for certification and testing are available in the FINRA CAT Onboarding Guide, available at [https://catnmsplan.com/sites/default/files/2020-02/FINRA-CAT-Onboarding-Guide-v1.6\\_0.pdf](https://catnmsplan.com/sites/default/files/2020-02/FINRA-CAT-Onboarding-Guide-v1.6_0.pdf).

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<sup>1</sup> The Division's no-action relief is available at <https://www.catnmsplan.com/sites/default/files/2020-03/03.16.20%20No%20Action%20Letter.pdf>.