

April 30, 2024

VIA EMAIL AND HAND DELIVERY

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

Re: CAT NMS Plan Section 6.6(c)(ii) Quarterly Progress Report

Dear Ms. Countryman:

The Participants¹ in the National Market System Plan Governing the Consolidated Audit Trail (“CAT NMS Plan”)² respectfully submit the enclosed Quarterly Progress Report (“QPR”) for the calendar quarter ending on March 31, 2024 (“Q1 2024”), pursuant to Section 6.6(c)(ii) of the CAT NMS Plan.³ In accordance with Section 6.6(c)(ii), the Q1 2024 QPR includes a detailed description of the progress made by the Participants during Q1 2024 toward achieving each of the milestones set forth in the Implementation Plan.⁴ Please feel free to contact any of the Participants if you have any questions.

Respectfully submitted,

Participants of the CAT NMS Plan

Enclosures

cc: The Hon. Gary Gensler, Chair
The Hon. Hester M. Peirce, Commissioner
The Hon. Caroline A. Crenshaw, Commissioner
The Hon. Mark T. Uyeda, Commissioner
The Hon. Jaime Lizárraga, Commissioner
Mr. Haoxiang Zhu, Director, Division of Trading and Markets
Mr. David S. Shillman, Associate Director, Division of Trading and Markets
Mr. David Hsu, Assistant Director, Division of Trading and Markets
Mr. Hugh Beck, Senior Advisor for Regulatory Reporting
Ms. Erika Berg, Special Counsel, Division of Trading and Markets
Mr. Mark Donohue, Senior Policy Advisor, Division of Trading and Markets

¹ The twenty-five Participants of the CAT NMS Plan are: BOX Exchange LLC; Cboe BYX Exchange, Inc., Cboe BZX Exchange, Inc., Cboe EDGA Exchange, Inc., Cboe EDGX Exchange, Inc., Cboe C2 Exchange, Inc. and Cboe Exchange, Inc.; Financial Industry Regulatory Authority, Inc.; Investors Exchange LLC; Long-Term Stock Exchange, Inc.; MEMX LLC; Miami International Securities Exchange LLC, MIAX Emerald, LLC, and MIAX PEARL, LLC; NASDAQ BX, Inc., Nasdaq GEMX, LLC, Nasdaq ISE, LLC, Nasdaq MRX, LLC, NASDAQ PHLX LLC, and The NASDAQ Stock Market LLC; and New York Stock Exchange LLC, NYSE American LLC, NYSE Arca, Inc., NYSE Chicago, Inc. and NYSE National, Inc.

² The Limited Liability Company Agreement of Consolidated Audit Trail, LLC is the CAT NMS Plan. Unless otherwise noted, capitalized terms are used as defined in Rule 613, in the CAT NMS Plan or in this letter.

³ A copy of the Q1 2024 QPR is available on the CAT NMS Plan public website at www.catnmsplan.com.

⁴ The Implementation Plan was filed with the Commission on July 22, 2020 and is available on the CAT NMS Plan public website at www.catnmsplan.com. Subsequent QPRs are also available on the CAT NMS Plan public website.

CAT Q1 2024 Quarterly Progress Report

FILED APRIL 30, 2024

APPENDIX C MILESTONES

	Implementation Plan Completion Date	Targeted Completion Date or Actual Completion Date¹	Milestone/Interim Step²	Description of Any Variance From the IP	Other Factual Indicators³	Description of Status as of 3/31/2024⁴
1	7/11/2022	5/31/2024	Row 6 of App. C-10(a) & Row 8 of App. C-10(a): Customer and Account Information – Production Environment Go-Live (All Industry Members)	It was announced on August 2, 2023 that the targeted completion date for full CAIS reporting compliance was extended to May 31, 2024.	<ul style="list-style-type: none"> • Published outstanding material inconsistencies metadata feedback file schema on January 3, 2024. • Published outstanding material inconsistencies data feedback file schema on January 26, 2024. • Re-enabled material inconsistencies and deployed daily outstanding error files to production on February 26, 2024. • Published updated CAT CAIS Industry Member reporting scenarios on February 29, 2024. • Published updated CAT CAIS technical specifications on March 8, 2024. 	<ul style="list-style-type: none"> • The Full CAIS Production Environment opened April 25, 2022 and it remains open. • Industry Members have been required to report, and are reporting, required data to CAIS on a daily basis since November 7, 2022, consistent with interim reporting obligations. • The remaining CAIS obligations for Industry Members are the May 24, 2024 deadline for Interim Obligation 4 (which relates to Industry Members’ repair of all outstanding rejects and resolution of all outstanding material inconsistencies) and the May 31,

¹ The “Completion Date” indicates the targeted completion date for the milestone, unless the status for the milestone has been designated as “Completed.” In that case, the “Completion Date” indicates the date by which the milestone was completed.

² To further enhance the publicly available information, the Participants have included additional details in this document to reflect certain interim steps not included in the Implementation Plan to complete implementation of the CAT. These interim steps are provided for informational purposes only and are not relevant for purposes of assessing the Participants’ timely satisfaction of the Financial Accountability Milestones.

³ For milestones that are in progress or have not been initiated, this will include the basis for making the adjustment and the impact of this adjustment on any other Implementation Milestone, and, if applicable, any other factual indicators that demonstrate the current level of completion with respect to the Implementation Milestone.

⁴ This Quarterly Progress Report reflects activities by the Participants to meet the relevant milestones and interim steps. Additional information and metrics on Industry Member testing and readiness are provided in industry update meetings and related materials. See CAT Event Materials, available at <https://catnmsplan.com/events/materials>.

	Implementation Plan Completion Date	Targeted Completion Date or Actual Completion Date ¹	Milestone/Interim Step ²	Description of Any Variance From the IP	Other Factual Indicators ³	Description of Status as of 3/31/2024 ⁴
					<ul style="list-style-type: none"> Deployed CAIS release regarding updates to the CAT Reporter and Regulator Portals, medium and low known issue fixes and other enhancements to industry test environment on March 12, 2024. 	<p>2024 final Full CAIS compliance deadline (which adds the requirement to repair all rejections and resolve all material inconsistencies on a go forward basis within the Plan-established deadlines).</p> <ul style="list-style-type: none"> The CAIS system accepts and validates the CAIS data submitted by Industry Members and provides Industry Members with feedback on data errors. Deployed CAIS releases that address outstanding issues (including the releases described in “Other Factual Indicators” column). Established timeline for the two remaining Full CAIS reporting obligations referenced above to address these outstanding issues.

PARTICIPANT MILESTONES

	Implementation Plan Completion Date	Targeted Completion Date or Actual Completion Date	Milestones	Description of Any Variance From the IP	Other Factual Indicators	Description of Status as of 3/31/2024
			N/A			

FINANCIAL ACCOUNTABILITY MILESTONES

	Implementation Plan Completion Date	Targeted Completion Date or Actual Completion Date	Milestones	Description of Any Variance From the IP	Other Factual Indicators	Description of Status as of 3/31/2024
1	7/31/2020	7/20/2020	FAM Period 1 Completion of Initial Industry Member Core Equity and Option Reporting, defined under CAT NMS Plan Section 1.1 as the reporting by Industry Members (excluding Small Industry Members that are not OATS reporters) of both: (a) equities transaction data, excluding Customer Account Information, Customer-ID, and Customer Identifying Information; and (b) options transaction data, excluding Customer Account Information, Customer-ID, and Customer Identifying Information.	N/A	N/A	Completed
2	12/31/2020	12/31/2020	FAM Period 2 Completion of Full Implementation of Core Equity Reporting, defined under CAT NMS Plan Section 1.1 as the point at which: (a) Industry Member reporting (excluding reporting by Small Industry Members that are not OATS reporters) for equities transactions, excluding Customer	N/A	N/A	Completed

	Implementation Plan Completion Date	Targeted Completion Date or Actual Completion Date	Milestones	Description of Any Variance From the IP	Other Factual Indicators	Description of Status as of 3/31/2024
			<p>Account Information, Customer-ID, and Customer Identifying Information, is developed, tested, and implemented at a 5% Error Rate or less and with sufficient intra-firm linkage, inter-firm linkage, national securities exchange linkage, and trade reporting facilities linkage to permit the Participants and the Commission to analyze the full lifecycle of an order across the national market system, excluding linkage of representative orders, from order origination through order execution or order cancellation; and</p> <p>(b) the query tool functionality required by Section 6.10(c)(i)(A) and Appendix D, Sections 8.1.1-8.1.3 and Section 8.2.1 incorporates the Industry Member equities transaction data described in condition (a) and is available to the Participants and to the Commission</p>			
3	12/31/2021	12/31/2021	FAM Period 3 Completion of Full Availability and Regulatory Utilization of Transactional	N/A	N/A	Completed

	Implementation Plan Completion Date	Targeted Completion Date or Actual Completion Date	Milestones	Description of Any Variance From the IP	Other Factual Indicators	Description of Status as of 3/31/2024
			<p>Database Functionality, defined under CAT NMS Plan Section 1.1 as the point at which:</p> <ul style="list-style-type: none"> (a) reporting to the Order Audit Trail System (“OATS”) is no longer required for new orders; (b) Industry Member reporting for equities transactions and simple electronic options transactions, excluding Customer Account Information, Customer-ID, and Customer Identifying Information, with sufficient intra-firm linkage, inter-firm linkage, national securities exchange linkage, trade reporting facilities linkage, and representative order linkages (including any equities allocation information provided in an Allocation Report) to permit the Participants and the Commission to analyze the full lifecycle of an order across the national market system, from order origination through order execution or order cancellation, is developed, tested, and implemented at a 5% Error Rate or less; (c) Industry Member reporting for 			

	Implementation Plan Completion Date	Targeted Completion Date or Actual Completion Date	Milestones	Description of Any Variance From the IP	Other Factual Indicators	Description of Status as of 3/31/2024
			<p>manual options transactions and complex options transactions, excluding Customer Account Information, Customer-ID, and Customer Identifying Information, with all required linkages to permit the Participants and the Commission to analyze the full lifecycle of an order across the national market system, from order origination through order execution or order cancellation, including any options allocation information provided in an Allocation Report, is developed, tested, and fully implemented; (d) the query tool functionality required by Section 6.10(c)(i)(A) and Appendix D, Sections 8.1.1-8.1.3, Section 8.2.1, and Section 8.5 incorporates the data described in conditions (b)-(c) and is available to the Participants and to the Commission; and (e) the requirements of Section 6.10(a) are met.</p>			
4	12/30/2022	5/31/2024	FAM Period 4 Completion of Full Implementation of CAT NMS Plan Requirements, defined	It was announced on August 2, 2023 that the targeted	<ul style="list-style-type: none"> • See completion of FAM 1, FAM 2 and FAM 3 for progress to completion of FAM 4 • FINRA retired OATS effective September 1, 	<ul style="list-style-type: none"> • The Full CAIS Production Environment opened April 25, 2022 and it remains open.

	Implementation Plan Completion Date	Targeted Completion Date or Actual Completion Date	Milestones	Description of Any Variance From the IP	Other Factual Indicators	Description of Status as of 3/31/2024
			<p>under CAT NMS Plan Section 1.1 as the point at which the Participants have satisfied all of their obligations to build and implement the CAT, such that all CAT system functionality required by Rule 613 and the CAT NMS Plan has been developed, successfully tested, and fully implemented at the initial Error Rates specified by Section 6.5(d)(i) or less, including functionality that efficiently permits the Participants and the Commission to access all CAT Data required to be stored in the Central Repository pursuant to Section 6.5(a), including Customer Account Information, Customer-ID, Customer Identifying Information, and Allocation Reports, and to analyze the full lifecycle of an order across the national market system, from order origination through order execution or order cancellation, including any related allocation information provided in an Allocation Report.</p>	<p>completion date for full CAIS reporting compliance was extended to May 31, 2024.</p>	<p>2021</p> <ul style="list-style-type: none"> • Phase 2a has been fully implemented as of October 26, 2020 • Phase 2b has been fully implemented as of January 4, 2021 • Phase 2c has been fully implemented as of April 26, 2021 • Phase 2d has been fully implemented as of December 13, 2021 • The average overall error rate was less than 5% as of December 31, 2023 and remains less than 5% as of March 31, 2024 • The query tool functionality incorporates the data from Phases 2a, 2b, 2c and 2d and is available to the Participants and to the Commission • With respect to Phase 2e: <ul style="list-style-type: none"> ○ The Full CAIS Production Environment opened April 25, 2022 and it remains open. Certain Industry Member Full CAIS reporting obligations have been delayed, but Industry Members have been required to report, and are reporting, required data to CAIS on a daily basis since November 7, 2022 (for additional details, see discussion in the “Description of Status as of 3/31/2024” column). ○ Published outstanding material 	<ul style="list-style-type: none"> • Industry Members have been required to report, and are reporting, required data to CAIS on a daily basis since November 7, 2022, consistent with interim reporting obligations. • The remaining CAIS obligations for Industry Members are the May 24, 2024 deadline for Interim Obligation 4 (which relates to Industry Members’ repair of all outstanding rejects and resolution of all outstanding material inconsistencies) and the May 31, 2024 final Full CAIS compliance deadline (which adds the requirement to repair all rejections and resolve all material inconsistencies on a go forward basis within the Plan-established deadlines). • The CAIS system accepts and validates the CAIS data submitted by Industry Members and provides Industry Members with

	Implementation Plan Completion Date	Targeted Completion Date or Actual Completion Date	Milestones	Description of Any Variance From the IP	Other Factual Indicators	Description of Status as of 3/31/2024
					<p>inconsistencies metadata feedback file schema on January 3, 2024.</p> <ul style="list-style-type: none"> ○ Published outstanding material inconsistencies data feedback file schema on January 26, 2024. ○ Re-enabled material inconsistencies and deployed daily outstanding error files to production on February 26, 2024. ○ Published updated CAT CAIS Industry Member reporting scenarios on February 29, 2024. ○ Published updated CAT CAIS technical specifications on March 8, 2024. ○ Deployed CAIS release regarding updates to the CAT Reporter and Regulator Portals, medium and low known issue fixes and other enhancements to industry test environment on March 12, 2024. 	<p>feedback on data errors.</p> <ul style="list-style-type: none"> ● Deployed CAIS releases that address outstanding issues (including the releases described in “Other Factual Indicators” column). ● Established timeline for the two remaining Full CAIS reporting obligations referenced above to address these outstanding issues.

EXEMPTION MILESTONES

Certain prior Quarterly Progress Reports provided information regarding milestones pursuant to exemptive relief provided by the Commission via the 2022 Order and 2023 Order (“Exemption Milestones”).⁵ On November 2, 2023, the Commission issued an order granting exemptive relief from certain requirements of the CAT NMS Plan related to (1) online targeted query tool performance requirements; (2) requirements for lifecycle linkages timeframes; (3) requirements for re-processing of corrected data received after T+5; (4) requirements for SIP data linkage; (5) reporting requirements for port-level settings; (6) requirements for lifecycle linkages between customer orders and “representative” orders; and (7) requirements for Participant reporting of rejected orders (“November 2023 Order”). The relief granted in the November 2023 Order supersedes the relief granted in the 2022 Order and the 2023 Order. The November 2023 Order is effective as of November 20, 2023.⁶ Quarterly Progress Reports with regard to the Exemption Milestones are no longer required per the November 2023 Order.

⁵ Securities Exchange Act Rel. No. 95234 (July 8, 2022) (“2022 Order”). *See also* Securities Exchange Act Rel. No. 97530 (May 19, 2023) (extending the exemptive relief granted in the 2022 Order) (“2023 Order”).

⁶ Securities Exchange Act Rel. No. 98848 (Nov 2, 2023) (“November 2023 Order”).