



# DIGITAL ASSET REGULATORY TRACKER

For the Investment Management Industry

October 18, 2023

A lot is happening in the world of digital assets regulation, and we know it is difficult to keep track of it all. That is why we built this Digital Asset Regulatory Tracker. Each month, we publish a list with links to digital asset-related materials issued by the SEC, CFTC and DOL. Please click [here](#) if you would like to sign up to receive this monthly tracker via email.

## September 2023 Recap

### SEC – 32 Entries

#### September 29, 2023

[Notice of Effectiveness, Form N-1A, Bitwise Funds Trust \(Bitwise Bitcoin and Ether Equal Weight Strategy ETF\)](#)

#### September 29, 2023

[Notice of Effectiveness, Form N-1A, Bitwise Funds Trust \(Bitwise Ethereum Strategy ETF\)](#)

#### September 29, 2023

[Notice of Effectiveness, Form N-1A, ProShares Trust \(ProShares Bitcoin & Ether Strategy ETF\)](#)

#### September 29, 2023

[Notice of Effectiveness, Form N-1A, ProShares Trust \(ProShares Bitcoin & Ether Equal Weight Strategy ETF\)](#)

#### September 29, 2023

[Notice of Effectiveness, Form N-1A, ProShares Trust \(ProShares Ether Strategy ETF\)](#)

#### September 29, 2023

[Notice of Effectiveness, Form N-1A, VanEck ETF Trust \(VanEck Ethereum Strategy ETF\)](#)

#### September 29, 2023

[Notice of Effectiveness, Form N-1A, Volatility Shares Trust \(Ether Strategy ETF\)](#)

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**September 28, 2023**

[Cboe BZX Exchange, Inc.; Order Instituting Proceedings to Determine Whether to Approve or Disapprove a Proposed Rule Change, as Modified by Amendment No. 1, to List and Trade Shares of the WisdomTree Bitcoin Trust under BZX Rule 14.11\(e\)\(4\)](#)

**September 28, 2023**

[The Nasdaq Stock Market LLC; Order Instituting Proceedings to Determine Whether to Approve or Disapprove a Proposed Rule Change to List and Trade Shares of the iShares Bitcoin Trust under Nasdaq Rule 5711\(d\)](#)

**September 28, 2023**

[Cboe BZX Exchange, Inc.; Order Instituting Proceedings to Determine Whether to Approve or Disapprove a Proposed Rule Change, as Modified by Amendment No. 1, to List and Trade Shares of the Invesco Galaxy Bitcoin ETF under BZX Rule 14.11\(e\)\(4\)](#)

**September 28, 2023**

[NYSE Arca, Inc.; Notice of Filing of Amendment No. 1 to, and Order Instituting Proceedings to Determine Whether to Approve or Disapprove, a Proposed Rule Change to List and Trade Shares of the Bitwise Bitcoin ETP Trust under NYSE Arca Rule 8.201-E](#)

**September 28, 2023**

[The Nasdaq Stock Market LLC; Order Instituting Proceedings to Determine Whether to Approve or Disapprove a Proposed Rule Change to List and Trade Shares of the Valkyrie Bitcoin Fund under Nasdaq Rule 5711\(d\)](#)

**September 28, 2023**

[Cboe BZX Exchange, Inc.; Order Instituting Proceedings to Determine Whether to Approve or Disapprove a Proposed Rule Change, as Modified by Amendment No. 2, to List and Trade Shares of the Wise Origin Bitcoin Trust under BZX Rule 14.11\(e\)\(4\)](#)

**September 28, 2023**

[Cboe BZX Exchange, Inc.; Order Instituting Proceedings to Determine Whether to Approve or Disapprove a Proposed Rule Change, as Modified by Amendment No. 1, to List and Trade Shares of the VanEck Bitcoin Trust under BZX Rule 14.11\(e\)\(4\)](#)

**September 27, 2023**

[Cboe BZX Exchange, Inc.; Notice of Designation of a Longer Period for Commission Action on a Proposed Rule Change to List and Trade Shares of the VanEck Ethereum ETF under BZX Rule 14.11\(e\)\(4\)](#)

**September 27, 2023**

[Cboe BZX Exchange, Inc.; Notice of Designation of a Longer Period for Commission Action on a Proposed Rule Change to List and Trade Shares of the ARK 21Shares Ethereum ETF under BZX Rule 14.11\(e\)\(4\)](#)

**September 27, 2023**

[The Nasdaq Stock Market LLC; Notice of Filing of a Proposed Rule Change to List and Trade Shares of the Hashdex Nasdaq Ethereum ETF under Nasdaq Rule 5711\(i\)](#)

**September 27, 2023**

[NYSE Arca, Inc.; Notice of Filing of a Proposed Rule Change to List and Trade Shares of the Grayscale Ethereum Futures Trust \(ETH\) ETF under NYSE Arca Rule 8.200-E, Commentary .02](#)

**September 27, 2023**

[NYSE Arca, Inc.; Notice of Filing of a Proposed Rule Change Regarding the Hashdex Bitcoin Futures ETF](#)

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**September 27, 2023**

[Cboe BZX Exchange, Inc.; Notice of Filing of a Proposed Rule Change to List and Trade Shares of the Franklin Bitcoin ETF under BZX Rule 14.11\(e\)\(4\)](#)

**September 27, 2023**

[Testimony Before the United States House of Representatives Committee on Financial Services by Gary Gensler](#)

**September 26, 2023**

[Cboe BZX Exchange, Inc.; Notice of Designation of a Longer Period for Commission Action on a Proposed Rule Change to List and Trade Shares of the Global X Bitcoin Trust under BZX Rule 14.11\(e\)\(4\)](#)

**September 26, 2023**

[Cboe BZX Exchange, Inc.; Notice of Designation of a Longer Period for Commission Action on Proceedings to Determine Whether to Approve or Disapprove a Proposed Rule Change, as Modified by Amendment No. 3, to List and Trade Shares of the ARK 21Shares Bitcoin ETF under BZX Rule 14.11\(e\)\(4\)](#)

**September 26, 2023**

SEC Institutes Administrative Proceedings Against Unregistered Brokers Conducting a Fraudulent and Unregistered Offering of Crypto Asset Securities

[Press Release](#)

[Administrative Proceeding](#)

**September 25, 2023**

SEC Suspends New York Public Accountant for Improper Professional Conduct

[Press Release](#)

[Administrative Proceeding](#)

**September 21, 2023**

[Cboe BZX Exchange, Inc.; Notice of Filing of Proposed Rule Change to List and Trade Shares of the ARK 21Shares Ethereum ETF Under BZX Rule 14.11\(e\)\(4\)](#)

**September 20, 2023**

[Cboe BZX Exchange, Inc.; Notice of Filing of a Proposed Rule Change to List and Trade Shares of the VanEck Ethereum ETF Under BZX Rule 14.11\(e\)\(4\)](#)

**September 20, 2023**

SEC Charges Lawyer for Violations in Connection with Crypto Asset Securities Offering

[Press Release](#)

[Administrative Proceeding](#)

**September 20, 2023**

SEC Charges Florida Investment Adviser and Its President with Fraud and Failing to Produce Records to SEC Examinations Staff

[Litigation Release](#)

[SEC Complaint](#)

**September 13, 2023**

SEC Charges Creator of Stoner Cats Web Series for Unregistered Offering of NFTs

[Press Release](#)

[Administrative Proceeding](#)

[Collecting Enforcement Actions: Statement on Stoner Cats 2, LLC by Commissioners Hester M. Peirce and Mark T. Uyeda](#)

**September 8, 2023**

[In the Matter of Jacob R. Orvidas, Order Instituting Cease-and-Desist Proceedings](#)

**September 7, 2023**

Linus Financial Agrees to Settle SEC Charges of Unregistered Offer and Sale of Securities

[Press Release](#)

[Administrative Proceeding](#)

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## CFTC – 20 Entries

**September 29, 2023**

[CFTC Charges Four Individuals and a Seychelles Company with Operating a Fraudulent Digital Assets Trading Scheme and Misappropriation](#)

**September 28, 2023**

[Chairman Behnam to Keynote and Participate in a Panel at the Northwind 17th Annual Capital Markets Invitational Forum](#)

**September 28, 2023**

[Chairman Behnam to Participate in a Fireside Chat with GDF & DLA Piper: Global Digital Forum](#)

**September 27, 2023**

[Statement of Commissioner Kristin N. Johnson: Increase Investor Protection by Stopping Bitcoin Investment Fund Fraud](#)

**September 27, 2023**

[CFTC Charges Mosaic Exchange Limited and Sean Michael with a Fraudulent Solicitation and Digital Asset Commodities Trading Scheme](#)

**September 21, 2023**

[Commissioner Johnson to Provide a Keynote Address and Participate on Panel at the World Federation of Exchanges Annual Meeting](#)

**September 13, 2023**

[Commissioner Johnson to Participate on a DeFi Panel at the EuroFi Financial Forum](#)

**September 12, 2023**

[Commissioner Pham to Keynote at Nasdaq Surveillance Conference 2023](#)

**September 11, 2023**

[PLI White Collar Crime 2023 Keynote Speech of Enforcement Director Ian McGinley: “Enforcement by Enforcement: The CFTC’s Actions in the Derivatives Markets for Digital Assets”](#)

**September 11, 2023**

[Modernizing Investor Protection for the Digital Age: Opening Remarks of CFTC Commissioner Christy Goldsmith Romero](#)

**September 11, 2023**

[Commissioner Goldsmith Romero to Provide Opening Remarks at the North American Securities Administrators Association’s 2023 Fall Annual Meeting](#)

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**September 8, 2023**

[Statement of Commissioner Christy Goldsmith Romero: Arming Crypto Customers with Free Tools to Protect Themselves from Becoming a Victim](#)

**September 8, 2023**

[CFTC Orders Utah Man to Pay More Than \\$2.5 Million for Leveraged Bitcoin Fraud and Failure to Register](#)

**September 7, 2023**

[Remarks of CFTC Commissioner Caroline D. Pham Before the Cato Institute, Staying Ahead of the Curve: Crypto Regulation and Competitiveness](#)

**September 7, 2023**

[Statement of Commissioner Kristin N. Johnson Regarding CFTC Resolving Charges Against Three Decentralized Finance Companies: The Need for Oversight](#)

**September 7, 2023**

[Dissenting Statement of Commissioner Summer K. Mersinger Regarding Enforcement Actions Against 1\) Oryn, Inc.; 2\) Deridex, Inc. and 3\) ZeroEx, Inc.](#)

**September 7, 2023**

[CFTC Issues Orders Against Operators of Three DeFi Protocols for Offering Illegal Digital Asset Derivatives Trading](#)

**September 7, 2023**

[Statement of Commissioner Kristin N. Johnson Regarding CFTC Consent Order Imposing \\$1.7 Billion in Restitution against South African Commodity Pool Operator](#)

**September 7, 2023**

[Federal Court Orders South African Company to Pay Over \\$1.7 Billion in Restitution for Forex Fraud](#)

**September 5, 2023**

[Commissioner Pham to Keynote at Korea Blockchain Week 2023](#)

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## DOL

No entries.

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## ARCHIVES

[August 2023](#)

[July 2023](#)

[June 2023](#)

[May 2023](#)

[April 2023](#)

[March 2023](#)

[February 2023](#)

[January 2023](#)

[December 2022](#)

[November 2022](#)

[October 2022](#)

[September 2022](#)

[August 2022](#)

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