

SUBMISSION COVER SHEET

IMPORTANT: Check box if Confidential Treatment is requested

Registered Entity Identifier Code (optional): 21-315 (4 of 5)

Organization: New York Mercantile Exchange, Inc. ("NYMEX")

Filing as a: DCM SEF DCO SDR

Please note - only ONE choice allowed.

Filing Date (mm/dd/yy): 07/14/21

Filing Description: Adoption of New CME, CBOT, NYMEX/COMEX Rule 258.
("Exchange Personal Trading Policy")

SPECIFY FILING TYPE

Please note only ONE choice allowed per Submission.

Organization Rules and Rule Amendments

- Certification § 40.6(a)
- Approval § 40.5(a)
- Notification § 40.6(d)
- Advance Notice of SIDCO Rule Change § 40.10(a)
- SIDCO Emergency Rule Change § 40.10(h)

Rule Numbers: 258.

New Product

Please note only ONE product per Submission.

- Certification § 40.2(a)
- Certification Security Futures § 41.23(a)
- Certification Swap Class § 40.2(d)
- Approval § 40.3(a)
- Approval Security Futures § 41.23(b)
- Novel Derivative Product Notification § 40.12(a)
- Swap Submission § 39.5

Official Product Name:

Product Terms and Conditions (product related Rules and Rule Amendments)

- Certification § 40.6(a)
- Certification Made Available to Trade Determination § 40.6(a)
- Certification Security Futures § 41.24(a)
- Delisting (No Open Interest) § 40.6(a)
- Approval § 40.5(a)
- Approval Made Available to Trade Determination § 40.5(a)
- Approval Security Futures § 41.24(c)
- Approval Amendments to enumerated agricultural products § 40.4(a), § 40.5(a)
- "Non-Material Agricultural Rule Change" § 40.4(b)(5)
- Notification § 40.6(d)

Official Name(s) of Product(s) Affected:

Rule Numbers:

July 14, 2021

VIA ELECTRONIC PORTAL

Mr. Christopher J. Kirkpatrick
Office of the Secretariat
Commodity Futures Trading Commission
Three Lafayette Centre
1155 21st Street, N.W.
Washington, DC 20581

Re: CFTC Regulation 40.6(a) Certification. Adoption of CME, CBOT, NYMEX/COMEX Rule 258. (“Exchange Personal Trading Policy”). NYMEX Submission No. 21-315 (4 of 5)

Dear Mr. Kirkpatrick:

Pursuant to Commodity Futures Trading Commission (“CFTC” or “Commission”) Regulation 40.6(a), Chicago Mercantile Exchange Inc. (“CME”), in its capacities as both a designated contract market (“DCM”) and a derivatives clearing organization (“DCO” or “CME Clearing”), and The Board of Trade of the City of Chicago, Inc. (“CBOT”), New York Mercantile Exchange, Inc. (“NYMEX”), and Commodity Exchange Inc. (“COMEX”), in their capacities as DCMs, (each an “Exchange” and collectively, the “Exchanges”) hereby certify to the Commission the adoption of CME, CBOT, NYMEX/COMEX Rule 258. (“Exchange Personal Trading Policy”) effective on July 29, 2021.

The Exchanges are adopting Rule 258. to align with CME Group’s existing Personal Trading Policy (the “Policy”) and further comply with applicable insider trader and market abuse regulations as well as CFTC Regulation 1.59 (“Activities of self-regulatory organization employees, governing board members, committee members and consultants”) (the “Regulation”). The Regulation generally establish safeguards with respect to the use of material, non-public information gained by self-regulatory organizations’ affiliated individuals in their official capacity. The Regulation specifically requires each self-regulatory organization to maintain in effect rules incorporating its prohibitions which have been submitted to the CFTC.

New Rule 258. is provided in Exhibit A below with additions underscored.

The Exchanges and CME Clearing reviewed the DCO Core Principles and the DCM Core Principles (collectively, the “Core Principles”) as set forth in the Commodity Exchange Act (“CEA” or “Act”) and identified that the adoption of Rule 258. may have some bearing on the following Core Principles:

DCO Core Principles

- **DCO Core Principle D – Risk Management:** The adoption of the new rule enhances the ability of CME to manage the risks associated with discharging the responsibilities of the derivatives clearing organization.
- **DCO Core Principle L – Public Information:** This Core Principle requires CME Clearing to publicly disclose its rules and procedures. Rule 258. will be incorporated into the Exchanges’ publicly available rulebook. A Special Executive Report (“SER”) setting forth Rule 258. will be issued and posted on the CME Group website.

- **DCO Core Principle O – Governance Arrangements:** The adoption of the new rule reflects changes to make transparent governance arrangements.

DCM Core Principles

- **DCM Core Principle 7 – Availability of General Information:** Rule 258. will be incorporated into the Exchanges' publicly available rulebook. A Special Executive Report ("SER") setting forth the amendment will be issued and posted on the CME Group website.

Pursuant to Section 5c(c) of the Act and CFTC Regulation 40.6(a), the Exchanges and CME Clearing certify that the adoption of Rule 258. complies with the Act and regulations thereunder. There were no substantive opposing views to this proposal.

The Exchanges and CME Clearing certify that this submission has been concurrently posted on the Exchanges' website at <http://www.cmegroup.com/market-regulation/rule-filings.html>.

If you require any additional information regarding this submission, please contact the undersigned at 212.299.2200 or via email at CMEGSubmissionInquiry@cmegroup.com.

Sincerely,

/s/ Christopher Bowen
Managing Director and Chief Regulatory Counsel

Attachment: Exhibit A: CME, CBOT, NYMEX/COMEX Rule 258. (blackline format)

EXHIBIT A

CME, CBOT, and NYMEX/COMEX Rulebooks
Chapter 2
("Government")
(additions underscored)

258. Exchange Personal Trading Policy

(a) Definitions: For purposes of this Rule, the terms "employee," "material information," non-public-information" and "commodity interest" have the meanings ascribed to them in CFTC Regulation 1.59. The term "connected person" has the meaning ascribed to it in the CME Group Personal Trading Policy.

(b) No Board member, committee member, employee or consultant of the Exchange shall (i) trade directly or indirectly in any commodity interest if such Board member, committee member, employee, or consultant has access to any material, non-public information concerning such commodity interest or (ii) disclose for any purpose inconsistent with the performance of such person's official duties any material non-public information obtained in connection with such Board member's, committee member's, employee's or consultant's special access related to the performance of such duties.

(c) No employee or consultant of the Exchange may trade (i) any futures or options on futures, regardless of where they are listed or available for trading; or (ii) any swaps cleared by the Chicago Mercantile Exchange Inc. Clearing House. These prohibitions also apply to connected persons of the foregoing, unless the connected person engages in the trading activity in a professional capacity.

[End of Chapter 2]