

December 13, 2013

VIA E-MAIL

Ms. Melissa Jurgens
Office of the Secretariat
Commodity Futures Trading Commission
Three Lafayette Centre
1155 21st Street, N.W.
Washington, D.C. 20581

**RE: CFTC Regulation 40.6(a) Self-certification: Amendments to CME/CBOT/NYMEX Rule 971.C.
CME/CBOT/NYMEX Submission No. 13-453**

Dear Ms. Jurgens:

Chicago Mercantile Exchange Inc. ("CME"), the Board of Trade of the City of Chicago, Inc., ("CBOT"), and the New York Mercantile Exchange, Inc. ("NYMEX") (collectively, the "Exchanges"), pursuant to Commodity Futures Trading Commission (the "Commission") Regulation 40.6(a), hereby notify the Commission of amendments to Rule 971.C, to be effective December 31, 2013.

On December 3, 2012, Exchange Rule 971.C was introduced, requiring futures commission merchant ("FCM") clearing members to provide the Financial and Regulatory Surveillance Department ("FRS") with access to all customer account information at a bank or trust company. FRS is phasing in an expansion to this requirement to include all applicable customer depositories under CFTC Regulations. FRS will first expand its reporting requirement to include FCM customer carrying broker balances. Subsequent expansion of the requirement will include clearing house customer balances. These changes are being made in coordination with the National Futures Association and are designed to bolster the safeguarding of customer funds held at the FCM-level and protect investors and the public interest.

Changes to Rule 971.C are reflected in Exhibit 1 hereto, with additions underlined and deletions ~~stricken through~~.

The Exchanges reviewed the derivatives clearing organization core principles ("Core Principles") as set forth in the Commodity Exchange Act ("CEA"). During the review, the Exchanges identified the following Core Principle as potentially being impacted:

- **Participant and Product Eligibility:** The new requirement establishes and implements procedures to verify the compliance of each covered clearing member with its initial and continuing participation requirements.
- **Public Information:** References to the Audit Department are being updated to reflect its current naming convention: the Financial and Regulatory Surveillance Department.
- **Recordkeeping:** The initial requirement applies to FCM customer carrying broker balances and is anticipated to expand to subsequently include clearing house customer balances. Clearing members covered by the reporting requirement are required to maintain proper records and make submissions to the DCO in connection with clearing and settlement activities.
- **Antitrust Considerations:** The proposed rule change will not impose any material anticompetitive burden. The rule changes merely amend existing language in CME's rulebook for the purpose of enhancing access to customer accounts for regulatory purposes as part of a larger industry effort to safeguard customer funds.

The Exchanges certify that the above rules and rule amendments comply with the CEA and the regulations thereunder. There were no substantive opposing views to the proposed amendments.

Notice of this submission has been concurrently posted on CME Group's website at <http://www.cmegroup.com/market-regulation/rule-filings.html>.

If you require any additional information regarding this submission, please contact me at 212-299-2228. Alternatively, you may contact John McKinlay at 312-930-3028. Please reference our CME/CBOT/NYMEX Submission No. 13-453 in any related correspondence.

Sincerely,

/s/ Jason Silverstein
Executive Director & Associate General Counsel

Attachment: Exhibit 1 – Changes to CME/CBOT/NYMEX Rule 971.C (black-lined)

EXHIBIT 1

CME Rule 971

SEGREGATION, SECURED AND CLEARED SWAPS CUSTOMER ACCOUNT REQUIREMENTS

C. In addition to complying with all applicable CFTC regulations, in order for each of an FCM clearing member's customer segregated, secured 30.7 and Cleared Swaps Customer accounts held at a ~~bank or trust company~~ depository to be included as segregated and secured 30.7 and Cleared Swaps Customer funds in their respective origin and calculation:

1. The FCM clearing member must provide the Audit Financial and Regulatory Surveillance Department with ~~view-only full access via the internet~~ to the account information, in a form and manner prescribed by the Audit Financial and Regulatory Surveillance Department; and
2. The ~~bank or trust company~~ depository must allow the FCM clearing member to provide the Audit Financial and Regulatory Surveillance Department with ~~view-only full access via the internet~~ to the account information, in a form and manner prescribed by the Audit Financial and Regulatory Surveillance Department.

CBOT Rule 971

SEGREGATION, SECURED AND CLEARED SWAPS CUSTOMER ACCOUNT REQUIREMENTS

C. In addition to complying with all applicable CFTC regulations, in order for each of an FCM clearing member's customer segregated, secured 30.7 and Cleared Swaps Customer accounts held at a ~~bank or trust company~~ depository to be included as segregated and secured 30.7 and Cleared Swaps Customer Collateral in their respective origin and calculation:

1. The FCM clearing member must provide the Audit Financial and Regulatory Surveillance Department with ~~view-only full access via the internet~~ to the account information, in a form and manner prescribed by the Audit Financial and Regulatory Surveillance Department; and
2. The ~~bank or trust company~~ depository must allow the FCM clearing member to provide the Audit Financial and Regulatory Surveillance Department with ~~view-only full access via the internet~~ to the account information, in a form and manner prescribed by the Audit Financial and Regulatory Surveillance Department.

NYMEX Rule 971

SEGREGATION, SECURED AND CLEARED SWAPS CUSTOMER ACCOUNT REQUIREMENTS

C. In addition to complying with all applicable CFTC regulations, in order for each of an FCM clearing member's customer segregated, secured 30.7 and Cleared Swaps Customer accounts held at a ~~bank or trust company~~ depository to be included as segregated and secured 30.7 and Cleared Swaps Customer Collateral in their respective origin and calculation:

1. The FCM clearing member must provide the Audit Financial and Regulatory Surveillance Department with ~~view-only full access via the internet~~ to the account information, in a form and manner prescribed by the Audit Financial and Regulatory Surveillance Department; and
2. The ~~bank or trust company~~ depository must allow the FCM clearing member to provide the Audit Financial and Regulatory Surveillance Department with ~~view-only full access via the internet~~ to the account information, in a form and manner prescribed by the Audit Financial and Regulatory Surveillance Department.