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Craig S. Donohue
Chief Executive Officer



20 South Wacker Drive
Chicago, IL 60606-7499
www.cme.com

312/930.8275 tel
312/930.3209 fax

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November 13, 2006

VIA ELECTRONIC DELIVERY

Ms. Eileen Donovan
Acting Secretary
Commodity Futures Trading Commission
Three Lafayette Centre
1155 21st Street, N.W.
Washington, D.C. 20581

COMMENT

Re: **Limitations on Withdrawals of Equity Capital**

Dear Ms. Donovan:

The Chicago Mercantile Exchange Inc. ("CME") welcomes the opportunity to comment upon the Commodity Futures Trading Commission's ("Commission") proposed rule amendments with respect to limitations on withdrawals of equity capital. As the largest and most diverse financial exchange in the United States and the largest derivatives clearing organization in the world, CME believes that it offers a qualified and unique perspective on this matter.

In the release, the Commission proposes to amend its rules to provide that the Commission may, by order, temporarily bar a futures commission merchant ("FCM") from withdrawing equity capital from the FCM if the withdrawal would reduce excess adjusted net capital by 30 percent or more and the Commission finds that such a withdrawal would be "detrimental to the financial integrity of the FCM, or may unduly jeopardize [the FCM's] ability to meet customer obligations or other liabilities that may cause a significant impact on the markets." 71 Fed. Reg. 189, 57453 (Sep. 29, 2006).

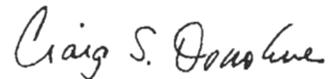
CME supports the Commission's proposed rule amendments and commends the Commission for taking additional steps to protect customers and other market participants. As you may know, CME, acting as the designated self-regulatory organization ("DSRO") for Refco, LLC, ("Refco") took similar steps to ensure that capital designated for regulatory purposes would not be jeopardized. In fact, upon learning that Refco's parent company, Refco, Inc., had declared a 15-day moratorium on the activities of its non-regulated subsidiary, Refco Capital Market Ltd., CME imposed a total restraint on Refco's ability to release any equity capital from the firm.

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We believe that vigilant DSRO oversight, such as that which CME exercised with respect to Refco, coupled with the Commission's proposed rule amendments, will help to ensure that the U.S. futures markets remain the safest and most secure markets in the world.

Thank you for the opportunity to comment upon the Commission's study. If you have any questions or comments, please do not hesitate to contact me, Anne Bagan, Director, Audit Department, at (312) 930-3140, or Matthew F. Kluchenek, Director and Associate General Counsel, at (312) 338-2861.

Respectfully submitted,

A handwritten signature in cursive script that reads "Craig S. Donohue".

Craig S. Donohue