

**SUBMISSION COVER SHEET**

**IMPORTANT:** Check box if Confidential Treatment is requested

Registered Entity Identifier Code (optional): 21-358

Organization: The Board of Trade of the City of Chicago, Inc. ("CME")

Filing as a:  DCM  SEF  DCO  SDR

Please note - only ONE choice allowed.

Filing Date (mm/dd/yy): 08/27/21 Filing Description: Elimination of Open Outcry Trading Venue and Closure of CBOT Open Outcry Trading Pits

Please note only ONE choice allowed per Submission.

**Organization Rules and Rule Amendments**

- |                                     |                                     |            |
|-------------------------------------|-------------------------------------|------------|
| <input checked="" type="checkbox"/> | Certification                       | § 40.6(a)  |
| <input type="checkbox"/>            | Approval                            | § 40.5(a)  |
| <input type="checkbox"/>            | Notification                        | § 40.6(d)  |
| <input type="checkbox"/>            | Advance Notice of SIDCO Rule Change | § 40.10(a) |
| <input type="checkbox"/>            | SIDCO Emergency Rule Change         | § 40.10(h) |

**Rule Numbers:** See filing.

**New Product**

Please note only ONE product per Submission.

- |                          |                                       |            |
|--------------------------|---------------------------------------|------------|
| <input type="checkbox"/> | Certification                         | § 40.2(a)  |
| <input type="checkbox"/> | Certification Security Futures        | § 41.23(a) |
| <input type="checkbox"/> | Certification Swap Class              | § 40.2(d)  |
| <input type="checkbox"/> | Approval                              | § 40.3(a)  |
| <input type="checkbox"/> | Approval Security Futures             | § 41.23(b) |
| <input type="checkbox"/> | Novel Derivative Product Notification | § 40.12(a) |
| <input type="checkbox"/> | Swap Submission                       | § 39.5     |

**Official Product Name:**

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

- |                          |   |                      |
|--------------------------|---|----------------------|
| <input type="checkbox"/> | Certification   | § 40.6(a)            |
| <input type="checkbox"/> | Certification Made Available to Trade Determination     | § 40.6(a)            |
| <input type="checkbox"/> | Certification Security Futures                          | § 41.24(a)           |
| <input type="checkbox"/> | Delisting (No Open Interest)                            | § 40.6(a)            |
| <input type="checkbox"/> | Approval  | § 40.5(a)            |
| <input type="checkbox"/> | Approval Made Available to Trade Determination          | § 40.5(a)            |
| <input type="checkbox"/> | Approval Security Futures                               | § 41.24(c)           |
| <input type="checkbox"/> | Approval Amendments to enumerated agricultural products | § 40.4(a), § 40.5(a) |
| <input type="checkbox"/> | “Non-Material Agricultural Rule Change”                 | § 40.4(b)(5)         |
| <input type="checkbox"/> | Notification  | § 40.6(d)            |

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

**Rule Numbers:**

August 27, 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. Elimination of Open Outcry Trading Venue and Closure of CBOT Open Outcry Trading Pits. CBOT Submission No. 21-358**

Dear Mr. Kirkpatrick:

The Board of Trade of the City of Chicago, Inc. (“CBOT” or the “Exchange”) certifies to the Commodity Futures Trading Commission (“CFTC” or “Commission”) the elimination of the open outcry trading venue and closure of CBOT open outcry trading pits (the “Impacted Pits”) except for the CME Eurodollar and SOFR options trading pit effective at the close of business on Thursday, September 30, 2021. This submission shall become effective on September 14, 2021.

Commencing on October 1, 2021, all CBOT products will no longer be available for open outcry trading in the trading pits and will fully transition from open outcry trading to trading via the CME Globex electronic trading platform and for submission for clearing via CME ClearPort (collectively, the “Rule Amendments”).

Open outcry trading volumes of the Contracts in the Impacted Pits have remained low over several years. Market participants have overwhelmingly demonstrated, based on volumes, a preference for electronic trading of the products trading in the Impacted Pits. The Exchange has continued to maintain the Impacted Pits for the last several years, which has given market participants ample time to adjust to this volume shift.

The Exchange reviewed the designated contract market core principles (“Core Principles”) as set forth in the Commodity Exchange Act (“CEA” or “Act”) and identified that the Rule Amendments may have some bearing on the following Core Principles:

**Execution of Transactions:** Notwithstanding the closure of the Impacted Pits, the CME Globex platform provides a transparent, competitive, open and efficient mechanism for executing transactions that protects the price discovery process of trading in the centralized market.

**Compliance with Rules:** The elimination of open outcry trading in the Impacted Pits represents a change to the terms and conditions of options products currently trading in those pits via open outcry. Closure of the Impacted Pits has been widely communicated to market participants and will not otherwise affect the ability of CBOT to enforce compliance with its rules.

**Availability of General Information:** Information on the upcoming closing of the Impacted Pits has been widely disseminated.

General views opposing electronic trading without concurrent trading floor-based access to the same products have been expressed to the Exchange. Such views propose that certain contracts are best

entered into via open outcry or that electronic trading without concurrent trading floor-based access may potentially decrease the size and types of orders that market participants are willing to provide. Notably, the percentage of overall trading activity that is generated electronically, current electronic trading functionalities which, in many instances, replicate similar market strategies, and the Exchange's ability to make product-specific determinations in response to the demands of market participants counter and contradict such opposing views.

The Exchange certifies that the action covered by this submission is consistent with the Act and the regulations issued thereunder.

CME certifies that this submission has been concurrently posted on the CME Group website at <http://www.cmegroup.com/market-regulation/rule-filings.html>.

If you require any additional information, please e-mail [CMEGSubmissionInquiry@cmegroup.com](mailto:CMEGSubmissionInquiry@cmegroup.com) or contact the undersigned at 212-299-2200.

Sincerely,

/s/Christopher Bowen  
Managing Director and Chief Regulatory Counsel