

SUBMISSION COVER SHEET

IMPORTANT: Check box if Confidential Treatment is requested

Registered Entity Identifier Code (optional): 16-336 (3 of 4)

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): September 26, 2016 Filing Description: Amendments to Rule 437. ("Notice of Discipline")

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: 437

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:

September 26, 2016

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. Notification Regarding Amendments to CME/CBOT/NYMEX/COMEX Rule 437. (“Notice of Discipline”). NYMEX Submission No. 16-336 (3 of 4)

Dear Mr. Kirkpatrick:

Pursuant to Commodity Futures Trading Commission (“CFTC” or “Commission”) Regulation 40.6(a), Chicago Mercantile Exchange Inc. (“CME”), The Board of Trade of the City of Chicago, Inc. (“CBOT”), New York Mercantile Exchange, Inc. (“NYMEX”), and Commodity Exchange, Inc. (“COMEX”) (collectively, the “Exchanges”) hereby notify the Commission that they are self-certifying amendments to Rule 437. (“Notice of Discipline”), effective on Wednesday, October 12, 2016. Rule 437. is being amended as notices of disciplinary actions issued by the Clearing House Risk Committee will continue to be posted on CME Group’s website but will no longer be required to be posted on the floor of the Exchanges.

Section 8c(a)(2) of the Commodity Exchange Act (“CEA” or “Act”) requires an exchange to make public its findings and the reasons for exchange action in any suspension, expulsion, disciplinary or access denial proceeding, including the action taken and the penalty imposed. Rule 437. currently states that the Exchange will post on the floor of the Exchange a written notice of a disciplinary action for a period of five (5) business days beginning after the disciplinary action becomes effective.

Core Principle Review

The Exchanges reviewed the designated contract market core principles (“DCM Core Principles”) as set forth in the Act and identified that the rule amendments may have some bearing on the following principles:

- Disciplinary Procedures: The Exchanges have determined that the amendment of Rule 437. is consistent with the requirement to establish and enforce disciplinary procedures and is consistent with the requirements of Section 8c(a)(2) of the CEA.
- Availability of Information: The Financial and Regulatory Surveillance Department will issue a notice to the marketplace to advise market participants of the amendments.

Exhibit A, which is attached hereto, sets forth Rule 437. in blackline format.

The Exchanges certify that amended Rule 437. complies with the Act and regulations thereunder. There were no substantive opposing views to this action.

The Exchanges certify 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 regarding this submission, please contact me at 212-299-2200 or via e-mail at CMEGSubmissionInquiry@cmegroup.com.

Sincerely,

/s/Christopher Bowen
Managing Director and Chief Regulatory Counsel

Attachment: Exhibit A – Amendments to CME/CBOT/NYMEX/COMEX Rule 437. (“Notice of Discipline”)
(blackline format)

Exhibit A

CME/CBOT/NYMEX/COMEX Rulebook

Chapter 4 Enforcement of Rules

(additions underlined; deletions ~~struck through~~)

437. NOTICE OF DISCIPLINE

Notice, in accordance with Section 8c(a)(2) of the Commodity Exchange Act, shall be made available to an internet accessible computer database at the National Futures Association and to an internet accessible computer database at CME Group and shall be provided to any Member or non-member who is suspended, expelled, disciplined or denied access to the Exchange within 30 days after the decision becomes final. Additionally, a written notice ~~shall~~ may be posted on the floor of the Exchange for five business days promptly after the disciplinary action becomes effective.-The notice shall include the Member's or non-member's name, the Rule(s) violated, the reason for the Exchange's action and the action taken or penalty imposed.