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September 4, 2014

Via CFTC Portal Submissions

Mr. Christopher Kirkpatrick  
Secretary of the Commission  
Office of the Secretariat  
Commodity Futures Trading Commission  
3 Lafayette Centre  
1155 21<sup>st</sup> Street, N.W.  
Washington D.C. 20581

**RE: Rule Certification: MODIFICATION TO SELF-CERTIFICATION; Nadex Amends Language in Rule 1.1 (Definitions) and 3.1 (Trading Members) Pertaining to United States Residency – Submission pursuant to Commission Regulation §40.6(a)**

Dear Mr. Kirkpatrick:

On August 26, 2014 North American Derivatives Exchange, Inc. (“Nadex”) submitted to the Commodity Futures Trading Commission (the “Commission”) a self-certification pursuant to Section 5c(c)(1) of the Commodity Exchange Act, as amended (the “Act”), and §40.6(a) of the regulations promulgated by the Commodity Futures Trading Commission (the “Commission”) under the Act. This submission provided notice that Nadex intends to amend language in its Rule 3.1 (Trading Members – Applications, Classifications, and Privileges) pertaining to United States (“US”) residency as a Membership requirement. The amendment is being made to accommodate non-US resident applicants in the future, specifically residents of Mexico and Canada. Nadex plans to implement the language amendments to the Rulebook on September 11, 2014, and to begin accepting applications from non-United States residents no earlier than September 11, 2014.

During its review and analysis of the potential impact of the changes discussed in the August 26, 2014 submission pertaining to Nadex’s compliance with the Designated Contract Market (“DCM”) and Derivatives Clearing Organization (“DCO”) Core Principles, Nadex inadvertently failed to address DCO Core Principles 39.22 (Information Sharing) and 39.27 (Legal Risk Considerations). Nadex is submitting this modification to its August 26, 2014 submission in order to address the potential impact on DCO Core Principles 39.22 and 39.27 as

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the result its planned changes to its Membership requirements. Additions to the submission cover letter have been underlined. No other changes to the submission cover letter or Exhibits A or B have been made.

Should you have any questions regarding the above, please do not hesitate to contact me by telephone at (312) 884-0953 or by email at [Donald.horwitz@nadex.com](mailto:Donald.horwitz@nadex.com).

Sincerely,

A handwritten signature in black ink that reads "Donald L. Horwitz". The signature is written in a cursive, flowing style.

Donald L. Horwitz  
General Counsel and Chief Regulatory Officer