



February 7, 2013

Via Electronic Mail

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

Re: CBOE Futures Exchange, LLC Rule Certification
Submission Number CFE-2013-08

Dear Ms. Jurgens:

Pursuant to Section 5c(c)(1) of the Commodity Exchange Act, as amended ("Act"), and §40.6(a) of the regulations promulgated by the Commodity Futures Trading Commission ("CFTC" or "Commission") under the Act, CBOE Futures Exchange, LLC ("CFE" or "Exchange") hereby submits an Addendum ("Amendment") to the Regulatory Services Agreement that CFE has in place with the National Futures Association ("NFA RSA"). The Amendment is set forth in Exhibit A to this rule certification and will become effective on March 1, 2013.

NFA performs various surveillance, investigative, and regulatory functions for CFE under the NFA RSA. The Amendment, entitled Second Addendum to Schedules A and B of Regulatory Services Agreement, amends the NFA RSA to delete a recently added provision under which NFA was to provide certain financial surveillance services to CFE and to delete a recently added related fee provision for these services.¹ These services were to involve the review by NFA of financial and related information from CFE Trading Privilege Holders that are Futures Commission Merchants and Introducing Brokers for compliance with minimum financial standards under CFTC regulations and CFE rules that mirror CFTC regulations. Since CFE is able to rely on the Joint Audit Committee process in this regard, the NFA RSA is being amended to remove the provisions relating to these services.

CFE believes that the Amendment is consistent with Designated Contract Market ("DCM") Core Principle 11 (Compliance with Rules) under Section 5 of the Act in that CFE continues to maintain its current Regulatory Services Agreement with OCC to assist CFE in meeting various of its obligations under Core Principle 11.

¹ See CFE Rule Certification Submission Number CFE-2012-26 which included, among other things, two Addenda to the NFA RSA (one of which contained the provisions relating to these services) as well as a Regulatory Services Agreement between CFE and The Options Clearing Corporation ("OCC").

CFE believes that the impact of the Amendment will be beneficial to the public and market participants. CFE is not aware of any substantive opposing views to the Amendment. CFE hereby certifies that the Amendment complies with the Act and the regulations thereunder. CFE further certifies that CFE has posted a notice of pending certification with the Commission and a copy of this submission on CFE's Web site (<http://cfe.cboe.com/aboutcfe/rules.aspx>) concurrent with the filing of this submission with the Commission.

* * * * *

Questions regarding this submission may be directed to Arthur Reinstein at (312) 786-7570 or Jenny Golding at (312) 786-7466. Please reference our submission number CFE-2013-08 in any related correspondence.

CBOE Futures Exchange, LLC

A handwritten signature in black ink, appearing to read "James F. Lubin". The signature is written in a cursive, flowing style with a large initial "J".

By: James F. Lubin
Senior Managing Director

cc: National Futures Association
The Options Clearing Corporation

Exhibit A

**SECOND ADDENDUM TO
SCHEDULES A AND B OF REGULATORY SERVICES AGREEMENT**

National Futures Association ("NFA") and CBOE Futures Exchange, LLC ("Exchange") hereby agree that this Addendum ("Second Addendum"), dated as of March 1, 2013, shall be incorporated into and modify Schedule A and Schedule B of the Regulatory Services Agreement ("RSA"), dated as of April 9, 2009, by and between NFA and Exchange, as amended.

NFA and the Exchange previously entered into an Addendum to the Schedules A and B of Regulatory Services Agreement ("First Addendum"), dated as of October 17, 2012, which modified Schedule A and Schedule B of the RSA. NFA and the Exchange now wish to amend the RSA by deleting Sections 4 and 5 of the First Addendum. These changes to the RSA are set forth below.

1. Section VII of Schedule A of the RSA is deleted in its entirety. The deleted language is:

VII. Financial Surveillance.

NFA shall receive and promptly review financial and related information from Exchange's members for compliance with Exchange's minimum financial standards. Exchange shall require its members to submit financial information to NFA in such manner as NFA shall require. NFA shall receive and, consistent with the requirements of CFTC Regulation 1.52, review financial and related information for futures commission merchants, retail foreign exchange dealers, and introducing brokers for compliance of such entities with Exchange's minimum financial standards and CFTC regulations.

NFA's financial surveillance of Exchange's members shall not include continually surveying the obligations of each futures commission merchant created by the positions of its customers; comparing those obligations to the financial resources of the futures commission merchant; or taking steps to use this information to protect customer funds.

2. Schedule B, Section C, 1 of the RSA is amended by replacing it with the replacement language below.

The deleted language is:

"CFE shall pay \$200/hour for (i) any legal services performed by an NFA attorney with regard to the services described in Schedule A, Section IV and (ii) any Financial Surveillance Services described in Schedule A, Section VII performed in relation to firms for which NFA is not the designated self-regulatory organization."

The replacement language is:

"CFE shall pay \$200/hour for any legal services performed by an NFA attorney with regard to the services described in Schedule A, Section IV."

IN WITNESS WHEREOF, the parties have caused this Addendum to be executed in their names as of the date above written.

NATIONAL FUTURES ASSOCIATION

CBOE FUTURES EXCHANGE, LLC

By: /s/ Daniel J. Roth
Authorized Representative

By: /s/ Karen N. Christiansen
Authorized Representative

Name: Daniel J. Roth

Name: Karen N. Christiansen

Title: President and CEO

Title: Chief Regulatory Officer

Date: February 6, 2013

Date: February 5, 2013