



February 20, 2013

#### **VIA E-MAIL**

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

RE: CME USD/CNH Volume Incentive Program

CME Submission No. 13-051

Dear Ms. Jurgens:

Chicago Mercantile Exchange Inc. ("CME" or the "Exchange") hereby notifies the Commodity Futures Trading Commission ("Commission") that it plans to implement a volume incentive program in support of the Standard size and E-micro size U.S. Dollar denominated Chinese Yuan ("USD/CNH") futures contract on Globex® ("Program"). The proposed Program will become effective on March 7, 2013.

Exhibit 1 sets forth the terms of this Program.

CME business staff responsible for the Program and the CME legal department collectively reviewed the designated contract market core principles ("Core Principles") as set forth in the Commodities Exchange Act ("CEA"). During the review, CME staff identified the following Core Principles as potentially being impacted: Prevention of Market Disruption, Execution of Transactions, Protection of Market Participants, Compliance with Rules and Recordkeeping

The proposed Program will not impact the Exchange's ability to perform its trade practice and market surveillance obligations under the CEA. Nevertheless, CME Market Regulation Staff will continue to monitor trading in the Program's products in order to prevent manipulative trading and/or market abuse. Additionally, the Exchange has implemented systems to track Program participants' volume to ensure proper distribution of earned incentives. The proposed Program does not impact the Exchanges order execution. Participants in the Program will be selected by CME staff using criteria as further stated in Exhibit 1. Chapter 4 of the CME rules includes prohibitions against fraudulent, non-competitive, unfair or abusive practices. All participants must execute a contractual agreement with CME in which each participant will expressly agree to comply with, and be subject to, applicable regulations and CME rules. Additionally, the proposed Program will be subject to the Exchange's record retention policies, which comply fully with the CEA.

CME certifies that the proposed Program complies with the CEA and the regulations thereunder. There were no substantive opposing views to this Program.

The Exchange certifies that this submission has been concurrently posted on the Exchange's website at <a href="http://www.cmegroup.com/market-regulation/rule-filings.html">http://www.cmegroup.com/market-regulation/rule-filings.html</a>

If you require any additional information regarding this submission, please contact Robert Lev at 312-930-3019 or via e-mail at <u>robert.lev@cmegroup.com</u>, or contact me at 212-299-2200. Please reference our CME Submission No. 13-051 in any related correspondence.

Sincerely,

/s/ Christopher Bowen
Managing Director, Chief Regulatory Counsel

Attachment: Exhibit 1

# **EXHIBIT 1**

# **USD/CNH Volume Incentive Program**

#### **Program Purpose**

The purpose of this Program is to incentivize participants to increase Globex liquidity in the products listed below. A more liquid contract on the central limit order book benefits all participants in the marketplace.

#### **Product Scope**

Standard size and E-micro size U.S. Dollar denominated Chinese Yuan Futures on Globex ("Product(s)").

#### **Eligible Participants**

CME may designate up to four (4) participants in the Program. Participants may be CME members or non-members. When selecting potential participants, CME will take into account potential participants' recent historical activity in CME foreign exchange products, historical volume and open interest in Chinese Yuan Futures as well as commitment to provide consistent Product volume and liquidity while participating in the Program. Notwithstanding the forgoing, CME may add or subtract from the aforementioned factors as it deems necessary.

## **Program Term**

Start date is March 7, 2013. End date is December 31, 2013.

### **Hours**

N/A

#### Incentives

Upon satisfying all Program obligations as determined by the Exchange, each Program participant may be eligible for predetermined incentives.

#### **Monitoring and Termination of Status**

The Exchange shall monitor trading activity and participants' performance and shall retain the right to revoke Program participant status if it concludes from review that a Program participant no longer meets the eligibility requirements of the Program.