

SUBMISSION COVER SHEET

Registered Entity Identifier Code (optional)

Date:

IMPORTANT: CHECK BOX IF CONFIDENTIAL TREATMENT IS REQUESTED.

ORGANIZATION

FILING AS A: DCM SEF DCO SDR ECM/SPDC

TYPE OF FILING

• Rules and Rule Amendments

- Certification under § 40.6 (a) or § 41.24 (a)
- "Non-Material Agricultural Rule Change" under § 40.4 (b)(5)
- Notification under § 40.6 (d)
- Request for Approval under § 40.4 (a) or § 40.5 (a)
- Made Available To Trade Determination under § 40.5 or § 40.6
- Advance Notice of SIDCO Rule Change under § 40.10 (a)

• Products

- Certification under § 40.2 (a) or § 41.23 (a)
- Submission under § 39.5
- Swap Class Certification under § 40.2 (d)
- Request for Approval under § 40.3 (a)
- Novel Derivative Product Notification under § 40.12 (a)

RULE NUMBERS

DESCRIPTION

Withdrawals of Certifications pursuant to 40.2(a) for NDX Dividend Swaps, Russell 100 Dividend Swaps, S&P 500 Dividend Swaps and S&P TSX Dividend Swaps and 40.2(d) for Markit PrimeX Index Swaps, Markit ABX INdex Swaps. Markit MCDX Index Swaps and Debt Options.



October 7, 2013

BY ELECTRONIC MAIL: submissions@cftc.gov

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

**Re: Commission Regulation 40.2(a) –
Withdrawal of certifications for NDX Dividend Swaps, Russell 1000 Dividend Swaps, S&P
500 Dividend Swaps and S&P TSX Dividend Swaps**

**Commission Regulation 40.2(d) –
Withdrawal of certifications for Markit PrimeX Index Swaps; Markit ABX Index Swaps;
Markit MCDX Index Swaps and Debt Options**

Dear Ms. Jurgens:

GFI Swaps Exchange LLC (“GFI”) writes as a follow-up to its October 1st and October 2nd emails to the Commodity Futures Trading Commission (the “Commission”), pursuant to which GFI withdrew its 40.2 certifications for the above-referenced products.

As mentioned in our email submissions, following discussions with the staffs of the Commission and the Securities and Exchange Commission, GFI voluntarily withdrew its certifications¹ due to a lack of clarity with respect to the classification of these products as swaps and securities-based swaps. Therefore, pending further notice and guidance from the two staffs during the government shutdown, GFI is providing this letter submission to clarify any confusion for market participants regarding the status of the original submissions.

GFI additionally certifies that it has concurrently posted a copy of this submission letter on GFI’s website. In the event that you have questions, please contact the undersigned at (212) 968-2982 or daniel.glatter@gfigroup.com.

Sincerely,

A handwritten signature in black ink, appearing to read 'Daniel E. Glatter', written over a horizontal line.

Daniel E. Glatter
Vice President and
Assistant General Counsel

¹ Please note that the inclusion of Debt Options was an administrative oversight and was not intended to be included in GFI’s original 40.2 certification.