



BY ELECTRONIC TRANSMISSION

Submission No. 16-80
July 8, 2016

Mr. Christopher J. Kirkpatrick
Office of the Secretariat
Commodity Futures Trading Commission
Three Lafayette Centre
1155 21st Street, NW
Washington, DC 20581

Re: Amendments to ICE Futures U.S. Rule 6.02 - Pursuant to Commission Regulation 40.6(a)

Dear Mr. Kirkpatrick:

Pursuant to Commodity Futures Trading Commission Regulation 40.6(a), ICE Futures U.S., Inc. (“IFUS” or “Exchange”) submits by written certification the amendments to IFUS Rule 6.02 set forth in Exhibit A, which allow the ICE Vice President of Operations to delegate his authority to address computer malfunctions and screen based trading disruptions and eliminate obsolete language relating to open outcry trading that is no longer supported by the Exchange.


Exchange Rule 6.02 addresses physical emergencies that could affect the operations of the Exchange and authorizes certain officers to take any action they deem necessary to address the emergency, including the suspension of trading and altering opening and closing times. In addition to the IFUS President¹, the ICE Vice President of Operations has the authority to address computer malfunctions and screen-based trading system breakdowns, as the ICE operations team will have the most direct information and will be in the best position to gauge such matters as system recovery time. The amendments to Rule 6.02 provide that the decision on appropriate course of action in such cases may also be made by any delegee of the ICE VP of Operations as the handling of such issues have become fairly routinized at this point. In addition, the amendments delete portions of the rule that focus on a floor based environment.

¹ In the absence of the IFUS President, any IFUS Senior Vice President may exercise the authority delegated to the President under Exchange Rule 6.02 and in the absence of the IFUS President and all Senior Vice Presidents, any officer of the Exchange may exercise the authority delegated to the President under Exchange Rule 6.02 to address a Physical Emergency.

The Exchange certifies that the amendments, which will become effective on July 25, 2016, comply with the Commodity Exchange Act, as amended, and the regulations thereunder. Specifically, the amendments comply with Core Principle 6 (Emergency Authority) as they will allow the Exchange to more rapidly respond to computer malfunctions and screen-based trading system breakdowns. There were no substantive opposing views to the amendment. The Exchange further certifies that concurrent with this filing a copy of this submission was posted on the Exchange's website at (<https://www.theice.com/futures-us/regulation#rule-filings>).

If you have any questions or need further information, please contact me at 212-748-4021 or at jason.fusco@theice.com.

Sincerely,

A handwritten signature in black ink, appearing to read "Jason V. Fusco". The signature is written in a cursive style with a large, sweeping initial "J".

Jason V. Fusco
Assistant General Counsel
Market Regulation

Enc.

EXHIBIT A

(In the text of the amendments below, additions are shown underscored and deletions are shown bracketed and lined through.)

Rule 6.02. Physical Emergencies

(a) In the event the physical functions of the Exchange are, or are threatened to be, severely and adversely affected by a "Physical Emergency", such as fire or other casualty, bomb threat, substantial inclement weather, power failure, communication or transportation breakdown, computer malfunction, screen-based trading system break-down, ~~[malfunction of plumbing, heating, ventilation and air conditioning systems]~~, backlog or delay in clearing or in the processing of data related to clearing Trades, ~~[floor occurrence which threatens an orderly market]~~ or other similar events, the President, or in his absence any Senior Vice President or in all of their absences any other officer may take any action which, in the opinion of such officer is necessary or appropriate to deal with the Physical Emergency, including, but not limited to, suspending trading in any one (1) or more Commodity Contracts, delaying the opening of trading in any one (1) or more Commodity Contracts, extending the Last Trading Day and/or the time of trading, *provided, however*, that in the event of a computer malfunction or screen-based trading system disruption, the Vice President, Operations of ICE, or his delegee, may also take any action which, in the opinion of such ~~[officer]~~ person is necessary or appropriate to deal with the computer malfunction or screen-based trading system disruption in accordance with Exchange procedures relating to such malfunctions and business disruptions.

(b) In the event the President or other officer has ordered suspension of trading, the President, or in his absence any Senior Vice President, or in all of their absences any other officer may order restoration of trading on the Exchange, or may remove other restrictions so imposed, if such officer determines that the Physical Emergency has sufficiently abated to permit the physical functions of the Exchange to continue in an orderly manner.

(c) Any action taken hereunder shall be filed with the Commission in accordance with Part 40 of the Regulations under the Act.