



December 22, 2023

VIA CFTC PORTAL

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

Re: Amendment to ICE Clear U.S., Inc. Rules - Submission Pursuant to Section 5c(c)(1) of the Commodity Exchange Act and Commission Regulation 40.6(a) - Change to the Fee Charged on Non-Cash Initial Margin and Guaranty Fund Deposits

Dear Mr. Kirkpatrick:

Pursuant to Section 5c(c)(1) of the Commodity Exchange Act, as amended (“Act”), and Commodity Futures Trading Commission (“Commission”) Regulation 40.6(a), ICE Clear U.S., Inc. (“ICUS”) is submitting this self-certification of changes to the fee charged for non-cash initial margin and Guaranty Fund deposits. ICUS intends to implement this change no sooner than the tenth business day following the filing of this submission with the Commission, or such later date as ICUS may determine.

1. Details of the Changes

ICUS is proposing to increase the fee charged for non-cash initial margin and Guaranty Fund deposits (“Non-Cash Deposits”) posted by Clearing Members. This change will apply to both house and customer accounts. The fee for Non-Cash Deposits will be increased by 1.67 basis points, from 8.33 basis points to 10 basis points. ICUS will issue a notice to Clearing Members in advance of the effective date.

2. Compliance with the Act and Regulations

ICUS reviewed this change and determined that it complies with the requirements of the Act and the rules and regulations promulgated by the Commission in implementing the Act. In this regard, ICUS reviewed the derivatives clearing organizations core principles (“Core Principles”) and determined that the change is potentially relevant to the following core principles and the applicable regulations of the Commission thereunder:

Financial Resources (Core Principle B): The fee change is consistent with the financial resource requirements of Core Principle B and related Commission Regulations 39.11 and 39.33.

Public Information (Core Principle L): Information regarding the fee charged for non-cash initial margin and Guaranty Fund deposits is publicly available to market participants, enabling them to

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ICE Clear U.S., Inc. is a registered derivatives clearing organization under the U.S. Commodity Exchange Act.



identify and evaluate any risk and costs associated with using ICUS's services, as such this change is consistent with the requirements of Core Principle L and Commission Regulation 39.21.

3. Certifications

ICUS certifies that the amendments comply with the Act and the rules and regulations promulgated by the Commission thereunder. ICUS is not aware of any substantive opposing views expressed regarding the amendments. ICUS further certifies that, concurrent with this filing, a copy of the submission was posted on ICUS's website, and may be accessed at <https://www.theice.com/clear-us/regulation>.

If you or your staff have any questions or require further information regarding this submission, please do not hesitate to contact the undersigned at (212) 748-3964 or Eamonn.Hahessy@theice.com.

Sincerely,

A handwritten signature in black ink that reads "Eamonn Hahessy". The signature is written in a cursive style with a long, sweeping underline.

Eamonn Hahessy
General Counsel and Chief Compliance Officer