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**BY ELECTRONIC TRANSMISSION**

Submission No. 20-14  
January 22, 2020

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

**Re: Amendment to Rule 4.00 (Compliance with Rules and Orders, Consent to Jurisdiction)  
Submission Pursuant to Section 5c(C)(1) of the Act and Regulation 40.6(a)**

Dear Mr. Kirkpatrick:

Pursuant to Section 5c(c)(1) of the Commodity Exchange Act, as amended (the “Act”) and Commodity Futures Trading Commission (“Commission”) Regulation 40.6(a), ICE Futures U.S., Inc. (“IFUS” or “Exchange”) hereby self-certifies the amendment to IFUS Rule 4.00 set forth in Exhibit A. The amendment expands the categories of individuals and firms which agree to be bound by and comply with Exchange Rules, and which consent to the jurisdiction of the Exchange.

Exchange Rule 4.00 was adopted in 2012 as a means of complying with Commission Regulation 38.151, which requires designated contract markets (“DCMs”) to obtain consent to jurisdiction from any participant prior to granting such participant access to its markets. The Rule was written in consultation with the Joint Compliance Committee (“JCC”), a collective of compliance staff from various U.S. futures exchanges, and approved as a model for each exchange to adopt. It subjects any person who initiates or executes a transaction on the Exchange, and/or any person for whose benefit a transaction has been initiated or executed, to the jurisdiction of the Exchange and binds them to all the Rules of the Exchange.

The amendment to Rule 4.00 was also written in conjunction with the JCC and subjects any intermediary that charges a commission or fee in connection with a transaction, to the jurisdiction of the Exchange. The provision is intended to capture intermediaries which are not currently subject to the jurisdiction of the Exchange under the Rule (e.g., a foreign carrying firm clearing transactions for a customer through an omnibus account with an IFUS Clearing Member); and is being adopted to ensure that DCMs have the ability to get information directly from such intermediaries.

The Exchange is not aware of any opposing views and certifies that the amendment, which will become effective on February 7, 2020, complies with the requirements of the Act and the rules and regulations promulgated thereunder. Specifically, as described above, the amendment complies with, and is being adopted in furtherance of, Core Principle 2 (Compliance with Rules) and CFTC Regulation 1.51. The amendment will give the Exchange the ability to collect information necessary to its regulatory and enforcement functions; and provides for consent from additional categories of participants. The

Exchange further certifies that, concurrent with this filing, a copy of this submission was posted on the Exchange's website, which may be accessed 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](mailto: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 initial "J" and a long horizontal stroke at the end.

Jason V. Fusco  
Assistant General Counsel  
Market Regulation

Enc.

## EXHIBIT A

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### Rule 4.00. Compliance with Rules and Orders, Consent to Jurisdiction

(a) Any Person initiating or executing a Transaction on or subject to the Rules of the Exchange directly or through an intermediary, and any Person for whose benefit such a transaction has been initiated or executed, expressly consents to the jurisdiction of the Exchange and agrees to be bound by and comply with the Rules of the Exchange in relation to such transactions, including, but not limited to, rules requiring cooperation and participation in investigatory and disciplinary processes. Any futures commission merchant, introducing broker, associated person, or foreign Person performing a similar role that charges a commission or fee in connection with a Transaction on or subject to the Rules of the Exchange also expressly consents to the Exchange's jurisdiction.

(b) It shall be a violation of the Rules for any Person to furnish false information, or fail to furnish information when requested, to the Board or to any committee, subcommittee, officer or employee of the Exchange in the course of its, their, or his duties.

(c) It shall be a violation of the Rules for any Person to violate, or fail to comply with, the terms of any agreement with the Exchange or any order or decision of, or any suspension imposed by, the Exchange, the Board or any committee or subcommittee of the Exchange, including, without limitation, any Hearing, Arbitration or Appeals Panel.