



55 East 52nd Street
New York, NY 10055

Atlanta Calgary Chicago Houston London New York Singapore

BY ELECTRONIC TRANSMISSION

Submission No. 15-108A
June 2, 2015

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 Rule 6.50 (Disclosure of Information) and adoption of related Policy on Regulatory Data – Amended Submission Pursuant to Section 5c(c)(1) of the Act and Regulation 40.6

Dear Mr. Kirkpatrick:

Pursuant to Section 5c(c)(1) of the Commodity Exchange Act, as amended, and Commission Regulation 40.6(a), ICE Futures U.S., Inc. (“IFUS” or “Exchange”) is notifying the Commission that it is self-certifying the amendment of IFUS Rule 6.50 and adoption of a policy regarding data which is collected by IFUS for regulatory purposes (the “Policy”). This submission amends Submission No. 15-108 filed on May 20, 2015, to incorporate changes which address comments from staff of the Division of Market Oversight regarding the original submission.

The protection of confidential customer information is currently addressed by Exchange Rule 6.50, which specifies the circumstances in which information can be shared with employees and service providers who need to know the information in order to carry out their job responsibilities. The Exchange has adopted amendments establishing new paragraphs (b) and (c) of the Rule as described below.

A new paragraph (b) has been added to the Rule which codifies the ability of the Exchange to use, distribute and license non-regulatory trade data (such as bids and offers) and related information that is submitted to the Exchange. Specifically, it provides that subject to each market participant’s rights with respect to its own data, the Exchange owns all rights in and to trade data and related information submitted in connection with trading on the Exchange that is not collected or received for purposes of the Exchange fulfilling its regulatory obligations. As such, it specifies the Exchange has the exclusive right to use, distribute, sub-license, disclose and sell anonymized trade data and derivative works. This paragraph is similar to provisions in the rules of other DCMs. A new paragraph (c) has also been added which precludes the Exchange from using regulatory data for business or marketing purposes, unless it has obtained the express consent of the relevant market participant to do so. In addition, paragraph (c) of the Rule contains the prohibition of Regulation 38.7 against conditioning market access on the grant of consent to use regulatory data for commercial purposes of the Exchange.

The amendments also clarify that regulatory data will not be disclosed publicly except on an aggregated or anonymized basis, or in a manner that does not directly or indirectly identify any market participant who submitted such data. A new Exchange Policy that works in tandem with the Rule amendments has been adopted which, among other things, categorizes as regulatory data information submitted in large trader reports, detailed transaction level position data, financial information and investigative information. The Rule amendments and Policy are set forth in Exhibits A and B, respectively, to this submission and were adopted upon the recommendation of the Exchange's Regulatory Oversight Committee; they will become effective June 17, 2015.

The Exchange certifies that the amendments to Rule 6.50 and the Policy comply with the requirements of the Commodity Exchange Act and the rules and regulations promulgated thereunder, including CFTC Regulation 38.7.

The Exchange is not aware of any substantive opposing views that were expressed by members or others with respect to the Rule amendment or the Policy. 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/notices/RegulatoryFilings.shtml>).

If you have any questions or need further information, please contact me at 212-748-4083 or at audrey.hirschfeld@theice.com.

Sincerely,



Audrey R. Hirschfeld
SVP and General Counsel

Enc.
cc: Division of Market Oversight

Exhibit A

[In the text additions are underscored and deletions struck out]

Rule 6.50. Disclosure of Information; Trade Data

(a) The Exchange shall not disclose any information regarding the financial condition or any Transaction, Positions, or market operations of any Member or Customer to any Person, except:

(~~a~~i) to any committee, officer, employee or agent of the Exchange authorized to receive such information within the scope of its or his duties;

(~~b~~ii) to ~~the~~ any Clearing Organization;

(~~e~~iii) to any third party performing a service for the Exchange, provided that such party has executed a confidentiality and non-disclosure agreement in a form approved by the Exchange;

(~~d~~iv) to any duly authorized representative of the CFTC lawfully requesting the same;

(~~e~~v) as may be required by legal process or by law;

(~~f~~vi) as the Exchange may deem necessary or appropriate in connection with any litigation affecting it or the Clearing Organization;

(~~g~~vii) in a manner in which the Member or Customer consents to such disclosure;

(~~h~~viii) pursuant to the terms of an information sharing agreement with a regulatory or self-regulatory body which has been approved by the President to the regulatory authority of any foreign jurisdiction in which the Exchange has been approved to conduct business, to the extent that the consent of the Exchange to make such disclosure was a condition of such approval; and

(~~i~~ix) to any other Person, if, and to the extent that the Board, from time to time, may deem appropriate.

(b) Subject to each market participant's rights with respect to its own data, the Exchange shall own all rights, title and interest, database rights and trade secret rights in and to all trade data and related information submitted in connection with trading on the Exchange and which is not collected or received for the purpose of fulfilling regulatory obligations of the Exchange. The Exchange has the exclusive right to use, distribute, sub-license, disclose and sell anonymized trade data and derivative works in any manner, media and jurisdiction. Market participants shall not redistribute trade data or derivative works based thereon unless licensed by the Exchange. The restriction on redistribution shall not apply to a market participant's own data.

(c) Proprietary data or personal information collected or received by the Exchange for the purpose of fulfilling regulatory obligations ("Regulatory Data") shall not be disclosed publicly other than on an aggregated or anonymized basis, or in a manner that does not directly or indirectly identify any market participant who has submitted such data. Regulatory Data may not be used by the Exchange for business and marketing purposes unless the market participant has clearly consented to the use of such data in such manner. Access to the Exchange shall not be conditioned upon a market participant's consent to the use of Regulatory Data for business or marketing purposes. Nothing in this Rule shall preclude the Exchange from disclosing Regulatory Data pursuant to paragraph (a) above.

Exhibit B

USE OF PROPRIETARY DATA OR PERSONAL INFORMATION COLLECTED BY ICE FUTURES U.S. FOR REGULATORY PURPOSES

In connection with our role in the financial services industry and the services we provide, many Exchange employees and employees of companies in the ICE Group who act as service providers to the Exchange, routinely receive and review information that has been collected to fulfill our obligations under applicable regulatory requirements, including those set forth by the Commodity Futures Trading Commission. The Exchange is committed to ensuring the confidentiality, integrity and protection of information the Exchange receives in connection with its regulatory requirements. For purposes of this Policy **Regulatory Data** means proprietary data or personally identifiable information that is collected by or submitted to the Exchange to fulfill regulatory requirements applicable to it, from the following categories:

Position data --Data collected via the reporting of large trader positions under the CFTC's ownership and control reporting regime as well as clearing member position data maintained in regulatory systems of the Exchange, including trading strategies;

Financial information--Financial records and other information, including account balance information and original third party or internal source documents used in the production of financial reports or used to demonstrate compliance with exchange rules.

Detailed transaction data -- Trade data at the specific account or trader level, identifying the buy/sell or price information for individual trades from which market positions and/or profit and loss might be derived.

Investigative materials --Information collected as part of routine surveillance and/or compliance activities or investigations of potential rule violations, and enforcement of Exchange Rules, such as account statements, order tickets, customer account agreements, bank records, cash market documentation, and audio recordings.

Regulatory Data is accessible only to Exchange employees who need to know the data in furtherance of their employment with the Exchange and who have been authorized to have such access, and to employees of companies in the ICE Group who have been authorized to access such data to perform services for the Exchange and who are subject to restrictions on confidentiality and use of such information. Regulatory Data may only be used for compliance, surveillance, rule enforcement, clearing, risk management, market operations, market and product research and development and performance monitoring purposes in connection with ensuring the effective operations and integrity of the marketplace. Regulatory Data of a market participant may not be used for business or marketing purposes of the Exchange unless such commercial use has been specifically authorized by the Exchange VP of Market Regulation or his designee upon determining that the relevant market participant has expressly authorized use in such manner. Potential violations of this Policy are subject to investigation by ICE Futures U.S. and violations may result in discipline, up to and including termination.