



May 20, 2013

Ms. Melissa Jurgens  
Office of the Secretariat  
Commodity Futures Trading Commission  
Three Lafayette Centre  
1155 21st Street, NW  
Washington, DC 20581

By Email: [submissions@cftc.gov](mailto:submissions@cftc.gov)

Re: Withdrawal of ICE Clear Europe Self-Certification Pursuant to Commission Rule 40.6 Regarding an Amendment to ICE Clear Europe's CDS Procedures

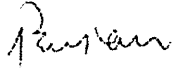
Dear Ms. Jurgens:

ICE Clear Europe Limited ("ICE Clear Europe") is a registered derivatives clearing organization under the Commodity Exchange Act, as amended (the "Act"). On May 13, 2013, pursuant to Commission Rule 40.6, ICE Clear Europe submitted an amendment to its CDS Procedures to clarify the scope of the obligation of ICE Clear Europe CDS clearing members to pay additional amounts to (or otherwise indemnify) ICE Clear Europe for any tax imposed or collected as a result of Sections 1471 through 1474 of the U.S. Internal Revenue Code and U.S. Treasury regulations and other guidance thereunder (commonly known as the Foreign Account Tax Compliance Act, or "FATCA") (the "Submitted Amendment").

ICE Clear Europe is hereby withdrawing the Submitted Amendment.

If you or your staff should have any questions or comments or require further information regarding this submission, please do not hesitate to contact the undersigned at [patrick.davis@theice.com](mailto:patrick.davis@theice.com) or +44 20 7065 7738, Dee Blake, Director of Regulation, at [dee.blake@theice.com](mailto:dee.blake@theice.com) or +44 20 7065 7752 or Paul Swann, President & Chief Operating Officer, at [paul.swann@theice.com](mailto:paul.swann@theice.com) or +44 20 7065 7700.

Very truly yours,



Patrick Davis  
Head of Legal and Company Secretary