



Atlanta Calgary Chicago Houston London New York Singapore

World Financial Center
One North End Avenue
New York, New York 10282

BY ELECTRONIC TRANSMISSION

Submission No. 13-33
April 5, 2013

Ms. Melissa Jurgens
Assistant Secretary
Commodity Futures Trading Commission
Three Lafayette Centre
1155 21st Street, NW
Washington, DC 20581

**Re: Amendments to the Russell Contract Member Firm Fee Program
Submission Pursuant to Section 5c(c)(1) of the Act and Regulation 40.6(a)**

Dear Ms. Jurgens:

Pursuant to Section 5c(c)(1) of the Commodity Exchange Act, as amended, and Commission Regulation 40.6(a), ICE Futures U.S., Inc. (“Exchange”) self certifies the amendments to the Russell Contract Member Firm Fee Program (“Program”). The amendments include the new Russell 2000^{®1} Growth Index Mini and Russell 2000[®] Value Index Mini futures contracts being listed on April 22, 2013 in the Program. A copy of the Program application is attached as Exhibit A.

The Program allows firms that are members of several specified exchanges to receive a discounted rate (see ICE Futures U.S. Submission Nos. 09-42, 10-17, 10-27, 10-35 and 12-93). Firms that are members of other exchanges that are participants in the Program receive a discounted rate of 60 cents per side for all Russell Index futures and options volume executed for their proprietary account. In addition, participants who trade at least 1,000 lots of Russell 1000 Index contract receive a further discounted rate of 30 cents per side. Participants who meet that threshold and also trade at least 1,000 lots of Russell 1000 Growth and Value Index Mini contracts receive a further discounted rate of 20 cents per side. The Program is being amended to include the Russell 2000 Growth and Russell 2000 Value Index futures contracts in the group of futures contract in which, collectively, a participant must trade at least 1,000 contracts in order to obtain that \$0.20 discounted rate.

The Exchange certifies that the amendments to the Program comply with the requirements of the Commodity Exchange Act and the rules and regulations promulgated thereunder. The Exchange further certifies that, concurrent with this filing, a copy of this submission was posted on the Exchange’s website at

¹ Russell 2000[®] is a trademark and service mark of the Russell Investment Group, used under license.

<https://www.theice.com/notices/RegulatoryFilings.shtml>). The Exchange is not aware of any opposing views with respect to the amendments, which will become effective on April 22, 2013.

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 fluid and cursive, with a large initial "J" and a long, sweeping underline.

Jason V. Fusco
Assistant General Counsel
Market Regulation

Enc.
cc: Division of Market Oversight
New York Regional Office

EXHIBIT A

ICE Futures U.S.[®], Inc. Russell Contract Member Firm Fee Program

The program offers entities that are corporate members of a number of qualifying U.S. derivatives exchanges that execute trades in Russell 1000[®] Index Mini, Russell 2000[®] Index Mini, Russell 1000 Value Index Mini, [~~and~~] Russell 1000 Growth Index Mini, Russell 2000 Value Index Mini and Russell 2000 Growth Index Mini futures and options contracts (“the Russell Contracts”) during a calendar month a fee reduction which is rebated to the participant’s clearing member and passed on to the participant. The fee reduction is more fully described below.

Participant Name _____

Type of Membership (check one)

CME	CBOT	CBOE
<input type="checkbox"/> Corporate Member	<input type="checkbox"/> Corporate Member	<input type="checkbox"/> Corporate Member
NYMEX	ISE	IFUS
<input type="checkbox"/> Corporate Member	<input type="checkbox"/> Corporate Member	<input type="checkbox"/> Corporate Member

NFA Registration ID (if applicable): _____

Please identify the proprietary account you will be using for trading ICE Futures U.S. Russell Index products (only trades in identified accounts are eligible for program rates).

ICE Futures U.S. Clearing Member	Proprietary Trading Account Number

Clearing Member Contact: _____ Phone: _____ email: _____

From the effective date through trade date December 31, 2013, for each month that a participating firm:

(1) executes for its proprietary account(s) 1000 futures and/or options contract sides of the Russell 1000 Index Mini, the participating firm will qualify for a reduced Exchange and Clearing fee (the “Fee”) of \$0.30/contract side for transactions in the Russell Contracts;

(2) has met the Russell 1000 Index Mini volume requirement specified in paragraph (1) above and executes 1,000 contracts futures and options contract sides combined in the Russell 1000 Growth Index Mini, [~~and~~] Russell 1000 Value Index Mini, Russell 2000 Growth Index Mini and Russell 2000 Value Index Mini Contracts, the participating firm will qualify for a reduced fee of \$0.20/contract side for transactions in the Russell Contracts;

(3) fails to meet the Russell 1000 Index Mini volume requirement specified in paragraph (1) above, the participating firm will qualify for a reduced fee of \$.60/contract side for transactions in the Russell Contracts for that month.

Only transactions in said Russell Contracts executed by the participating firm in its proprietary account(s) are eligible for reduced fees; EFP transactions in the Russell 2000 Index Mini futures contracts shall not be eligible for reduced fees; EFP transactions in the other Russell Index contracts are eligible for reduced fees. The difference between the rate charged the participating firm in the Member Firm Fee Program and the standard non-member fees for Russell transactions in these contracts is rebated to the Program participating firm through the participating firm's clearing member.

The Member Firm Fee Program continues through trade date December 31, 2013 or until further notice, but in no case for a period to exceed three years. ICE Futures U.S. reserves the right to remove any participant from the Program at its discretion.

As a qualified representative of the member firm applying to participate in the Program, I hereby certify that the information provided above is true and correct. I hereby acknowledge and understand that ICE Futures U.S., including but not limited to the Market Regulation Department, will be reviewing trading in the proprietary account(s) listed above to determine whether the firm continues to meet the requirements of the Member Firm Fee Program and whether the firm should continue or be renewed as a participant in the Member Firm Fee Program. I authorize ICE Futures U.S. to contact the clearing member of the participating firm from time to time to confirm its continued eligibility for the program and authorize its clearing member to release all trading information related to the proprietary account(s) listed above to ICE Futures U.S.

Signature: _____ **Date:** _____

Printed Name: _____

Title: _____ **Firm:** _____

Telephone Number: _____

E-Mail Address: _____

The application should be returned to Tracy Anzalone, IntercontinentalExchange, fax number 312.836.6705 or tracy.anzalone@theice.com. Please call Ted Doukas (312.836.6712) with questions about the program.