


ICE FUTURES U.S.
World Financial Center
One North End Avenue
New York, New York 10282

BY ELECTRONIC TRANSMISSION

C.F.T.C.
OFFICE OF THE SECRETARIAT

2010 OCT 7 PM 2 17

Submission No. 10-40
October 7, 2010

Mr. David Stawick
Secretary of the Commission
Office of the Secretariat
Commodity Futures Trading Commission
Three Lafayette Centre
1155 21st Street, NW
Washington, DC 20581

**Re: Amendments to Disclaimer for Russell Complex Contracts -
Submission Pursuant to Section 5c(c)(1) of the Act and Regulation 40.6**

Dear Mr. Stawick:

Pursuant to Section 5c(c)(1) of the Commodity Exchange Act, as amended, and Commission Regulation 40.6, ICE Futures U.S., Inc. ("Exchange") submits, by written certification, amendments to the disclaimer for Russell Complex Contracts, attached as Exhibit A.

At the end of the general rules governing the terms and conditions for all of the Russell Complex Contracts listed at the Exchange, there is a section titled, "Interpretations and Special Notices Relating to Rules of This Chapter". Currently, this section contains a disclaimer of liability of the Frank Russell Company ("Russell") and the Exchange as required by a prior License Agreement allowing for the listing and trading of the Russell Complex Contracts. The current License Agreement requires a different disclaimer. The amendments, then, conform the disclaimer to the language required by the current License Agreement.

The Exchange certifies that the amendments comply with the requirements of the Commodity Exchange Act and the rules and regulations promulgated thereunder. No substantive opposing views were expressed by members or others with respect to the amendments.

The amendments were adopted by the Exchange's Board of Directors at its meeting on October 6, 2010 and will go into effect on October 11, 2010.

If you have any questions or need further information, please contact me at 212-748-4084 or jill.fassler@theice.com.

Sincerely,

Jill S. Fassler
Vice President
Associate General Counsel

cc: Division of Market Oversight, New York Regional Office

EXHIBIT A

(In the text of the amendments below, additions are underlined and deletions are bracketed and lined out.)

INTERPRETATIONS AND SPECIAL NOTICES RELATING TO RULES OF THIS CHAPTER

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