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BY ELECTRONIC TRANSMISSION

Submission No. 13-100

October 23, 2013

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

Re: Amendment to ICE Clear US, Inc. Rules
Submission Pursuant to Section 5c(c)(1) of the Act and Regulation 40.6(a)

Dear Ms. Warfield:

Pursuant to Section 5c(c)(1) of the Commodity Exchange Act, as amended (the "Act") and CFTC Regulation 40.6(a), ICE Clear US, Inc. ("ICUS") hereby notifies the Commission that it has adopted modifications to its procedures regarding issuance of intra-day variation margin calls that it intends to make effective no earlier than November 7, 2013.

ICUS is implementing an enhancement to its systems that will automate and modify certain of its procedures for issuing intra-day variation margin calls. On January 14, 2013, ICUS temporarily modified its procedures for issuing intra-day variation margin calls (see ICUS rule filing with the Commission #12-99). The temporary procedures provide that ICUS applies cover calling to variation margin calls.[1] In addition, under the temporary procedures, ICUS does not make automatic intra-day payments to clearing members for net gains. Instead, ICUS processes intra-day variation gains on days when ICUS determines that clearing members require additional intra-day liquidity. The new system will allow ICUS to (i) collect variation losses intra-day without using cover calling and (ii) automate the paying of variation margin gains to clearing members within limits as discussed in the attached Notice to clearing members. The updates will reinstate the intra-day variation margin procedures in effect prior to the January 14, 2013 amendments.

[1] I.e., Under the current system which utilizes "cover calling", when the intra-day variation margin calls are made, cash collateral that is in excess of the previous night's original margin requirements will be withdrawn first from clearing members' margin balances. These funds remain in the customer segregated or house bank accounts (as appropriate) at ICUS. The amount of variation margin required exceeding excess cash collateral is withdrawn from clearing members' settlement bank accounts. These funds are deposited in the ICUS operating account. All funds received for the intra-day variation margin call are applied to the appropriate firm's end-of-day variation margin.

Additional details regarding the changes to the ICUS intra-day variation margin policy can be found in the attached ICUS Notice to clearing members. The changes are consistent with DCO Core Principle E (Settlement Procedures) and related Regulation 39.14(b) daily settlements.

There were no opposing views expressed to ICUS by its Board of Directors, Risk Committee, clearing members or other market participants regarding this change to procedures.

ICUS certifies that the amendments comply with the requirements of the Act and the rules and regulations promulgated thereunder. ICUS further certifies that this submission has been concurrently posted on the ICUS website at (https://www.theice.com/notices/RegulatoryFilings.shtml).

If you have any questions or need further information, please contact me at 312-836-6716 or heidi.rauh@theice.com.

Sincerely,

Heidi M. Rauh

Heidi M. Rauh
General Counsel and Chief Compliance Officer

NOTICE

13-xxx

October xx, 2013

Summary of content

Changes to Intra-day Variation Margin Procedures

For more information please contact:

ICE Clear US

212-748-4001

312-836-6777

ICEClearUS@theice.com

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Effective November 7, 2013, ICE Clear US (ICUS) will institute changes to its intra-day variation margin policies and procedures. ICUS will continue to collect intra-day variation margin losses on futures positions using the same procedure currently in effect but, in addition will also begin crediting clearing members with their intra-day variation margin gains on futures positions.

The following_procedures will be used to determine the amount to pay clearing members that have an intra-day futures variation margin gain:

1. Determine all futures variation margin losses using current procedures (see below);
2. Determine 80% of the futures variation margin gains;
3. Calculate 80% of the total futures variation margin losses from all clearing firms (from Step 1);
4. Sum the 80% of the total futures variation margin gains of all clearing firms (from Step 2);
5. Determine if the total of 80% of the futures variation gains (Step 4) exceeds 80% of the total futures variation margin losses of all clearing firms (Step 3);
    a. If 80% of the total variation margin losses (Step 3) exceeds the total of 80% of the total futures variation margin gains (Step 4), pay all the futures variation margin gains to firms.
        i. Do not pay any amounts less than $500,000.
    b. If 80% of the total variation margin losses (Step 3) are less than the total of 80% of the futures variation margin gains (Step 4), allocate 80% of the total variation margin losses to the clearing members (Step 3) with futures variation margin gains on a pro-rata basis (Step 2).
        i. Do not pay any amounts less than $500,000.

ICUS will continue to apply the following policies when determining the amount to be collected from clearing members with futures variation margin losses:

1. Clearing members with over $1 billion in capital will have the following call thresholds:
    a. Calls will be issued when a clearing member's futures variation margin loss exceeds the lesser of 3% of such clearing member's original margin requirement or $5 million;
    b. The minimum call amount will be $500,000.

2. Clearing firms with less than $1 billion in capital will have the following call thresholds:
    a. Calls will be issued when futures variation margin loss exceeds the lesser of 3% of such clearing member's original margin requirement or $500,000;
    b. The minimum call amount will be $100,000.

In the event the appropriate threshold described above is breached, and the amount of the variation margin call exceeds the applicable call amount, ICE Clear US will issue a variation call for 100% of the variation margin call amount.

Intra-day variation margin will be paid and collected on US dollar products only.

ICE Clear US reserves the right to make additional margin calls throughout the trading day as market conditions warrant.

For more information contact Bruce Domash, Risk Director, at 312-836-6709 or bruce.domash@theice.com.