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BY ELECTRONIC TRANSMISSION

Submission No. 16-38
March 29, 2016

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 6.44 –Anti-Money Laundering and Economic Sanctions
Compliance--Submission Pursuant to Commission Regulation 40.6(a)**

Dear Mr. Kirkpatrick:

Pursuant to Regulation 40.6(a), ICE Futures U.S., Inc. (“IFUS” or “Exchange”) submits by written certification amendments to Rule 6.44 (set forth in Exhibit A) which will become effective on April 13, 2016.

Exchange Rule 6.44 requires Member FCMs to maintain anti-money laundering programs in conformity with requirements applicable to them under the Bank Secrecy Act and to comply with applicable economic sanctions regulations. The amendments to Rule 6.44(a) more accurately describe an FCM’s duty under the rule to maintain a program that complies with not only the Bank Secrecy Act, but several other statutes, Executive Orders and regulations which relate to sanctions compliance, including the regulations issued by the Office of Foreign Asset Control within the U.S. Department of Treasury, which are being expressly incorporated into the Rule. In developing these amendments, the Exchange worked with the FIA and the CME, to harmonize the various designated contract market rules on this subject.

The Exchange certifies that the amendments comply with the Commodity Exchange Act, as amended and the regulations thereunder. There were no substantive opposing views to the amendments. 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 212-748-4021 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 long horizontal stroke extending to the right.

Jason V. Fusco
Assistant General Counsel
Market Regulation

Enc.

EXHIBIT A

Rule 6.44. Anti-Money Laundering and Economic Sanctions Compliance

(a) Each Member registered with the CFTC as a Futures Commission Merchant shall develop and implement a written ~~[anti-money laundering]~~ compliance program approved in writing by senior management reasonably designed to achieve and monitor the Member's compliance with the applicable requirements of the Bank Secrecy Act (31 U.S.C. 5311, *et seq.*), the International Emergency Economic Powers Act (50 U.S.C. § 1701 et seq.) ("IEEPA"), the Trading with the Enemy Act (50 U.S.C. App. § 1 et seq.) ("TWEA") and the Executive Orders and the implementing regulations promulgated thereunder, including regulations issued by the U.S. Department of the Treasury, the Office of Foreign Assets Control ("OFAC") within the Department of the Treasury, and, as applicable, the CFTC. Such ~~[anti-money laundering]~~ compliance program shall, at a minimum:

- (i) establish and implement policies, procedures and internal controls reasonably designed to assure compliance with the applicable provisions of the Bank Secrecy Act, IEEPA, TWEA and all applicable Executive Orders and ~~[the implementing]~~ regulations issued thereunder;
- (ii) provide for independent testing for compliance to be conducted by the Member's personnel or by a qualified outside party;
- (iii) designate an individual or individuals responsible for implementing and monitoring the day-to-day operations and internal controls of the program; and
- (iv) provide ongoing training for appropriate personnel.

Members who are registered Futures Commission Merchants must also supervise and ensure that their guaranteed introducing brokers are in compliance with the ~~[anti-money laundering]~~ provisions contained in this Rule.

(b) The following Persons (each, a "Sanctioned Party" or "Sanctioned Parties") are not permitted to access the Exchange, whether directly or indirectly: Persons that are (i) identified on the Specially Designated Nationals and Blocked Persons List of ~~[the U.S. Department of the Treasury's Office of Foreign Assets Control ("OFAC")]~~ ("Restricted Persons"), (ii) 50% or more owned by Restricted Persons, (iii) located in a country or territory subject to comprehensive economic sanctions administered by OFAC ("Restricted Country or Territory" or "Restricted Countries or Territories"), (iv) owned or controlled by the governments of Restricted Countries or Territories, (v) subject to OFAC restrictions where such restriction prohibits a specific activity which would in turn prohibit the Person from trading on the Exchange or settling a transaction at the Exchange, (vi) subject to restrictions administered or imposed by a state or government authority authorized to issue economic sanctions and blocking measures that has jurisdiction over a Clearing Member (each, a "Sanctioning Body") or (vii) acting on behalf of any of the foregoing.

(c) Unless permitted (either not restricted or specifically authorized) by OFAC and/or any Sanctioning Body, as applicable, a Clearing Member:

- (i) that maintains, becomes aware that it maintains, or has documentary information that it maintains, positions or carries an account actively trading on the Exchange for or on behalf of a Person that is, or becomes, a Sanctioned Party, shall immediately take steps to (A) cancel all direct and indirect access and authorizations issued to such Sanctioned Party and provide written notice to the Vice President of Market Regulation of such cancellations, or (B) provide written instructions to

the Exchange directing the Exchange to assist and coordinate in the cancellation of all access and authorizations for the Sanctioned Party at the Exchange as may be applicable; and

(ii) may not accept as Margin from its account holders any debt or equity issued by Sanctioned Parties, assets in which Sanctioned Parties have any interest, or any other assets that are or would be subject to blocking restrictions or sectoral sanction restrictions imposed by OFAC or are subject to similar restrictions imposed by another Sanctioning Body.

(d) Clearing Members may only carry omnibus accounts for entities that have received a notice from the Clearing Member (A) expressly prohibiting the omnibus account from acting for customers of the Exchange, directly or indirectly, that are Sanctioned Parties and (B) requiring it to send a similar notice to its omnibus account customers.