

October 30, 2025

Christopher J. Kirkpatrick
Secretary
Commodity Futures Trading Commission
Three Lafayette Centre
1155 21st Street, N.W.
Washington, D.C. 20581

Re: Cboe Clear U.S., LLC Rule Certification
Submission Number CCUS-2025-11

Dear Mr. Kirkpatrick:

Pursuant to Section 5c(c)(1) of the Commodity Exchange Act, as amended (“Act”), and Regulation 40.6 of the regulations promulgated by the Commodity Futures Trading Commission (“CFTC” or “Commission”) under the Act, Cboe Clear U.S., LLC (“CCUS” or “Clearinghouse”) hereby submits updates to various CCUS Policies and Procedures in connection with the plan to begin clearing Cboe Continuous Futures products listed and traded on Cboe Futures Exchange, LLC (“CFE”) clearing through CCUS, among other certain changes (“Amendment”).

The Amendment to the CCUS Policies and Procedures is set forth in segregated confidential Exhibits 1-6. The Amendment to the CCUS rulebook is set forth in Exhibit A. The Amendment will become on the first date that it is permitted to become effective pursuant to CFTC Regulation 40.6 (“Effective Date”) based on the date of submission of this filing to the Commission and the length of the current U.S. government shutdown. CCUS intends to implement the Amendment subject to the reopening of the U.S. federal government, on the date prior to the launch of Cboe Continuous Futures to be announced by the Clearinghouse through the issuance of a Clearing Notice.

Overview

Subject to the reopening of the U.S. federal government, CCUS plans to begin clearing Cboe Continuous Futures products listed and traded on CFE – a designated contract market (“DCM”) and affiliate of CCUS. Specifically, subject to the reopening of the U.S. federal government, CFE intends to begin listing and trading Cboe Bitcoin Continuous (“PBT”) Futures and Cboe Ether Continuous (“PET”) Futures, clearing through CCUS. Cboe Continuous Futures are long-dated, cash-settled futures contracts. Open positions in Continuous Futures contracts are subject to a daily cash adjustment.

The purpose of the Amendment is to amend the CCUS Policies and Procedures to facilitate the clearing of Continuous Futures products through CCUS, among other certain changes. The Amendment updates the following CCUS Policies and Procedures:

- Settlement Procedures (Exhibit 1),
- Futures Price Sources and Pricing Model Policy (Exhibit 2),
- Futures Theoretical Pricing Model (Exhibit 3),
- Futures Margin Model and Stress Scenarios (Exhibit 4),
- Futures Margin Model and Stress Scenarios Governance Policy (Exhibit 5), and

- Risk Management Framework (Exhibit 6).

Settlement Procedures (Exhibit 1)

The Amendment updates the Settlement Procedures, which govern the processing of settlement obligations of CCUS Clearing Members. The Amendment updates the Settlement Procedures to specify that obligations of Clearing Members that are calculated by a Participating Exchange (*e.g.*, a daily cash adjustment for a contract) will be settled as a part of the twice daily settlements process, either twice daily or end-of-day, and netted with variation margin requirements. Regarding final settlement, the Amendment clarifies that during the final settlement process the Clearinghouse may apply outstanding obligations of a Clearing Member that may be applicable pursuant to the specifications of a contract and calculated by the relevant Participating Exchange. Additionally, like for final settlement price determinations, if a cash adjustment applicable to a contract is unable to be determined, creates risk management concerns for the Clearinghouse, or if the applicable procedures of a Participating Exchange result in a clearly aberrant cash adjustment inconsistent with market value, then the Clearinghouse may establish a cash adjustment that reflects the true market value at the time of the adjustment.¹

Futures Price Sources and Pricing Model Policy (Exhibit 2)

The Amendment makes updates to the Futures Price Sources and Pricing Model Policy, which sets forth requirements for CCUS regarding the measurement and management of credit risk, that provide additional clarity regarding certain aspects regarding how the valuation model is reviewed. Specifically, the Amendment makes certain updates to the description of the intraday validations of the valuation model completed by CCUS.

Futures Theoretical Pricing Model (Exhibit 3)

In the Futures Theoretical Pricing Model, which sets forth the manner in which a theoretical price for futures contracts listed by the Clearinghouse will be calculated, the Amendment adds a definition of Continuous Futures and includes additional detail regarding how the fair funding rate and reference price calculations will function in connection with Continuous Futures.

Futures Margin Model and Stress Scenarios (Exhibit 4)

The Amendment updates the Futures Margin Model and Stress Scenarios, which describes the Clearinghouse's Futures Theoretical Price Model that provides how a theoretical price for futures contracts listed by the Clearinghouse will be calculated.

The Amendment updates the Futures Margin Model and Stress Scenarios to accommodate clearing and mitigate risk in connection with the clearing of Continuous Futures, by including a funding amount risk adjustment for Continuous Futures as well as updates to accommodate the offering of intercommodity spread offsets in connection with clearing Continuous Futures.

Futures Margin Model and Stress Scenarios Governance Policy (Exhibit 5)

¹ CCUS is simultaneously submitting a self-certification rule filing to update its rulebook to, among other things, reflect these updates in CCU Rule 409 (Settlement Prices).

The Amendment updates the Futures Margin Model and Stress Scenario Governance Policy, which sets forth the procedures to set, monitor, and review the initial and maintenance margin requirement for CCUS Clearing Members for each product and portfolio. The Amendment updates descriptions and provides additional clarity as to when and for which processes the Incident Management Policy will be invoked, as well as for which processes may be completed manually by CCUS Risk Management staff.

Risk Management Framework (Exhibit 6)

The Amendment makes certain changes to the CCUS Risk Management Framework, which sets forth the written policies, procedures, and controls that clearly identify and document CCUS risk management. The Amendment includes references, where applicable, to Obligations, to account for cash adjustment obligations for Clearing Members related to Continuous Futures. Pursuant to the CCUS rulebook, as revised,² Obligations means all financial obligations, including any non-margin payment obligation (including but not limited to any cash adjustment). The Amendment also makes certain administrative changes to remove language no longer applicable to the functioning of CCUS.

Core Principle Compliance

CCUS believes that the Amendment is consistent with the DCO Core Principles under Section 5 of the Act. In particular, CCUS believes that the Amendment is consistent with:

- Core Principle D (Risk Management) for the following reasons:
 - The Futures Price Sources and Pricing Model Policy, as amended, will continue to ensure the Clearinghouse possesses the timely and reliable price data necessary to effectively monitor its risk and accurately measure its credit exposure, specifically in connection with intraday validations.
 - The Futures Theoretical Pricing Model, as amended, will continue to provide for a sound valuation model, generally assuring that CCUS has the appropriate tools and procedures to address circumstances when pricing data is not readily available or reliable, including in connection with Continuous Futures products.
 - The Margin Model and Stress Scenarios document, as amended, is enhanced in a manner that continues to assist CCUS in managing the risks associated with discharging its responsibilities, particularly for the clearing of Continuous Futures, through the use of appropriate, tailored tools and procedures, including measurement of exposure, limitation of exposure to potential losses from defaults, margin requirements, and requirements regarding models and parameters.

² CCUS is simultaneously submitting a self-certification rule filing to update its rulebook to, among other things, reflect an updated definition of “Obligations” in CCUS Rule 101 (Definitions) to account for non-margin related Clearing Member obligations to CCUS that may arise pursuant to applicable Contract specifications. This would include obligations related to cash adjustments for Continuous Futures.

- The Margin Model and Stress Scenarios Governance Policy, as amended, will continue to adequately governs the process in which CCUS determines risk-based margin requirements and regularly reviews, monitors and tests its margin requirements.
- The Risk Management Framework, as amended, continues to clearly identify and document the range of risks to which the Clearinghouse is exposed, address the monitoring and management of the entirety of those risks, and provide a mechanism for internal audit.
- DCO Core Principle E (Settlement Procedures) in that the Settlement Procedures Policy, as amended, will continue to assist CCUS in ensuring that its daily settlement process results in complete settlements on a timely basis, including in connection with cash adjustments related to Continuous Futures.

Public Information

A notice and copy of this submission has been concurrently posted on CCUS's website at <https://www.cboedigital.com/regulation/exchange-notices/> under "CFTC Submissions."

Opposing Views

There were no opposing views expressed regarding these amended rules.

Certification

CCUS hereby certifies to the Commission, pursuant to the procedures set forth in Commission regulation § 40.6, that this submission complies with the Act, as amended, and the regulations promulgated thereunder.

Questions regarding this submission may be directed to Rebecca Tenuta at (773) 485-7926. Please reference our submission number CCUS-2025-11 in any related correspondence.

Sincerely,

/s/ **Dale Michaels**

Dale Michaels
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Exhibit 1

[CONFIDENTIAL TREATMENT REQUESTED]

Exhibit 2

[CONFIDENTIAL TREATMENT REQUESTED]

Exhibit 3

[CONFIDENTIAL TREATMENT REQUESTED]

Exhibit 4

[CONFIDENTIAL TREATMENT REQUESTED]

Exhibit 5

[CONFIDENTIAL TREATMENT REQUESTED]

Exhibit 6

[CONFIDENTIAL TREATMENT REQUESTED]