

# BY ELECTRONIC TRANSMISSION

Submission No. 18-28 January 23, 2018

Mr. Christopher J. Kirkpatrick Secretary of the Commission Office of the Secretariat Commodity Futures Trading Commission Three Lafayette Centre 1155 21<sup>st</sup> Street, NW Washington, DC 20581

Re: Amendments to NYSE FANG+<sup>TM</sup> Index Futures Market Maker Program Submission Pursuant to Section 5c(c)(1) of the Act and Regulation 40.6(a)

Dear Mr. Kirkpatrick:

Pursuant to Commodity Futures Trading Commission ("CFTC") Regulation 40.6(a), ICE Futures U.S., Inc. ("IFUS" or "Exchange") hereby submits by written certification, the amendments to the NYSE FANG+ Index Futures Market Maker Program ("Program") set forth in Exhibit A.

The Exchange certifies that the amended Program complies with the requirements of the Commodity Exchange Act and the rules and regulations promulgated thereunder. In particular, the amended Program complies with Core Principle 4 (Monitoring of Trading), Core Principle 9 (Execution of Transactions) and Core Principle 12 (Protection of Market Participants). The amended Program does not impact order execution priority or otherwise give participants any execution preference or advantage. In addition, the Exchange's Market Regulation Department actively monitors for trading abuses using electronic exception reports and will take appropriate action against any participants engaging in market abuses.

The Exchange is not aware of any opposing views with regard to the amendments, which will become effective on February 7, 2018, and further certifies that, concurrent with this filing, a redacted copy of this submission was posted on the Exchange's website at (https://www.theice.com/futures-us/regulation#rule-filings).

If you have any questions or need further information, please contact me at 212-748-4021 or at jason.fusco@theice.com.

Sincerely,

Jason V. Fusco

Assistant General Counsel

Market Regulation

Enc.

cc: Division of Market Oversight

New York Regional Office

#### **EXHIBIT A**

## [REDACTED]

# NYSE FANG+<sup>™</sup> Index Futures Market Maker Program

## **Program Purpose**

The purpose of the program is to support active and liquid electronic markets in the NYSE FANG+ Index futures contract.

### **Product Scope**

NYSE FANG+ Index futures contract.

## **Eligible Participants**

The program is open to a maximum of 15 proprietary trading participants who agree to make two-sided markets in NYSE FANG+ Index Futures markets.

### **Program Term**

The Program shall end on June 30, 2018, unless extended by the Exchange. The Exchange reserves the right to amend or end the program and/or to terminate any participant at any time prior to that date.

## **Obligations**

Participants must show a bid/offer on screen in central limit order book on a best efforts basis in the NYSE FANG+ Index futures contract.

#### **Program Incentives**

#### [REDACTED]

### **Monitoring and Termination of Status**

The Exchange shall monitor trading activity and Participants' performance and shall retain the right to revoke Participants' status if it concludes from review that a Program Participant has failed to meet its obligations or no longer meets the eligibility requirements of this Program.