



55 East 52<sup>nd</sup> Street  
New York, NY 10055

Atlanta Calgary Chicago Houston London New York Singapore

**BY ELECTRONIC TRANSMISSION**

Submission No. 18-515  
December 20, 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+™ Index Clearing Member Rebate Program  
Submission Pursuant to Section 5c(c)(1) of the Act and Regulation 40.6**

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, notice that the Exchange extending the term of the NYSE FANG+ Index Clearing Member Rebate Program (“Program”) through March 31, 2019. No other changes are being made to the Program, which was launched on November 8, 2017 and was set to expire on December 31, 2018. The Exchange believes the program will continue to promote liquidity in NYSE Fang+ Index futures, which were launched in November 2017.

The Exchange certifies that the Program continues to comply with the requirements of the Commodity Exchange Act and the rules and regulations promulgated thereunder. In particular, the Program complies with Core Principle 4 (Monitoring of Trading), Core Principle 9 (Execution of Transactions) and Core Principle 12 (Protection of Market Participants). The 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 to the Program, which will become effective on January 8, 2019, and further certifies that, concurrent

with this filing, a 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](mailto: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 large initial "J" and a long, sweeping underline.

Jason V. Fusco  
Assistant General Counsel  
Market Regulation

Enc.  
cc: Division of Market Oversight  
New York Regional Office

**EXHIBIT A**

**ICE Futures U.S.<sup>®</sup>, Inc. FANG+™ Index Clearing Member Rebate Program**

The Program entitles ICE Clear U.S. Inc. clearing members that clear customer and/or proprietary transactions in ICE FANG+ Index contracts at ICE Clear U.S. Inc. to receive a rebate on each side cleared in a calendar month. The amount of the rebate will be 25 cents per side, and the rebate will be paid after the end of each calendar month based on the participating clearing member's volume of cleared transactions in the ICE FANG+ Index contracts. Volume cleared by a participant that is eligible for another ICE FANG+ Index reduced fee program shall not be eligible for a rebate under the program.

Clearing Member Name: \_\_\_\_\_

Contact Person: \_\_\_\_\_

Title: \_\_\_\_\_

Telephone: \_\_\_\_\_ Email: \_\_\_\_\_

Account Number to be used to pay rebates under the program:

\_\_\_\_\_

The initial term of the program will end on [~~December~~] March 31, 201[~~8~~]9. ICE Futures U.S. reserves the right to remove any participant from the Program and to terminate the program prior to the end of the initial term at its discretion.

**Prior to clearing an ICE FANG+ Index for any customer account, Clearing Member agrees that it shall fully disclose in writing to the customer account owner, that the Clearing Member will receive a credit of 25 cents per side for each ICE FANG+ Index contract that the Clearing Member clears, and it shall maintain a written record of such disclosure.**

The undersigned, a qualified representative of the Clearing Member, hereby certifies that the information provided above is true and correct. This Agreement shall not become binding and enforceable by either party until executed by ICE Futures U.S.

Effective Date: \_\_\_\_\_

**ICE Futures U.S.**

**(Clearing Member)**

By: \_\_\_\_\_

By: \_\_\_\_\_

Trabue Bland  
President

Name: \_\_\_\_\_  
Title: \_\_\_\_\_