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**BY ELECTRONIC TRANSMISSION**

Submission No. 18-517  
December 20, 2018

Mr. Christopher J. Kirkpatrick  
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 Broker Incentive Program  
             Amended Submission Pursuant to Section 5c(c)(1) of the Act and Regulation  
             40.6**

Dear Mr. Kirkpatrick:

Pursuant to Section 5c(c)(1) of the Commodity Exchange Act, as amended, and Commodity Futures Trading Commission (“Commission”) Regulation 40.6, ICE Futures U.S., Inc. (“Exchange” or “IFUS”) hereby submits by written certification, notice that the Exchange is extending the term of the NYSE FANG+ Index Broker Incentive Program through March 31, 2019. No other changes are being made to the Program, which was launched on January 26, 2018 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 further certifies that, concurrent with this filing, a notice of pending certification was posted on the Exchange’s website. A copy of this submission may be

accessed at (<https://www.theice.com/futures-us/regulation#rule-filings>). The Exchange is not aware of any opposing views with respect to the extension of the Program, which will become effective on January 8, 3019.

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 written in a cursive style with a large, sweeping initial "J".

Jason V. Fusco  
Assistant General Counsel  
Market Regulation

Enc.

cc: Division of Market Oversight

**EXHIBIT A**

**ICE Futures U.S.<sup>®</sup>, Inc. NYSE FANG+™ Index Broker Incentive Program**

The Program entitles individuals and entities that function as brokers on customer orders in NYSE FANG+ Index contracts at ICE Futures U. S., Inc. to receive a rebate on each side traded in a calendar month by a customer of the Participant. 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 volume of transactions in the NYSE FANG+ Index contracts traded (including screen, Block and EFRP trades) for customer accounts identified by the Participant. Volume cleared by a participant that is eligible for another NYSE FANG+ Index reduced fee program shall not be eligible for a rebate under the program, and in order to be eligible for a rebate in a calendar month the participant must reach a program volume threshold of at least 400 sides in the calendar month.

Participant Name: \_\_\_\_\_

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

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

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

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

Bank/Clearing Member Name: \_\_\_\_\_

Account Number: \_\_\_\_\_

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 acting as a broker on an NYSE FANG+ Index contract for any customer account that Participant has enrolled in this Program, Participant agrees that it shall fully disclose in writing to the customer account owner that Participant will receive a credit of 25 cents per side for each NYSE FANG+ Index contract that the customer trades at ICE Futures U.S., and shall maintain a written record of such disclosure.**

The undersigned, a qualified representative of the Participant, 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

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

