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**BY ELECTRONIC TRANSMISSION**

Submission No. 19-139  
March 14, 2019

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 the NYSE FANG+™ Index Futures Extended Hours Market  
Maker 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, amendments extending the of the NYSE FANG+ Index Futures Extended Hours Market Maker Program (“Program”) through June 30, 2019, as set forth in Exhibit A. The Exchange believes that the Program, which was launched in May of this year and set to expire on March 31, 2019, will continue to help build interest in liquidity in the NYSE FANG+ Index futures contract. The terms and conditions of the Program are set forth in Exhibit A.

The amendments to the Program will become effective on April 1, 2019. 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 Program 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 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  
New York Regional Office

## **EXHIBIT A**

### **NYSE FANG+™ Index Futures Extended Hours 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 throughout the full trading session.

#### **Product Scope**

The NYSE FANG+ Index futures contract.

#### **Eligible Participants**

The program is open to a maximum of 2 proprietary trading participants who agree to make two-sided markets in the NYSE FANG+ futures contracts for a significant portion of the trading day, both during NYSE trading hours and outside NYSE trading hours. Participants in the NYSE FANG+ Index Market Maker Program are not eligible to participate in this program.

#### **Program Term**

The Program shall end on ~~March~~ June 30~~(1)~~, 2019, 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 for a significant portion of the trading day during NYSE trading hours and for a significant portion of the trading day outside NYSE trading hours.

#### **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.