



# **BY ELECTRONIC TRANSMISSION**

Submission No. 18-359 June 15, 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 Volume Incentive 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 is extending the term of the NYSE FANG+ Index Futures Volume Incentive Program ("Program") through December 31, 2018. No other changes are being made to the Program, which was launched on February 7, 2018 and was set to expire on June 30, 2018. The Exchange believes the program will continue to promote liquidity in NYSE Fang+ Index futures, which were launched in November 2017. The terms of the Program are set forth in Exhibit A.

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, which will become effective on June 30, 2018, 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.

Sincerely,

Jason V. Fusco

Assistant General Counsel

Market Regulation

Enc.

cc: Division of Market Oversight

New York Regional Office

# **EXHIBIT A**

# ICE Futures U.S., Inc. NYSE FANG+ Index Futures Contract Volume Incentive Program

## **Program Purpose**

The purpose of the Program is to incentivize participants to increase central limit order book volume in the covered products; this increased volume will benefit all participants in the marketplace.

## **Product Scope**

All NYSE FANG+ Index futures contracts.

## **Eligible Participants**

Participants must have demonstrated the capacity to trade a minimum of 500 sides of proprietary volume in the NYSE FANG+ futures contract, or another similar contract, over the past three months. Notwithstanding the foregoing the Exchange may add or subtract from the aforementioned criteria as it deems necessary. Participants in the NYSE Fang+ Market Maker Program are not eligible for this program.

#### **Program Term**

The Program term shall end on [June 30,] <u>December 31,</u> 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 are required to provide the Exchange with information acceptable to the Exchange detailing Participants' trading activity under the program, and the Exchange may require an additional third party verification report.

# **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.