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BY ELECTRONIC TRANSMISSION

Submission No. 22-241
December 5, 2022

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

Re: Amendment to ICE Biotechnology GTR Index and ICE Semiconductor GTR Index Futures Contracts Member Firm 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, an amendment extending the term of the ICE Biotechnology GTR Index and ICE Semiconductor GTR Index Futures Contracts Member Firm Program (“Program”), which is set forth in Exhibit A. The Exchange believes the Program, which was launched in February 2022 with the listing of the new products, will incentivize liquidity and volume in the ICE Biotechnology GTR Index and ICE Semiconductor GTR Index futures contracts.

The Exchange certifies that the amended Program, which will become effective on January 1, 2023, complies 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 Program.

If you have any questions or need further information, please contact me at 212-748-4021 or at 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 Biotechnology GTR and ICE Semiconductor GTR Index Futures Member Firm Program

The program offers entities that are corporate members of a number of qualifying derivatives exchanges that execute proprietary trades in ICE Biotechnology GTR and ICE Semiconductor GTR Index futures and options contracts (“the program contracts”) during a calendar month a fee reduction which is rebated to the participant’s clearing member and passed on to the participant. The fee reduction is more fully described below.

Participant Name _____

Type of Membership (check one)

- | | | |
|---|--|--|
| <input type="checkbox"/> CME
Corporate Member | <input type="checkbox"/> CBOT
Corporate Member | <input type="checkbox"/> CBOE
Corporate Member |
| <input type="checkbox"/> NYMEX
Corporate Member | <input type="checkbox"/> ISE
Corporate Member | <input type="checkbox"/> IFUS
Corporate Member |
| <input type="checkbox"/> NYSE Euronext
Corporate Member | <input type="checkbox"/> ICE Futures Europe
Corporate Member | <input type="checkbox"/> CFE
Corporate Member |

NFA Registration ID (if applicable): _____

Please identify the proprietary account/s you will be using for trading ICE Biotechnology GTR and ICE Semiconductor GTR Index contracts; only trades in identified accounts are eligible for program rates.

ICE Futures U.S. Clearing Member	Proprietary Trading Account Number

Clearing Member Contact: _____

Phone: _____ Email: _____

For each calendar month that a participating firm meets the volume thresholds shown below in proprietary trades in the program contracts, the participant shall qualify for the reduced Exchange and Clearing Fee shown below:

Monthly Volume Level :	Discounted Exchange and Clearing
Fee:	
Up to 500 sides	no discount

500 to 999 sides	\$0.75 per side
1,000 to 1,500 sides	\$0.50 per side
1,500 or more sides	\$0.25 per side

Monthly volume requirements include total sides traded for both contracts. Customer volume does not qualify for meeting minimum requirements.

Only transactions in the program contracts executed by the participating firm in its proprietary account(s) are eligible for reduced fees in this program; for the avoidance of doubt EFRP and block trade transactions in the program contracts are eligible for reduced fees. If necessary the participant will achieve the stated fee discount via a rebate that will be paid to the participant's Clearing Member on a monthly basis. Such rebate will be paid after the Clearing Member has provided to the Exchange an accounting of the participant's proprietary trading account volume in the program contracts and demonstrated that a higher fee has been charged. All rebate requests must be provided to Exchange audit personnel by the 7th business day of the subsequent month.

The Member Firm Fee Program shall commence on the first trading day of the program contracts and shall continue through trade date December 31, 202[2]3, or until further notice but in no case for a period to exceed three years. ICE Futures U.S. reserves the right to remove any participant from the Program at its discretion, and to terminate or amend the program terms at any time.

As a qualified representative of the member firm applying to participate in the Program, I hereby certify that the information provided above is true and correct. I hereby acknowledge and understand that ICE Futures U.S., including but not limited to the Market Regulation Department, will be reviewing trading in the proprietary account(s) listed above to determine whether the firm continues to meet the requirements of the Member Firm Fee Program and whether the firm should continue or be renewed as a participant in the Member Firm Fee Program. I authorize ICE Futures U.S. to contact the clearing member of the participating firm from time to time to confirm its continued eligibility for the program and authorize its clearing member to release all trading information related to the proprietary account(s) listed above to ICE Futures U.S.

Signature: _____ **Date:** _____

Printed Name: _____

Title: _____

Telephone Number: _____

E-Mail: _____

Please call Ted Doukas (312.836.6712) or Laura Brandeis (212 323-8874) with questions about the program. The application should be returned to ted.doukas@theice.com.