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Submission No. 22-242
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: Amendments to ICE Biotechnology GTR Index and ICE Semiconductor GTR Index Futures Contracts Market Maker Pool 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 Market Maker Pool 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 Futures U.S.[®], Inc. ICE Biotechnology GTR Index and ICE Semiconductor GTR Index Futures Contracts Market Maker Pool Program

Program Purpose

The purpose of the Program is to incentivize participants to increase screen liquidity in the products listed below; this enhanced liquidity will benefit all participants in the marketplace.

Product Scope

ICE Biotechnology GTR Index Futures and ICE Semiconductor GTR Index Futures

Eligible Participants

IFUS may designate any number of participants in the Program, who may be Exchange members or non-members. To be considered for selection into the Program, potential participants must have demonstrated the ability to trade similar contracts on other products at the time of application.

Program Term

The Program shall end on December 31, 202[2]3, 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

[PARAGRAPH 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.