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# BY ELECTRONIC TRANSMISSION

Submission No. 19-388 December 16, 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+<sup>™</sup> Index Futures Market Maker Program Submission Pursuant to Section 5c(c)(1) of the Act and Regulation 40.6(a)

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 amending the NYSE FANG+ Index Futures Market Maker Program ("Program") as set forth in Exhibit A and extending the Program through December 31, 2020. The Program was initially launched on November 8, 2017 and is currently set to expire on December 31, 2019. The Exchange believes the Program will continue to promote liquidity in NYSE Fang+ Index futures, which were launched in November 2017 and is extending the term an additional year.

The Exchange certifies that the Program 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 amended 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 January 1, 2020, and further certifies that, concurrent with this filing, a redacted 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,

Jasm Turo

Jason V. Fusco Assistant General Counsel Market Regulation

Enc.

## EXHIBIT A

### NYSE FANG+<sup>™</sup> Index Futures Market Maker Program

#### **Program Purpose**

The purpose of the program is to support liquid electronic markets in the covered contract.

#### **Product Scope**

NYSE FANG+ Index futures contract.

#### **Eligible Participants**

The program is open to a maximum of 10 proprietary trading participants who agree to make two-sided markets in the NYSE FANG+ futures contracts.

#### **Program Term**

The term of the Program shall [start on July 1, 2019 and]end on December 31, 20[19]20, 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.

#### **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.