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**BY ELECTRONIC TRANSMISSION**

Submission No. 21-185  
December 16, 2021

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 Micro NYSE FANG+™ Index Futures Contract New Jurisdiction Incentive 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, an amendment extending the term of the NYSE FANG+ Index Futures Contract New Jurisdiction Volume Incentive Program (“Program”), which is set forth in Exhibit A. The MICRO NYSE FANG+ contract was first listed by the Exchange in November 2017 and the market is still growing. The Exchange believes that the Program has helped attract volume and promote liquidity in the product. As such, the Exchange and has decided to extend the Program for an additional year, through December 31, 2022.

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 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, which will become effective on January 1, 2022, 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](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 initial "J" and a long horizontal stroke at the end.

Jason V. Fusco  
Assistant General Counsel  
Market Regulation

Enc.

## **EXHIBIT A**

### **ICE Futures U.S., Inc. NYSE MICRO FANG+™ Index Futures Contract New Jurisdiction 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**

NYSE MICRO FANG+™ Index Futures Contract

#### **Eligible Participants**

IFUS may designate up to five participants in the Program, who are located in a developing region. Participants in the NYSE MICRO FANG+ Market Maker and Exchange Member Programs are not eligible to participate in this program.

#### **Program Term**

The Program term shall end on December 31, 202[4]2, 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 Requirements and 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.