

(C) That are submitted by the parties to the derivatives clearing organization, in accordance with § 23.506 of this chapter;

(D) For which the executing parties have clearing arrangements in place with clearing members of the derivatives clearing organization; and

(E) For which the executing parties identify the derivatives clearing organization as the intended clearinghouse.

(v) *All swaps not executed on a swap execution facility or a designated contract market and submitted for clearing.* A derivatives clearing organization shall have rules that provide that all swaps submitted to the derivatives clearing organization for clearing shall include written documentation that memorializes all of the terms of the transaction and legally supersedes any previous agreement. The confirmation of all terms of the transaction shall take place at the same time as the swap is accepted for clearing.

10. Amend § 39.15 by revising paragraph (d) and adding paragraph (e) to read as follows:

**§ 39.15 Treatment of funds.**

\* \* \* \* \*

(d) *Transfer of customer positions.* A derivatives clearing organization shall have rules providing that, upon the request of a customer and subject to the consent of the receiving clearing member, the derivatives clearing organization will promptly transfer all or a portion of such customer's portfolio of positions and related funds from the carrying clearing member of the derivatives clearing organization to another clearing member of the derivatives clearing organization, without requiring the close-out and re-booking of the positions prior to the requested transfer.

(e) *Permitted investments.* Funds and assets belonging to clearing members and their customers that are invested by a derivatives clearing organization shall be held in instruments with minimal credit, market, and liquidity risks. Any investment of customer funds or assets by a derivatives clearing organization shall comply with § 1.25 of this part, as if all such funds and assets comprise customer funds subject to segregation pursuant to section 4d(a) of the Act and Commission regulations thereunder.

Issued in Washington, DC, on February 24, 2011, by the Commission.

**David A. Stawick,**

*Secretary of the Commission.*

**Note:** The following appendices will not appear in the Code of Federal Regulations

**Appendices to Requirements for Processing, Clearing and Transfer of Customer Positions—Commission Voting Summary and Statements of Commissioners**

**Appendix 1—Commission Voting Summary**

On this matter, Chairman Gensler and Commissioners Dunn, Sommers, Chilton and O'Malia voted in the affirmative; no Commissioner voted in the negative.

**Appendix 2—Statement of Chairman Gary Gensler**

I support the proposed rulemaking regarding straight-through processing because it furthers the goal of expanding access to and strengthening the financial integrity of the swap markets. These proposed regulations would require and establish uniform standards for prompt processing, submission and acceptance for clearing of swaps eligible for clearing. Such uniform standards, similar to the practices in the futures markets, lower risk because they allow market participants to get the prompt benefit of clearing rather than having to first enter into a bilateral transaction that would subsequently be moved into a clearinghouse.

In addition, I support the requirement for prompt and efficient transfer of customer positions from a carrying clearing member of a clearinghouse to another clearing member of the clearinghouse, upon a customer's request. This would promote efficiency and avoid unnecessary delay and market disruption. Furthermore, users of derivatives could get the benefit of greater competition amongst clearing members.

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**SOCIAL SECURITY ADMINISTRATION**

**20 CFR Parts 404, 405, and 416**

[Docket No. SSA-2007-0053]

**Compassionate Allowances for Autoimmune Disease, Office of the Commissioner; Hearing**

**AGENCY:** Social Security Administration.

**ACTION:** Announcement of public hearing.

**SUMMARY:** We developed "Compassionate Allowances" to provide benefits quickly to applicants whose medical conditions obviously meet the definition of disability under the Social Security Act (Act) and can be identified with minimal objective medical information. In December 2007, April 2008, November 2008, July 2009, November 2009, and November 2010, we held Compassionate Allowance public hearings to help us identify the diseases and other serious medical conditions that we should consider

under the Compassionate Allowance process. These hearings concerned rare diseases, cancers, traumatic brain injury and stroke, early-onset Alzheimer's disease and related dementias, schizophrenia, and cardiovascular disease and multiple organ transplants, respectively. We will hold our next hearing on March 16 to address the advisability and possible methods of identifying and implementing compassionate allowances for both adults and children with autoimmune diseases. While the public is welcome to attend the hearing, only scheduled witnesses will present testimony. We plan to address other medical conditions at subsequent hearings.

**DATES:** This hearing will be held on March 16, 2011, between 8:30 a.m. and 5 p.m., Eastern Standard Time (EST), in Baltimore, Maryland. The hearing will be held at the Sheraton Baltimore City Center Hotel in the International Ballroom. The hotel's address is 101 West Fayette St., Baltimore, MD 21201-3703. You may also watch the proceedings live via Webcast beginning at 9 a.m., Eastern Standard Time (EST). You may access the Webcast line for the hearing on the Social Security Administration Web site at <http://www.socialsecurity.gov/compassionateallowances/>.

**ADDRESSES:** You may submit written comments about the compassionate allowances initiative with respect to adults and children with autoimmune diseases, as well as topics covered at the hearing by:

- E-mail addressed to [Compassionate.Allowances@ssa.gov](mailto:Compassionate.Allowances@ssa.gov); or
- Mail to Jamillah Jackson, Deputy Director, Office of Compassionate Allowances and Disability Outreach, ODP, ORDP, Social Security Administration, 4671 Annex Building, 6401 Security Boulevard, Baltimore, Maryland 21235-6401. We welcome your comments, but we may not respond directly to comments sent in response to this notice of hearing.

**FOR FURTHER INFORMATION CONTACT:** [Compassionate.Allowances@ssa.gov](mailto:Compassionate.Allowances@ssa.gov). You may also mail inquiries about this hearing to Jamillah Jackson, Deputy Director, Office of Compassionate Allowances and Disability Outreach, ODP, ORDP, Social Security Administration, 4671 Annex Building, 6401 Security Boulevard, Baltimore, Maryland 21235-6401. For information on eligibility or filing for benefits, call our national toll-free number 1-800-772-1213 or TTY 1-800-325-0778, or visit Social Security online, at <http://www.socialsecurity.gov>.

**SUPPLEMENTARY INFORMATION:**

## Background

Under the disability programs in titles II and XVI of the Act, we pay benefits to individuals who meet our rules for entitlement and have medically determinable physical or mental impairments that are severe enough to meet the statutory definition of disability. The rules for determining disability can be very complicated, but some individuals have such serious medical conditions that their conditions obviously meet our disability standards with minimal objective medical evidence alone. To better address the needs of these individuals, we are looking into ways to allow benefits as quickly as possible based on minimal objective medical information.

## Will we respond to your comments?

We will carefully consider your comments, although we will not respond directly to comments sent in response to this notice or the hearing.

## Additional Hearings

You may access the transcripts of our prior hearings at <http://www.socialsecurity.gov/compassionateallowances/>. We plan to hold additional hearings on other conditions and will announce those hearings with notices in the **Federal Register**.

(Catalog of Federal Domestic Assistance Programs Nos. 96.001, Social Security—Disability Insurance; 96.006, Supplemental Security Income.)

Dated: March 3, 2011.

**Michael J. Astrue,**

*Commissioner of Social Security.*

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## DEPARTMENT OF THE INTERIOR

### Office of Surface Mining Reclamation and Enforcement

#### 30 CFR Part 920

[SATS No. MD-056-FOR; Docket ID: OSM 2010-0008]

#### Maryland Regulatory Program

**AGENCY:** Office of Surface Mining Reclamation and Enforcement (OSM), Interior.

**ACTION:** Proposed rule; extension of comment period and notice of public hearing.

**SUMMARY:** We are reopening and extending the public comment period and will be holding a public hearing on the proposed amendment to the State of

Maryland's approved regulatory program (the "Maryland program") published on January 28, 2011. The comment period is being reopened and extended in order to afford the public more time to comment and to allow enough time to hold a public hearing requested by a representative of the Sierra Club. We are also notifying the public of the date, time, and location for the public hearing. Maryland is proposing to add provisions to its program to regulate coal combustion byproducts (CCBs) and to establish requirements pertaining to the generation, storage, handling, processing, disposal, recycling, beneficial use, or other use of CCBs within the State.

**DATES:** We will accept written comments until 4 p.m., local time on March 28, 2011. The public hearing will be held on March 21, 2011, at 6 p.m. local time.

**ADDRESSES:** You may submit comments, identified by "MD-056-FOR; Docket ID: OSM-2010-0008" by either of the following two methods:

*Federal eRulemaking Portal:* <http://www.regulations.gov>. The proposed rule has been assigned Docket ID: OSM-2010-0008. If you would like to submit comments through the Federal eRulemaking Portal, go to <http://www.regulations.gov> and follow the instructions.

*Mail/Hand Delivery/Courier:* Mr. George Rieger, Chief, Pittsburgh Field Division, Office of Surface Mining Reclamation and Enforcement, Three Parkway Center, Suite 300, Pittsburgh, PA 15220.

*Instructions:* For detailed instructions on submitting comments and additional information on the rulemaking process, see III. Public Comment Procedures in the **SUPPLEMENTARY INFORMATION** section of the proposed rule published on January 28, 2011.

*Public Hearing:* The public hearing will be held at the Annapolis Marriot Waterfront Hotel, 80 Compromise Street, Annapolis, Maryland 21401 on March 21, 2011, at 6 p.m. local time.

**FOR FURTHER INFORMATION CONTACT:** George Rieger, Chief, Pittsburgh Field Division, *Telephone:* (412) 937-2153. *E-mail:* [grieger@osmre.gov](mailto:grieger@osmre.gov).

**SUPPLEMENTARY INFORMATION:** On January 28, 2011, (76 FR 5103) we published a proposed rule that would revise the Maryland program. The revisions would add regulations to the Maryland program to regulate coal combustion byproducts and to establish requirements pertaining to the generation, storage, handling, processing, disposal, recycling,

beneficial use, or other use of coal combustion byproducts (CCB) within the State. In total, these regulations pertain to all CCB activities in the State, not just surface coal mining and reclamation operations. However, a section of the added regulations specifically pertains to surface coal mining and reclamation operations and is proposed to be part of Maryland's federally approved state program. The regulation specific to surface coal mining and reclamation operations has been added as a new regulation, Regulation .08 under COMAR 26.20.24, Special Performance Standards.

Specifically, Maryland's Regulation .08 Utilization of Coal Combustion Byproducts, will include paragraphs A-H on the Purpose and Scope, Conditions for Utilization, and Testing and Monitoring. Additionally, Maryland is adding a Coal Combustion Byproducts Utilization Request requirement that will require a solids analysis of the CCBs and a Toxicity Characteristics Leaching Procedure (TCLP) leachate analysis of the CCBs. Maryland may also impose additional controls or conditions on the use of CCBs as it sees fit for the protection of human health and the environment.

On February 14, 2011, (Administrative Record Number MD-588-010), we received a request from an attorney representing the Maryland Chapter of the Sierra Club to extend the comment period and to hold a public hearing on the amendment. We are granting the request to extend the public comment period to afford the public more time to comment on the amendment and to allow enough time to schedule and hold the hearing. The date, time and location for the public hearing may be found under **DATES** and **ADDRESSES** above.

The hearings will be open to anyone who would like to attend and/or testify. The primary purpose of the public hearing is to obtain your comments on the proposed rule so that we can prepare a complete and objective analysis of the proposal. The purpose of the hearing officer is to conduct the hearing and receive the comments submitted. Comments submitted during the hearing will be responded to in the preamble to the final rule, not at the hearing. We appreciate all comments but those most useful and likely to influence decisions on the final rule will be those that either involve personal experience or include citations to, and analyses of, the Surface Mining Control and Reclamation Act of 1977, its legislative history, its implementing regulations, case law, other State or Federal laws and regulations, data,