

(4) The number and types of market participants;

(5) The bid/ask spread;

(6) The usual number of resting firm or indicative bids and offers;

(7) Whether a designated contract market's trading facility will support trading in the swap; or

(8) Any other factor that the designated contract market may consider relevant.

(c) *Economically equivalent swap.* (1) Upon a determination that a swap is available to trade, all other designated contract markets and swap execution facilities listing or offering for trading such swap and/or any economically equivalent swap, shall make those swaps available to trade for purposes of Section 2(h)(8) of the Commodity Exchange Act.

(2) For purposes of this section, the term "economically equivalent swap" means a swap that the designated contract market or swap execution facility determines to be economically equivalent with another swap after consideration of each swap's material pricing terms.

(d) *Annual review.* (1) A designated contract market shall conduct an annual review and assessment of each swap it has made available to trade to determine whether or not each swap should continue to be available to trade. The annual review shall be conducted at the designated contract market's fiscal year end.

(2) When conducting its review and assessment pursuant to paragraph (d)(1) of this section, a designated contract market shall consider the factors specified in paragraph (b) of this section.

(3) The designated contract market shall provide electronically to the Commission a report of its review and assessment, including any supporting information or data, not more than 30 days after the designated contract market's fiscal year end.

Issued in Washington, DC, on December 5, 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 Process for a Designated Contract Market or Swap Execution Facility To Make a Swap Available To Trade—Commissioners Voting Summary and Statements of Commissioners

Appendix 1—Commissioners Voting Summary

On this matter, Chairman Gensler and Commissioners Chilton, O'Malia and Wetjen

voted in the affirmative; Commissioner Sommers voted in the negative.

Appendix 2—Statement of Chairman Gary Gensler

I support the proposed rule to implement a process for designated contract markets (DCMs) and swap execution facilities (SEFs) to make a swap "available to trade." The Dodd-Frank Wall Street Reform and Consumer Protection Act requires that swaps subject to the clearing requirement be traded on a DCM or SEF, unless no DCM or SEF makes the swap available to trade or the swap transaction is subject to the end-user exception. This proposal will bring transparency to the process for making a swap available to trade on a DCM or SEF. It also will provide appropriate oversight of the process through Commodity Futures Trading Commission review.

[FR Doc. 2011-31646 Filed 12-13-11; 8:45 am]

BILLING CODE 6351-01-P

ARCHITECTURAL AND TRANSPORTATION BARRIERS COMPLIANCE BOARD

36 CFR Parts 1193 and 1194

[Docket No. 2011-07]

RIN 3014-AA37

Telecommunications Act Accessibility Guidelines; Electronic and Information Technology Accessibility Standards

AGENCY: Architectural and Transportation Barriers Compliance Board.

ACTION: Notice of hearing.

SUMMARY: The Architectural and Transportation Barriers Compliance Board (Access Board) will hold two public hearings on its recent Advance Notice of Proposed Rulemaking to update its Telecommunications Act Accessibility Guidelines and its Electronic and Information Technology Accessibility Standards.

DATES: The hearings will be held on the following dates:

1. January 11, 2012, 9 to Noon, Washington, DC.
2. March 1, 2012, 1 to 3 p.m., San Diego, CA.

ADDRESSES: The hearing locations are:

1. Washington, DC: Access Board conference room, 1331 F Street NW., suite 800, Washington, DC 20004.
2. San Diego, CA: Manchester Grand Hyatt Hotel, One Market Place, San Diego, CA 92101.

FOR FURTHER INFORMATION CONTACT: Tim Creagan, Office of Technical and Information Services, Architectural and Transportation Barriers Compliance Board, 1331 F Street NW., suite 1000,

Washington, DC 20004-1111.

Telephone number: (202) 272-0016 (voice); (202) 272-0074 (TTY).

Electronic mail address:

creagan@access-board.gov.

SUPPLEMENTARY INFORMATION: On December 8, 2011, the Access Board published an advance notice of proposed rulemaking in the **Federal Register** to continue the process of updating its guidelines for telecommunications equipment covered by Section 255 of the Telecommunications Act of 1996 and its standards for electronic and information technology covered by Section 508 of the Rehabilitation Act Amendments of 1998. 76 FR 76640 (December 8, 2011).

The comment period for the advance notice closes on March 7, 2012. The Board will hold two public hearings during the comment period. The first hearing will be in Washington, DC in the Access Board's conference room at 1331 F Street NW., suite 800, Washington, DC 20004. The second hearing will be held in conjunction with the 27th Annual International Technology and Persons with Disabilities Conference (CSUN Conference) in San Diego, CA at the Manchester Grand Hyatt Hotel, One Market Place, San Diego, CA 92101.

The hearing locations are accessible to individuals with disabilities. Sign language interpreters and real-time captioning will be provided. For the comfort of other participants, persons attending the hearings are requested to refrain from using perfume, cologne, and other fragrances. To pre-register to testify, please contact Kathy Johnson at (202) 272-0041, (202) 272-0082 (TTY), or johnson@access-board.gov. More information and any updates to the hearings will be posted on the Access Board's Web site at <http://www.access-board.gov/508.htm>.

David M. Capozzi,

Executive Director.

[FR Doc. 2011-32020 Filed 12-13-11; 8:45 am]

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