

Commission does not edit personal identifying information from submissions. You should submit only information that you wish to make available publicly. All submissions should refer to File Number SR-EDGX-2010-17 and should be submitted on or before January 13, 2011.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.¹²

Florence E. Harmon,
Deputy Secretary.

[FR Doc. 2010-32286 Filed 12-22-10; 8:45 am]

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SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-63567; File No. SR-DTC-2010-14]

Self-Regulatory Organizations; The Depository Trust Company; Order Granting Approval of a Proposed Rule Change To Authorize Additional Shares of Preferred Stock and Designate Shares as Series A Preferred Stock

December 16, 2010.

I. Introduction

On October 22, 2010, The Depository Trust Company (“DTC”) filed with the Securities and Exchange Commission (“Commission”) proposed rule change SR-DTC-2010-11 pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (“Act”).¹ Notice of the proposal was published in the **Federal Register** on November 12, 2010.² The Commission received no comment letters. For the reasons discussed below, the Commission is granting approval of the proposed rule change.

II. Description

In 1999, DTC’s Certificate of Organization was amended (“1999 Amendment”) to provide for the authorization and issuance of 1,500,000 shares of preferred stock, par value \$100 per share.³ The 1999 Amendment also provided that the preferred stock could be issued in one or more classes having such designations, relative rights, preferences, or limitation as fixed by the

Board of Directors of DTC at the time of issuance of any such preferred stock. DTC’s Certificate of Organization has been amended three times since the 1999 Amendment to provide for the issuance of variable rate, noncumulative, nonvoting shares of Series A preferred stock, par value \$100 per shares, which are preferred over DTC’s common stock as to dividends and in the event of liquidation (“Series A Preferred Stock”). The first such amendment (filed in 2000) provided for the issuance of 750,000 shares of the Series A Preferred Stock.⁴ The second amendment (filed in 2006) provided for the issuance of an additional 500,000 shares of Series A Preferred Stock.⁵ The third amendment (filed in 2009) provided for the issuance of an additional 250,000 shares of Series A Preferred Stock.⁶

DTC participants are required to purchase and own shares of the Series A Preferred Stock in proportion to their use of DTC services. DTC treats the Series A Preferred Stock held by participants substantially the same as it treats the mandatory cash deposits made by participants to the Participants Fund for purposes of collateralizing securities transactions, limiting net debit positions, implementing default procedures, and allocating unrecovered losses.

In order to further increase its capital, DTC is amending its Certificate of Organization⁷ to authorize an additional 1,750,000 shares of Series A Preferred stock with such rights, preferences, and limitations as currently provided in its Certificate of Organization.⁸

⁴ Securities Exchange Release No. 43197 (August 23, 2000), 65 FR 52459 (August 29, 2000) [File No. SR-DTC-2000-02].

⁵ Securities Exchange Act Release No. 54775 (November 17, 2006), 71 FR 68662 (November 27, 2006) [SR-DTC-2006-14].

⁶ Securities Exchange Act Release No. 59612 (March 20, 2009), 74 FR 13488 (March 27, 2009) [File No. SR-DTC-2009-06].

⁷ On October 20, 2010, DTC’s sole stockholder, The Depository Trust & Clearing Corporation, authorized DTC to amend its Certificate of Organization to increase the number of shares of authorized preferred stock, as required by Section 8003 of the Banking Law of the State of New York. DTC is also required to seek approval from the New York State Banking Department, which concurrent with the filing of this proposed rule change, it has done.

⁸ DTC, as a member institution of the Federal Reserve System, is subject to capital guidelines issued by the Board of Governors of the Federal Reserve System. To be considered “well-capitalized” under these guidelines, DTC must, among other things, maintain a Total Risk-Based Capital Ratio of at least 10%, a Leverage Ratio of at least 5%, and a Tier 1 Risk-Based Capital Ratio of at least 6%.

The authorization and issuance of this additional 1,750,000 shares will increase the number of shares

III. Discussion

Section 17A(b)(3)(F) of the Act requires that the rules of a clearing agency be designed to, among other things, assure the safeguarding of securities and funds which are in the custody or control of the clearing agency or for which it is responsible and to protect investors and the public interest.⁹ The Commission believes that the rule change is consistent with DTC’s obligations under the Exchange Act because the rule change will enable DTC to be “well capitalized” while not adversely affecting its ability to adequately safeguard the securities and funds in its custody or control or for which it is responsible.

IV. Conclusion

On the basis of the foregoing, the Commission finds that the proposed rule change is consistent with the requirements of the Act and in particular with the requirements of Section 17A of the Act and the rules and regulations thereunder.

It is therefore ordered, pursuant to Section 19(b)(2) of the Act, that the proposed rule change (File No. SR-DTC-2010-14) be and hereby is approved.

For the Commission by the Division of Trading and Markets, pursuant to delegated authority.¹⁰

Florence E. Harmon,
Deputy Secretary.

[FR Doc. 2010-32225 Filed 12-22-10; 8:45 am]

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SMALL BUSINESS ADMINISTRATION

[Disaster Declaration #12418 and #12419]

U.S. Virgin Islands Disaster #VI-00006

AGENCY: U.S. Small Business Administration.

ACTION: Notice.

SUMMARY: This is a notice of an Administrative declaration of a disaster for the U.S. Virgin Islands dated 12/15/2010.

Incident: Tropical Storm Tomas.
Incident Period: 11/08/2010 through 11/12/2010.

Effective Date: 12/15/2010.
Physical Loan Application Deadline Date: 02/14/2011.

Economic Injury (EIDL) Loan Application Deadline Date: 09/15/2011.

of Series A Preferred Stock to a total of 3,250,000 shares with a total par value of \$325 million. This will enable DTC to continue to be “well capitalized” under the capital guidelines issued by the Board of Governors of the Federal Reserve System.

⁹ 15 U.S.C. 78q-1(b)(3)(F).

¹⁰ 17 CFR 200.30-3(a)(12).

¹² 17 CFR 200.30-3(a)(12).

¹ 15 U.S.C. 78s(b)(1).

² Securities Exchange Act Release No. 63254 (November 5, 2010), 75 FR 69514 (November 12, 2010).

³ The amendment was the subject of a DTC proposed rule change approved by the Commission. Securities Exchange Act No. 34-41529 (June 15, 1999), 64 FR 33333 (June 22, 1999) [File No. SR-DTC-1999-08]. The amendment was also approved by the New York State Superintendent of Banks.

ADDRESSES: Submit completed loan applications to: U.S. Small Business Administration, Processing and Disbursement Center, 14925 Kingsport Road, Fort Worth, TX 76155.

FOR FURTHER INFORMATION CONTACT: A. Escobar, Office of Disaster Assistance, U.S. Small Business Administration, 409 3rd Street, SW., Suite 6050, Washington, DC 20416.

SUPPLEMENTARY INFORMATION: Notice is hereby given that as a result of the Administrator's disaster declaration, applications for disaster loans may be filed at the address listed above or other locally announced locations.

The following areas have been determined to be adversely affected by the disaster:

Primary Island: Saint Croix.

The Interest Rates are:

	Percent
For Physical Damage:	
Homeowners With Credit Available Elsewhere	4.500
Homeowners Without Credit Available Elsewhere	2.250
Businesses With Credit Available Elsewhere	6.000
Businesses Without Credit Available Elsewhere	4.000
Non-Profit Organizations With Credit Available Elsewhere ...	3.250
Non-Profit Organizations Without Credit Available Elsewhere	3.000
For Economic Injury:	
Businesses & Small Agricultural Cooperatives Without Credit Available Elsewhere	4.000
Non-Profit Organizations Without Credit Available Elsewhere	3.000

The number assigned to this disaster for physical damage is 12418 B and for economic injury is 12419 0.

(Catalog of Federal Domestic Assistance Numbers 59002 and 59008)

The Island which received an EIDL Declaration # is Saint Croix.

Dated: December 15, 2010.

Karen G. Mills,
Administrator.

[FR Doc. 2010-32338 Filed 12-22-10; 8:45 am]

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DEPARTMENT OF STATE

[Public Notice: 7273]

Bureau of Educational and Cultural Affairs (ECA) Request for Grant Proposals: English Language Materials Training and Development Program

Announcement Type: New Cooperative Agreement.

Funding Opportunity Number: ECA/A/L-11-02.

Catalog of Federal Domestic Assistance Number: 19.421.

Key Dates: Application Deadline: March 15, 2011.

Executive Summary: The Office of English Language Programs of the Bureau of Educational and Cultural Affairs (ECA/A/L) announces an open competition for the English Language Materials Training and Development Program, including a U.S. exchange component in summer, 2012. U.S. public and private universities with a graduate TEFL program meeting the provisions described in Internal Revenue Code section 26 U.S.C. 501(c)(3) may submit proposals to implement the program that will include the following: 1. A needs assessment for English language instructional materials abroad; 2. an rigorous, online academic program in materials development for 26 international participants; 3. a three-week, U.S. exchange program for the same 26 participants including materials development training; 4. the revision of at least three products/publications presently in the ECA/A/L materials catalogue and the development of at least three new products/publications. More detailed information about each of these four components of this cooperative agreement are detailed in the Program Objectives, Goals, and Implementation (POGI). Funding is pending the availability of FY-2011 funds.

For the needs assessment for English language instructional materials, the proposal should include a detailed plan for the recipient organization to perform a needs assessment among English language learners and instructors outside the U.S., including present and past participants in ECA/A/L programs as well as the Regional English Language Officers (RELOs), the corps of State Department Specialist Foreign Service Officers based around the world. The objective of the materials needs assessment will be to identify instructional materials preferences and needs of learners and instructors of English. This information will serve to inform the development and

implementation of the other components of this program.

For the online program in materials development, proposals must outline and demonstrate an ability to produce an online program that blends various social media and web-based technologies to provide professional development opportunities on materials assessment, review, adaptation and development to approximately twenty-six foreign participants. The participants will be selected by ECA/A/L in consultation with the RELOs. Participants will be: citizens of the country in which they reside; university degree holders, preferably at the graduate level in the fields of TEFL or Applied Linguistics; employed in a position which includes substantive responsibilities in the area of materials assessment, adaptation, development, or closely related area; in positions of authority with regard to the adaptation, development and use of instructional materials at the institutional, regional, and/or national levels; and professionally proficient in English. The online program must commence at least ten weeks before the U.S. exchange and include at least five sessions after completion of the U.S. exchange. The program must also incorporate existing ECA/A/L materials, drafts of revised materials, and new products/publications as illustrations throughout the online program.

For the U.S. university-based Exchange component, the recipient will develop and implement a workshop in the U.S. for the twenty-six English language teaching professionals who have been participating in online program. The four-week U.S. Exchange should be implemented in July of 2012 and include an orientation to the U.S.; an intensive program on materials assessment, adaptation, review and development; cultural and community service activities; and a three day briefing in Washington, DC at the conclusion of the exchange component. The Washington, DC briefing should familiarize participants with ECA and other relevant bureaus within the State Department, allow participants to meet with English language materials developers from Washington, DC, and provide an opportunity for participants to share their materials development program development plans. Participants will be encouraged to develop a materials development program to implement in their home countries following the exchange program. The proposal should include a detailed plan for the content, administration, and implementation of the U.S. exchange.