

DATES: To be sure your comments are considered, we must receive them by July 8, 2003.

ADDRESSES: You may give us your comments using our Internet site facility (*i.e.*, Social Security Online) at: <http://policy.ssa.gov/pnpublic.nsf/LawsRegs>; e-mail to regulations@ssa.gov; telefax to (410) 966-2830; or, by letter to the Commissioner of Social Security, P.O. Box 17703, Baltimore, Maryland 21235-7703. You may also deliver them to the Office of Regulations, Social Security Administration, 100 Altmeyer Building, 6401 Security Boulevard, Baltimore, Maryland 21235-6401, between 8 a.m. and 4:30 p.m. on regular business days. Comments are posted in our Internet site at <http://policy.ssa.gov/pnpublic.nsf/LawsRegs>, or you may inspect them on regular business days by making arrangements with the contact person shown in this preamble.

Electronic Version: The electronic file of this document is available on the date of publication in the **Federal Register** at http://www.access.gpo.gov/su_docs/aces/aces140.html. It is also available on the Internet site for SSA (*i.e.*, Social Security Online): <http://www.ssa.gov/regulations/>.

FOR FURTHER INFORMATION CONTACT:

Suzanne DiMarino, 100 Altmeyer Building, 6401 Security Boulevard, Baltimore, Maryland 21235-6401, (410) 965-1769 or TTY (410) 966-5609. 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 our Internet Web site, Social Security Online, at www.ssa.gov.

SUPPLEMENTARY INFORMATION:

What Is the Purpose of This Notice?

We are planning to update and revise the rules that we use to evaluate immune system disorders of adults and children who apply for, or receive, disability benefits under title II and Supplemental Security Income (SSI) payments based on disability under title XVI of the Act. The purpose of this notice is to give you an opportunity to send us comments and suggestions for updating and revising those rules as we begin the rulemaking process. We are also asking for your comments and ideas about how we can improve our disability programs in the future for people with immune system disorders.

Who Should Send Us Comments and Suggestions?

We invite comments and suggestions from anyone who has an interest in the rules we use to evaluate claims for

benefits filed by people who have immune system disorders. We are interested in getting comments and suggestions from people who apply for or receive benefits from us, members of the general public, advocates and organizations who advocate for people who have immune system disorders, experts in the evaluation of immune system disorders, researchers, people who make disability determinations for us, and any other people who may have ideas for us to consider.

Will We Respond to Your Comments from This Notice?

No, we will not respond directly to comments you send us because of this notice. However, after we consider your comments in response to this notice, along with other information such as medical research and our program experience, we will decide how to revise the rules we use to evaluate immune system disorders. When we propose specific revisions to the rules, we will publish an NPRM in the **Federal Register**. In accordance with the usual rulemaking procedures we follow, you will have a chance to comment on the revisions we propose when we publish the NPRM, and we will summarize and respond to the significant comments on the NPRM in the preamble to any final rules.

Which Rules Are We Considering for Updating and Revising?

We are considering two sections of our listings for revision, sections 14.00 and 114.00. These are the listings for immune disorders for adults (Part A, 14.00) and children (Part B, 114.00). It includes such disorders as HIV infection, other Immunoglobulin deficiency syndromes or deficiencies of cell-mediated immunity, Systemic Lupus Erythematosus, Scleroderma, Polymyositis, Inflammatory Arthritis, and other connective tissue disorders.

Where Can You Find These Rules on the Internet?

You can find these rules on our Internet site at these locations:

- Sections 14.00 and 114.00 are in the Listing of Impairments in appendix 1 to subpart P of part 404 of our regulations at: http://www.ssa.gov/OP_Home/cfr20/404/404-ap09.htm.

- You can also look up sections 14.00 and 114.00 at: <http://www.ssa.gov/disability/professionals/bluebook/>.

- If you do not have Internet access, you can find the Code of Federal Regulations in some public libraries, Federal depository libraries, and public law libraries.

Why Are We Updating and Revising Our Rules for Evaluating Immune System Disorders?

- The current listings for immune system disorders for adults (14.00) and children (114.00) will no longer be in effect on July 2, 2003, unless we extend them or revise and promulgate them again, so we must consider now whether to update and revise them.

We published final rules on July 2, 1993, which established body system listings in part A and part B of the listings for immune system disorders (58 FR 36008). We made those rules effective for five years from the date of publication, unless we extended them, or revised and issued them again (58 FR 36051). Since that time, we have extended the expiration date of the immune body system listings. Most recently, on June 28, 2001, we published rules that extended the effective date of the current immune system listings until July 2, 2003 (66 FR 34361). Although we published final rules in the **Federal Register** revising some of the immune system listings on November 19, 2001 (66 FR 58009), we have not comprehensively revised them since 1993.

We will be considering information from many sources, including the following recent documents, for relevance to our policy for evaluating immune system diseases.

- Kippel, J., Weyand, C., & Wortmann, R. (Eds.). (1997). *Primer on the Rheumatic Diseases*, (11th ed.). Atlanta: Arthritis Foundation.

- Davidson, A. & Diamond, B. (2001). *Autoimmune Diseases*. *The New England Journal of Medicine*, 345(5), 1-21.

- Marmont, A. (2000). *New Horizons in the Treatment of Autoimmune Diseases: Immunoablation and Stem Cell Transplantation*. *Annual Reviews*, 51, 115-134.

- Nash, R.A. (2000). *Prospects of Stem Cell Transplantation in Autoimmune Diseases*. *Journal of Clinical Immunology*, 20(1), 38-45.

- Sicherer, S.H. (*et al.*). (1998). *Primary Immunodeficiency Diseases in Adults*. *Journal of American Medical Association*, 279:58.

What Should You Comment About?

We are interested in any comments and suggestions you have for revising sections 14.00 and 114.00 of our listings. For example, with regard to our listings, we are interested in knowing if:

- You have concerns about any of the current listings provisions for adults or children; such as whether you think we should change any of our criteria or