Allocation of the Low-Income Housing Credit," and attaching a copy of this schedule to Form 8610. "Annual Low-Income Housing Credit Agencys Report," for the year the correction is made. The Agency will indicate on the schedule that it is making the "correction under § 1.42±13(b)(3)(vii)."

For a carryover allocation made before January 1, 2000, the Agency must complete Schedule A (Form 8610) and indicate on the schedule that it is making the "correction under § 1.42±13(b)(3)(vii)";

(C) Amending, if applicable, the Form 8609 and attaching the original of this amended form to Form 8610 for the year the correction is made. The Agency will indicate on the Form 8609 that it is making the "correction under § 1.42±13(b)(3)(vii)"; and

(D) Mailing or otherwise delivering a copy of any amended allocation document and any amended Form 8609 to the affected taxpayer.

(vii) Other approval procedures. The Secretary may grant automatic approval to correct other administrative errors or omissions as designated in one or more documents published either in the Federal Register or in the Internal Revenue Bulletin (see § 601.601(d)(2) of this chapter).

* * * * *

(d) * * * Paragraphs (b)(3)(vi), (vii), and (viii) of this section are effective January 14, 2000.

Par. 7. Section 1.42±17 is added to read as follows:

§ 1.42±17 Qualified allocation plan.

(1) In general. The financial determinations and certifications required under paragraph (a)(3) of this section must be made as of the following times—

(A) The time of the application for the housing credit dollar amount;

(B) The time of the allocation of the housing credit dollar amount; and

(C) The date the building is placed in service.

(ii) Time limit for placed-in-service evaluation. For purposes of paragraph (a)(4)(i)(C) of this section, the evaluation for when a building is placed in service must be made not later than the date the Agency issues the Form 8609, "Low-Income Housing Credit Allocation Certification." The Agency must evaluate all sources and uses of funds under paragraph (a)(3) of this section paid, incurred, or committed by the taxpayer for the project up until date the Agency issues the Form 8609.

(5) Special rule for final determinations and certifications. For the Agency's evaluation under paragraph (a)(4)(i)(C) of this section, the taxpayer must submit a schedule of project costs. Such schedule is to be prepared on the method of accounting used by the taxpayer for federal income tax purposes, and must detail the project's total costs as well as those costs that may qualify for inclusion in eligible basis under section 42(d). For projects with more than 10 units, the schedule of project costs must be accompanied by a Certified Public Accountant's audit report on the schedule (an Agency may require an audited schedule of project costs for projects with fewer than 11 units). The CPA's audit must be conducted in accordance with generally accepted auditing standards. The auditor's report must be unqualified.

(b) Effective date. This section is effective on January 1, 2001.

PART 602—OMB CONTROL NUMBERS UNDER THE PAPERWORK REDUCTION ACT

(a) Authority. The authority citation for part 602 continues to read as follows:


Par. 9. In § 602.101, paragraph (b) is amended by revising the entry for 1.42–5 and adding an entry for 1.42–17 to the table in numerical order to read as follows:

§ 602.101 OMB control numbers.

<table>
<thead>
<tr>
<th>Current OMB control No.</th>
</tr>
</thead>
<tbody>
<tr>
<td>* * * * * *</td>
</tr>
<tr>
<td>1.42–5 ..................</td>
</tr>
<tr>
<td>* * * * * *</td>
</tr>
<tr>
<td>1.42–17 ..................</td>
</tr>
<tr>
<td>* * * * * *</td>
</tr>
</tbody>
</table>

Robert E. Wenzel,
Acting Commissioner of Internal Revenue.


Jonathan Talisman,
Acting Assistant Secretary of the Treasury.

[FR Doc. 00–111 Filed 1–13–00; 8:45 am]

BILLING CODE 4830–01–P

PENSION BENEFIT GUARANTY CORPORATION

29 CFR Part 4044

Allocation of Assets in Single-Employer Plans; Interest Assumptions for Valuing Benefits

AGENCY: Pension Benefit Guaranty Corporation.
ACTION: Final rule.

SUMMARY: The Pension Benefit Guaranty Corporation’s regulation on Allocation of Assets in Single-Employer Plans prescribes interest assumptions for valuing benefits under terminating single-employer plans. This final rule amends the regulation to adopt interest assumptions for plans with valuation dates in February 2000. Interest assumptions are also published on the PBGC’s web site (http://www.pbgc.gov).

EFFECTIVE DATE: February 1, 2000.

FOR FURTHER INFORMATION CONTACT: Harold J. Ashner, Assistant General Counsel, Office of the General Counsel, Pension Benefit Guaranty Corporation, 1200 K Street, NW., Washington, DC 20005, 202–326–4024. (For TTY/TDD users, call the Federal relay service toll-free at 1–800–877–8339 and ask to be connected to 202–326–4024.)


Among the actuarial assumptions prescribed in part 4044 are interest assumptions. These interest assumptions are intended to reflect current conditions in the financial and annuity markets.

Two sets of interest assumptions are prescribed, one set for the valuation of benefits to be paid as annuities and one set for the valuation of benefits to be paid as lump sums. This amendment adds to appendix B to part 4044 the annuity and lump sum interest assumptions for valuing benefits in plans with valuation dates during February 2000.

For annuity benefits, the interest assumptions will be 7.10 percent for the first 25 years following the valuation date and 6.25 percent thereafter. The annuity interest assumptions represent an increase (from those in effect for January 2000) of 0.25 percent for the first 25 years following the valuation date and are otherwise unchanged.

For benefits to be paid as lump sums, the interest assumptions to be used by the PBGC will be 5.25 percent for the period during which a benefit is in pay status, 4.50 percent during the seven-year period directly preceding the benefit’s placement in pay status, and 4.00 percent during any other years preceding the benefit’s placement in pay status. The lump sum interest assumptions represent an increase (from those in effect for January 2000), of 0.25 percent for the period during which a benefit is in pay status and for the seven-year period directly preceding the benefit’s placement in pay status; they are otherwise unchanged.

The PBGC has determined that notice and public comment on this amendment are impracticable and contrary to the public interest. This finding is based on the need to determine and issue new interest assumptions promptly so that the assumptions can reflect, as accurately as possible, current market conditions.

Because of the need to provide immediate guidance for the valuation of benefits in plans with valuation dates during February 2000, the PBGC finds that good cause exists for making the assumptions set forth in this amendment effective less than 30 days after publication.

The PBGC has determined that this action is not a “significant regulatory action” under the criteria set forth in Executive Order 12866.

Because no general notice of proposed rulemaking is required for this amendment, the Regulatory Flexibility Act of 1980 does not apply. See 5 U.S.C. 601(2).

List of Subjects in 29 CFR Part 4044

Pension insurance, Pensions.

In consideration of the foregoing, 29 CFR part 4044 is amended as follows:

PART 4044—ALLOCATION OF ASSETS IN SINGLE-EMPLOYER PLANS

1. The authority citation for part 4044 continues to read as follows:

Authority: 29 U.S.C. 1301(a), 1302(b)(3), 1341, 1344, 1362.

2. In appendix B, a new entry is added to Table I, and Rate Set 76 is added to Table II, as set forth below. The introductory text of each table is republished for the convenience of the reader and remains unchanged.

Appendix B to Part 4044—Interest Rates Used to Value Annuities and Lump Sums

<table>
<thead>
<tr>
<th>TABLE I.—ANNUITY VALUATIONS</th>
</tr>
</thead>
<tbody>
<tr>
<td>[This table sets forth, for each indicated calendar month, the interest rates (denoted by (i_t), (i_{t-1}), * * *, and referred to generally as (i_t)) assumed to be in effect between specified anniversaries of a valuation date that occurs within that calendar month; those anniversaries are specified in the columns adjacent to the rates. The last listed rate is assumed to be in effect after the last listed anniversary date.]</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>For valuation dates occurring in the month—</th>
<th>The values of (t) are</th>
</tr>
</thead>
<tbody>
<tr>
<td>February 2000 ........................................</td>
<td>(0.0710) for (t = 1-25)</td>
</tr>
</tbody>
</table>
I. Background on the Arkansas Plan

On May 2, 1983, the Secretary of the Interior approved the Arkansas plan. You can find background information on the Arkansas plan, including the Secretary’s findings, the disposition of comments, and the approval of the plan in the May 2, 1983, Federal Register (48 FR 19710). You can find later actions on the Arkansas plan at 30 CFR 904.25 and 904.26.

II. Submission of the Proposed Amendment

By letter dated September 22, 1999 (Administrative Record No. AAML-28), Arkansas sent us an amendment to its plan pursuant to SMCRA. Arkansas sent the amendment in response to our letter dated September 8, 1999 (Administrative Record No. AAML-27.07).

We announced receipt of the amendment in the October 18, 1999, Federal Register (64 FR 56179). In the same document, we opened the public comment period and provided an opportunity for a public hearing on the adequacy of Arkansas’ amendment. The public comment period closed on November 17, 1999. Because no one requested a public hearing or meeting, we did not hold one.

III. Director’s Findings

Following, under SMCRA and the Federal regulations at 30 CFR 884.14 and 884.15, is our finding concerning the amendment.

IV. Summary and Disposition of Comments

Public Comments

We asked for public comments on the amendment, but did not receive any.

Federal Agency Comments

Under 30 CFR 884.14(a)(2) and 884.15(a), we requested comments on the amendment from various Federal agencies with an actual or potential interest in the Arkansas plan (Administrative Record Nos. AAML-28.03). We received a comment from the U.S. Army Corps of Engineers dated November 5, 1999 (Administrative Record No. AAML-28.06), stating that...