29 CFR Part 4022
Pension insurance; Pensions, Reporting and recordkeeping requirements.

In consideration of the foregoing, 29 CFR parts 4011 and 4022 are amended as follows:

PART 4011—DISCLOSURE TO PARTICIPANTS

1. The authority citation for part 4011 continues to read as follows:


2. Appendix B to part 4011 is amended by adding a new entry in numerical order to the table to read as follows.

APPENDIX B TO PART 4011—TABLE OF MAXIMUM GUARANTEED BENEFITS

<table>
<thead>
<tr>
<th>If a plan terminates in—</th>
<th>Age 65 Monthly</th>
<th>Age 65 Annual</th>
<th>Age 62 Monthly</th>
<th>Age 62 Annual</th>
<th>Age 60 Monthly</th>
<th>Age 60 Annual</th>
<th>Age 55 Monthly</th>
<th>Age 55 Annual</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2005</td>
<td>$3,801.14</td>
<td>$45,613.68</td>
<td>$3,002.90</td>
<td>$36,034.80</td>
<td>$2,470.74</td>
<td>$29,648.88</td>
<td>$1,710.51</td>
<td>$20,526.12</td>
</tr>
</tbody>
</table>

PART 4022—BENEFITS PAYABLE IN TERMINATED SINGLE-EMPLOYER PLANS

3. The authority citation for Part 4022 continues to read as follows:

Authority: 29 U.S.C. 1302, 1322, 1322b, 1341(c)(3)(D), and 1344.

4. Appendix D to part 4022 is amended by adding a new entry to the table to read as follows. The introductory text is reproduced for the convenience of the reader and remains unchanged.

Appendix D to Part 4022—Maximum Guaranteeable Monthly Benefit

The following table lists by year the maximum guaranteeable benefit payable in the form of a life annuity commencing at age 65 as described by §4022.22(b) to a participant in a plan that terminated in that year:

<table>
<thead>
<tr>
<th>Year</th>
<th>Maximum guaranteeable monthly benefit</th>
</tr>
</thead>
<tbody>
<tr>
<td>2005</td>
<td>$3,801.14</td>
</tr>
</tbody>
</table>

Issued in Washington, DC, this 23rd day of November, 2004.

Joseph H. Grant,
Deputy Executive Director and Chief Operating Officer, Pension Benefit Guaranty Corporation.

[FR Doc. 04–26428 Filed 11–30–04; 8:45 am]

BILLING CODE 7708–01–P
expected retirement age based on both the earliest age a participant could retire under the plan and the unreduced retirement age. This expected retirement age is used to compute the value of the early retirement benefit and the probability that the participant will elect early retirement.

This document amends Appendix D to replace Table I–04 with Table I–05 in order to provide an updated correlation, appropriate for calendar year 2005, between the amount of a participant’s benefit and the probability that the participant will elect early retirement. Table I–05 will be used to value benefits in plans with valuation dates during calendar year 2005.

The PBGC has determined that notice of and public comment on this rule are impracticable and contrary to the public interest. Plan administrators need to be able to estimate accurately the value of plan benefits as early as possible before initiating the termination process. For that purpose, if a plan has a valuation date in 2005, the plan administrator needs the updated table being promulgated in this rule. Accordingly, the public interest is best served by issuing this table expeditiously, without an opportunity for notice and comment, to allow as much time as possible to estimate the value of plan benefits with the proper table for plans with valuation dates in early 2005.

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 rule making is required for this regulation, the Regulatory Flexibility Act of 1980 does not apply (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—[AMENDED]

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. Appendix D to part 4044 is amended by removing Table I–04 and adding in its place Table I–05 to read as follows:

Appendix D to Part 4044—Tables Used To Determine Expected Retirement Age

![Table I–05](image)

**LIBRARY OF CONGRESS**

**Copyright Office**

37 CFR Part 253

[Docket No. 2004–8 CARP NCBRA]

Cost of Living Adjustment for Performance of Musical Compositions by Colleges and Universities

**AGENCY:** Copyright Office, Library of Congress.

**ACTION:** Final rule.

**SUMMARY:** The Copyright Office of the Library of Congress announces a cost of living adjustment of 3.2% in the royalty rates paid by colleges, universities, or other nonprofit educational institutions that are not affiliated with National Public Radio for the use of copyrighted published nondramatic musical compositions in the BMI, ASCAP and SESAC repertoires. The cost of living adjustment is based on the change in the Consumer Price Index from October, 2003 to October, 2004.

**DATES:** January 1, 2005.

**FOR FURTHER INFORMATION CONTACT:** Tanya M. Sandros, Associate General Counsel, Copyright Arbitration Royalty Panel, P.O. Box 70977, Southwest Station, Washington, D.C. 20024. Telephone: (202) 707–8380. Telefax: (202) 252–3423.

**SUPPLEMENTARY INFORMATION:** Section 118 of the Copyright Act, 17 U.S.C., creates a compulsory license for the use of published nondramatic musical works and published pictorial, graphic, and sculptural works in connection with noncommercial broadcasting. Terms and rates for this compulsory license, applicable to parties who are...