Corporation
PBGC
assumptions are also published on the
dates in February 2008. Interest
employer plans. This final rule amends
benefits under terminating single-
Plans prescribe interest
Payable in Terminated Single-
Employer Plans; Allocation of Assets in
TERMINATED SINGLE-EMPLOYER
contracts. For further information contact:
Catherine B. Klion, Manager, Regulatory
and Policy Division, Legislative and
Regulatory Department, Pension Benefit
Guaranty Corporation, 1200 K Street,
NW., Washington, DC 20005, 202–326–
4024. (TTY/TDD users may call the
Federal relay service toll-free at 1–800–
877–8339 and ask to be connected to
202–326–4024.)
SUPPLEMENTARY INFORMATION: The
PBGC’s regulations prescribe actuarial
assumptions—including interest
assumptions—for valuing and paying
plan benefits of terminating single-
employer plans covered by title IV of
the Employee Retirement Income
Security Act of 1974. The interest
assumptions are intended to reflect
current conditions in the financial and
annuity markets.
Three sets of interest assumptions are
prescribed: (1) A set for the valuation of
benefits for allocation purposes under
section 4044 (found in Appendix B to
Part 4044), (2) a set for the PBGC to use
to determine whether a benefit is
payable as a lump sum and to determine
lump-sum amounts to be paid by the
PBGC (found in Appendix B to Part
4022), and (3) a set for private-sector
pension practitioners to refer to if they
wish to use lump-sum interest rates
determined using the PBGC’s historical
methodology (found in Appendix C to
Part 4022).
This amendment (1) adds to
Appendix B to Part 4044 the interest
assumptions for valuing benefits for
allocation purposes in plans with
valuation dates during February 2008,
(2) adds to Appendix B to Part 4022 the
interest assumptions for the PBGC to
use for its own lump-sum payments in
plans with valuation dates during
February 2008, and (3) adds to
Appendix C to Part 4022 the interest
assumptions for private-sector pension
practitioners to refer to if they wish to
use lump-sum interest rates determined
using the PBGC’s historical
methodology for valuation dates during
February 2008.
For valuation of benefits for allocation
purposes, the interest assumptions that
the PBGC will use (set forth in
Appendix B to part 4044) will be 5.50
percent for the first 20 years following
the valuation date and 4.57 percent
thereafter. These interest assumptions
represent an increase (from those in
effect for January 2008) of 0.08 percent
for the first 20 years following the
valuation date and 0.08 percent for all
years thereafter.
The interest assumptions that the
PBGC will use for its own lump-sum
payments (set forth in Appendix B to
part 4022) will be 3.25 percent for the
period during which a benefit is in pay
status and 4.00 percent during any years
preceding the benefit’s placement in pay
status. These interest assumptions
represent an increase (from those in
effect for January 2008) of 0.25% in the
immediate rate and are otherwise
unchanged. For private-sector
payments, the interest assumptions (set
forth in Appendix C to part 4022) will
be the same as those used by the PBGC
for determining and paying lump sums
(set forth in Appendix B to part 4022).
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 current
market conditions as accurately as
possible.
Because of the need to provide
immediate guidance for the valuation
and payment of benefits in plans with
valuation dates during February 2008,
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
29 CFR Part 4022
Employee benefit plans, Pension
insurance, Pensions, Reporting and
recordkeeping requirements.
29 CFR Part 4044
Employee benefit plans, Pension
insurance, Pensions.
In consideration of the foregoing, 29
CFR parts 4022 and 4044 are amended
as follows:
PART 4022—BENEFITS PAYABLE IN
TERMINATED SINGLE-EMPLOYER
PLANS
1. 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.
2. In appendix B to part 4022, Rate Set
172, as set forth below, is added to the
table.
Appendix B to Part 4022—Lump Sum
Interest Rates for PBGC Payments
* * * * *
I

3. In appendix C to part 4022, Rate Set 172, as set forth below, is added to the table.

<table>
<thead>
<tr>
<th>Rate set</th>
<th>For plans with a valuation date</th>
<th>Immediate annuity rate (percent)</th>
<th>Deferred annuities (percent)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>On or after</td>
<td>Before</td>
<td>$i_1$</td>
</tr>
<tr>
<td>172</td>
<td>02–1–08</td>
<td>03–1–08</td>
<td>3.25</td>
</tr>
</tbody>
</table>

Appendix C to Part 4022—Lump Sum Interest Rates for Private-Sector Payments

* * * * *

PART 4044—ALLOCATION OF ASSETS IN SINGLE-EMPLOYER PLANS

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

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

5. In appendix B to part 4044, a new entry for February 2008, as set forth below, is added to the table.

<table>
<thead>
<tr>
<th>Rate set</th>
<th>For plans with a valuation date</th>
<th>Immediate annuity rate (percent)</th>
<th>Deferred annuities (percent)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>On or after</td>
<td>Before</td>
<td>$i_1$</td>
</tr>
<tr>
<td>172</td>
<td>02–1–08</td>
<td>03–1–08</td>
<td>3.25</td>
</tr>
</tbody>
</table>

Appendix B to Part 4044—Interest Rates Used to Value Benefits

* * * * *

For valuation dates occurring in the month—

The values of $i_1$ are:

<table>
<thead>
<tr>
<th>$i_1$ for $t = i$</th>
<th>$i_1$ for $t = 1$</th>
<th>$i_1$ for $t = 20$</th>
</tr>
</thead>
<tbody>
<tr>
<td>February 2008</td>
<td>.0550</td>
<td>.0457</td>
</tr>
</tbody>
</table>

Issued in Washington, DC, on this 9th day of January 2008.

Vincent K. Snowbarger,
Deputy Director, Pension Benefit Guaranty Corporation.
[FR Doc. E8–600 Filed 1–14–08; 8:45 am]
BILLING CODE 7709–01–P

DEPARTMENT OF VETERANS AFFAIRS

38 CFR Part 21

RIN 2900–AL28

Veterans Education: Incorporation of Miscellaneous Statutory Provisions

AGENCY: Department of Veterans Affairs.

ACTION: Final rule.

SUMMARY: This document amends regulations governing various aspects of the education programs administered by the Department of Veterans Affairs. These amendments reflect some of the provisions of the Veterans Education and Benefits Expansion Act of 2001, the Veterans Benefits Act of 2003, and the Veterans Benefits, Health Care, and Information Technology Act of 2006. The changes include: Restoration of certain education benefits for individuals being ordered to active duty; restoration of Survivors’ and Dependents’ Educational Assistance to certain full-time National Guard members; an opportunity for certain Vietnam-era veterans to qualify for Montgomery GI Bill education benefits; an increase in the maximum amount an individual can receive under the Senior Reserve Officer Training Corps educational assistance program and still qualify for the Montgomery GI Bill—Active Duty program; establishment of an ending date of the eligibility period for spouses under the Survivors’ and Dependents’ Educational Assistance program; expansion of special restorative training benefits to certain disabled spouses or disabled surviving spouses; and providing educational benefits for an independent study course that leads to a certificate reflecting educational attainment offered by an institution of higher learning. The document also amends the education regulations by making changes to reflect current agency organization and nonsubstantive changes for the purpose of readability or clarity.

DATES: Effective Date: This final rule is effective January 15, 2008.

Applicability Dates. Amendments in this final rule are applied retroactively to conform to the effective date of statutory provisions. For more information concerning the dates of applicability, see the SUPPLEMENTARY INFORMATION section.

FOR FURTHER INFORMATION CONTACT: Lynn M. Nelson, Assistant Director, Policy and Program Administration (225), Education Service, Veterans Benefits Administration, Department of Veterans Affairs, 810 Vermont Avenue, NW., Washington, DC 20420. (202) 461–9827.

SUPPLEMENTARY INFORMATION: The Veterans Education and Benefits Expansion Act of 2001 (Pub. L. 107–103) (“Act”) provides eligibility under the Montgomery GI Bill—Active Duty (MGB) program to some additional Vietnam-era veterans. Previously, only...