

methodology for valuation dates during February 2009.

The interest assumptions that PBGC will use for its own lump-sum payments (set forth in Appendix B to part 4022) will be 3.00 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 a decrease (from those in effect for January 2009) of 1.00 percent in the immediate annuity 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 PBGC for determining and paying lump sums (set forth in Appendix B to part 4022).

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 2009, PBGC finds that good cause exists for making the assumptions set forth in this amendment effective less than 30 days after publication.

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 4022

Employee benefit plans, Pension insurance, Pensions, Reporting and recordkeeping requirements.

■ In consideration of the foregoing, 29 CFR part 4022 is 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 184, as set forth below, is added to the table.

Appendix B to Part 4022—Lump Sum Interest Rates For PBGC Payments

* * * * *

Rate set	For plans with a valuation date		Immediate annuity rate (percent)	Deferred annuities (percent)				
	On or after	Before		i ₁	i ₂	i ₃	n ₁	n ₂
*	*		*	*	*	*		*
184	2-1-09	3-1-09	3.00	4.00	4.00	4.00	7	8

■ 3. In appendix C to part 4022, Rate Set 184, as set forth below, is added to the table.

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

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Rate set	For plans with a valuation date		Immediate annuity rate (percent)	Deferred annuities (percent)				
	On or after	Before		i ₁	i ₂	i ₃	n ₁	n ₂
*	*		*	*	*	*		*
184	2-1-09	3-1-09	3.00	4.00	4.00	4.00	7	8

Issued in Washington, DC, on this 12th day of January 2009.

Vincent K. Snowbarger,

Deputy Director for Operations, Pension Benefit Guaranty Corporation.

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DEPARTMENT OF DEFENSE

Office of the Secretary

32 CFR Part 160

[DoD Instruction 5000.35]

Defense Acquisition Regulations (DAR) System

AGENCY: Department of Defense.

ACTION: Final rule.

SUMMARY: This final rule removes the DoD's rule concerning the management and operation of the Defense Acquisition Regulations (DAR) System. The part has served the purpose for which it was intended for the Code of Federal Regulations, and is no longer necessary.

DATES: *Effective Date:* January 16, 2009.

FOR FURTHER INFORMATION CONTACT: Ms. Patricia L. Toppings at 703-696-5284.

SUPPLEMENTARY INFORMATION: A copy of the current DoD Instruction may be obtained from <http://www.dtic.mil/whs/directives/corres/pdf/500035p.pdf>.

List of Subjects in 32 CFR Part 160

Armed forces; government procurement.

PART 160—[REMOVED]

■ Accordingly, by the authority of 10 U.S.C. 301, 32 CFR part 160 is removed.

Dated: January 12, 2009.

Patricia L. Toppings,

OSD Federal Register Liaison Officer, Department of Defense.

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