

Lack of Jurisdiction and attachments). We will consider the legal arguments set forth in those documents.

If these parties wish to supplement the arguments made therein, they may submit further briefs to the Commission by May 15. In addition, interested persons are invited to submit amicus curiae briefs by May 15. Briefs should be no longer than 30 pages and should be submitted electronically (or by other means to ensure that receipt by the Secretary of Commission by the due date), with paper copies to follow. Briefs in excess of 10 pages must contain a table of contents, with page references, and a table of cases (alphabetically arranged), statutes, regulations, and other authorities cited, with references to the pages of the brief where they are cited. Page limitations are exclusive of pages containing a table of contents, table of cases, and any addendum containing statutes, rules, regulations, and like material.

#### IV. Conclusion

For the foregoing reasons, the request for a stay of proceedings is denied, the petition for rulemaking is deferred, Commission review of the NWPB issue is granted, and the adjudicatory parties and any interested amicus curiae are authorized to file briefs as set out above.

It is so ordered.

Dated at Rockville, MD this 3rd day of April, 2002.

For the Commission.<sup>13</sup>

**Annette Vietti-Cook,**

*Secretary of the Commission.*

[FR Doc. 02-9081 Filed 4-12-02; 8:45 am]

BILLING CODE 7590-01-P

#### OFFICE OF MANAGEMENT AND BUDGET

##### Public Availability of Year 2001 Agency Inventories Under the Federal Activities Inventory Reform Act of 1998 (Public Law 105-270) ("FAIR Act")

**AGENCY:** Office of Management and Budget, Executive Office of the President.

**ACTION:** Notice of public availability of agency Inventory of Activities That Are Not Inherently Governmental.

**SUMMARY:** The Department of Defense inventory of activities that are not Inherently Governmental is now available to the public, in accordance with the "Federal Activities Inventory Reform Act of 1998" (Public Law 105-

270) ("FAIR Act"). This is the fourth and final release of the 2001 FAIR Act inventories. The Office of Federal Procurement Policy has also made available a summary FAIR Act User's Guide through its Internet site: <http://www.whitehouse.gov/OMB/procurement/index.html>. This User's Guide will help interested parties review 2001 FAIR Act inventories, and will also include the web-site addresses to access agency inventories.

The FAIR Act requires that OMB publish an announcement of public availability of agency Inventories of Activities that are not Inherently Governmental upon completion of OMB's review and consultation process concerning the content of the agencies' inventory submissions. OMB has now completed this process for the year 2001.

Those interested in reviewing the Department of Defense year 2001 FAIR Act inventory may contact the Department's FAIR Act hotline at (703) 824-2692 or may access the inventory through the website address at: <http://web.lmi.org/fairnet/>.

The Department of Defense mail service, post September 11, 2001, has experienced significant delays due to new security requirements. Therefore, interested parties are encouraged to use the FAX to submit challenges and appeals regarding the content of the inventory, as provided for by the FAIR Act. The FAX number for each Departmental component (Army, Navy, Air Force, Marines, etc) is provided on the above website.

**Mitchell E. Daniels, Jr.,**  
*Director.*

[FR Doc. 02-8992 Filed 4-12-02; 8:45 am]

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#### PENSION BENEFIT GUARANTY CORPORATION

##### Required Interest Rate Assumption for Determining Variable-Rate Premium; Interest on Late Premium Payments; Interest on Underpayments and Overpayments of Single-Employer Plan Termination Liability and Multiemployer Withdrawal Liability; Interest Assumptions for Multiemployer Plan Valuations Following Mass Withdrawal

**AGENCY:** Pension Benefit Guaranty Corporation.

**ACTION:** Notice of interest rates and assumptions.

**SUMMARY:** This notice informs the public of the interest rates and assumptions to

be used under certain Pension Benefit Guaranty Corporation regulations. These rates and assumptions are published elsewhere (or can be derived from rates published elsewhere), but are collected and published in this notice for the convenience of the public. Included in this notice are required interest rates for determining the variable-rate premium for premium payment years beginning in January through April 2002. Interest rates are also published on the PBGC's Web site (<http://www.pbgc.gov>).

**DATES:** The required interest rates for determining the variable-rate premium under part 4006 apply to premium payment years beginning in January through April 2002. The interest assumptions for performing multiemployer plan valuations following mass withdrawal under part 4281 apply to valuation dates occurring in May 2002. The interest rates for late premium payments under part 4007 and for underpayments and overpayments of single-employer plan termination liability under part 4062 and multiemployer withdrawal liability under part 4219 apply to interest accruing during the second quarter (April through June) of 2002.

**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. (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:

##### Variable-Rate Premiums

Section 4006(a)(3)(E)(iii)(II) of the Employee Retirement Income Security Act of 1974 (ERISA) and § 4006.4(b)(1) of the PBGC's regulation on Premium Rates (29 CFR part 4006) prescribe use of an assumed interest rate (the "required interest rate") in determining a single-employer plan's variable-rate premium. The required interest rate is described as the "applicable percentage" of the annual yield on 30-year Treasury securities for the month preceding the beginning of the plan year for which premiums are being paid (the "premium payment year").

The Treasury Department has suspended issuance of 30-year Treasury securities and, effective February 18, 2002, ceased supplying the Federal Reserve Board with an estimate of the annual yield on 30-year Treasury securities, which until then had been published in Federal Reserve Statistical Release H.15. However, the Internal Revenue Service in Notice 2002-26

<sup>13</sup> Commissioner Diaz was not present for the affirmation of this Order. If he had been present, he would have approved it.