

■ 2. Revise § 1400.724.20 to read as follows:

**§ 1400.735–20 Code of Professional Conduct for FMCS Mediators**

The Federal Mediation and Conciliation Service has a Code of Professional Conduct for FMCS Mediators. Mediators in the Federal Mediation and Conciliation Service are required to conduct themselves in accordance with the responsibilities outlined therein.

Dated: November 3, 2022.

**Anna Davis,**

*Deputy General Counsel.*

[FR Doc. 2022–24406 Filed 11–9–22; 8:45 am]

**BILLING CODE 6732–01–P**

**PENSION BENEFIT GUARANTY CORPORATION**

**29 CFR Part 4213**

**RIN 1212–AB54**

**Actuarial Assumptions for Determining an Employer's Withdrawal Liability**

**AGENCY:** Pension Benefit Guaranty Corporation.

**ACTION:** Notice of proposed rulemaking; extension of comment period.

**SUMMARY:** The Pension Benefit Guaranty Corporation (PBGC) is extending the comment period for a proposed rule that would provide interest rate assumptions that may be used by a plan actuary in determining a withdrawing employer's liability under a multiemployer plan. PBGC published the proposed rule in the **Federal Register** on October 14, 2022, with a comment period that was scheduled to end on November 14, 2022. Since the proposed rule was published, PBGC has received a request from a group of interested parties for PBGC to extend the comment period to provide a total of at least 60 days from October 14, 2022, for them to submit comments on the proposal. In response to this request, PBGC is extending the comment period through December 13, 2022.

**DATES:** The comment period for the proposed rule published October 14, 2022, at 87 FR 62316, is extended. Comments must be received on or before December 13, 2022, to be assured of consideration.

**ADDRESSES:** Comments may be submitted by any of the following methods:

- *Federal eRulemaking Portal:* <https://www.regulations.gov>. Follow the online instructions for submitting comments.

- *Email:* [reg.comments@pbgc.gov](mailto:reg.comments@pbgc.gov) with subject line “4213 proposed rule.”
- *Mail or Hand Delivery:* Regulatory Affairs Division, Office of the General Counsel, Pension Benefit Guaranty Corporation, 445 12th Street SW, Washington, DC 20024–2101.

Commenters are strongly encouraged to submit comments electronically. PBGC expects to have limited personnel available to process comments submitted on paper by mail or hand delivery. Until further notice, any comments submitted on paper will be considered to the extent practicable.

All submissions received must include the agency's name (Pension Benefit Guaranty Corporation, or PBGC) and refer to the 4213 proposed rule. All comments received will be posted without change to PBGC's website, [www.pbgc.gov](http://www.pbgc.gov), including any personal information provided. Do not submit comments that include any personally identifiable information or confidential business information.

Copies of comments may also be obtained by writing to Disclosure Division, Office of the General Counsel, Pension Benefit Guaranty Corporation, 445 12th Street SW, Washington, DC 20024–2101, or calling 202–326–4040 during normal business hours. If you are deaf or hard of hearing or have a speech disability, please dial 7–1–1 to access telecommunications relay services.

**FOR FURTHER INFORMATION CONTACT:** John Ginsberg ([ginsberg.john@pbgc.gov](mailto:ginsberg.john@pbgc.gov)), Assistant General Counsel, Multiemployer Law Division, Office of the General Counsel, at 202–229–3714, or Gregory Katz ([katz.gregory@pbgc.gov](mailto:katz.gregory@pbgc.gov)), Attorney, Regulatory Affairs Division, Office of the General Counsel, at 202–227–8918. If you are deaf or hard of hearing or have a speech disability, please dial 7–1–1 to access telecommunications relay services.

**SUPPLEMENTARY INFORMATION:**

**Background**

The Pension Benefit Guaranty Corporation's (PBGC) legal authority to prescribe actuarial assumptions and methods for purposes of determining an employer's withdrawal liability comes from section 4213 of the Employee Retirement Income Security Act of 1974 (ERISA), and from section 4002(b)(3) of ERISA, which authorizes PBGC to issue regulations to carry out the purposes of title IV of ERISA.

Section 4213(a)(2) of ERISA authorizes PBGC to set forth in its regulations actuarial assumptions and methods that may be used by a plan actuary for the purpose of determining an employer's withdrawal liability as an

alternative to the assumptions and methods used under section 4213(a)(1).

On October 14, 2022, PBGC published a proposed rulemaking in the **Federal Register** entitled Actuarial Assumptions for Determining an Employer's Withdrawal Liability (the Proposed Rule).<sup>1</sup> The rule was proposed to make clear that use of settlement rates prescribed by PBGC under section 4044 of ERISA, either as a standalone assumption or combined with funding interest assumptions, represents a valid approach to selecting an interest rate assumption to determine withdrawal liability in all circumstances.

The Proposed Rule contains a 30-day comment period, which was scheduled to expire on November 14, 2022. Since the publication of the Proposed Rule, PBGC received a comment from a group of interested parties that expressed concern that the 30-day comment period does not provide commenters with sufficient time to develop and submit comments. The comment requests that PBGC extend the comment period to at least 60 days from the date of publication in the **Federal Register**. After considering the extension request, PBGC has decided that it is appropriate to extend the comment period for this Proposed Rule to a total of 60 total days from the date of publication to provide interested parties with additional time to participate in this rulemaking process. The comment period, therefore, will close on December 13, 2022.

Signed in Washington, DC.

**Gordon Hartogensis,**

*Director, Pension Benefit Guaranty Corporation.*

[FR Doc. 2022–24588 Filed 11–9–22; 8:45 am]

**BILLING CODE 7709–02–P**

**DEPARTMENT OF COMMERCE**

**National Oceanic and Atmospheric Administration**

**50 CFR Part 223**

**[Docket No. 221104–0235]**

**RTID 0648–XR071**

**Endangered and Threatened Wildlife and Plants; Listing the Queen Conch as Threatened Under the Endangered Species Act (ESA)**

**AGENCY:** National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

<sup>1</sup> 87 FR 62316

**ACTION:** Proposed rule; reopening of comment period and announcement of public hearing.

**SUMMARY:** We, NMFS, will hold a public hearing related to our proposed rule published September 8, 2022, to list the queen conch (*Aliger gigas*) as a threatened species under the Endangered Species Act (ESA). We are also reopening the public comment period, which will now close on December 15, 2022.

**DATES:** The comment period for the proposed rule published on September 8, 2022 (87 FR 55200) is reopened.

**Comments:** The comment period is reopened from November 7, 2022, to December 15, 2022. Comments must be received by December 15, 2022. Comments received after this date may not be accepted.

**Public hearing:** The public hearing on the proposed rule will be held online on November 21, 2022, from 5:30 p.m. to 8 p.m. (Eastern Standard Time). Since the hearing will be held online, any member of the public can join by internet or phone regardless of location. Instructions for joining the hearing are provided under **ADDRESSES** below. Alternative languages for persons with limited English proficiency can be made available if requested by November 11, 2022.

**ADDRESSES:** The public hearing will be conducted as a virtual meeting. You may join the virtual public hearing using a web browser, a mobile app on a phone (app installation required), or by phone (for audio only), as specified on this website: <https://www.fisheries.noaa.gov/species/queen-conch#protected>.

You may submit comments on the proposed rule verbally at the public hearing or in writing by any of the following methods:

- **Electronic Submissions:** Submit all electronic comments via the Federal eRulemaking Portal. Go to [www.regulations.gov](http://www.regulations.gov) and enter NOAA–NMFS–2019–0141 in the Search box. Click on the “Comment” icon, complete

the required fields, and enter or attach your comments.

- **Mail:** NMFS, Southeast Regional Office, 263 13th Avenue South, St. Petersburg, FL 33701.

**Instructions:** Comments sent by any other method, to any other address or individual, or received after the end of the comment period, might not be considered by NMFS. All comments received are a part of the public record and will generally be posted for public viewing on [www.regulations.gov](http://www.regulations.gov) without change. All personal identifying information (e.g., name, address, etc.), confidential business information, or otherwise sensitive information submitted voluntarily by the sender will be publicly accessible. NMFS will accept anonymous comments (enter “N/A” in the required fields if you wish to remain anonymous).

**Translation services:** To request alternative languages for persons with limited English proficiency, contact Orian Tzadik at [orian.tzadik@noaa.gov](mailto:orian.tzadik@noaa.gov) to request translation services.

**FOR FURTHER INFORMATION CONTACT:** Calusa Horn, NMFS, Southeast Regional Office at (727) 551–5782 or [calusa.horn@noaa.gov](mailto:calusa.horn@noaa.gov) or Orian Tzadik, NMFS, Southeast Region Office at (727) 824–5312 or [orian.tzadik@noaa.gov](mailto:orian.tzadik@noaa.gov).

**SUPPLEMENTARY INFORMATION:** On September 8, 2022 (87 FR 55200), NMFS published a proposed rule to list the queen conch (*Aliger gigas*) as a threatened species under the ESA. In that document, we also announced a 60-day public comment period and indicated that requests for public hearings must be submitted by October 24, 2022. On October 20, 2022, we received a request to hold a public hearing on the proposed rule. In response to that request, we will hold a public hearing as described under the “Public Hearing” section of this document. The proposed rule provided for a public comment period that ended on November 7, 2022. We are reopening and extending the public comment period to December 15, 2022, in order to provide the public with additional

time to provide comment in a meaningful and constructive manner.

The proposed rule and other materials prepared in support of this action are available at <https://www.fisheries.noaa.gov/species/queen-conch#protected>. We are accepting public comments for the proposed rule through December 15, 2022. Public comments can be submitted as described under **ADDRESSES**.

### Public Hearing

The public hearing will be conducted online as a virtual meeting, as specified in **ADDRESSES** above. More detailed instructions for joining the virtual meeting are provided on our web page <https://www.fisheries.noaa.gov/species/queen-conch#protected>. The hearing will begin with a brief presentation by NMFS that will give an overview of the proposed listing under the ESA. After the presentation, but before public comments, there will be a question and answer session during which members of the public may ask NMFS staff questions about the proposed rule. Following the question and answer session, members of the public will have the opportunity to provide oral comments on the record regarding the proposed rule. In the event there is a large attendance, the time allotted per individual for oral comments may be limited. Therefore, anyone wishing to make an oral comment at the public hearing for the record is also encouraged to submit a written comment during the relevant public comment period as described under **ADDRESSES** and **DATES**. All oral comments will be recorded, transcribed, and added to the public comment record for this proposed rule.

**Authority:** The authority for this action is the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 *et seq.*).

Dated: November 4, 2022.

**Samuel D. Rauch, III,**

*Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service.*

[FR Doc. 2022–24512 Filed 11–7–22; 4:15 pm]

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