

apprehension, which would undermine the entire investigative process.

(b) From subsection (d) (Access to Records) because access to the records contained in this system of records could inform the subject of an investigation of an actual or potential criminal, civil, or regulatory violation to the existence of that investigation and/or reveal investigative interest on the part of DHS or another agency. Access to the records could permit the individual who is the subject of a record to impede the investigation, to tamper with witnesses or evidence, and to avoid detection or apprehension. Amendment of the records could interfere with ongoing investigations and law enforcement activities and would impose an unreasonable administrative burden by requiring investigations to be continually reinvestigated. In addition, permitting access and amendment to such information could disclose security-sensitive information that could be detrimental to homeland security.

(c) From subsection (e)(1) (Relevancy and Necessity of Information) because in the course of investigations into potential violations of federal law, the accuracy of information obtained or introduced occasionally may be unclear, or the information may not be strictly relevant or necessary to a specific investigation. In the interests of effective law enforcement, it is appropriate to retain all information that may aid in establishing patterns of unlawful activity.

(d) From subsections (e)(4)(G), (e)(4)(H), and (e)(4)(I) (Agency Requirements) and (f) (Agency Rules) because portions of this system are exempt from the individual access provisions of subsection (d) for the reasons noted above, and therefore DHS is not required to establish requirements, rules, or procedures with respect to such access. Providing notice to individuals with respect to existence of records pertaining to them in the system of records, or otherwise setting up procedures pursuant to which individuals may access and view records pertaining to themselves in the system, would undermine investigative efforts and reveal the identities of witnesses, and potential witnesses, and confidential informants.

Dated: November 2, 2011.

**Mary Ellen Callahan,**  
Chief Privacy Officer, Department of  
Homeland Security.

[FR Doc. 2011-29452 Filed 11-9-11; 8:45 am]

**BILLING CODE 9111-97-P**

## DEPARTMENT OF AGRICULTURE

### Office of Advocacy and Outreach

#### 7 CFR Part 2502

RIN 0503-AA49

#### Agricultural Career and Employment Grants Program; Correction

**AGENCY:** Office of Advocacy and Outreach, Departmental Management, USDA.

**ACTION:** Interim rule with request for comments; correction.

**SUMMARY:** On November 8, 2011, the Office of Advocacy and Outreach published an interim rule concerning grants to assist agricultural employers and farmworkers by improving the supply, stability, safety, and training of the agricultural labor force. The effective date for the rule was inadvertently omitted. This document establishes the effective date of that November 8 interim final rule.

**DATES:** The effective date for the interim rule published November 8, 2011, at 76 FR 69114, is November 15, 2011, and is applicable beginning November 8, 2011. Comments on the November 8 interim rule must still be received by the agency on or before December 8, 2011, to be assured of consideration.

**ADDRESSES:** You may submit comments on the interim rule, identified by RIN 0503-AA49 by any of the following methods:

*Federal e-Rulemaking Portal:* <http://www.regulations.gov>. Follow the instructions for submitting comments.

*Email:* [christine.chavez@osec.usda.gov](mailto:christine.chavez@osec.usda.gov). Include Regulatory Information Number (RIN) number 0503-AA49 in the subject line of the message.

*Fax:* (202) 720-7136

*Mail:* Comments may be mailed to the Office of Advocacy and Outreach, U.S. Department of Agriculture, 1400 Independence Avenue SW., Room 520-A, Stop 9801, Washington DC 20250-9821.

*Hand Delivery/Courier:* Office of Advocacy and Outreach, U.S. Department of Agriculture, 1400 Independence Avenue SW., Room 520-A, Washington, DC 20250.

*Instructions:* All submissions received must include the agency name and the RIN for this rulemaking. All comments received will be posted without change to <http://www.regulations.gov>, including any personal information provided.

**FOR FURTHER INFORMATION CONTACT:** Christine Chavez, Program Leader, Farmworker Coordination, Office of Advocacy and Outreach, U.S. Department of Agriculture, 1400 Independence Avenue SW., Stop 9801, Washington, DC 20250, Voice: (202) 205-4215, Fax: (202) 720-7136, Email: [christine.chavez@osec.usda.gov](mailto:christine.chavez@osec.usda.gov).

#### SUPPLEMENTARY INFORMATION:

##### Need for Correction

On November 8, 2011 (76 FR 69114), the Office of Advocacy and Outreach published an interim rule. Due to an editing error, the effective date for the rule was omitted.

Dated: November 8, 2011.

**Christine Chavez,**  
Program Leader, Farmworker Coordination.  
[FR Doc. 2011-29389 Filed 11-14-11; 8:45 am]  
**BILLING CODE 3412-89-P**

## PENSION BENEFIT GUARANTY CORPORATION

### 29 CFR Part 4022

#### Benefits Payable in Terminated Single-Employer Plans; Interest Assumptions for Paying Benefits

**AGENCY:** Pension Benefit Guaranty Corporation.

**ACTION:** Final rule.

**SUMMARY:** This final rule amends the Pension Benefit Guaranty Corporation's regulation on Benefits Payable in Terminated Single-Employer Plans to prescribe interest assumptions under the regulation for valuation dates in December 2011. The interest assumptions are used for paying benefits under terminating single-employer plans covered by the pension insurance system administered by PBGC.

**DATES:** Effective December 1, 2011.

**FOR FURTHER INFORMATION CONTACT:** Catherine B. Klion ([Klion.Catherine@pbgc.gov](mailto:Klion.Catherine@pbgc.gov)), 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:** PBGC's regulation on Benefits Payable in Terminated Single-Employer Plans (29 CFR part 4022) prescribes actuarial assumptions—including interest assumptions—for paying plan benefits under terminating single-employer plans covered by title IV of the Employee Retirement Income Security Act of 1974. The interest assumptions in the regulation are also published on PBGC's Web site (<http://www.pbgc.gov>).

PBGC uses the interest assumptions in Appendix B to Part 4022 to determine whether a benefit is payable as a lump sum and to determine the amount to pay. Appendix C to Part 4022 contains interest assumptions for private-sector pension practitioners to refer to if they wish to use lump-sum interest rates determined using PBGC's historical methodology. Currently, the rates in Appendices B and C of the benefit payment regulation are the same.

The interest assumptions are intended to reflect current conditions in the financial and annuity markets. Assumptions under the benefit payments regulation are updated monthly. This final rule updates the benefit payments interest assumptions for December 2011.<sup>1</sup>

The December 2011 interest assumptions under the benefit payments regulation will be 1.50 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. In comparison with the interest assumptions in effect for November 2011, these interest assumptions are unchanged.

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 payment of benefits under plans with valuation dates during December 2011, 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 218, 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		$i_1$	$i_2$	$i_3$	$n_1$	$n_2$
* 218	* 12-1-11	* 1-1-12	* 1.50	* 4.00	* 4.00	* 4.00	* 7	* 8

■ 3. In appendix C to part 4022, Rate Set 218, as set forth below, is added to the table.

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

\* \* \* \* \*

Rate set	For plans with a valuation date		Immediate annuity rate (percent)	Deferred annuities (percent)				
	On or after	Before		$i_1$	$i_2$	$i_3$	$n_1$	$n_2$
* 218	* 12-1-11	* 1-1-12	* 1.50	* 4.00	* 4.00	* 4.00	* 7	* 8

Issued in Washington, DC, on this 4th day of November 2011.

**Laricke Blanchard,**  
Deputy Director for Policy, Pension Benefit Guaranty Corporation.

[FR Doc. 2011-29461 Filed 11-14-11; 8:45 am]

BILLING CODE 7709-01-P

**DEPARTMENT OF THE TREASURY**

**Office of the Secretary**

**31 CFR Part 1**

**RIN 1505-AC33**

**Privacy Act of 1974; Implementation**

**AGENCY:** Internal Revenue Service, Treasury.

**ACTION:** Final rule.

**SUMMARY:** In accordance with the requirements of the Privacy Act of 1974, as amended, 5 U.S.C. 552a, the Department of the Treasury gives notice of an amendment to this part to reflect

benefits under terminating covered single-employer plans for purposes of allocation of assets under

consolidation of existing Internal Revenue Service (IRS) systems of records and to continue to exempt the resulting revised systems of records from certain provisions of the Privacy Act. The Office of Chief Counsel has consolidated twelve systems of records into six systems of records. This final rule migrates the previously approved exemptions to the newly revised, renamed, and renumbered systems of records.

**DATES:** This rule is effective November 15, 2011.

**ADDRESSES:** Inquiries may be addressed to Sarah Tate, Office of Associate Chief Counsel, Procedure & Administration,

ERISA section 4044. Those assumptions are updated quarterly.

<sup>1</sup> Appendix B to PBGC's regulation on Allocation of Assets in Single-Employer Plans (29 CFR Part 4044) prescribes interest assumptions for valuing