

seriously delinquent tax debt as described in 26 U.S.C. 7345.

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**Carl C. Risch,**

*Assistant Secretary, Bureau of Consular Affairs, Department of State.*

[FR Doc. 2019-26393 Filed 12-6-19; 8:45 am]

**BILLING CODE 4710-13-P**

## **PENSION BENEFIT GUARANTY CORPORATION**

### **29 CFR Part 4044**

#### **Allocation of Assets in Single-Employer Plans; Valuation of Benefits and Assets; Expected Retirement Age**

**AGENCY:** Pension Benefit Guaranty Corporation.

**ACTION:** Final rule.

**SUMMARY:** This rule amends the Pension Benefit Guaranty Corporation's regulation on Allocation of Assets in Single-Employer Plans by substituting a new table for determining expected retirement ages for participants in pension plans undergoing distress or involuntary termination with valuation dates falling in 2020. This table is needed to compute the value of early retirement benefits and, thus, the total value of benefits under a plan.

**DATES:** This rule is effective January 1, 2020.

**FOR FURTHER INFORMATION CONTACT:**

Gregory Katz (*katz.gregory@pbgc.gov*), Attorney, Regulatory Affairs Division, Office of the General Counsel, Pension Benefit Guaranty Corporation, 1200 K Street NW, Washington, DC 20005, 202-326-4400, ext. 3829. (TTY users may call the Federal relay service toll-free at 1-800-877-8339 and ask to be connected to 202-326-4400, ext. 3829.)

**SUPPLEMENTARY INFORMATION:** The Pension Benefit Guaranty Corporation (PBGC) administers the pension plan termination insurance program under title IV of the Employee Retirement Income Security Act of 1974 (ERISA). PBGC's regulation on Allocation of Assets in Single-Employer Plans (29 CFR part 4044) sets forth (in subpart B) the methods for valuing plan benefits of terminating single-employer plans covered under title IV. Guaranteed

benefits and benefit liabilities under a plan that is undergoing a distress termination must be valued in accordance with subpart B of part 4044. In addition, when PBGC terminates an underfunded plan involuntarily pursuant to ERISA section 4042(a), it uses the subpart B valuation rules to determine the amount of the plan's underfunding.

Under § 4044.51(b) of the asset allocation regulation, early retirement benefits are valued based on the annuity starting date, if a retirement date has been selected, or the expected retirement age, if the annuity starting date is not known on the valuation date. Sections 4044.55 through 4044.57 set forth rules for determining the expected retirement ages for plan participants entitled to early retirement benefits. Appendix D of part 4044 contains tables to be used in determining the expected early retirement ages.

Table I in appendix D (Selection of Retirement Rate Category) is used to determine whether a participant has a low, medium, or high probability of retiring early. The determination is based on the year a participant would reach "unreduced retirement age" (*i.e.*, the earlier of the normal retirement age or the age at which an unreduced benefit is first payable) and the participant's monthly benefit at unreduced retirement age. The table applies only to plans with valuation dates in the current year and is updated annually by PBGC to reflect changes in the cost of living, etc.

Tables II-A, II-B, and II-C (Expected Retirement Ages for Individuals in the Low, Medium, and High Categories respectively) are used to determine the expected retirement age after the probability of early retirement has been determined using Table I. These tables establish, by probability category, the expected retirement age based on both the earliest age a participant could retire under the plan and the unreduced retirement age. This expected retirement age is used to compute the value of the early retirement benefit and, thus, the total value of benefits under the plan.

This document amends appendix D to replace Table I-19 with Table I-20 to provide an updated correlation, appropriate for calendar year 2020, between the amount of a participant's

benefit and the probability that the participant will elect early retirement. Table I-20 will be used to value benefits in plans with valuation dates during calendar year 2020.

PBGC has determined that notice of, and public comment on, this rule are impracticable and contrary to the public interest. Plan administrators need to be able to estimate accurately the value of plan benefits as early as possible before initiating the termination process. For that purpose, if a plan has a valuation date in 2020, the plan administrator needs the updated table being promulgated in this rule. Accordingly, PBGC finds that the public interest is best served by issuing this table expeditiously, without an opportunity for notice and comment, and that good cause exists for making the table set forth in this amendment effective less than 30 days after publication to allow as much time as possible to estimate the value of plan benefits with the proper table for plans with valuation dates in early 2020.

PBGC has determined that this action is not a "significant regulatory action" under the criteria set forth in Executive Order 12866 and Executive Order 13771.

Because no general notice of proposed rulemaking is required for this regulation, the Regulatory Flexibility Act of 1980 does not apply (5 U.S.C. 601(2)).

#### **List of Subjects in 29 CFR Part 4044**

Employee benefit plans, Pension insurance.

In consideration of the foregoing, 29 CFR part 4044 is amended as follows:

#### **PART 4044—ALLOCATION OF ASSETS IN SINGLE-EMPLOYER PLANS**

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

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

■ 2. Appendix D to part 4044 is amended by removing Table I-19 and adding in its place Table I-20 to read as follows:

#### **Appendix D to Part 4044—Tables Used To Determine Expected Retirement Age**

TABLE I-20—SELECTION OF RETIREMENT RATE CATEGORY  
[For valuation dates in 2020<sup>1</sup>]

If participant reaches URA in year—	Participant's retirement rate category is—			
	Low <sup>2</sup> if monthly benefit at URA is less than—	Medium <sup>3</sup> if monthly benefit at URA is—		High <sup>4</sup> if monthly benefit at URA is greater than—
		From—	To—	
2021 .....	672	672	2,839	2,839
2022 .....	688	688	2,905	2,905
2023 .....	704	704	2,971	2,971
2024 .....	720	720	3,040	3,040
2025 .....	736	736	3,110	3,110
2026 .....	753	753	3,181	3,181
2027 .....	771	771	3,254	3,254
2028 .....	788	788	3,329	3,329
2029 .....	806	806	3,406	3,406
2030 or later .....	825	825	3,484	3,484

<sup>1</sup> Applicable tables for valuation dates before 2020 are available on PBGC's website ([www.pbgc.gov](http://www.pbgc.gov)).

<sup>2</sup> Table II-A.

<sup>3</sup> Table II-B.

<sup>4</sup> Table II-C.

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Issued in Washington, DC, by:

**Hilary Duke,**

*Assistant General Counsel for Regulatory Affairs, Pension Benefit Guaranty Corporation.*

[FR Doc. 2019-26456 Filed 12-6-19; 8:45 am]

**BILLING CODE 7709-02-P**

**DEPARTMENT OF HOMELAND SECURITY**

**Coast Guard**

**33 CFR Part 165**

[Docket No. USCG-2019-0906]

**Safety Zones; Fireworks Displays in the Fifth Coast Guard District**

**AGENCY:** Coast Guard, DHS.

**ACTION:** Notice of enforcement of regulation.

**SUMMARY:** The Coast Guard will enforce the Penn's Landing, Delaware River, Philadelphia, PA, safety zone from 5:45 p.m. through 6:30 p.m. on December 31, 2019, and from 11:45 p.m. on December 31, 2019, through 12:30 a.m. on January 1, 2020. This is to ensure safety of life on the navigable waters of the United States immediately prior to, during, and immediately after the fireworks displays. Our regulation for safety zones of fireworks displays in the Fifth Coast Guard District identifies the area for this event at Penn's Landing in Philadelphia, PA. During the enforcement periods vessels may not enter, remain in, or transit through the safety zones unless authorized by the Captain of the Port or on scene designated Coast Guard patrol personnel.

**DATES:** The regulations in the table to 33 CFR 165.506 at (a)(16) will be enforced from 5:45 p.m. through 6:30 p.m. on December 31, 2019, and from 11:45 p.m. on December 31, 2019, through 12:30 a.m. on January 1, 2020.

**FOR FURTHER INFORMATION CONTACT:** If you have questions about this notice of enforcement, you may call or email Petty Officer Thomas Welker, U.S. Coast Guard, Sector Delaware Bay, Waterways Management Division, telephone 215-271-4814, email [Thomas.J.Welker@uscg.mil](mailto:Thomas.J.Welker@uscg.mil).

**SUPPLEMENTARY INFORMATION:** The Coast Guard will enforce the safety zone in the Table to 33 CFR 165.506, entry (a)(16), for the Delaware River Waterfront Corporation New Year's Eve Fireworks displays. This action is necessary to ensure safety of life on the navigable waters of the United States immediately prior to, during, and immediately after the fireworks displays. Our regulation for safety zones of fireworks displays within the Fifth Coast Guard District, table to § 165.506, entry (a)(16) specifies the location of the regulated area as all waters of Delaware River, adjacent to Penn's Landing, Philadelphia, PA, within 500 yards of a fireworks barge at approximate position latitude 39°56'49" N, longitude 075°08'11" W. During the enforcement periods, as reflected in § 165.506(d), vessels may not enter, remain in, or transit through the safety zones unless authorized by the Captain of the Port or on scene designated Coast Guard patrol personnel.

In addition to this notice of enforcement in the **Federal Register**, the Coast Guard plans to provide notification of this enforcement period via broadcast notice to mariners.

Dated: November 29, 2019.

**Scott E. Anderson,**

*Captain, U.S. Coast Guard, Captain of the Port, Delaware Bay.*

[FR Doc. 2019-26471 Filed 12-6-19; 8:45 am]

**BILLING CODE 9110-04-P**

**DEPARTMENT OF HOMELAND SECURITY**

**Coast Guard**

**33 CFR Part 165**

[Docket Number USCG-2019-0486]

**RIN 1625-AA00**

**Safety Zone; Ohio River, Brookport, IL**

**AGENCY:** Coast Guard, DHS.

**ACTION:** Final rule.

**SUMMARY:** The Coast Guard is establishing a temporary safety zone on a portion of the Ohio River in Brookport, IL. This action is necessary to protect personnel, vessels, and the marine environment from potential hazards created by the demolition of Lock and Dam 52 involving explosives. Entry of vessels or persons into this zone is prohibited unless specifically authorized by the Captain of the Port Ohio Valley or a designated representative.

**DATES:** This rule is effective without actual notice from December 9, 2019 through December 1, 2020. For the purposes of enforcement, actual notice will be used from December 3, 2019 through December 9, 2019

**ADDRESSES:** To view documents mentioned in this preamble as being available in the docket, go to <https://www.regulations.gov>, type USCG-2019-