

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-06 with Table I-07 in order to provide an updated correlation, appropriate for calendar year 2007, between the amount of a participant's benefit and the probability that the participant will elect early retirement. Table I-07 will be used to value benefits in plans with valuation dates during calendar year 2007.

The 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 2007, the plan administrator needs the updated table being promulgated in this rule. Accordingly, the public interest is best served by issuing this table expeditiously, without an opportunity for notice and comment, 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 2007.

The 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 regulation, the Regulatory Flexibility

Act of 1980 does not apply (5 U.S.C. 601(2)).

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

Pension insurance, Pensions.

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

#### PART 4044—[AMENDED]

■ 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-06 and adding in its place Table I-07 to read as follows:

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

TABLE I-07.—SELECTION OF RETIREMENT RATE CATEGORY

[For plans with valuation dates after December 31, 2006, and before January 1, 2008]

Participant reaches URA in year—	Participant's Retirement Rate Category is—			
	Low <sup>1</sup> if monthly benefit at URA is less than—	Medium <sup>2</sup> if monthly benefit at URA is		High <sup>3</sup> if monthly benefit at URA is greater than—
		From	To	
2008 .....	522	522	2,204	2,204
2009 .....	534	534	2,257	2,257
2010 .....	547	547	2,311	2,311
2011 .....	560	560	2,367	2,367
2012 .....	574	574	2,426	2,426
2013 .....	588	588	2,486	2,486
2014 .....	603	603	2,549	2,549
2015 .....	618	618	2,612	2,612
2016 .....	634	634	2,678	2,678
2017 or later .....	649	649	2,745	2,745

<sup>1</sup> Table II-A.

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

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

\* \* \* \* \*

Issued in Washington, DC, this 17th day of November, 2006.

**Vincent K. Snowbarger,**

*Interim Director, Pension Benefit Guaranty Corporation.*

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## DEPARTMENT OF THE TREASURY

### 31 CFR Part 1

#### Privacy Act; Implementation

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

**ACTION:** Interim final rule.

**SUMMARY:** In accordance with the requirements of the Privacy Act of 1974,

as Amended, the Department of the Treasury gives notice of an amendment to this part by revising the titles of two Privacy Act systems of records and removing five other Privacy Act systems of records. The systems of records are related to the functions of the Internal Revenue Service (IRS), Office of Professional Responsibility (OPR).

**DATES:** *Effective Date:* January 2, 2007. Comments must be received no later than January 2, 2007. You may also submit comments through the Federal rulemaking portal at <http://www.regulations.gov> (follow the instructions for submitting comments).

**ADDRESSES:** Comments should be sent to the Office of Governmental Liaison and Disclosure, IRS, 1111 Constitution Avenue, NW., Washington, DC 20224. To arrange to see the comments, see **FOR FURTHER INFORMATION CONTACT** below.

**FOR FURTHER INFORMATION CONTACT:** Earl Prater, Senior Counsel, OPR, at (202) 874-5936, or for voice mail, (202) 622-8018 (not toll free numbers).

**SUPPLEMENTARY INFORMATION:** The IRS is proposing to simplify the administration of OPR's Privacy Act systems of records by consolidating the current 11 OPR systems. A proposed notice to revise and consolidate the Privacy Act systems of records maintained by the OPR will be published separately in the **Federal Register**. The proposed notice to alter OPR's current 11 systems of records will consolidate all records into the three revised systems of records: Treasury/IRS 37.006—Correspondence, Miscellaneous Records, and Information Management Records; Treasury/IRS 37.007—Practitioner Disciplinary Records; and Treasury/IRS 37.009—Enrolled Agent Records.

This realignment of the records being maintained by OPR will permit more precise expression of the data elements and will permit the published notices to serve more effectively as guides for the public in understanding how OPR collects, maintains, discloses, and uses these individually identifiable records.

Currently, seven of those Privacy Act systems of records are exempt from

provisions of the Privacy Act pursuant to 5 U.S.C. 552a(k)(2). Under 5 U.S.C. 552a(k)(2), the head of an agency may promulgate rules to exempt a system of records from certain provisions of 5 U.S.C. 552a if the system contains investigatory material compiled for law enforcement purposes. The purpose of the interim final rule is to revise the inventory of OPR systems of records for

which an exemption is claimed pursuant to 5 U.S.C. 552a(k)(2) as found in paragraph (g)(viii) of this part to reflect the proposed revision and consolidation of those systems. No new exemptions are being proposed.

This action removes the following five systems of records from the paragraph (g)(1)(viii) of Section 1.36:

Number	Name of system
IRS 37.002 .....	Files containing derogatory information about individuals whose applications for enrollment to practice before the IRS have been denied and applicant appeal files. [formerly known as "Applicant Appeal Files"]
IRS 37.003 .....	Closed files containing derogatory information about individuals' practice before the Internal Revenue Service and files of attorneys and certified public accountants formerly enrolled to practice.
IRS 37.004 .....	Derogatory information (No Action).
IRS 37.005 .....	Present suspensions and disbarments resulting from administrative proceeding.
IRS 37.011 .....	Present suspensions from practice before the Internal Revenue Service.

The action also amends Section 1.36 by revising the title of two systems of records listed in Paragraph (g)(1)(viii) from "IRS 37.007—Inventory" to "IRS 37.007—Practitioner Disciplinary Records," and from "IRS 37.009—Enrolled Agents and Resigned Enrolled Agents (Action pursuant to 31 CFR 10.55(b))" to "IRS 37.009—Enrolled Agent Records."

These regulations are being published as an interim final rule because the amendments do not impose any requirements on any member of the public. These amendments are the most efficient means for the Treasury Department to implement its internal requirements for complying with the Privacy Act.

Accordingly, pursuant to 5 U.S.C. 553(b)(B) and (d)(3), the Department of the Treasury finds good cause that prior notice and other public procedures with

respect to this rule are unnecessary, and good cause for making this interim final rule effective 30 days after publication in the **Federal Register**.

Pursuant to Executive Order 12866, it has been determined that this interim final rule is not a significant regulatory action, and therefore, does not require a regulatory impact analysis.

Because no notice of proposed rulemaking is required, the provisions of the Regulatory Flexibility Act, 5 U.S.C. 601–612, do not apply.

#### List of Subjects in 31 CFR Part 1

Privacy.

■ Part 1, subpart C of title 31 of the Code of Federal Regulations is amended as follows:

#### PART 1—[AMENDED]

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

**Authority:** 5 U.S.C. 301 and 31 U.S.C. 321. Subpart A also issued under 5 U.S.C. 552 as amended. Subpart C also issued under 5 U.S.C. 552a.

■ 2. Section 1.36, paragraph (g)(1)(viii) is amended by removing from the table entries IRS 37.002, 37.003, 37.004, 37.005 and 37.011. Paragraph (g)(1)(viii) is further amended by removing from IRS 37.007, "Inventory" and adding in its place, "Practitioner Disciplinary Records" and by removing from IRS 37.009, "Resigned Enrolled Agents (action pursuant to 31 CFR 10.55(b))" and adding in its place, "Enrolled Agents Records" to read as follows:

#### § 1.36 Systems exempt in whole or in part from provisions of 5 U.S.C. 552a and this part.

\* \* \* \* \*

(g) \* \* \*

(1) \* \* \*

(viii) \* \* \*

Number	Name of system
IRS 37.007 .....	Practitioner Disciplinary Records
IRS 37.009 .....	Enrolled Agent Records

\* \* \* \* \*

Dated: October 24, 2006.

**Sandra L. Pack,**

*Assistant Secretary for Management and  
Chief Financial Officer.*

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## DEPARTMENT OF HOMELAND SECURITY

### Coast Guard

#### 33 CFR Part 165

[COTP Honolulu 06-008]

RIN 1625-AA87

#### Security Zone; Waters Surrounding U.S. Forces Vessel SBX-1, HI

**AGENCY:** Coast Guard, DHS.

**ACTION:** Temporary final rule.

**SUMMARY:** The Coast Guard is establishing a temporary 500-yard moving security zone around the U.S. Forces vessel SBX-1 during transit within the Honolulu Captain of the Port Zone. This security zone is necessary to protect the SBX-1 from hazards associated with vessels and persons approaching too close during transit. Entry of persons or vessels into this temporary security zone is prohibited unless authorized by the Captain of the Port (COTP).

**DATES:** This rule is effective from 12 a.m. (noon) (HST) on November 13, 2006, until 11:59 p.m. (HST) on December 3, 2006.

**ADDRESSES:** Documents indicated in this preamble as being available in the docket are part of docket COTP Honolulu 06-008 and are available for inspection or copying at Coast Guard Sector Honolulu between 7 a.m. and 3:30 p.m., Monday through Friday, except Federal holidays.

**FOR FURTHER INFORMATION CONTACT:** Lieutenant (Junior Grade) Quincey Adams, U.S. Coast Guard Sector Honolulu at (808) 842-2600.

#### SUPPLEMENTARY INFORMATION:

##### Regulatory Information

We did not publish a notice of proposed rulemaking (NPRM) for this regulation. Under 5 U.S.C. 553(b)(B), the Coast Guard finds that good cause exists for not publishing an NPRM. The Coast Guard was not given the final voyage plan in time to complete full notice-and-comment rulemaking procedures, rulemaking, and the need for this temporary security zone was not determined until less than 30 days

before the SBX-1 will require the protection provided by this rule. Publishing an NPRM and delaying the effective date would be contrary to the public interest since the transit would occur before completion of the notice-and-comment rulemaking process, thereby jeopardizing the security of the people and property associated with the operation. Under 5 U.S.C. 553(d)(3), the Coast Guard finds that good cause exists for making this rule effective less than 30 days after publication in the **Federal Register**. The COTP finds this good cause to be the immediate need for a security zone to allay the waterborne security threats surrounding the SBX-1's transit.

#### Background and Purpose

On October 6, 2006, the SBX-1 entered the Honolulu Captain of the Port Zone and transited to Pearl Harbor, HI for repairs. On October 5, 2006, the Coast Guard issued a temporary final rule (COTP Honolulu 06-006; § 165.T14-148 Security zone; waters surrounding U.S. Forces vessel SBX-1, HI) to protect the vessel during transit. That rule expired at 6 p.m. on October 11, 2006, and is scheduled to be published with other temporary rules that expired before they could be published full-text in the **Federal Register**. Due to the unknown duration of repairs, the SBX-1's actual departure date and time will not be known in advance. The Coast Guard is establishing this security zone to ensure that the vessel is protected during its upcoming departure from Pearl Harbor with as much public notice as possible.

#### Discussion of Rule

This temporary security zone is effective from 12 a.m. (noon) (HST) on November 13, 2006, until 11:59 p.m. (HST) on December 3, 2006. It is located within the Honolulu Captain of the Port Zone (See 33 CFR 3.70-10) and covers all U.S. navigable waters extending 500 yards in all directions from the U.S. Forces vessel SBX-1, from the surface of the water to the ocean floor. The security zone moves with the SBX-1 while in transit. The security zone becomes fixed when the SBX-1 is anchored, position-keeping, or moored. The security zone will be activated and enforced for just a few days during its three-week effective period. A broadcast notice to mariners will be issued to notify the public of this activation and enforcement period as soon as possible. If the Coast Guard has at least 48 hours notice of the movement of the SBX-1, the broadcast notice to mariners will be published giving the public 48 hours notice of the enforcement period

commencement. From the 1 and 2 buoy for Pearl Harbor until it departs the COTP zone, SBX-1 is expected to have a Coast Guard escort.

The general regulations governing security zones contained in 33 CFR 165.33 apply. Entering into, transiting through, or anchoring within this zone is prohibited unless authorized by the Captain of the Port or a designated representative thereof. The Captain of the Port will cause notice of the enforcement of the security zone described in this section to be made by broadcast notice to mariners. Any Coast Guard commissioned, warrant, or petty officer, and any other Captain of the Port representative permitted by law, may enforce the zone. The Captain of the Port may waive any of the requirements of this rule for any person, vessel, or class of vessel upon finding that application of the security zone is unnecessary or impractical for the purpose of maritime security. Vessels or persons violating this rule are subject to the penalties set forth in 33 U.S.C. 1232 and 50 U.S.C. 192.

#### Regulatory Evaluation

This rule is not a "significant regulatory action" under § 3(f) of Executive Order 12866, Regulatory Planning and Review, and does not require an assessment of potential costs and benefits under § 6(a)(3) of that Order. The Office of Management and Budget has not reviewed it under that Order. It is not "significant" under the regulatory policies and procedures of the Department of Homeland Security (DHS).

The Coast Guard expects the economic impact of this rule to be so minimal that a full Regulatory Evaluation under the regulatory policies and procedures of DHS is unnecessary. This expectation is based on the limited duration of the zone, the limited geographic area affected by it, and its ability to move with the protected vessel.

#### Small Entities

Under the Regulatory Flexibility Act (5 U.S.C. 601-612), we have considered whether this rule will have a significant economic impact on a substantial number of small entities. The term "small entities" comprises small businesses, not-for-profit organizations that are independently owned and operated and are not dominant in their fields, and governmental jurisdictions with populations of less than 50,000.

The Coast Guard certifies under 5 U.S.C. 605(b) that this rule will not have a significant economic impact on a substantial number of small entities. We