have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

## Executive Order 12606

The Commissioner of Immigration and Naturalization Service certifies that she has assessed this rule in light of the criteria in Executive Order 12606 and has determined that this regulation will not have an impact on family well-being.

The information collection requirement contained in this rule has been cleared by the Office of Management and Budget under the provisions of the Paperwork Reduction Act. The clearance number for this collection is contained in 8 CFR 299.5, Display of Control Numbers.

## List of Subjects in 8 CFR Part 103

Administrative practices and procedures, Authority delegations (Government agencies), Freedom of Information, Privacy, Reporting and recordkeeping requirements, Surety bonds, Fees, Forms.

Accordingly, the interim rule amending 8 CFR part 103 which was published in the **Federal Register** on May 27, 1993 at 58 FR 30698–30699 is adopted as a final rule without change.

Dated: February 9, 1995.

**Doris Meissner,**

*Commissioner, Immigration and Naturalization Service.*

[FR Doc. 95–4258 Filed 2–21–95; 8:45 am]

**BILLING CODE 4410–10–M**

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## 8 CFR Part 299

**[INS No. 1651N–95]**

**RIN 1115–AD64**

## Form I–589; Request for Asylum and Withholding of Deportation in the United States: Establishment of Compliance Date

**AGENCY:** Immigration and Naturalization Service, Justice.

**ACTION:** Final rule.

**SUMMARY:** This rule amends the Immigration and Naturalization Service's (Service) regulations by updating the listing of forms currently in use by the Service to reflect the current edition date (November 16, 1994) and title of the Form I–589, Application for Asylum and for Withholding of Deportation. This update is necessary to ensure that only the current edition of the Form I–589 listed in the regulations is used. Applications submitted on prior

versions of the Form I–589 will not be accepted after March 24, 1995.

**DATES:** This rule is effective February 22, 1995. Applications submitted on the prior versions of the Form I–589 will not be accepted after March 24, 1995.

**FOR FURTHER INFORMATION CONTACT:** Christine Davidson, Senior Policy Analyst, Office of International Affairs, Immigration and Naturalization Service, 425 ''I'' Street NW., Washington, DC 20536, Attn: ULLICO, Third Floor, Telephone: (202) 633–4389.

**SUPPLEMENTARY INFORMATION:** On November 4, 1994, a notice of revision of the Form I–589 was published in the **Federal Register** at 59 FR 55289. On November 28, 1994, the revised Form I–589 was approved by the Office of Management and Budget (OMB) for use by the Service under the provisions of the Paperwork Reduction Act. This rule amends 8 CFR 299.1 by updating the entry for the Form I–589 to reflect the current title and edition date (November 16, 1994).

The Form I–589 must be submitted when an individual who is present in the United States applies for asylum and for withholding of deportation. Applications submitted using a prior version of the November 16, 1994, Form I–589 will no longer be accepted after March 24, 1995, and the application will be returned by the Service. After March 24, 1995, the 150-day period after which the applicant may file an application for employment authorization in accordance with the regulations will not commence if the applicant submits a version of Form I–589 with a revision date prior to November 16, 1994.

The deadline for use of the prior version of the Form I–589 is, in the view of the INS, a rule of agency procedure or practice. Therefore, it is not subject to the notice and comment requirements of 5 U.S.C. § 553. The INS publishes this rule of procedure or practice in the **Federal Register** for the guidance of the public as required by 5 U.S.C. § 552.

## Regulatory Flexibility Act

The Commissioner of the Immigration and Naturalization Service, in accordance with 5 U.S.C. 605(b), has reviewed this regulation and by approving it certifies that this rule does not have a significant economic impact on a substantial number of small entities. This rule is primarily administrative in nature and merely updates the existing forms listings currently contained in Title 8 of the Code of Federal Regulations.

## Executive Order 12866

This rule is not considered by the Department of Justice, Immigration and Naturalization Service, to be a ''significant regulatory action'' under Executive Order 12866, section 3(f), Regulatory Planning and Review, and the Office of Management and Budget has waived its review process under section 6(a)(3)(A).

## Executive Order 12612

The regulation proposed herein will not have substantial direct effects on the States, on the relationship between the national Government and the States, or on the distribution of power and responsibilities among the various levels of government. Therefore, in accordance with Executive Order 12612, it is determined that this rule does not have sufficient Federalism implications to warrant the preparation of a Federalism Assessment.

## Executive Order 12606

The Commissioner of the Immigration and Naturalization Service certifies that she has assessed this rule in light of the criteria in Executive Order 12606 and has determined that this regulation will not have an impact on family well-being.

## List of Subjects in 8 CFR Part 299

Immigration, Reporting and recordkeeping requirements.

Accordingly, part 299 of chapter I of title 8 of the Code of Federal Regulations, is amended as follows:

## PART 299—IMMIGRATION FORMS

1. The authority citation for part 299 continues to read as follows:

**Authority:** 8 U.S.C. 1101, 1103; 8 CFR part 2.

2. Section 299.1 is amended by revising the entry for ''Form I–589'' to read as follows:

## § 299.1 Prescribed forms.

\* \* \* \* \*

I–589   11–16–94   Application for Asylum and for Withholding of Deportation

\* \* \* \* \*

Dated: February 14, 1995.

**Doris Meissner,**

*Commissioner, Immigration and Naturalization Service.*

[FR Doc. 95–4257 Filed 2–21–95; 8:45 am]

**BILLING CODE 4410–10–M**

# DEPARTMENT OF ENERGY

## Federal Energy Regulatory Commission

### 18 CFR Part 284

[Docket No. RM93–4–007; Order No. 563–E]

### Standards for Electronic Bulletin Boards Required Under Part 284 of the Commission's Regulations

Issued February 15, 1995.
**AGENCY:** Federal Energy Regulatory Commission.
**ACTION:** Final rule; order granting clarification and extension of time.

**SUMMARY:** In response to a request for clarification submitted by the Electronic Bulletin Board Working Group, the Federal Energy Regulatory Commission is issuing an order making changes to the fields that report the maximum natural gas pipeline tariff rate related to released capacity. The order clarifies that pipelines must report only the maximum tariff rate related to the type of release involved; e.g., the maximum reservation rate for a reservation rate release and the maximum volumetric rate for a volumetric release. The order also grants an extension of time for pipelines to implement the new fields.

**DATES:** New fields must be implemented on or before March 17, 1995.

**ADDRESSES:** Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, DC 20426.

**FOR FURTHER INFORMATION CONTACT:**

Michael Goldenberg, Office of the General Counsel, Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, DC 20426, (202) 208–2294.

Marvin Rosenberg, Office of Economic Policy, Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, D.C. 20426, (202) 208–1283

Brooks Carter, Office of Pipeline and Producer Regulation, Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, D.C. 20426, (202) 208–0292

**SUPPLEMENTARY INFORMATION:** In addition to publishing the full text of this document in the **Federal Register**, the Commission also provides all interested persons an opportunity to inspect or copy the contents of this document during normal business hours in Room 3104, 941 North Capitol Street NE, Washington DC 20426.

The Commission Issuance Posting System (CIPS), an electronic bulletin board service, provides access to the texts of formal documents issued by the Commission. CIPS is available at no charge to the user and may be accessed using a personal computer with a modem by dialing (202) 208–1397. To access CIPS, set your communications software to 19200, 14400, 12000, 9600, 7200, 4800, 2400, 1200 or 300bps, full duplex, no parity, 8 data bits, and 1 stop bit. The full text of this document will be available on CIPS for 60 days from the date of issuance in ASCII and WordPerfect 5.1 format. After 60 days the document will be archived, but still accessible. The complete text on diskette in WordPerfect format may also be purchased from the Commission's copy contractor, La Dorn Systems Corporation, also located in Room 3104, 941 North Capitol Street, NE, Washington DC 20426.

## Order Granting Clarification and Extension of Time

Issued February 15, 1995.

Before Commissioners: Elizabeth Anne Moler, Chair; Vicky A. Bailey, James J. Hoecker, William L. Massey, and Donald F. Santa, Jr.

On January 24, 1995, the Electronic Bulletin Board (EBB) Working Group filed a request for clarification of the Commission's December 29, 1994 order [1] requiring pipelines to include maximum rate fields as part of the capacity release data sets adopted by the Commission in Order No. 563.[2] The Working Group further requests an extension of time for compliance until the later of 30 days after the Commission issues a clarification order or the Gas*Flow implementation guide is available in the Commission's public reference room. The Commission will grant the requested clarification and will extend the time for compliance until 30 days from the date of this order.

In the December 29, 1994 order, the Commission accepted a proposal by the Working Group to include the maximum tariff rate for capacity posted for release. The Commission required the inclusion in the Award Data Set of the maximum reservation rate and maximum volumetric rate for released capacity. The Working Group had proposed that the fields should be considered optional, meaning that a pipeline would include the fields only if the pipeline chooses to do so or its tariff requires it to include the information. The Commission, however, concluded that the fields should be mandatory, because the Commission needed maximum rate data for all releases from all pipelines.

The Working Group requests clarification, contending that these fields should be designated conditional, rather than mandatory, fields. A mandatory designation would mean that data must be included in both of these fields for every release. The Working Group argues that if a release is a reservation rate release, there is no need to include the maximum volumetric rate, and *vice versa*.[3] The Working Group contends, therefore, that the maximum rate fields should be made conditional on the type of release involved, so that only the maximum rate related to the release would be provided; e.g., the maximum reservation rate for a reservation rate release and the maximum volumetric rate for a volumetric release.[4] The Working Group states that changing the field designation to conditional would not disturb the Commission requirement that pipelines provide the maximum rate data for all releases, but would only serve to ensure that unnecessary information would not be provided. The Working Group has included revised data sets to implement this change and stated that the datasets would be provided to the Gas*Flow group for incorporation into the EDI implementation guide.

The Commission will accept the proposed modification to make the fields conditional as described in the data sets. The intent of the December 29, 1994 order was to require pipelines to supply data on the maximum rate for each release, but the Commission did not intend that pipelines report a maximum rate that was unrelated to the type of release involved; e.g., a maximum reservation rate for a volumetric release. Such information

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[1] Standards For Electronic Bulletin Boards Required Under Part 284 of the Commission's Regulations, Order No. 563–D, 60 FR 1718 (Jan. 5, 1995), 69 FERC ¶ 61,418 (Dec. 29, 1994).

[2] Standards For Electronic Bulletin Boards Required Under Part 284 of the Commission's Regulations, Order No. 563, 59 FR 516 (Jan. 5, 1994), III FERC Stats. & Regs. Preambles ¶ 30,988 (Dec. 23, 1993), *order on reh'g*, Order No. 563–A, 59 FR 23624 (May 6, 1994), III FERC Stats. & Regs. Preambles ¶ 30,994 (May 2, 1994), *reh'g denied*, Order No. 563–B, 68 FERC ¶ 61,002 (1994).

[3] If a release is a blended release comprised of both a reservation rate and volumetric component, the Working Group states that data would have to be supplied for both fields.

[4] In the argot of the data sets, they propose that each maximum rate field would be made conditional on the response to the Rate From Type Code, which is a mandatory field that describes whether the release is a (1) reservation rate, (2) volumetric, or (3) blended release. If the Rate Form Type Code is 1 indicating a reservation rate release, only the maximum reservation rate must be provided. If the Rate Form Type Code is 2 indicating a volumetric release, only the maximum volumetric rate must be provided. If the Rate Form Type Code is 3 indicating a blended release, both the maximum reservation rate and maximum volumetric rate must be provided.

would be superfluous. Since the Working Group's proposal would require pipelines to provide the relevant maximum rate for all releases, the Commission will accept it.

The Working Group further requests that the Commission provide an extension of time to comply with this requirement until the later of 30 days after the Commission issues a clarification order or the Gas*Flow implementation guide is available in the Commission's public reference room. The Commission will grant an extension of time until 30 days after the issuance of this order.

Unlike the Working Group's previous filing, a proposed EDI implementation guide was not provided along with the proposed change to conditional fields. The Commission needs the information on maximum release rates as promptly as possible and, given the minimum changes necessary to implement the change, the Commission concludes that, if Gas*Flow has not already made the necessary changes, it can make them promptly. Thus, a 30 day delay is adequate to implement the proposed changes. Once the implementation guide is finalized, it must be filed with the Commission. The data sets and EDI implementation guide will then be incorporated into the ''Standardized Data Sets and Communication Protocols'' which is available at the Commission's Public Reference and Files Maintenance Branch.

*The Commission orders:* (A) The Commission will grant the requested clarification and accept the conditional fields for maximum reservation rate and maximum volumetric rate as proposed in the January 24, 1995 filing.

(B) Pipelines must implement these new fields within 30 days of the date of this order.

By the Commission.

**Lois D. Cashell,**
*Secretary.*
[FR Doc. 95–4233 Filed 2–21–95; 8:45 am]
**BILLING CODE 6717–01–P**

## DEPARTMENT OF THE TREASURY

**Internal Revenue Service**

**26 CFR Part 1**

**[TD 8588]**

**RIN 1545–AS70**

**Subchapter K—Anti-Abuse Rule; Correction**

**AGENCY:** Internal Revenue Service (IRS), Treasury.

**ACTION:** Correction to final regulation.

**SUMMARY:** This document contains corrections to the final regulation (TD 8588) which was published in the **Federal Register** for Tuesday, January 3, 1995 (60 FR 23). The final regulation provides an anti-abuse rule authorizing the Commissioner of Internal Revenue, in certain circumstances, to recast a transaction involving the use of a partnership.

**EFFECTIVE DATE:** January 3, 1995.

**FOR FURTHER INFORMATION CONTACT:** D. Lindsay Russell or Mary A. Berman at 202–622–3050 (not a toll-free number).

**SUPPLEMENTARY INFORMATION:**

### Background

The final regulation that is the subject of these corrections is under section 701 of the Internal Revenue Code.

### Need for Correction

As published, TD 8588 inadvertently ommitted language and contains typographical errors which may prove to be misleading and are in need of clarification.

### Correction of Publication

Accordingly, the publication of the final regulation which is the subject of FR Doc. 94–32331, is corrected as follows:

### § 1.701–2 [Corrected]

1. In the list below, for each Example in § 1.701–2, paragraph (d), indicated in the left column, the language in the middle column is removed, and the language in the right column is added.

| § 1.701–2(d) | Remove | Add |
| --- | --- | --- |
| *Example 3,* heading, p. 28, 3rd column, 2nd line | limitation, | limitation; |
| *Example 7*(i), p. 29, 3rd column, 4th line | $100 | $100$x$ |
| *Example 7*(i), p. 29, 3rd column, 6th line | $6 | $6$x$ |
| *Example 7*(i), p. 29, 3rd column, 10th line | $50 | $50$x$ |
| *Example 9*(i), p. 30, 3rd column, 4th line | $9,000, $990, and $10 | $9,000$x$, $900$x$, and $10$x$ |
| *Example 9*(i), p. 30, 3rd column, 8th line | $10,000 | $10,000$x$ |
| *Example 9*(i), p. 30, 3rd column, 13th line | $9,000 | $9,000$x$ |
| *Example 9*(i), p. 30, 3rd column, 14th line | $9,000 | $9,000$x$ |
| *Example 9*(i), p. 30, 3rd column, 14th line | $8,100 | $8,100$x$ |
| *Example 9*(i), p. 30, 3rd column, 14th line | $891 | $891$x$ |
| *Example 9*(i), p. 30, 3rd column, 15th line | $9 | $9$x$ |
| *Example 9*(i), p. 30, 3rd column, 16th line | $9,000 | $9,000$x$ |
| *Example 9*(i), p. 30, 3rd column, 22nd line | $1,000 and $9,000 | $1,000$x$ and $9,000$x$ |
| *Example 9*(i), p. 30, 3rd column, 24th line | $19,000 | $19,000$x$ |
| *Example 9*(i), p. 30, 3rd column, 25th line | $10,000 | $10,000$x$ |
| *Example 9*(i), p. 30, 3rd column, 26th line | $9,000 | $9,000$x$ |
| *Example 9*(i), p. 30, 3rd column, 27th line | $9,000 | $9,000$x$ |
| *Example 9*(i), p. 30, 3rd column, 30th line | $9,000, $990 | $9,000$x$, $990$x$ |
| *Example 9*(i), p. 30, 3rd column, 31st line | $10 | $10$x$ |
| *Example 9*(i), p. 30, 3rd column, 32nd line | $8,000 | $8,000$x$ |
| *Example 9*(i), p. 30, 3rd column, 35th line | $1,881 and $19 | $1,881$x$ and $19$x$ |
| *Example 9*(i), p. 30, 3rd column, 36th line | $9,801 and $99 | $9,801$x$ and $99$x$ |
| *Example 9*(i), p. 30, 3rd column, 40th line | $1,000 | $1,000$x$ |
| *Example 9*(i), p. 30, 3rd column, 41st line | $9,000 | $9,000$x$ |
| *Example 9*(i), p. 30, 3rd column, 41st line | $8,910 | $8,910$x$ |
| *Example 9*(i), p. 30, 3rd column, 41st line | $90 | $90$x$ |
| *Example 9*(i), p. 30, 3rd column, 43rd line | $891 | $891$x$ |
| *Example 9*(i), p. 30, 3rd column, 44th line | $9 | $9$x$ |
| *Example 10*(i), p. 31, 1st column, 2nd line | $100 | $100$x$ |
| *Example 10*(i), p. 31, 1st column, 2nd line | $60 | $60$x$ |
| *Example 10*(i), p. 31, 1st column, 10th line | $30 | $30$x$ |
| *Example 10*(i), p. 31, 1st column, 28th line | $100 | $100$x$ |