properties of product or service; § 13.170–16 Cleaning, purifying; § 13.190 Results; § 13.205 Scientific or other relevant facts; § 13.210 Scientific tests. Subpart—Corrective Actions and/or Requirements: § 13.533 Corrective actions and/or requirements; § 13.533–45 Maintain records. Subpart—Disseminating Advertisements, Etc.: § 13.1043 Disseminating advertisements, etc. Subpart—Misrepresenting Oneself and Goods—Goods: § 13.1710 Qualities or properties; § 13.1730 Results; § 13.1740 Scientific or other relevant facts; § 13.1762 Tests, purported. Subpart—Neglecting, Unfairly or Deceptively, To Make Material Disclosure: § 13.1885 Qualities or properties; § 13.189 Scientific or other relevant facts.

**List of Subjects in 16 CFR Part 13**

Indoor air cleaners, Trade practices.

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interprets or applies sec. 5, 38 Stat. 719, as amended; 15 U.S.C. 45)

Emily H. Rock,

*Secretary.*

[FR Doc. 86–3896 Filed 2–21–86; 8:45 am]

BILLING CODE 6750–01–M

## DEPARTMENT OF ENERGY

## Federal Energy Regulatory Commission

## 18 CFR Part 284

**[Docket No. RM85–1–000; RM 85–1–148, RM85–1–150 and RM85–1–152 (Part A)**

## Regulation of Natural Gas Pipelines After Partial Wellhead Decontrol

Issued: February 14, 1986.

**AGENCY:** Federal Energy Regulatory Commission.

**ACTION:** Order Granting in Part Petitions for Rehearing and Reconsideration.

**SUMMARY:** The Federal Energy Regulatory Commission (Commission) is granting in part three petitions for rehearing of its Order No. 436–A, issued December 12, 1985, 50 FR 52217 (Dec. 23, 1985), and is granting three related petitions for reconsideration of that order. The Commission is permitting the transportation of natural gas by interstate pipelines or local distribution companies, under arrangements commenced on or after October 9, 1986, to continue through June 30, 1986, before customer rights to reduce or convert firm sales entitlements under § 284.10 of the Commission's regulations are triggered.

**EFFECTIVE DATE:** February 14, 1986.

**FOR FURTHER INFORMATION CONTACT:** Kenneth F. Plumb, Secretary, Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, D.C. 20426, (202) 357–8400.

**SUPPLEMENTARY INFORMATION:**

### I. Introduction

The Federal Energy Regulatory Commission (Commission) is granting in part three petitions for rehearing of its Order No. 436–A [1] and is granting three related petitions for reconsideration of that order. The Commission is permitting the transportation of natural gas by interstate pipelines on behalf of intrastate pipelines or local distribution companies, under arrangements commenced on or after October 9, 1985, to continue through June 30, 1986, before customer rights to reduce or convert firm sales entitlements under § 284.10 of the Commission's regulations are triggered.

This order is not a decision on the merits of any other issue or application before the Commission on rehearing of Order No. 436–A.[2] The amendment to the Commission's regulations is effective immediately.

### II. Background

In Part A of Order No. 436 [3], the Commission adopted a comprehensive program for the interstate transportation of natural gas. That final rule, issued pursuant to the Natural Gas Act (NGA) [4] and the Natural Gas Policy Act of 1978 (NGPA) [5], substantially changed Commission regulation of interstate natural gas transportation. As an alternative to the traditional "merchant" function played by natural gas pipelines, the Commission provided the regulatory framework under which both interstate and intrastate pipelines could transport gas for others on a non-discriminatory basis, thereby ensuring that the benefits of competitively-priced gas supplies and transmission services are available to all consumers. This program is implemented by means of blanket certificates issued to interstate pipelines [6] and self-implementing transportation arrangements conducted under section 311 of the NGPA by either interstate and intrastate pipelines.[7]

As a condition of accepting a blanket certificate under § 284.221 or commencing any self-implementing NGPA section 311 transaction after December 15, 1985, interstate pipelines were required by Order No. 436 to offer their firm sales customers the opportunity to reduce or convert to firm transportation service any firm sales entitlements to gas supplies. 18 CFR 284.10(a).

In Order No. 436–A, the Commission granted rehearing in part to extend the date for applying the CD reduction/conversion provision in § 284.10 to interstate pipelines that commenced new NGPA section 311 arrangements authorized under § 284.102 or § 284.243. The amendment allowed transportation arrangements that commenced after October 9, 1985, to continue through February 16, 1986, without triggering the § 284.10 conditions.

### III. Discussion

In applications for rehearing of Order No. 436–A, Texas Eastern Transmission Corporation, Southern Natural Gas Company, Natural Gas Pipeline Company of America, the Interstate Natural Gas Association of America, ANR Pipeline Company, Coastal Corporation, and Colorado Interstate Gas Company raise serious concerns regarding disruption of gas markets as a result of the requirements of § 284.10. In addition, the American Gas Association and Arkla Energy Resources, Northwest Pipeline Corporation and its major customers, the Citizens Energy Corporation, Texas Eastern, Dome Petroleum Limited, United Gas Pipe Line Company, and Trunkline Gas Company request postponement of the trigger date to forestall disruptions in ongoing transactions that will occur on February 15, 1986.[8] These petitioners request an extension to various dates beyond February 15, 1986. In requesting the extension, they note the existence of significant and promising negotiations involving several major pipelines which may lead to open access transportation under Order No. 436. They urge the Commission to permit these negotiations to proceed without risking the hardships to consumers that will arise if pipelines discontinue NGPA section 311 transactions. Two of the petitioners

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[1] 50 FR 52217 (Dec. 23, 1985).

[2] On February 4, 1986, the Commission issued an "Order Granting Rehearing of Order No. 436–A for the Purpose of Further Consideration." All issues raised on rehearing, other than those specifically addressed herein, remain tolled pending further Commission action.

[3] 50 FR 42408 (Oct 18, 1985).

[4] 15 U.S.C. 717–717w (1982).

[5] 15 U.S.C. 3301–3432 (1982).

[6] 18 CFR Part 284, Subparts G and H.

[7] 18 CFR Part 284, Subparts B, C, and H.

[8] These filings, variously requesting extension or waiver, are treated as petitions for reconsideration of Order No. 436–A. The Commission notes that it also received letters from the Maryland People's Counsel and Michigan Consolidated Gas Company and from the Illinois Commerce Commission in opposition to such an extension. For the reasons stated in this order, the Commission believes that an extension is appropriate.

request a postponement of the trigger date up to July 1, 1986, consistent with the date on which revised rates for Order No. 436 transportation must be proposed to be effective.

The Commission is persuaded that postponement of the February 15 trigger date for the CD reduction/conversion options through June 30, 1986, is appropriate. In granting this extension, the Commission reaffirms its commitment to the concepts embodied by Order No. 436. At the same time, the Commission notes that the postponement of the § 284.10 trigger date provided by Order No. 436–A had a specific purpose, namely to enable all segments of the gas industry to adjust their commercial relationships so that they would be in the most advantageous position possible to maximize their opportunities under Order No. 436. The Commission explained, in granting this extension, that

> Because the bulk of self-help transportation services are those implemented under section 311 and because Order No. 436 provides pipelines new flexibility to provide section 311 services to local distribution systems for both system supply and direct end-uses, the change to § 284.10(a) would extend the CD reduction/conversion "trigger" date for new section 311 arrangements from December 15, 1985, to February 15, 1986. However, all other Order No. 436 conditions applicable to such 311 services, such as the non-discriminatory access condition, would continue to apply as required by Order No. 436.
>
> Under this change, all segments of the industry more readily will be able to adjust their commercial relationships, while at the same time meeting Order No. 436's overall goal of permitting pipelines and their customers to maximize the movement of gas on a non-discriminatory basis in response to competitive conditions.[9]

The Commission believes that the goals articulated in Order No. 436–A can be furthered by this extension and that it will serve the public interest for the following reasons.

Several pipelines have taken steps to participate in the Order No. 436 transportation program. Nine pipelines have filed applications for blanket transportation certificates, while two others have filed settlements which claim to include transportation service pursuant to Order Nos. 436 and 436–A. We believe that an evolution toward flexible, nondiscriminatory transportation and greater competition in gas markets is occurring. The petitions before us note that many major pipelines currently are meeting with customers to determine their participation in the Order No. 436 transportation program. We therefore expect that many pipelines are in the process of attempting to restructure their traditional relationships with customers and suppliers to allow a smooth transition toward that transportation program.

The Commission recognizes that Order Nos. 436 and 436–A represent a major change in the regulation of transportation. Accordingly, and as experience since issuance of these orders has shown, the transition to this new regulatory environment will take time. We must give pipelines the opportunity to meet with their customers and suppliers to work out new requirements and new relationships. The Commission, too, is facing many issues of first impression as pipelines file applications for blanket certificates, settlements involving flexible, nondiscriminatory transportation, and operating conditions and requirements for implementation of new transportation service. From experience, we know that sufficient time is required to give the necessary level of consideration to these new issues to find appropriate resolutions. Postponement of the trigger date will assure that pipelines will have the necessary time to work with their customers and suppliers to determine participation and file for transportation authorizations and the Commission will have the necessary time to respond to the filings granting authorizations, where it is appropriate.

Although we are postponing the trigger date, we do not expect that all pipelines which will participate in the flexible, nondiscriminatory transportation program will wait until July 1 to file for any necessary approval and/or authorization. As noted in the petitions and discussed earlier in this order, several pipelines have already made the decision to participate in Order No. 436 transportation, and many others are currently meeting with their customers to determine participation in that program.

Finally, postponing the trigger date does not mean that nondiscriminatory transportation will not occur before July 1. New NGPA section 311 transportation must be on a nondiscriminatory basis. Postponement of the trigger date will permit pipelines and their customers to gain further experience in operating in a nondiscriminatory transportation environment, without the need of customers to commit immediately to changes in current contract demand. Customers converting or reducing their contract demand will be permitted to base their decisions on recent experience with transportation opportunities.

[9] 50 FR at 52273.

## IV. Effective Date

The change to the Commission's regulations in this order is effective immediately. The Commission finds good cause under the Administrative Procedure Act, 5 U.S.C. 553(d) (1982), to amend § 284.10(a) to defer the application of the CD reduction/conversion provisions to new transactions under NGPA section 311(a)(1), that is, those transactions that the Commission authorizes under 18 CFR 284.102 or 284.243. The amendment will prevent the imminent disruption of natural gas markets on February 15, 1986. Therefore, immediate effectiveness is essential.

In light of the foregoing, the Commission grants rehearing in part, grants reconsideration, and amends accordingly, Chapter I, Title 18, Code of Federal Regulations, as set forth below, effective immediately.

By the Commission. Commissioner Stalon dissented with a separate statement to be issued later.

**Kenneth F. Plumb,**

*Secretary.*

### List of Subjects in 18 CFR Part 284

Natural gas, Reporting and recordkeeping requirements.

### PART 284—[AMENDED]

1. The authority citation for Part 284 continues to read as follows:

**Authority:** Natural Gas Act, 15 U.S.C. 717–717w (1982); Natural Gas Policy Act of 1978, 15 U.S.C. 3301–3432 (1982); Department of Energy Organization Act, 42 U.S.C. 7107–1352 (1982); Executive Order No. 12,009, 3 CFR 142 (1978).

### § 284.10 [Amended]

2. In § 284.10, paragraph (a)(1) is amended by removing the words "February 15, 1986; and by inserting in lieu thereof the words "June 30, 1986;".

[FR Doc. 86–3933 Filed 2–21–86; 8:45 am]

BILLING CODE 6717-01-M

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## DEPARTMENT OF THE TREASURY

## Internal Revenue Service

## 26 CFR Part 1

[T.D. 8059]

## Income Taxes; Statutory Merger Using Voting Stock of Controlling Corporation (Reverse Triangular Merger); Correction

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

**ACTION:** Correction to final rule.

**SUMMARY:** This document contains a correction to the **Federal Register** publication on Tuesday, October 22, 1985, beginning at 50 FR 42688 of the final regulations which were the subject of Treasury Decision 8059. T.D. 8059 relates to the statutory merger of a controlled corporation into an acquiring corporation using the voting stock of the corporation controlling the merged corporation (reverse triangular merger).

**EFFECTIVE DATES:** The final regulations that are the subject of this correction apply to statutory mergers occurring after December 31, 1970, and are effective October 22, 1985. This correction is also effective October 22, 1985.

**FOR FURTHER INFORMATION CONTACT:** Carroll Yue of the Legislation and Regulations Division, Office of Chief Counsel, Internal Revenue Service, 1111 Constitution Avenue, NW., Washington, DC 20224. (Attention: CC:LR:T). Telephone 202–566–3935 (not a toll-free call).

**SUPPLEMENTARY INFORMATION:**

### Background

On October 22, 1985, final regulations relating to the statutory merger of a controlled corporation into an acquiring corporation using the voting stock of the corporation controlling the merged corporation (reverse triangular merger) were published in the **Federal Register** (50 FR 42688). These regulations apply to statutory mergers occurring after December 31, 1970, and are effective October 22, 1985. These amendments were made to conform the regulations to changes made by Public Law 91–693, which added section 368(a)(2)(E) to the Internal Revenue Code of 1954.

### Need for Correction

As published, Treasury Decision 8059 incorrectly includes the word "controlling" rather than the word "surviving". This error appears on page 42690, second column, paragraph (4), eleventh line.

### Correction of Publication

Accordingly, FR Doc. 85–25174, § 1.368–2(j) is corrected on page 42690, second column, paragraph (4), eleventh line, by removing the word "controlling" and adding the word "surviving" in its place.

**Paul A. Francis,**

*Acting Director, Legislation and Regulations Division.*

[FR Doc. 86–3862 Filed 2–21–86; 8:45 am]

BILLING CODE 4830–01–M

## DEPARTMENT OF JUSTICE

### Office of Justice Programs

### 28 CFR Part 22

### Confidentiality of Identification Research and Statistical Information

**AGENCY:** Office of Justice Programs, Department of Justice.

**ACTION:** Final rule.

**SUMMARY:** 28 CFR Part 22 is being amended to comply with the nomenclature changes in the Justice Assistance Act of 1984, Chapter VI, Division I, of Title II of Pub. L. 98–473 (Oct. 12, 1984), and the Juvenile Justice, Runaway Youth, and Missing Children's Act Amendments of 1984, Chapter VI, Division II, of Title II of 98 Stat. 1837 (Oct. 12, 1984). These amendments establish the Office of Justice Programs as successor to the Office of Justice Assistance, Research, and Statistics and a Bureau of Justice Assistance as successor to the Law Enforcement Assistance Administration. Part 22 is also made applicable to recipients of financial assistance awarded under the Victims of Crime Act of 1984, Chapter XIV of Title II of Pub. L. 98–473.

**EFFECTIVE DATE:** February 24, 1986.

**FOR FURTHER INFORMATION CONTACT:** Charles A. Lauer, General Counsel, Office of Justice Programs, Department of Justice, 633 Indiana Avenue, NW., Room 1268, Washington, DC 20531. Telephone number (202) 724–7792.

**SUPPLEMENTARY INFORMATION:** The Justice Assistance Act of 1984 amends Title II of the Omnibus Crime Control and Safe Streets Act of 1968, as amended, to establish an Office of Justice Programs within the Department of Justice under the general authority of the Attorney General. The Office of Justice Programs is headed by an Assistant Attorney General. The Assistant Attorney General provides staff support and coordinates the activities of the National Institute of Justice, the Bureau of Justice Statistics, the Office of Juvenile Justice and Delinquency Prevention, the Bureau of Justice Assistance, and the Office for Victims of Crime. In addition, the Victims of Crime Act of 1984 contains a confidentiality provision identical to the Justice Assistance Act confidentiality provision. The regulations are being amended to implement both provisions.

### List of Subjects in 28 CFR Part 22

Crime, Juvenile delinquency; Privacy, Research, and Statistics.

Part 22 of Title 28 is amended as follows:

### PART 22—[AMENDED]

1. The authority citation for Part 22 is revised to read as follows:

**Authority:** Secs. 801(a), 812(a), Omnibus Crime Control and Safe Streets Act of 1968, 42 U.S.C. 3701, *et seq.*, as amended (Pub. L. 90–351, as amended by Pub. L. 93–83, Pub. L. 93–415, Pub. L. 94–430, Pub. L. 94–503, Pub. L. 95–115, Pub. L. 96–157, and Pub. L. 98–473); secs. 262(b), 262(d), Juvenile Justice and Delinquency Prevention Act of 1974, 42 U.S.C. 5601, *et seq.*, as amended (Pub. L. 93–415, as amended by Pub. L. 94–503, Pub. L. 95–115, Pub. L. 99–509, and Pub. L. 98–473); and secs. 1407(a) and 1407(d) of the Victims of Crime Act of 1984, 42 U.S.C. 10601, et seq., Pub. L. 98–473.

2. Part 22 is amended by removing the Editorial Note at the end of the table of contents.

3. Section 22.1 is amended by adding a new paragraph (f) to read as follows:

**§ 22.1 Purpose.**

* * * * *

(f) Insure the confidentiality of information provided by crime victims to crisis intervention counselors working for victim services programs receiving funds provided under the Crime Control Act, and Juvenile Justice Act, and the Victims of Crime Act.

4. 28 CFR 22.2 is amended by adding a new paragraph (k) and by revising paragraph (b) to read as follows:

**§ 22.2 Definitions.**

* * * * *

(b) Private person—means any person defined in § 22.2(a) other than an agency, or department of Federal, State, or local government, or any component or combination thereof. Included as a private person is an individual acting in his or her official capacity.

* * * * *

(k) The Victims of Crime Act—means the Victims of Crime Act of 1984.

**§ 22.20 [Amended]**

5. Section 22.20(a) is amended by substituting "the Crime Control Act, the Juvenile Justice Act, and the Victims of Crime Act" for "the Crime Control Act and Juvenile Justice Act."

6. 28 CFR 22.22 is amended by revising paragraph (a)(2) to read as follows:

**§ 22.22 Revelation of identifiable data.**

(a) * * *

(2) Such individuals as needed to implement sections 202(c)(3), 801, and 811(b) of the Act; and sections 223(a)(12)(A), 223(a)(13), 223(a)(14), and 243 of the Juvenile Justice and Delinquency Prevention Act.

**§ 22.29 [Amended]**

7. Section 22.29 is amended by changing "section 818(a)" to read "section 812(a) of the Act or section 1407(d) of the Victims of Crime Act."

**§§ 22.20, 22.23, 22.24, 22.26, and 22.29 [Amended]**

8. Sections 22.20, 22.23, 22.24, 22.26 and 22.29 are amended by changing the acronym "LEAA" to "BJA" and the acronym "OJARS" to "OJP" and by inserting "OJJDP," after "BJA," in the following places:

(a) 28 CFR 22.20(a);
(b) 28 CFR 22.23(a) and (b)(6);
(c) 28 CFR 22.24;
(d) 28 CFR 22.26(b); and
(e) 28 CFR 22.29.

Dated: February 19, 1986.

**Lois Haight Herrington,**

*Assistant Attorney General, Office of Justice Programs.*

[FR Doc. 86-3957 Filed 2-21-86; 8:45 am]

BILLING CODE 4410-18-M

## DEPARTMENT OF THE TREASURY

### Fiscal Service

### 31 CFR Part 317

### Regulations Governing Agencies for Issue of United States Savings Bonds

**AGENCY:** Bureau of the Public Debt, Fiscal Service, Treasury.

**ACTION:** Final rule.

**SUMMARY:** The regulations published by the Bureau of the Public Debt governing agencies that issue United States Savings Bond provide, at § 317.8, that such agencies shall remit bond sales proceeds promptly in accordance with instructions issued by the Department of the Treasury. The instructions are set forth in the Appendix to § 317.8, published in conjunction with the regulations. In the interest of improved cash management, the Appendix is being revised to provide that the remittance of sales proceeds be made in immediately available funds.

**DATE:** June 24, 1986.

**FOR FURTHER INFORMATION CONTACT:** Dean A. Adams, Assistant Chief Counsel, or Susan J. Klimas, Attorney-Adviser, Bureau of the Public Debt, Savings Bond Operations Office, Parkersburg, WV 26101 (304) 420-6506.

**SUPPLEMENTARY INFORMATION:** The regulations governing agencies for the issue of United States Savings Bonds (31 CFR Part 317), at § 317.8, require that issuing agents remit "promptly" all bond sales proceeds. The Appendix to § 317.8 specifies the ways in which the sales proceeds should be remitted: (1) By check, or (2) by charge to a reserve account at a Federal Reserve Bank. Also, agents that are note option Treasury tax and loan depositaries are permitted to remit by credit to the tax and loan account.

The above authorization is being modified to specify that payments be made in "immediately available funds," and, in the case of issuing agents that are financial institutions, to preclude payment by them to the Department of the Treasury, or its fiscal agents, by ordinary check. Upon implementation of the rule, payment must be made by financial institutions by a charge to a reserve account at a Federal Reserve Bank, or by credit to a tax and loan account, as currently authorized, or by one of three other forms of remittance that permit immediate collection.

In the case of issuing agents that are not financial institutions, the rule admonishes them to submit sales proceeds in immediately available funds.

**Procedural Requirements**

This rule is not considered a "major rule" for purposes of Executive Order 12291. A regulatory impact analysis, therefore, is not required.

The notice and public procedures of the Administrative Procedure Act are inapplicable pursuant to 5 U.S.C. 553(a)(2). As no notice of proposed rulemaking is required, the provisions of the Regulatory Flexibility Act (5 U.S.C. 601, *et seq.*) do not apply.

**List of Subjects in 31 CFR Part 317**

Banks and banking, Federal Reserve System, Government securities.

Dated: February 13, 1986.

**Gerald Murphy,**

*Acting Fiscal Assistant Secretary.*

## PART 317—[AMENDED]

For the reasons set out in the summary, Part 317 of Chapter II, Subchapter B, Title 31 of the Code of Federal Regulations, is hereby amended, as set forth below:

1. The authority citation for Part 317 continues to read as follows:

**Authority:** Sec. 22, 49 Stat. 21, as amended; 31 U.S.C. 757c.

**§ 317.8 [Amended]**

2. The appendix to § 317.8 is amended by adding paragraphs (f), (g), and (h) to Subpart A, 2. *Definition of terms* and by revising 4. *Forms of remittance* of Subpart A, to read as follows:

**Appendix to § 317.8—Remittance of Sales Proceeds, Department of the Treasury Circular, Public Debt Series No. 4-67, Revised (31 CFR Part 317), Fiscal Service, Bureau of the Public Debt**

*Subpart A—General Information*

* * * * *

2. *Definition of terms.* As used in this appendix:

* * * * *

(f) "Immediately available funds" are remittances of funds which are available for the use by the Department of the Treasury immediately upon receipt by the Department or its fiscal agents, and include, but are not limited to:

(1) A charge to the remitter's (or a correspondent depository institution's) reserve account with a Federal Reserve Bank;

(2) A credit to the tax and loan account of an agent which is a note option Treasury tax and loan depositary, subject to the provisions of § 203.9 of Department of the Treasury Circular No. 92, as revised (31 CFR Part 203), the regulations governing Treasury Tax and Loan Depositaries;

(3) A Federal funds check;

(4) A United States Government check; or

(5) A postal money order.

(g) "Financial institutions" refers to banks, trust companies, credit unions, and savings institutions chartered by or incorporated under the laws of the United States, or those of any State or Territory of the United States, the District of Columbia, or the Commonwealth of Puerto Rico.

(h) "Nonfinancial institutions" refers to any issuing agent not described under (g), above.

* * * * *

4. *Forms of remittance.* Issuing agents shall remit sales proceeds in timely fashion as follows:

(a) Issuing agents which are financial institutions must remit in immediately available funds.

(b) Issuing agents which are nonfinancial institutions should remit in immediately available funds.

(c) The Commissioner of the Public Debt, as designee of the Secretary of the Treasury, may waive or modify this provision. The Commissioner may do so in any particular case or class of cases for the convenience of the United States or in order to relieve any agent of agents of unusual hardship: (1) If such action would not be inconsistent with law or equity, (2) if it does not impair any existing rights, and (3) if the Commissioner is satisfied that such action would not subject the United States to any substantial expense or liability.

* * * * *

[FR Doc. 86-3741 Filed 2-21-86; 8:45 am]

BILLING CODE 4810-10-M