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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.

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Order Denying Clarification and Rehearing; Order No. 563-B

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

[Docket No. RM93-4-003]

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

Issued: July 1, 1994.

On June 1, 1994, ANR Pipeline Company (ANR) filed a request for clarification or, in the alternative, for rehearing of Order No. 563-A.¹ ANR

seeks clarification that the Commission will not require all pipelines to provide an electronic Index of Purchasers, or, in the alternative, rehearing of the Commission's decision adopting this requirement. The Commission denies the request for clarification and rehearing as premature.

Background

In Order No. 563, the Commission adopted a final rule establishing standards governing the electronic dissemination of information relating to transportation of natural gas. The standards generally reflected consensus agreements reached by industry Working Groups composed of members from all facets of the gas industry.

Parties had proposed to include in the standards an electronic Index of Purchasers which would disclose certain information about the capacity rights of shippers on pipelines. The Working Groups, however, were unable to reach consensus on an approach, and a number of participants submitted alternative approaches. One proposal, supported by 44 participants, was to replace some of the Commission's reporting requirements relating to firm and interruptible transportation with an electronic Index composed of nine data elements, available in downloadable form.²

In Order No. 563-A, the Commission found that this proposal had significant merit because it would provide useful information to the market about capacity, while setting the stage for reducing filing burdens and streamlining the Commission's reporting requirements. The Commission expressed interest in pursuing this proposal further and instructed Commission staff to work with the industry Working Groups to develop a final proposal by September 30, 1994.

ANR contends the Commission's order is not clear on whether the Index of Purchasers will be adopted upon the submission of the September 30, 1994 report, without an opportunity for further comment. It argues that the Commission should clarify whether this proposal is still open for discussion.

In addition, ANR questions whether the Index of Purchasers is needed to promote the Commission's capacity release objectives. It agrees that such an Index does offer the advantage of reducing reporting and tariff

requirements, but maintains that, if the Commission adopts the Index for that reason, it should do so only if it concomitantly eliminates the other reporting requirements. Finally, ANR argues that if the Commission requires information not covered by the existing reporting requirements, the Commission must justify the inclusion of such information. In particular, ANR contends the Commission should not require dissemination of competitively sensitive information.

Discussion

The Commission denies ANR's request that the Commission clarify that pipelines will not have to adopt the Index of Purchasers and ANR's alternative request for rehearing. ANR's requests at this point are premature.

In Order No. 563-A, the Commission only expressed interest in pursuing the Index of Purchasers proposal, but did not make a final determination on the issue. After receiving the September 30, 1994 report from the Working Group, the Commission will evaluate the proposal and determine how best to proceed. As the Commission stated in Order No. 563-A, the Commission will comply with the Administrative Procedure Act and will provide notice and an opportunity for comment prior to making any changes or revisions to the standards.³ Thus, ANR will have the opportunity to have its views considered at the appropriate time.

The Commission orders:

The request for clarification and rehearing is denied.

By the Commission.

Lois D. Cashell,
Secretary.

[FR Doc. 94-16843 Filed 7-11-94; 8:45 am]

BILLING CODE 5717-01-P

DEPARTMENT OF DEFENSE

Office of the Secretary

32 CFR Parts 90 and 91

RIN 0790-AF61 and RIN 0790-AF64

Revitalizing Base Closure Communities and Community Assistance

AGENCY: Office of the Secretary of Defense, DoD.

ACTION: Interim final rule; notice of public hearing.

SUMMARY: The Department of Defense will hold a public hearing to receive

¹ 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).

² The proposal would replace the Commission's initial and subsequent reports (but not the annual reports and bypass reports) and the requirement to include an Index of Purchasers in pipeline tariffs.

³ Order No. 563-A, III FERC Stats. & Regs. Preambles at 31,036-37.

comments on the interim final rule regarding Revitalizing Base Closure Communities published in the *Federal Register* on April 6, 1994 (59 FR 16123). On Tuesday, July 5, 1994 (59 FR 34382), the Department of Defense published in the *Federal Register*, an extension of public comment period through August 5, 1994, to accommodate this public hearing.

DATES: Friday, August 5, 1994, 9:30 a.m. to 12:30 p.m.

ADDRESSES: General Services Administration Headquarters Auditorium, 18th and F Streets, NW., Washington, DC.

FOR FURTHER INFORMATION CONTACT: Steven Kleiman or Frank Savat, telephone 703-614-5356.

Dated: July 7, 1994.

L.M. Bynum,
Alternate OSD Federal Register Liaison Officer, Department of Defense.

[FR Doc. 94-16839 Filed 7-11-94; 8:45 am]

BILLING CODE 5000-04-M

32 CFR Part 155

Defense Industrial Personnel Security Clearance Program

AGENCY: Office of the Secretary of Defense, DoD.

ACTION: Final rule.

SUMMARY: This rule is published to make administrative amendments to reflect an organizational name change within the Department of Defense.

EFFECTIVE DATE: May 20, 1994.

FOR FURTHER INFORMATION CONTACT: Mr. L. Schachter, telephone 703-696-4599.

List of Subjects in 32 CFR Part 155

Administrative practice and procedure; Business and industry; Classified information.

Accordingly, 32 CFR part 155 is amended as follows:

PART 155—[AMENDED]

1. The authority citation for part 155 continues to read as follows:

Authority: 10 U.S.C. 139; E.O. 10865, 25 FR 1583, 3 CFR, 1959-1963 Comp., p. 398.

§ 155.2 [Amended]

2. Section 155.2 is amended in paragraph (c) by revising "Directorate for Industrial Security Clearance Review (DISCR)" to read "Defense Office of Hearings and Appeals (DOHA)"

§ 155.5 [Amended]

3. Section 155.5 is amended by revising "(DISCR)" to read "(DOHA)" in paragraph (b)(2), paragraph (b)(3),

paragraph (b)(7), paragraph (b)(8), paragraph (b)(9), paragraph (b)(10), paragraph (b)(12), paragraph (b)(14), paragraph (b)(15), paragraph (b)(19), paragraph (c), and paragraph (d) both times.

§ 155.6 [Amended]

4. Section 155.6 is amended by revising "(DISCR)" to read "(DOHA)" in paragraph (b), introductory text, both times and in paragraph (b)(3), both times.

Appendix A to Part 155 [Amended]

5. Appendix A to Part 155 is amended by revising "(DISCR)" to read "(DOHA)" in section 1., section 2., section 4. both times, section 5., section 8., section 11., section 26., section 27., paragraph 36.f., section 37., section 38., section 39., section 40. both times, section 42., section 43., section 44., introductory text, and section 46.

Dated: July 6, 1994.

L.M. Bynum,
Alternate OSD Federal Register Liaison Officer, Department of Defense.

[FR Doc. 94-16840 Filed 7-11-94; 8:45 am]

BILLING CODE 5000-04-M

DEPARTMENT OF VETERANS AFFAIRS

38 CFR Part 3

RIN 2900-AG76

Diseases Specific as to Former Prisoners of War

AGENCY: Department of Veterans Affairs.

ACTION: Final rule.

SUMMARY: This document amends Department of Veterans Affairs (VA) adjudication regulations concerning diseases subject to presumptive service connection in former prisoners of war by stating that the statutory term "beriberi heart disease" includes ischemic heart disease in former prisoners of war who had experienced localized edema during captivity. The effect of this amendment is to broaden VA's interpretation of that term based upon new epidemiological evidence.

EFFECTIVE DATE: August 24, 1993.

FOR FURTHER INFORMATION CONTACT: Donald England, Chief, Regulations Staff, Compensation and Pension Service, Veterans Benefits Administration, (202) 233-3005.

SUPPLEMENTARY INFORMATION: In 1970, Congress passed Public Law 91-376, § 3, 84 Stat. 787, 788 (1970), which established a presumption of service connection for seven categories of

diseases and conditions, including "beriberi (including beriberi heart disease)," developing to a ten-percent degree of disability at any time after active service in the case of a veteran held as a prisoner of war in World War II, the Korean Conflict, or the Vietnam War who suffered from dietary deficiencies, forced labor, or inhumane treatment in violation of the Geneva Conventions. The intent of Congress was to recognize diseases suffered by former prisoners of war during captivity for which there is no medical documentation.

Concern remained, however, as to the problems encountered by these veterans in their efforts to prove service connection for disabilities attributable to the conditions of their capture and imprisonment. Some claimed that their ability to prove service connection for disabilities was hampered because there are inadequate medical records and that certain disabilities which were considered to be minor at the time of release from service were becoming more serious. Congress therefore enacted the Former Prisoner of War Benefits Act of 1981, Public Law 97-37, 95 Stat. 935, which eliminated the requirement that former prisoners of war must have suffered from dietary deficiencies, forced labor, or inhumane treatment during confinement in order to qualify for the presumption of service connection.

Beriberi is a disease caused by a deficiency of thiamine (vitamin B1). Early thiamine deficiency is characterized by anorexia, irritability, and weight loss. Later, patients experience weakness, peripheral neuropathy, headache, and tachycardia. Advanced thiamine deficiency presents with involvement of two major organ systems predominantly: the cardiovascular system (the syndrome known as "wet beriberi," i.e., beriberi heart disease) and the nervous system, both central and peripheral (known as "dry beriberi"). *Cecil Textbook of Medicine* 1171 (James B. Wyngaarden, M.D., Lloyd H. Smith, Jr., M.D., J. Claude Bennett, M.D., ed., 1992).

In 1992, the Medical Follow-up Agency of the Institute of Medicine, National Academy of Sciences, issued a study entitled "The Health of Former Prisoners of War" which reported the results of a medical examination survey of former World War II and Korean Conflict POWs and comparable control groups. That study found what it termed a noteworthy association between ischemic heart disease and earlier reporting of localized edema of feet, ankles and legs—presumably due to beriberi heart disease (wet beriberi)—

while in captivity. While there is no known satisfactory explanatory biological mechanism linking beriberi or malnutrition and subsequent chronic heart disease, the examination data from the current study provides epidemiological evidence to suggest there is a connection between conditions during captivity and the later development of ischemic heart disease. According to the study, the reporting of edema in prison camp indicates a specific nutritional deficiency, beriberi, and the location of edema in the feet, ankles and legs is presumably related to beriberi heart disease in prison camp which is caused by thiamine deficiency.

After reviewing this study the Secretary has determined, in keeping with the intent of Congress to provide a presumption of service connection for former prisoners of war who have diseases which result from dietary inadequacies or unsanitary conditions and for which service connection may be difficult to establish, that the term beriberi heart disease found at 38 U.S.C. 1112(b)(2) includes ischemic heart disease if the former prisoner of war suffered localized edema during captivity. We have amended 38 CFR 3.309(c) accordingly.

This amendment is effective August 24, 1993, the date of the Secretary's decision. Since this amendment is an interpretation of existing law, publication as a proposal is not required and the amendment is being issued as a final rule.

Because no notice of proposed rulemaking is required in connection with the adoption of this final rule, no regulatory flexibility analysis is required under the Regulatory Flexibility Act (5 U.S.C. et seq.). Further, the rule will not directly affect any small entities; only VA beneficiaries could be directly affected.

This regulatory amendment has been reviewed by the Office of Management and Budget under the provisions of Executive Order 12866 of September 30, 1993, entitled Regulatory Planning and Review.

The Catalog of Federal Domestic Assistance program numbers are 64.109 and 64.110.

List of Subjects in 38 CFR Part 3

Administrative practice and procedure, Claims, Health care, Individuals with disabilities, Pensions, Veterans.

Approved June 27, 1994.

Jesse Brown,
Secretary of Veterans Affairs.

For the reasons set out in the preamble, 38 CFR part 3 is amended as set forth below:

PART 3—ADJUDICATION

Subpart A—Pension, Compensation, and Dependency and Indemnity Compensation

1. The authority citation for part 3, subpart A, continues to read as follows:

Authority: 38 U.S.C. 501(a), unless otherwise noted.

§ 3.309 [Amended]

2. In § 3.309(c), add a note at the end of the paragraph preceding the authority citation to read as follows:

Note: For purposes of this section, the term *beriberi heart disease* includes ischemic heart disease in a former prisoner of war who had experienced localized edema during captivity.

[FR Doc. 94-16624 Filed 7-11-94; 8:45 am]

BILLING CODE 8320-01-M

DEPARTMENT OF TRANSPORTATION

Research and Special Programs Administration

49 CFR Part 195

[Docket No. PS-117; Amdt. 195-53]

RIN 2137-AB86

Transportation of Hazardous Liquids at 20 Percent or Less of Specified Minimum Yield Strength

AGENCY: Research and Special Programs Administration, (RSPA), DOT.

ACTION: Final Rule.

SUMMARY: RSPA's hazardous liquid pipeline safety regulations do not apply to steel pipelines that operate at 20 percent or less of specified minimum yield strength (SMYS). This final rule extends the regulations to three groups of these pipelines: pipelines that transport highly volatile liquids, pipelines or pipeline segments in populated areas, and pipelines or pipeline segments in navigable waterways. Accidents have shown that regulating these pipelines or pipeline segments would be in the interest of public safety. Moreover, the Pipeline Safety Act of 1992 provides that DOT may not exclude hazardous liquid pipelines from regulation based solely on operation at low internal stress. The final rule responds to this statutory

prohibition and will reduce the risk that hazardous liquid pipelines present to public safety and the environment.

EFFECTIVE DATE: August 11, 1994.

FOR FURTHER INFORMATION CONTACT: L.M. Furrow, (202) 366-2392, regarding the subject matter of this final rule. Contact the Dockets Unit, (202) 366-4453, for copies of the final rule or other docket material. Contact the Transportation Safety Institute, Pipeline Safety Division, 6500 South MacArthur Boulevard, Oklahoma City, OK 73125, (405) 680-4643, for a copy of 49 CFR part 195.

SUPPLEMENTARY INFORMATION:

I. Background

RSPA's hazardous liquid pipeline safety regulations do not apply to pipelines operating at a stress level of 20 percent or less of SMYS (hereafter "low-stress pipelines") (see 49 CFR 195.1(b)(3)). DOT excluded these pipelines from part 195 when it first issued the regulations (34 FR 15473; October 4, 1969). However, serious accidents have occurred on low-stress pipelines, suggesting that this blanket exclusion is no longer in the interest of public safety. Moreover, Section 206 of the Pipeline Safety Act of 1992 (PSA) (Pub. L. 102-508; October 24, 1992), amended § 203(b) of the Hazardous Liquid Pipeline Safety Act of 1979 (HLPSPA) (49 App. U.S.C. 2002(b)) to provide that "[i]n exercising any discretion under this Act, the Secretary shall not provide an exception to regulation under this Act for any pipeline facility solely on the basis of the fact that such pipeline facility operates at low internal stress."

On October 31, 1990, RSPA published an advance notice of proposed rulemaking on low-stress pipelines (55 FR 45822). The notice described accidents and rulemaking recommendations.

We analyzed data received in response to that notice to learn the benefits and costs of regulating low-stress pipelines. The analysis showed that many operators could face costs disproportionate to benefits if RSPA regulated all low-stress pipelines subject to the HLPSPA. So we focused on those low-stress pipelines that pose a higher risk to people and the environment. We identified the commodity in transportation and the location of the pipeline as significant risk factors.

RSPA then published a notice of proposed rulemaking (NPRM) (58 FR 12213; March 3, 1993) that addressed these risk factors. The NPRM proposed to apply the safety standards in part 195 and the drug testing rules in 49 CFR part