There have been reports of inadvertent landing gear retractions on Sikorsky Model S-61N rotorcraft. These retractions have been caused by electrical shorts in the landing gear control circuit. As a result of these occurrences, Sikorsky issued Service Bulletin No. 61B55-40 applicable to in-service rotorcraft and began installing a redesigned landing gear control circuit on production rotorcraft. The redesigned circuit prevents landing gear retractions caused by electrical shorts. The FAA has concluded that the landing gear control circuit on in-service rotorcraft is an unsafe condition that is likely to exist in other rotorcraft of ths same type design. Accordingly, an AD is being proposed that would require an electrical wiring change to the landing gear control circuit of Sikorsky Model S-61N rotorcraft in accordance with the aforementioned service bulletin. Accomplishment of this modification will correct the unsafe condition.

The manufacturer's specifications and procedures identified and described in this directive are incorporated herein and made a part hereof pursuant to 5 U.S.C. 552(a)(1). All persons affected by this directive who have not already received these documents from the manufacturer may obtain copies upon request to Sikorsky Aircraft, Commercial Customer Service, Stratford, Connecticut 06602. These documents may also be examined at Federal Aviation Administration, New England Region, 12 New England Executive Park, Burlington, Massachusetts, and at FAA Headquarters, 800 Independence Avenue SW., Washington, D.C. A historical file on this AD which includes the incorporated material in full is maintained by the FAA at its Headquarters in Washington, D.C., and at New England Region.

DRAFTING INFORMATION

The principal authors of this document are Ronald L. Vavruska, Staff Engineer, Flight Standards Division, and George L. Thompson, Attorney, Office of the Regional Counsel, DOT, FAA, New England Region, 12 New England Executive Park, Burlington, Mass. 01803.

THE PROPOSED AMENDMENT

Accordingly, the FAA proposes to amend § 39.13 of the Federal Aviation Regulations (14 CFR 39.13) by adding the following new airworthiness directive.

SIKORSKY. Applies to Model S-61N rotorcraft prior to and including Sikorsky Serial No. 61805.

Compliance: Required as indicated, unless already accomplished.

To prevent inadvertent landing gear retraction, within the next 300 hours time in service, modify the main landing gear electrical system in accordance with Sikorsky Service Bulletin 61B55-40 or later FAA approved revision.

(Sec. 313(a), 601, 603, Federal Aviation Act of 1958, as amended (49 U.S.C. 1354(a) 1423); sec. 6(c), Department of Transportation Act (49 U.S.C. 1655(c); 14 CFR 11.85.)

NOTE.—The Federal Aviation Administration has determined that this document does not contain a major proposal requiring preparation of an Economic Impact Statement under Executive Order 11821, as amended by Executive Order 11949, and OMB Circular A-107.

Issued in Burlington, Massachusetts on December 9, 1977.

WILLIAM E. CROSBY,
Acting Director,
New England Region.

NOTE.—The incorporation by reference provisions in this document were approved by the Director of the Federal Register on June 19, 1967.

[FR Doc.77-35833 Filed 12-16-77;8:45 am]

[4110-01]

DEPARTMENT OF JUSTICE

Drug Enforcement Administration

[21 CFR Part 1308]

SCHEDULES OF CONTROLLED SUBSTANCES

Placement of Phencyclidine in Schedule II

AGENCY: Drug Enforcement Administration, Justice.

ACTION: Notice of proposed rulemaking.

SUMMARY: This is a notice of proposed rulemaking issued by the Administrator of the Drug Enforcement Administration to place the drug phencyclidine into Schedule II of the Controlled Substances Act. This action was initiated upon DEA's receipt of a letter from the Assistant Secretary, Department of Health, Education, and Welfare, requesting this transfer from Schedule III to Schedule II of the act. The effect of this transfer will be to provide more stringent regulatory controls upon the manufacture, distribution, dispensing, importation and exportation of phencyclidine.

DATES: Comments and objections should be received on or before January 18, 1978.

ADDRESS: Send comments and objections in quintuplicate to: Administrator, Drug Enforcement Administration, U.S. Department of Justice, 1405 I Street NW., Washington, D.C. 20537.

FOR FURTHER INFORMATION CONTACT:

Howard McClain, Jr., Chief, Regulatory Control Division, Drug Enforcement Administration, telephone 202-633-1366.

SUPPLEMENTARY INFORMATION: On August 29, 1977, the Administrator of DEA requested of the Assistant Secretary for Health, Department of Health, Education, and Welfare a scientific and medical evaluation of DEA's proposed action to move the Schedule III controlled substance phencyclidine to Schedule II.

The Assistant Secretary concurred with DEA's request and submitted a letter dated December 8, 1977, with documents enclosed which listed the factors he is required to consider under Section 201 of the Act as well as the summarized considerations in furtherance thereof concerning the placement of phencyclidine into Schedule II.

The December 8, 1977 letter to the Assistant Secretary and his summarized considerations are set forth below:

December 8, 1977.

MR. PETER B. BENSINGER,
Administrator, Drug Enforcement Administration, 1405 "Eye" Street, NW., Washington, D.C.

Dear MR. BENSINGER: The Drug Enforcement Administration requested on August 29, 1977 that the Department of Health, Education, and Welfare evaluate a proposal to control phencyclidine in Schedule II of the Controlled Substances Act.

The Bureau of Drugs and the Bureau of Veterinary Medicine within the Food and Drug Administration have reviewed the data on phencyclidine and agree with the conclusion of the Drug Enforcement Administration that this compound and its salts should be moved to Schedule II. I concur with the scientific and medical evaluation and recommend that action be initiated to move phencyclidine and its salts from Schedule III to Schedule II of the Controlled Substances Act. A summary of the basis for the recommendation including the medical and scientific findings required under Section 201 of the Controlled Substances Act is enclosed. The National Institute of Drug Abuse has also reviewed the data and recommended that phencyclidine be placed in Schedule I to assure the most stringent controls possible. The only regulatory difference between Schedules I and II relates to the ability of licensed practitioners to use the drug in medical practice. Phencyclidine is not approved for any medical use in humans, but it is a valuable anesthetic in the veterinary care of primates. It is used in zoos and wild animal centers, and to our knowledge, diversion from legitimate users has not been a significant source of supply to the illicit market. Consequently, neither the Food and Drug Administration nor I conclude that placement of phencyclidine in Schedule I is appropriate at this time.

It is my understanding that your staff is gathering data pursuant to the control of analogs of phencyclidine which may have abuse potential similar to phencyclidine. Further, I understand that the immediate precursors of phencyclidine will be considered for control in Schedule II under the provisions of Section 201(e) of the Controlled Substances Act.

Sincerely yours,

JULIUS B. RICHMOND, M.D.,
Assistant Secretary for Health.

Enclosure.

BASIS FOR THE RECOMMENDATION FOR THE CONTROL OF PHENCYCLIDINE UNDER SCHEDULE II OF THE CONTROLLED SUBSTANCES ACT

Phencyclidine is (1(1-phenylcyclohexyl) piperidine) and is also referred to as PCP. It is intended solely for use as a parenteral immobilizing agent in primates, and is an extremely valuable tool for use in laboratory animal medicine. It is considered to have revolutionized the handling of primates (Lumb, W. V., et al, Veterinary Anesthesia, Lea and Febiger 1973). Phencyclidine was originally approved by FDA August 18, 1965 as an immobilizing agent for laboratory primates, raccoons; and a type of wild pig. One month later the sponsor, Parke-Davis Company, deleted the claims such that distribution was restricted to use in primates. The

Parke-Davis Company discontinued marketing of its drug in 1969, but another firm, Philips-Roxane Company obtained approval for a similar product, under the trade name Sernylan, in July 1969. Phencyclidine appeared as a drug of abuse during the widespread use of drugs for non-therapeutic purposes in the late 60's. Phencyclidine originally masqueraded as various other drugs and was sold as THC, marihuana, LSD or mescaline. It was also used to fortify other drugs. Over the course of the last 10 years, phencyclidine has gained an independent role in the drug-abusing population and has developed a reputation of its own.

In carrying out the review mandated by Sections 201 (b) and (c) of the Controlled Substances Act, the following information was reviewed and considered in reaching our conclusions;

(1) Data gathered by the Drug Enforcement Administration presented in Appendix A,

(2) Additional scientific and medical information relative to the pharmacological effects of phencyclidine and the state of current scientific knowledge regarding the drug included in Appendix B. This material was obtained from the Bureau of Veterinary Medicine files, and

(3) Additional information and reports relative to the current pattern, the scope and significance of the abuse of phencyclidine presented in Appendix C.

In light of evidence presented in Appendices A, B, and C, we have concluded that:

a. Phencyclidine has a high potential for abuse equivalent to that of certain substances in Schedule I of the Controlled Substances Act (e.g., lysergic acid diethylamide).

b. Phencyclidine has accepted use in medical treatment in the United States, and further, that the currently accepted medical use is restricted to the practice of veterinary medicine in primates.

c. Phencyclidine may lead to severe psychological dependence.

d. The abuse of phencyclidine is significant and the drug qualifies for a more stringent control.

Phencyclidine, therefore, meets all of the criteria required under Schedule II of the Controlled Substances Act.

The Drug Enforcement Administration has conducted a review of phencyclidine which has included the following:

1. Published scientific and medical literature from the United States and other nations regarding this drug;

2. Materials on file with the Drug Enforcement Administration, and those provided by the Assistant Secretary;

3. A statement dated December 1, 1977 concerning the abuse of phencyclidine, submitted by Dr. Robert L. DuPont, Director, National Institute on Drug Abuse, which advised of the effects of acute intoxication, overdose, and abuse of PCP, including the characteristic of extreme, severe, long-lasting behavioral toxicity of the drug.

4. The legislative history of the Controlled Substances Act.

Based upon the investigations and review of the Durg Enforcement Administration and upon the scientific and medical evaluation and recommendation of the Secretary of Health, Education, and Welfare, received pursuant to sections 201(a) and 201(b) of the Act (21 U.S.C. 811(a) and 811(b)), the Administrator of the Drug Enforcement Administration finds that:

1. Based on information now available phencyclidine has a high potential for abuse;

2. Phencyclidine has a currently accepted medical use in veterinary treatment in the United States; and

3. Abuse of phencyclidine may lead to severe psychological dependence.

Therefore, under the authority vested in him by the Act and by regulations of the Department of Justice, the Administrator of the Drug Enforcement Administration hereby proposes that §§ 1308.12 (e) and 1308.13(c) of Title 21 of the Code of Federal Regulations (CFR) be amended to read as follows:

1308.12 Schedule II.

* * * * *

(e) Depressants. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances having a depressant effect on the central nervous system, including its salts, isomers, and salts of isomers whenever the existence of such salts, isomers, and salts of isomers is possible within the specific chemical designation;

(1) Amobarbital	2125
(2) Methaqualone	2565
(3) Pentobarbital	2270
(4) Phencyclidine	7471
(5) Secobarbital	2315

* * * * *

1308.13 Schedule III.

* * * * *

(c) Depressants. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances having a depressant effect on the central nervous system:

(1) Any compound, mixture or preparation containing:

(i) Amobarbital	2125
(ii) Secobarbital	2315
(iii) Pentobarbital	2270

or any salt thereof and one or more other active medicinal ingredients which are not listed in any schedule.

(2) Any suppository dosage form containing:

(i) Amobarbital	2125
(ii) Secobarbital	2315
(iii) Pentobarbital	2270

or any salt of any of these drugs and approved by the Food and Drug Administration for marketing only as a suppository.

(3) Any substance which contains any quantity of a derivative of barbituric acid or any salt thereof	2100
(4) Chlorhexadol	2510
(5) Glutethimide	2550
(6) Lysergic acid	7300
(7) Lysergic acid amide	7310
(8) Methyprylon	2575
(9) Sulfondiethylmethane	2600
(10) Sulfonethylmethane	2605
(11) Sulfonmethane	2610

* * * * *

All interested persons are invited to submit their comments or objections in writing regarding this proposal. These comments or objections should state with particularity the issues concerning which the person desires to be heard. Comments and objections should be submitted in quintuplicate to the Administrator, Drug Enforcement Administration, United States Department of Justice, 1405 I Street, NW., Washington, D.C. 20537, Attention: DEA Federal Register Representative. All such submissions must be received on or before January 18, 1978.

In the event that an interested party submits objections to these proposals which present reasonable grounds for these rules not to be finalized and requests a hearing in accordance with 21 CFR 1308.45, the party will be notified by registered mail of the time and place that the hearing will be held. If any objections which are submitted do not present reasonable grounds, the party will be so advised by registered mail.

If no objections presenting grounds for a hearing on these proposals are received within the time limitations, or all interested parties waive or are deemed to waive their opportunity for a hearing or to participate in a hearing, the Administrator, after giving consideration to written comments and objections, will issue his final order pursuant to 21 CFR 1308.48 without a hearing.

Dated: December 15, 1977.

PETER B. BENSINGER,
Administrator, Drug Enforcement Administration.

[FR Doc.77-36172 Filed 12-15-77;12:54 pm]

[4830-01]

DEPARTMENT OF THE TREASURY

Internal Revenue Service

[26 CFR Part 1]

[LR-1810]

ABATEMENT OF INCOME TAXES OF CERTAIN MEMBERS OF THE ARMED FORCES OF UNITED STATES UPON DEATH

Proposed Rule Making

AGENCY: Internal Revenue Service, Treasury.

ACTION: Notice of proposed rulemaking.

SUMMARY: This document contains a proposed amendment to the regulations relating to the abatement of income taxes of members of the Armed Forces of the United States who die while serving in a combat zone or as a result of wounds, disease, or injury incurred while serving in a combat zone. The proposal conforms the regulations to the per curiam decision of the Supreme Court in "Marcello v. Estate of Lupia," 348 U.S. 956 (1955), which held the abatement extends to income received by the individual's estate during any remaining portion of the twelve-month period corresponding to the individual's final taxable year. The amendment affects those survivors of a serviceman who receive income that would have been received by the service-