appeared that the manufacturer had determined what would be acceptable wear limits in the gear and this criterion would permit removal and repair of parts of the system. This appears preferable to installation of the Kit when accompanied by periodic inspections of the system, including the bungee cords. Therefore, the amendment reflects the issuance of the latter corrective action, which is less restrictive in that it permits periodic inspections to determine that wear has actually exceeded limits rather than requiring every airplane to be corrected within 100 hours after the date of the AD. In view of the foregoing, notice and public procedure on the changes to the Notice are unnecessary.

DRAFTING INFORMATION

The principal authors of this document are K. Tunjian, Flight Standards Division, and Thomas C. Halloran, Office of the Regional Counsel.

It has been determined that the expected impact of the proposed regulation is so minimal that the proposal does not warrant an evaluation.

ADOPTION OF THE AMENDMENT

Accordingly, pursuant to the authority delegated to me by the Administrator, § 39.13 of the Federal Aviation Regulations (14 CFR 39.13) is amended, effective July 6, 1977, as follows:

PIPER AIRCRAFT CORPORATION. Applies to airplane models PA-24, PA-24-250, and PA-24-260; model PA-24-400, except S/N 1; and models PA-30 and PA-39, certificated in all categories. For aircraft having 1000 hours or more in service on the effective date of this AD, compliance is required within the next 100 hours in service, and for aircraft having less than 1,000 hours in service, compliance is required prior to 1,100 hours in service, unless already accomplished in either case.

To prevent collapse of the landing gear after manual extension;

(a) Accomplish the inspection described on page 3 of Piper Aircraft Corporation Service Letter No. 782A, dated March 21, 1977, and replace components exceeding the specified wear limits, or an equivalent inspection and replacement procedure approved by the Chief, Engineering and Manufacturing Branch, FAA Eastern Region.

(b) Inspect the main landing gear bungee cords for frayed protective covering, breaks, soft areas, and replace cords exhibiting these conditions. In addition, replace cords every 500 hours in service, or every three years, whichever occurs first.

(c) Repeat paragraphs (a) and (b) at each annual inspection, or 500 hours in service after the prior inspection, whichever occurs first.

(d) Airplanes may be flown in accordance with FAR 21.197 to a base where repairs can be performed.

The Chief, Engineering and Manufacturing Branch may adjust the inspection interval upon submission of substantiating data submitted through an FAA maintenance inspector.

(Secs. 313(a), 601, and 603, Federal Aviation Act of 1958, as amended (49 U.S.C. 1354(a), 1421, 1423); sec. 6(c), Department of Transportation Act (49 U.S.C. 1655(c)); 14 CFR 11.89.)

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 11949, and OMB Circular A-107.

Issued in Jamaica, New York, on June 22, 1977.

LOUIS J. CARDINALI,
Acting Director,
Eastern Region.

[FR Doc.77-18791 Filed 7-1-77;8:45 am]

Title 16—Commercial Practices

CHAPTER II—CONSUMER PRODUCT SAFETY COMMISSION

PART 1505—REQUIREMENTS FOR ELECTRICALLY OPERATED TOYS OR OTHER ELECTRICALLY OPERATED ARTICLES INTENDED FOR USE BY CHILDREN

Labeling on Principal Display Panel of Instructions

AGENCY: Consumer Product Safety Commission.

ACTION: Final regulation.

SUMMARY: The Consumer Product Safety Commission amends the Requirements for Electrically Operated Toys or Other Electrically Operated Articles Intended for Use by Children (16 CFR Part 1505) to require that instruction booklets or sheets that accompany electrically operated toys or other children's articles contain required signal words and precautionary statements as a preface to any other written materials. The regulation previously required such labeling on the principal display panel of the instructions. The Commission issues the amendment because most instructions do not have principal display panels. The Commission continues in effect the suspension, which was issued on January 23, 1974, on requirements for the type of cord to be used for hand-held educational or hobby type products such as wood-burning tools.

EFFECTIVE DATE: October 3, 1977.

FOR FURTHER INFORMATION CONTACT:

Elaine Besson, Program Manager, Office of Program Management, Consumer Product Safety Commission, Washington, D.C. 20207; telephone (301) 492-6453.

SUPPLEMENTARY INFORMATION: In the FEDERAL REGISTER of January 23, 1974 (39 FR 2611), the Consumer Product Safety Commission proposed amendments to those portions of the Requirements for Electrically Operated Toys or Other Electrically Operated Articles Intended for Use by Children (16 CFR Part 1505) that pertain to labeling of instruction booklets (16 CFR 1505.3(e)(1)) and to the type of power cord to be used for hand-held educational or hobby type products (16 CFR 1505(e)(5)). These amendments were proposed as a result of a petition from the Toy Manufacturers of America (TMA). The purpose of this notice is to issue the amendment proposed in regard to the labeling of instruction booklets, and to continue in effect the suspension of requirements for the type of power cord to be used with these products.

In response to the proposal of January 23, 1974, comments were received from the Toy Manufacturers of America, Inc.; Black and Decker Manufacturing Company; and General Cable Corporation.

The proposed amendment to 16 CFR 1505.3 (e)(1) would require instruction booklets or sheets that accompany electrically operated toys or other children's articles to contain the requisite signal words and precautionary statement as a preface to any other written materials rather than on the upper right-hand quarter of the principal display panel of the instructions, as originally required.

The only comment received in regard to the labeling of the instruction book was from TMA which supports the amendment as proposed.

In view of the fact that instruction sheets and booklets do not have principal display panels, the Commission finds that the proposed amendment is appropriate and therefore adopts the amendment to 16 CFR 1505.3(e)(1), without change, as set forth below.

The proposed amendment would also modify 16 CFR 1505.5(e)(5) to require the use of an SPT-1 type cord rather than an SP-2 type, as originally required. This change was urged by TMA in their petition and in their comments on the proposed amendment, on the basis that the SPT-1 cord possesses greater flexibility properties or limpness that would allow hand-held educational or hobby-type products to be placed on a flat surface without tipping. Because this appeared to be a beneficial safety feature, the Commission proposed that 16 CFR 1505.5(e)(5) be amended to require the use of an SPT-1 type cord.

Black and Decker's comments concerned the use of an SPT-2 type cord which was not considered in this proceeding. Therefore, the comment has not been addressed.

General Cable Corporation commented that the proposed substituting of SPT-1 type power cords for SP-2 cords was not warranted because power-cord designation SPT-1 is too general and does not spell out insulation equality. The company suggested the requirement should be made more specific by using a designation such as SPT-1-105°C. Additionally, General Cable suggested that a 90°C or 105°C rated HPN cord should be substituted in place of the presently required SP-2 type. The Commission believes that a requirement for an insulation rating of 105°C, suggested by General Cable, would not offer additional protection because certain hand-held educational/hobby-type children's products, such as wood-burning tools, must, by their functional purpose, operate at a temperature well in excess of 105°C.

Since several types of electrical cords are potentially suitable for use on hand-held educational or hobby-type electri-

cal products, the Commission believes that it should not restrict use to one particular type of cord. It has, therefore, requested the staff to identify those types of cords that it believes are suitable for use with educational and hobby type electrical toys and other articles, such as woodburning sets, intended for use by children. Once these cords have been identified, the Commission will determine the appropriate course of action to be taken. Until the Commission takes this action, it continues in effect the suspension of the requirement of 16 CFR 1505.5(e)(5) regarding the type of cord to be used with hand-held educational or hobby-type products.

Accordingly, pursuant to provisions of the Federal Hazardous Substances Act (secs. 2 (f)(1)(D), (r), (s), (t), 3(e)(1); 74 Stat. 372, 374, 375, as amended, 83 Stat. 187–89; 15 U.S.C. 1261, 1262) and under authority vested in the Commission by the Consumer Product Safety Act (Pub. L. 92–573, sec. 30(a), 86 Stat. 1231; 15 U.S.C. 2079(a)), Subchapter C of Title 16, Chapter II, Part 1505 is amended by revising § 1505.3(e)(1) to read as follows:

§ 1505.3 Labeling.

* * * * *

(e) *Precautionary statements*—(1) *General.* Electrically operated toys shall bear the statement: "CAUTION—ELECTRIC TOY." The instruction booklet or sheet accompanying such toys shall bear on the front page thereof (in the type size specified in § 1500.121), as a preface to any written matter contained therein, and the shelf pack or package of such toys shall bear in the upper right hand quarter of the principal display panel, the statement: "CAUTION—ELECTRIC TOY: Not recommended for children under ____ years of age. As with all electric products, precautions should be observed during handling and use to prevent electric shock." The blank in the preceding statement shall be filled in by the manufacturer, but in no instance shall the manufacturer indicate that the article is recommended for children under 8 years of age if it contains a heating element. In the case of other electrically operated products which may not be considered to be "toys" but are intended for use by children the term "ELECTRICALLY OPERATED PRODUCT" may be substituted for the term "ELECTRIC TOY."

* * * * *

Effective date. This amendment is effective on October 3, 1977.

Publication of this rule in the FEDERAL REGISTER shall continue the suspension of application of existing 16 CFR 1505.5(e)(5) regarding the type of cord to be used with hand-held educational or hobby-type products indefinitely.

(Secs. 2(f)(1)(D), (r), (s), (t), 3(e)(1); 74 Stat. 372, 374, 375, as amended, 83 Stat 187–189; (15 U.S.C. 1261, 1262); sec. 30(a), 86 Stat. 1231; (15 U.S.C. 2079(a)))

Dated: June 28, 1977.

RICHARD E. RAPPS,
Secretary, Consumer Product Safety Commission.

[FR Doc.77-18962 Filed 7-1-77;8:45 am]

Title 26—Internal Revenue

CHAPTER I—INTERNAL REVENUE SERVICE, DEPARTMENT OF THE TREASURY

SUBCHAPTER H—INTERNAL REVENUE PRACTICE

PART 601—STATEMENT OF PROCEDURAL RULES

Perjury Declaration Required With Ruling Requests

AGENCY: Internal Revenue Service, Treasury.

ACTION: Final rules.

SUMMARY: This document provides a rule relating to the perjury declaration required with requests for rulings and determination letters. This rule describes the person who must sign the perjury declaration. This document also contains minor technical amendments to the rules relating to ruling requests. These rules affect all persons who request rulings or determination letters.

DATE: The rules are effective immediately.

FOR FURTHER INFORMATION CONTACT:

James Edward Maule of the Legislation and Regulations Division, Office of the Chief Counsel, Internal Revenue Service, 1111 Constitution Avenue NW., Washington, D.C. 20224 (Attention: CC:LR:T) (202–566–6456).

SUPPLEMENTARY INFORMATION:

BACKGROUND

On November 5, 1976, the FEDERAL REGISTER published amendments to the Statement of Procedural Rules (26 CFR Part 601), 41 FR 48740. Those amendments were published in order to provide new rules for taxpayers to follow when submitting requests for rulings or determination letters to the Internal Revenue Service. In response to questions concerning those amendments, these amendments are being adopted in order to clarify the requirements of the Internal Revenue Service with respect to requests for rulings and determination letters, and to clarify the proper form of the perjury declaration required with those requests.

RULE NOT CHANGED

These amendments do not change the rules set forth in the amendments published on November 5, 1976. These amendments set forth the requirement that the perjury declaration must be signed by the person on whose behalf the request for a ruling or determination letter is made. These amendments also contain minor technical revisions of the rules with respect to the statement of proposed deletions.

DRAFTING INFORMATION

The principal author of this rule was James Edward Maule of the Legislation and Regulations Division, Office of the Chief Counsel, Internal Revenue Service. However, personnel from other offices of the Internal Revenue Service participated in developing this rule, both on matters of substance and style.

ADOPTION OF AMENDMENTS TO THE REGULATIONS

Accordingly, 26 CFR Part 601 is amended as follows:

§ 601.105 [Amended]

PARAGRAPH 1. Paragraph (b)(5)(vi)(*f*) of § 601.105 is revised by inserting the phrase "after the notice is mailed" in the first sentence between the phrases "within 20 days" and "submit a written statement".

PAR. 2. Section 601.201 is revised as follows:

1. Paragraph (e)(1) is revised.

2. Paragraph (e)(2) is amended by revising the last sentence and by adding a new sentence following the last sentence.

3. Paragraph (e)(16) is amended by inserting the phrase "after the notice is mailed" in the first sentence between the phrases "within 20 days" and "submit a written statement".

The revised and added provisions read as follows:

§ 601.201 Rulings and determination letters.

* * * * * *

(e) *Instructions to taxpayers.* (1) A request for a ruling or determination letter is to be submitted in duplicate if (i) more than one issue is presented in the request or (ii) a closing agreement is requested with respect to the issue presented. There shall accompany the request a declaration in the following form: "Under penalties of perjury, I declare that I have examined this request, including accompanying documents, and to the best of my knowledge and belief, the facts presented in support of the requested ruling or determination letter are true, correct, and complete". The declaration must accompany requests that are postmarked or hand delivered to the Internal Revenue Service after October 31, 1976. The declaration must be signed by the person or persons on whose behalf the request is made.

(2) * * * Such statement is not required if the request is to secure the consent of the Commissioner with respect to the adoption of or change in accounting or funding periods or methods pursuant to section 412, 442, 446 (e), or 706 of the Code. If, however, the person seeking the consent of the Commissioner receives from the Internal Revenue Service a notice that proposed deletions should be submitted because the resulting ruling will be open to public inspection under section 6110, the statement of proposed deletions must be submitted within 20 days after such notice is mailed.

* * * * *

PAR. 3. Paragraph (d) of § 601.204 is amended by revising the second sentence to read as follows:

§ 601.204 Changes in accounting periods and in methods of accounting.

* * * * *

(d) *Instructions to taxpayers.* * * * If, however, the person seeking the consent of the Commissioner receives from the National Office a notice that proposed

deletions should be submitted because the resulting ruling will be open to public inspection under section 6110, the statement of proposed deletions must be submitted within 20 days after such notice is mailed. * * *

JEROME KURTZ,
Commissioner of Internal Revenue.

JUNE 27, 1977.

[FR Doc.77-19058 Filed 6-30-77;8:45 am]

Title 29—Labor

CHAPTER XVII—OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION, DEPARTMENT OF LABOR

PART 1952—APPROVED STATE PLANS FOR ENFORCEMENT OF STATE STANDARDS

Approval of Supplements to Oregon Plan

AGENCY: Occupational Safety and Health Administration, Labor.

ACTION: Final Rule—Completion of Developmental Steps.

SUMMARY: This rulemaking acknowledges that the State of Oregon has completed two developmental steps under its Occupational Safety and Health Plan by providing for the development of a Field Compliance Manual and submitting a Statement of Goals and Objectives.

EFFECTIVE DATE: July 1, 1977.

FOR FURTHER INFORMATION CONTACT:

Irving Weisblatt, Director, Office of State Programs, Occupational Safety and Health Administration, 200 Constitution Ave. NW., Washington, D.C. 20210, 202-523-8041.

SUPPLEMENTARY INFORMATION:

BACKGROUND

The Oregon Occupational Safety and Health Plan was approved under section 18(c) of the Occupational Safety and Health Act of 1970 (29 U.S.C. 667(c)) (hereinafter called the Act) and Part 1902 of this chapter on December 28, 1972 (37 FR 28628). Under the plan the State made commitments to complete certain developmental steps and a notice of Approval of Revised Developmental Schedule was published on April 1, 1974 (39 FR 11881). Part 1953 of this Chapter provides procedures for the review and approval of State developmental change supplements by the Assistant Secretary of Labor for Occupational Safety and Health (hereinafter called the Assistant Secretary).

DESCRIPTION OF SUPPLEMENTS

The State submitted on June 24, 1974 a statement of specific occupational safety and health goals and objectives, in accordance with 29 CFR 1952.108(e). The statement of Goals and Objectives describes the unsafe working environments to which Oregon employees are exposed, such as chemical poisons with which employees may come in contact and unsafe equipment and machinery. Several methods for reducing occupationally related injuries and illnesses are detailed, such as scheduled safety inspections, adoption of safety standards and maintenance of a voluntary compliance program. Further, the State details the means of evaluation of its safety program, such as total number of inspections and follow up inspections.

Additionally, the State has submitted on July 18, 1975 a Field Compliance Manual which is modeled after the Federal Field Operations Manual.

LOCATION OF THE PLAN AND ITS SUPPLEMENT FOR INSPECTION AND COPYING

A copy of the plan and its supplements may be inspected and copied during normal business hours at the following locations: Technical Data Center, Occupational Safety and Health Administration, Room N-3620, 200 Constitution Avenue, NW., Washington, D.C., 20210; Office of the Regional Administrator, Occupational Safety and Health Administration, Room 6048, Federal Office Building, 909 First Avenue, Seattle, Washington 98174; Workmen's Compensation Board, Labor and Industries Building, Room 204, Salem, Oregon 97310.

PUBLIC PARTICIPATION

The October 9, 1975, notice published in the FEDERAL REGISTER described the supplements and allowed 30 days for interested persons to submit written data, views, and arguments concerning whether the supplements should be approved. No public comments concerning these supplements have been received.

DECISION

After careful consideration, the Oregon plan supplements described above are hereby approved under Subpart B of Part 1953 of this chapter. This decision incorporates the requirements of the Act and implementing regulations applicable to State plans generally. In addition, Subpart D of 29 CFR Part 1952 is hereby amended to reflect these approved plan changes. Accordingly, § 1952.109 of Subpart D is hereby amended as follows:

§ 1952.109 **Completed developmental steps.**

* * * * *

(f) In accordance with § 1952.108(e) a Statement of Goals and Objectives has been developed by the State and was approved by the Assistant Secretary on June 24, 1977.

(g) The Oregon State Compliance Manual which is modeled after the Federal Field Operations Manual has been developed by the State, and was approved by the Assistant Secretary on June 24, 1977.

Signed at Washington, D.C., this 24th day of June 1977.

EULA BINGHAM,
Assistant Secretary of Labor.

[FR Doc.77-18997 Filed 7-1-77;8:45 am]

Title 38—Pensions, Bonuses, and Veterans' Relief

CHAPTER I—VETERANS ADMINISTRATION

PART 13—DEPARTMENT OF VETERANS BENEFITS, FIDUCIARY ACTIVITIES

Competency Determinations; Due Process

AGENCY: Veterans Administration.

ACTION: Final rule.

SUMMARY: This rule reflects a change in the VA Regulations that grants to non-veteran beneficiaries certain procedural rights, including a hearing, before any determination is made regarding competency. This change will grant to non-veteran beneficiaries the same rights enjoyed by veteran beneficiaries and will create a more equitable program.

EFFECTIVE DATE: June 22, 1977.

FOR FURTHER INFORMATION CONTACT:

G. Dudley Pearce, Assistant Director (274), Fiduciary and Field Examination Staff, Veterans Assistance Service, Veterans Administration, Washington, D.C. 20420 (202-389-3643).

SUPPLEMENTARY INFORMATION: On March 3, 1977, the Veterans Administration published a proposed rule (42 FR 12202) to revise the language of § 13.56 to reflect changes to § 3.353 of Title 38, Code of Federal Regulations whereby due process, and competency rating authority and procedures are extended to nonveteran adult beneficiary cases. It was also proposed that if less than the full amount of entitlement is paid directly to an incompetent beneficiary under the supervision of the Veterans Services Officer, that it be for a limited period generally not to exceed 4 months, at the end of which period full entitlement would be restored and any funds withheld as a result would be released to the beneficiary, if not otherwise payable to a fiduciary.

The seven comments received in response to the proposed changes, while agreeing in principle with the proposal, raised questions or made suggestions that convinced the Veterans Administration that changes from the proposed rule are warranted.

DISCUSSION OF MAJOR COMMENTS

How long, generally, should a partial payment be made? The Veterans Administration received reports from five responding parties that 4 months is too limited a test period to be able to determine whether an incompetent beneficiary being paid directly under the supervision of the Veterans Services Officer, is able to handle his or her funds. All of those so commenting recommended that the trial period be extended to 6 months. After considering such comments and suggestions, the Veterans Administration has concluded that there is sufficient agreement and reasoning to justify extending the trial period to 6 months. Therefore, the Veterans Administration has amended its original proposal to provide that when less than the