

requirements of this AD. For engines that have been modified, altered, or repaired so that the performance of the requirements of this AD is affected, the owner/operator must request approval for an alternative method of compliance in accordance with paragraph (d) of this AD. The request should include an assessment of the effect of the modification, alteration, or repair on the unsafe condition addressed by this AD; and, if the unsafe condition has not been eliminated, the request should include specific proposed actions to address it.

**Compliance:** Required as indicated, unless accomplished previously.

To prevent fan blade failure, which can result in an uncontained engine failure, engine fire, and damage to the aircraft, accomplish the following:

#### Record Operation in Prohibited Operating Ranges

(a) If an engine is operated in a stabilized manner within the prohibited ranges described in R-R Service Bulletin (SB) No. Tay 72-1447, Revision 2, dated July 25, 2000, paragraphs 3.A., 3.B.(2), or 3.C. as applicable by engine model, then prior to the next flight make an entry in the engine records that reflects that operation. If known, include the stabilized N1 speed in the engine records.

#### Inspections

(b) Perform initial and repetitive inspections of fan blades in accordance with paragraphs 1. D. (1) through (7) of R-R SB No. Tay 72-1442, Revision 1, dated December 19, 1997, as follows:

(1) Perform the initial inspection at the earliest of the following:

(i) If the engine records indicate that any of the conditions described in R-R SB No. Tay 72-1447, Revision 2, dated July 25, 2000, paragraphs 3.A.(2), 3.A.(3), 3.B.(2)(a), 3.B.(2)(b), or 3.C.(2), as applicable by engine model, are satisfied;

(ii) Prior to entering in service if fan blades are installed in a different engine than that from which they were removed and if the fan blades have time-in-service since the last inspection in accordance with R-R SB No. Tay 72-1442;

(iii) The next shop visit after the effective date of this AD, defined as the introduction of the engine into a shop that can perform the inspection defined in Appendix 1 of R-R SB No. Tay 72-1442, Revision 1, dated December 19, 1997.

(2) Thereafter, inspect at intervals not to exceed the earliest of paragraphs (b)(1)(i) through (b)(1)(iii) of this AD.

(c) Remove the entire fan blade set from service if any blade shows crack indications and replace with serviceable parts.

#### Alternative Methods of Compliance

(d) An alternative method of compliance or adjustment of the compliance time that provides an acceptable level of safety may be used if approved by the Manager, Engine Certification Office. Operators shall submit their request through an appropriate FAA Principal Maintenance Inspector, who may add comments and then send it to the Manager, Engine Certification Office.

**Note 2:** Information concerning the existence of approved alternative methods of

compliance with this airworthiness directive, if any, may be obtained from the Engine Certification Office.

#### Special Flight Permits

(e) Special flight permits may be issued in accordance with sections 21.197 and 21.199 of the Federal Aviation Regulations (14 CFR 21.197 and 21.199) to operate the aircraft to a location where the inspection requirements of this AD can be accomplished.

Issued in Burlington, Massachusetts, on September 4, 2000.

**David A. Downey,**

Assistant Manager, Engine and Propeller Directorate, Aircraft Certification Service.

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## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. 99-CE-04-AD]

RIN 2120-AA64

#### Airworthiness Directives; Fairchild Aircraft, Inc. SA226-T, SA226-T(B), SA226-AT, and SA226-TC Airplanes

**AGENCY:** Federal Aviation Administration, DOT.

**ACTION:** Proposed rule; Withdrawal.

**SUMMARY:** This document withdraws a notice of proposed rulemaking (NPRM) that would have applied to certain Fairchild Aircraft, Inc. (Fairchild) Models SA226-T, SA226-T(B), SA226-AT, and SA226-TC airplanes. The proposed airworthiness directive (AD) would have required you to replace the existing brake master cylinders with brake master cylinders of improved design. The proposed AD was the result of an accident of a Model SA226-TC airplane where it was believed that the master cylinder did not allow the brake hydraulic pressure to totally release at the beginning of the takeoff roll. The result of this incident was dragging brakes and overheating left-hand main wheel brakes with a fire in the wheel well area. Fairchild has adequately demonstrated to the Federal Aviation Administration (FAA) that the design of the brake master cylinder on the affected airplanes was not the cause of the referenced accident. Therefore, AD action is not necessary to address the conditions on these airplanes and we are withdrawing the NPRM.

**ADDRESSES:** You may look at information related to this action at FAA, Central Region, Office of the Regional Counsel, Attention: Rules Docket No. 99-CE-04-AD, 901 Locust,

Room 506, Kansas City, Missouri 64106, between 8 a.m. and 4 p.m., Monday through Friday, except holidays.

#### FOR FURTHER INFORMATION CONTACT:

Werner Koch, FAA, Airplane Certification Office, 2601 Meacham Boulevard, Fort Worth, Texas 76193-0150; telephone: (817) 222-5133; facsimile: (817) 222-5960.

#### SUPPLEMENTARY INFORMATION:

#### Discussion

*What action has FAA taken to date?*  
We issued a proposal to amend part 39 of the Federal Aviation Regulations (14 CFR part 39) to include an AD that would apply to certain Fairchild Models SA226-T, SA226-T(B), SA226-AT, and SA226-TC airplanes. The proposal was published in the **Federal Register** as an NPRM on February 18, 1999 (64 FR 8022). The NPRM proposed to require you to replace the existing brake master cylinders with brake master cylinders of improved design.

*Was the public invited to comment?*  
The FAA invited interested persons to participate in the making of this amendment. We received one comment on the proposed AD. Our analysis and disposition of this comment follow:

#### Comment Disposition

*What is the commenter's concern?*  
Fairchild submits data that it believes shows that the design of the brake master cylinder on the affected airplanes was not the cause of the referenced accident. Therefore, Fairchild states that FAA should withdraw the NPRM because the proposed actions do not address the condition described in the NPRM.

*What is FAA's response to the concern?*  
After reviewing this data, we have determined that Fairchild has adequately demonstrated that the design of the brake master cylinder on the affected airplanes was not the cause of the referenced accident. We will withdraw the NPRM per Fairchild's request.

#### The FAA's Determination

*What is FAA's final determination on this issue?*  
Based on the above information, we have determined that there is no need for the actions specified in NPRM, Docket No. 99-CE-04-AD, and that we should withdraw it.

Withdrawal of this NPRM does not prevent us from issuing another notice in the future, nor will it commit us to any course of action in the future.

#### Regulatory Impact

*Does this AD involve a significant rule or regulatory action?*  
Since this action only withdraws a proposed AD, it is not

an AD and, therefore, is not covered under Executive Order 12866, the Regulatory Flexibility Act, or DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979).

#### List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Safety.

#### The Withdrawal

Accordingly, FAA withdraws the notice of proposed rulemaking, Docket No. 99-CE-04-AD, which was published in the **Federal Register** on February 18, 1999 (64 FR 8022).

Issued in Kansas City, Missouri, on September 7, 2000.

**Michael Gallagher,**

*Manager, Small Airplane Directorate, Aircraft Certification Service.*

[FR Doc. 00-23586 Filed 9-13-00; 8:45 am]

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## DEPARTMENT OF THE INTERIOR

### Bureau of Indian Affairs

#### 25 CFR Part 292

RIN 1076-AD93

#### Gaming on Trust Lands Acquired After October 17, 1988

**AGENCY:** Bureau of Indian Affairs, Interior.

**ACTION:** Proposed rule.

**SUMMARY:** This proposed rule establishes procedures that an Indian tribe must follow in seeking a Secretarial determination that a gaming establishment would be in the best interest of the Indian tribe and its members, and would not be detrimental to the surrounding community. The law requires Indian tribes to seek this determination if the gaming establishment will be located on land acquired in trust after October 17, 1988, unless the land is covered under another statutory exemption.

**DATES:** Comments must be received on or before November 13, 2000.

**ADDRESSES:** If you wish to comment, you may submit your comments by any one of several methods. See **SUPPLEMENTARY INFORMATION** section.

**FOR FURTHER INFORMATION CONTACT:** George Skibine, Director, Office of Indian Gaming Management, Bureau of Indian Affairs, 1849 C Street NW, MS-2070 MIB, Washington, DC 20240; by telephone at (202) 219-4066; or by telefax at (202) 273-3153.

**SUPPLEMENTARY INFORMATION:**

#### General Comments

You may mail comments to the Office of Indian Gaming Management, Bureau of Indian Affairs, 1849 C Street, NW, MS-2070 MIB, Washington, DC 20240.

#### Electronic Access and Filing

You may also comment via the Internet to [gamingcomments@BIA.GOV]. Please submit Internet comments as an ASCII file avoiding the use of special characters and any form of encryption. Please also include "Attn: 1076-AD93" and your name and return address in your Internet message. If you do not receive a confirmation from the system that we have received your Internet message, contact the Office of Indian Gaming Management directly at (202) 219-4066.

Finally, you may hand-deliver comments to the Office of Indian Gaming Management, Bureau of Indian Affairs, 1849 C Street NW, MS-2070 MIB, Washington, DC 20240.

Our practice is to make comments, including names and home addresses of respondents, available for public review during regular business hours. Individual respondents may request that we withhold their home address from the rulemaking record, which we will honor to the extent allowable by law. There also may be circumstances in which we would withhold from the rulemaking record a respondent's identity, as allowable by law. If you wish us to withhold your name and/or address, you must state this prominently at the beginning of your comments. However, we will not consider anonymous comments. We will make all submissions from organizations or businesses, and from individuals identifying themselves as representatives or officials of organizations or businesses, available for public inspection in their entirety.

#### Background

The Indian Gaming Regulatory Act (IGRA), 25 U.S.C. 2701-2721, was signed into law on October 17, 1988. Section 20 of IGRA, 25 U.S.C. 2719, contains specific provisions for lands that the Secretary of the Interior acquired in trust for an Indian tribe after October 17, 1988. The section says that Indian tribes cannot conduct class II and class III gaming on these lands acquired in trust, unless one of several exceptions applies. If none of the exceptions in section 20 applies, section 20(b)(1)(A) of IGRA provides that gaming can still occur on the lands if:

(1) The Secretary consults with the Indian tribe and appropriate State and

local officials, including officials of other nearby tribes;

(2) After consultation, the Secretary determines that a gaming establishment on newly acquired (trust) lands would be in the best interest of the Indian tribe and its members, and would not be detrimental to the surrounding community; and

(3) The Governor of the State in which the gaming activity is to be conducted concurs in the Secretary's determination.

This proposed rule establishes a process for submitting and considering applications from Indian tribes seeking a Secretarial determination under section 20(b)(1)(A) of IGRA. The Bureau of Indian Affairs (BIA) issued a revised checklist for Secretarial determinations under this section on February 21, 1997. The proposed rule:

(1) Adopts the standards in the revised checklist, in modified form.

(2) Contains a process for BIA Central Office review of a tribal application for a Secretarial determination.

(3) Clarifies what consultation process the Department must follow when making a determination, and who must be consulted.

Since IGRA was enacted, only two tribes have successfully qualified to operate a gaming establishment on trust land under the exception to the gaming prohibition in section 20(b)(1)(A) of IGRA.

The proposed rule does not cover determinations of whether gaming on a specific parcel of land is exempt from the section 20 prohibition on gaming on after-acquired lands under any of the other exceptions contained in section 20 of IGRA. Tribal requests for such determinations will continue to be processed by BIA on a case-by-case basis.

#### Clarity of This Regulation

Executive Order 12866 requires each agency to write regulations that are easy to understand. We invite your comments on how to make this rule easier to understand, including answers to questions such as the following:

(1) Are the requirements in the rule clearly stated?

(2) Does the rule contain technical language or jargon that interferes with its clarity?

(3) Does the format of the rule (grouping and order of sections, use of headings, paragraphing, etc.) aid or reduce its clarity?

(4) Would the rule be easier to understand if it were divided into more (but shorter) sections? (A "section" appears in bold type and is preceded by the symbol "\$" and a numbered