

**Authority:** 49 U.S.C. 106(g), 40113, 44701.

### § 39.13 [Amended]

2. The FAA amends § 39.13 by adding the following new airworthiness directive (AD):

**Airbus: Docket No. FAA-2005-22973; Directorate Identifier 2004-NM-67-AD.**

#### Comments Due Date

(a) The Federal Aviation Administration must receive comments on this AD action by December 15, 2005.

#### Affected ADs

(b) None.

#### Applicability

(c) This AD applies to all Airbus Model A330-201, -202, -203, -223, and -243 airplanes; A330-301, -321, -322, -323, -341, -342, -343 airplanes; A340-211, -212, and -213 airplanes; A340-311, -312, and -313 airplanes; A340-541 airplanes; and A340-642 airplanes; certificated in any category.

**Note 1:** This AD requires revisions to certain operator maintenance documents to include new inspections. Compliance with these inspections is required by 14 CFR 91.403(c). For airplanes that have been previously modified, altered, or repaired in the areas addressed by these inspections, the operator may not be able to accomplish the inspections described in the revisions. In this situation, to comply with 14 CFR 91.403(c), the operator must request approval for an alternative method of compliance according to paragraph (h) of this AD. The request should include a description of changes to the required inspections that will ensure the continued damage tolerance of the affected structure. The FAA has provided guidance for this determination in Advisory Circular (AC) 25-1529.

#### Unsafe Condition

(d) This AD results from a revision to subsection 9-1 of the Airbus A330 and A340 Maintenance Planning Documents (MPD) for Life Limits/Monitored parts, and subsection 9-2 of the Airbus A330 MPD for Airworthiness Limitations Items. We are issuing this AD to ensure the continued structural integrity of these airplanes.

#### Compliance

(e) You are responsible for having the actions required by this AD performed within the compliance times specified, unless the actions have already been done.

#### Airworthiness Limitations Revision

(f) Within 3 months after the effective date of this AD, revise the Airworthiness Limitations section (ALS) of the Instructions for Continued Airworthiness by incorporating into the ALS the documents in paragraph (f)(1) and (f)(2) of this AD, as applicable.

(1) Document AI/SE-M4/95A.0089/97, "Airworthiness Limitations Items," Issue 12, dated November 1, 2003, Section 9-2 of the Airbus A330 Maintenance Planning Document (MPD).

(2) Section 9-1, "Life Limits/Monitored parts," Revision 05, dated April 7, 2005, of the Airbus A330 and A340 MPDs.

(g) Except as provided by paragraph (h) of this AD: After the actions in paragraph (f) of this AD have been accomplished, no alternative inspections or inspection intervals may be approved for the structural elements specified in the documents listed in paragraph (f) of this AD.

#### Alternative Methods of Compliance (AMOCs)

(h)(1) The Manager, International Branch, ANM-116, Transport Airplane Directorate, FAA, has the authority to approve AMOCs for this AD, if requested in accordance with the procedures found in 14 CFR 39.19.

(2) Before using any AMOC approved in accordance with § 39.19 on any airplane to which the AMOC applies, notify the appropriate principal inspector in the FAA Flight Standards Certificate Holding District Office.

#### Related Information

(i) French airworthiness directives F-2004-024, dated February 18, 2004; F-2005-069, dated April 27, 2005; and F-2005-070, dated April 27, 2005; also address the subject of this AD.

Issued in Renton, Washington, on November 7, 2005.

**Kalene C. Yanamura,**

*Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.*

[FR Doc. 05-22588 Filed 11-14-05; 8:45 am]

**BILLING CODE 4910-13-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

**[Docket No. FAA-2005-22873; Directorate Identifier 2005-NM-197-AD]**

**RIN 2120-AA64**

#### Airworthiness Directives; Bombardier Model CL-600-2B19 (Regional Jet Series 100 & 440) Airplanes

**AGENCY:** Federal Aviation Administration (FAA), Department of Transportation (DOT).

**ACTION:** Notice of proposed rulemaking (NPRM).

**SUMMARY:** The FAA proposes to adopt a new airworthiness directive (AD) for certain Bombardier Model CL-600-2B19 (Regional Jet Series 100 & 440) airplanes. This proposed AD would require replacing the Camloc fasteners on the sidewall of the center pedestal. This proposed AD results from reports of the Camloc fasteners on the sidewall of the center pedestal disengaging and interfering with an inboard rudder pedal. We are proposing this AD to

prevent these fasteners from disengaging and interfering with an inboard rudder pedal, which could reduce directional controllability of the airplane.

**DATES:** We must receive comments on this proposed AD by December 15, 2005.

**ADDRESSES:** Use one of the following addresses to submit comments on this proposed AD.

- **DOT Docket Web site:** Go to <http://dms.dot.gov> and follow the instructions for sending your comments electronically.

- **Government-wide rulemaking Web site:** Go to <http://www.regulations.gov> and follow the instructions for sending your comments electronically.

- **Mail:** Docket Management Facility, U.S. Department of Transportation, 400 Seventh Street SW., Nassif Building, room PL-401, Washington, DC 20590.

- **Fax:** (202) 493-2251.

- **Hand Delivery:** Room PL-401 on the plaza level of the Nassif Building, 400 Seventh Street SW., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

Contact Bombardier, Inc., Canadair, Aerospace Group, P.O. Box 6087, Station Centre-ville, Montreal, Quebec H3C 3G9, Canada, for service information identified in this proposed AD.

#### FOR FURTHER INFORMATION CONTACT:

Daniel Parrillo, Aerospace Engineer, Systems and Flight Test Branch, ANE-172, FAA, New York Aircraft Certification Office, 1600 Stewart Avenue, suite 410, Westbury, New York 11590; telephone (516) 228-7305; fax (516) 794-5531.

#### SUPPLEMENTARY INFORMATION:

#### Comments Invited

We invite you to submit any relevant written data, views, or arguments regarding this proposed AD. Send your comments to an address listed in the **ADDRESSES** section. Include the docket number "FAA-2005-22873; Directorate Identifier 2005-NM-197-AD" at the beginning of your comments. We specifically invite comments on the overall regulatory, economic, environmental, and energy aspects of the proposed AD. We will consider all comments received by the closing date and may amend the proposed AD in light of those comments.

We will post all comments we receive, without change, to <http://dms.dot.gov>, including any personal information you provide. We will also post a report summarizing each substantive verbal contact with FAA personnel concerning this proposed AD. Using the search function of that Web

site, anyone can find and read the comments in any of our dockets, including the name of the individual who sent the comment (or signed the comment on behalf of an association, business, labor union, etc.). You may review the DOT's complete Privacy Act Statement in the **Federal Register** published on April 11, 2000 (65 FR 19477–78), or you may visit <http://dms.dot.gov>.

### Examining the Docket

You may examine the AD docket on the Internet at <http://dms.dot.gov>, or in person at the Docket Management Facility office between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The Docket Management Facility office (telephone (800) 647–5227) is located on the plaza level of the Nassif Building at the DOT street address stated in the **ADDRESSES** section. Comments will be available in the AD docket shortly after the Docket Management System receives them.

### Discussion

Transport Canada Civil Aviation (TCCA), which is the airworthiness authority for Canada, notified us that an unsafe condition may exist on certain Bombardier Model CL–600–2B19 (Regional Jet Series 100 & 440) airplanes. TCCA advises that it has received several reports of the Camloc fasteners on the sidewall of the center pedestal fully disengaging and interfering with an inboard rudder pedal. In one incident, the rudder jammed during an approach due to a disengaged Camloc fastener that restricted movement of the pilot's inboard rudder pedal and tow brake. This condition, if not corrected, could reduce directional controllability of the airplane.

### Relevant Service Information

Bombardier has issued Service Bulletin 601R–31–030, Revision F, dated September 1, 2005. The service bulletin describes procedures for replacing, with screws and nut plate assemblies, the Camloc fasteners on the left and right sidewalls of the center pedestal. Accomplishing the actions specified in the service information is intended to adequately address the unsafe condition. TCCA mandated the service information and issued Canadian airworthiness directive CF–2004–23R1, dated July 18, 2005, to ensure the continued airworthiness of these airplanes in Canada.

### FAA's Determination and Requirements of the Proposed AD

This airplane model is manufactured in Canada and is type certificated for operation in the United States under the provisions of section 21.29 of the Federal Aviation Regulations (14 CFR 21.29) and the applicable bilateral airworthiness agreement. Pursuant to this bilateral airworthiness agreement, TCCA has kept the FAA informed of the situation described above. We have examined TCCA's findings, evaluated all pertinent information, and determined that we need to issue an AD for airplanes of this type design that are certificated for operation in the United States.

Therefore, we are proposing this AD, which would require accomplishing the actions specified in the service information described previously.

### Costs of Compliance

This proposed AD would affect about 718 airplanes of U.S. registry. The proposed actions would take about 1 work hour per airplane, at an average labor rate of \$65 per work hour. Required parts would cost about \$135 per airplane. Based on these figures, the estimated cost of the proposed AD for U.S. operators is \$143,600, or \$200 per airplane.

### Authority for This Rulemaking

Title 49 of the United States Code specifies the FAA's authority to issue rules on aviation safety. Subtitle I, section 106, describes the authority of the FAA Administrator. Subtitle VII, Aviation Programs, describes in more detail the scope of the Agency's authority.

We are issuing this rulemaking under the authority described in subtitle VII, part A, subpart III, section 44701, "General requirements." Under that section, Congress charges the FAA with promoting safe flight of civil aircraft in air commerce by prescribing regulations for practices, methods, and procedures the Administrator finds necessary for safety in air commerce. This regulation is within the scope of that authority because it addresses an unsafe condition that is likely to exist or develop on products identified in this rulemaking action.

### Regulatory Findings

We have determined that this proposed AD would not have federalism implications under Executive Order 13132. This proposed AD would not have a substantial direct effect on the States, on the relationship between the national Government and the States, or on the distribution of power and

responsibilities among the various levels of government.

For the reasons discussed above, I certify that the proposed regulation:

1. Is not a "significant regulatory action" under Executive Order 12866;
2. Is not a "significant rule" under the DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979); and

3. Will not have a significant economic impact, positive or negative, on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

We prepared a regulatory evaluation of the estimated costs to comply with this proposed AD and placed it in the AD docket. See the **ADDRESSES** section for a location to examine the regulatory evaluation.

### List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Safety.

### The Proposed Amendment

Accordingly, under the authority delegated to me by the Administrator, the FAA proposes to amend 14 CFR part 39 as follows:

### PART 39—AIRWORTHINESS DIRECTIVES

1. The authority citation for part 39 continues to read as follows:

**Authority:** 49 U.S.C. 106(g), 40113, 44701.

#### § 39.13 [Amended]

2. The Federal Aviation Administration (FAA) amends § 39.13 by adding the following new airworthiness directive (AD):

#### Bombardier, Inc. (Formerly Canadair):

Docket No. FAA–2005–22873; Directorate Identifier 2005–NM–197–AD.

#### Comments Due Date

(a) The FAA must receive comments on this AD action by December 15, 2005.

#### Affected ADs

(b) None.

#### Applicability

(c) This AD applies to Bombardier Model CL–600–2B19 (Regional Jet Series 100 & 440) airplanes, certificated in any category, serial numbers 7003 through 7986 inclusive.

#### Unsafe Condition

(d) This AD results from reports of the Camloc fasteners on the sidewall of the center pedestal disengaging and interfering with an inboard rudder pedal. We are issuing this AD to prevent these fasteners from disengaging and interfering with an inboard rudder pedal, which could reduce directional controllability of the airplane.

#### Compliance

(e) You are responsible for having the actions required by this AD performed within

the compliance times specified, unless the actions have already been done.

#### Replacement of Fasteners

(f) Within 5,500 flight hours after the effective date of this AD, replace, with screws and nut plate assemblies, the Camloc fasteners on the left and right sidewalls of the center pedestal, in accordance with the Accomplishment Instructions of Bombardier Service Bulletin 601R-31-030, Revision F, dated September 1, 2005.

#### Actions Accomplished Previously

(g) Replacing fasteners before the effective date of this AD in accordance with the Accomplishment Instructions of one of the issues of Bombardier Service Bulletin 601R-31-030 identified in Table 1 of this AD is acceptable for compliance with the requirements of paragraph (f) of this AD.

TABLE 1.—PREVIOUS SERVICE BULLETIN REVISIONS ACCEPTABLE FOR COMPLIANCE

Issue of Bombardier service bulletin 601R-31-030	Date
Original .....	June 22, 2004.
Revision A .....	Oct. 6, 2004.
Revision B .....	Nov. 4, 2004.
Revision C .....	Dec. 15, 2004.
Revision D .....	June 16, 2005.
Revision E .....	July 7, 2005.

#### Alternative Methods of Compliance (AMOCs)

(h)(1) The Manager, New York Aircraft Certification Office, FAA, has the authority to approve AMOCs for this AD, if requested in accordance with the procedures found in 14 CFR 39.19.

(2) Before using any AMOC approved in accordance with § 39.19 on any airplane to which the AMOC applies, notify the appropriate principal inspector in the FAA Flight Standards Certificate Holding District Office.

#### Related Information

(i) Canadian airworthiness directive CF-2004-23R1, dated July 18, 2005, also addresses the subject of this AD.

Issued in Renton, Washington, on November 4, 2005.

**Ali Bahrami,**

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

[FR Doc. 05-22590 Filed 11-14-05; 8:45 am]

**BILLING CODE 4910-13-P**

## DEPARTMENT OF THE INTERIOR

### National Indian Gaming Commission

#### 25 CFR Part 542

#### RIN 3141-AA27

#### Minimum Internal Control Standards

**AGENCY:** National Indian Gaming Commission.

**ACTION:** Proposed rule revisions.

**SUMMARY:** In response to the inherent risks of gaming enterprises and the resulting need for effective internal controls in Tribal gaming operations, the National Indian Gaming Commission (Commission or NIGC) first developed Minimum Internal Control Standards (MICS) for Indian gaming in 1999, which have subsequently been revised. The Commission recognized from the outset that periodic technical adjustments and revisions would be necessary in order to keep the MICS effective in protecting Tribal gaming assets and the interests of Tribal stakeholders and the gaming public. To that end, the following proposed rule revisions contain certain proposed corrections and revisions to the Commission's existing MICS, which are necessary to clarify, improve, and update other existing MICS provisions. The purpose of these proposed MICS revisions is to address apparent shortcomings in the MICS and various changes in Tribal gaming technology and methods.

**DATES:** Submit comments on or before December 30, 2005. After consideration of all received comments, the Commission will make whatever changes to the proposed revisions that it deems appropriate and then promulgate and publish the final revisions to the Commission's MICS Rule, 25 CFR part 542.

**ADDRESSES:** Mail comments to "Comments Proposed MICS Rule Revisions, National Indian Gaming Commission, 1441 L Street NW., Washington, DC 20005, Attn: Acting General Counsel, Penny J. Coleman." Comments may be transmitted by facsimile to (202) 632-7066.

**FOR FURTHER INFORMATION CONTACT:** Vice-Chairman Nelson Westrin, (202) 632-7003 (not a toll-free number).

#### SUPPLEMENTARY INFORMATION:

#### Background

On January 5, 1999, the Commission first published its Minimum Internal Control Standards (MICS) as a Final Rule. As gaming Tribes and the Commission gained practical experience

applying the MICS, it became apparent that some of the standards required clarification or modification to be effective, operate as the Commission had intended, and accommodate changes and advances in gaming technology and methods.

Consequently, the Commission, working with an Advisory Committee composed of Commission and nominated Tribal representatives, published the new final revised MICS rule on June 27, 2002. Based on the practical experiences of the Commission and Tribes working with the newly revised MICS, it has once again become apparent that additional corrections, clarifications, and modifications are needed to ensure that the MICS continue to be effective and operate as the Commission intended. To identify which of the current MICS need correction, clarification or modification, the Commission initially solicited input and guidance from NIGC employees, who have extensive gaming regulatory expertise and experience and work closely with Tribal gaming regulators in monitoring the implementation, operation, and effect of the MICS in Tribal gaming operations. The resulting input from NIGC staff convinced the Commission that the MICS require continuing review and prompt revision on an ongoing basis to keep them effective and up-to-date. To address this need, the Commission decided to establish a Standing MICS Advisory Committee to assist it in both identifying and developing necessary MICS revisions on an ongoing basis.

In recognition of its government-to-government relationship with Tribes, and related commitment to meaningful Tribal consultation, the Commission asked gaming Tribes in January of 2004 for nominations of Tribal representatives to serve on its Standing MICS Advisory Committee. From the twenty-seven (27) Tribal nominations that it received, the Commission selected nine (9) Tribal representatives in March 2004 to serve on the Committee. The Commission's Tribal Committee member selections were based on several factors, including the regulatory experience and background of the individuals nominated; the size(s) of their affiliated Tribal gaming operation(s); the types of games played at their affiliated Tribal gaming operation(s); and the areas of the country in which their affiliated Tribal gaming operation(s) are located. The selection process was very difficult because numerous highly qualified Tribal representatives were nominated to serve on this important Committee. As expected, the benefit of including