

## 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 removing amendment 39–14516 (71 FR 14363, March 22, 2006) and adding the following new airworthiness directive (AD):

**Fokker:** Docket No. FAA–2008–0675; Directorate Identifier 2007–NM–192–AD.

#### Comments Due Date

(a) The FAA must receive comments on this AD action by August 1, 2008.

#### Affected ADs

(b) This AD supersedes AD 2006–06–07.

#### Applicability

(c) This AD applies to Fokker Model F.28 Mark 0070 and Mark 0100 airplanes, certificated in any category, equipped with Messier-Dowty main landing gears (MLGs).

#### Unsafe Condition

(d) This AD results from reports that a final solution eliminating the cause of the crack initiation mechanism is not yet available. We are issuing this AD to detect and correct cracks in the main landing gear (MLG) main fitting, which could result in reduced structural integrity of the MLG main fitting.

#### 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.

#### Restatement of Requirements of AD 2006–06–07

##### Airplane Flight Manual (AFM) Revision and Placard Installation

(f) Within 14 days after April 26, 2006 (the effective date of AD 2006–06–07), amend the Limitations section of the Fokker F.28 AFM to prohibit application of brakes during backward movement of the airplane. This may be done by inserting a copy of this AD in the AFM.

**Note 1:** When a statement to prohibit application of brakes during backward movement of the airplane has been included in the general revisions of the AFM, the general revisions may be inserted into the AFM, and the copy of this AD may be removed from the AFM.

(g) Within 14 days after April 26, 2006, affix a placard on the pedestal, next to the parking brake handle, having the following wording: “APPLICATION OF BRAKES

DURING BACKWARD MOVEMENT IS PROHIBITED.”

#### Inspection and Corrective Action

(h) At the applicable time specified in paragraph (h)(1) or (h)(2) of this AD: Do an eddy current inspection of the MLG main fittings and repair before further flight as applicable, in accordance with the Accomplishment Instructions of Messier-Dowty Service Bulletin F100–32–106, including Appendices A through C and excluding Appendix D, dated February 18, 2005, except as provided by paragraphs (i) and (j) of this AD.

(1) For airplanes on which an inspection has not been done in accordance with Messier-Dowty Service Bulletin F100–32–104, Revision 2, dated October 30, 2003: Within 3 months after April 26, 2006.

(2) For airplanes on which an inspection has been done in accordance with Messier-Dowty Service Bulletin F100–32–104, Revision 2, dated October 30, 2003: Within 2,000 flight cycles since the last inspection done in accordance with the service bulletin or within 3 months after April 26, 2006, whichever occurs later.

#### Exceptions to the Service Bulletin

(i) Where Messier-Dowty Service Bulletin F100–32–106, including Appendices A through C and excluding Appendix D, dated February 18, 2005, specifies contacting the manufacturer for repair: Before further flight, repair using a method approved by either the Manager, International Branch, ANM–116, Transport Airplane Directorate, FAA, or the Civil Aviation Authority—The Netherlands (CAA–NL) (or its delegated agent).

(j) Although Messier-Dowty Service Bulletin F100–32–106, including Appendices A through C and excluding Appendix D, dated February 18, 2005, specifies to submit certain information to the manufacturer, this AD does not include that requirement.

#### Parts Installation

(k) As of April 26, 2006, and until the effective date of this AD, no person may install, on any airplane, a Messier-Dowty MLG, unless it has been inspected/repared according to paragraph (h) of this AD.

#### New Requirements of This AD

##### Inspection and Repair

(l) At the applicable times specified in paragraphs (l)(1), (l)(2), and (l)(3) of this AD: Do an eddy current inspection of the MLG main fitting for cracks, and rework the MLG main fitting if applicable, in accordance with the Accomplishment Instructions of Messier-Dowty Service Bulletin F100–32–111, including Appendices A through C and excluding Appendix D, dated December 20, 2005; except as provided by paragraph (m) of this AD. The rework must be done before further flight.

(1) For all MLG main fittings, except those units identified in paragraph (l)(2) of this AD: Inspect within the next 2,000 flight cycles since the last inspection required by paragraph (h) of this AD, or within 4 months after the effective date of this AD, whichever occurs later.

(2) For new MLG main fittings and MLG main fittings on which both bores have been

repaired (reworked) in accordance with paragraph (h) of this AD: Inspect within 4,000 flight cycles since new (installation) or repaired (rework) in accordance with paragraph (h) of this AD, as applicable.

(3) For all MLGs: Repeat the eddy current inspection thereafter at intervals not to exceed 2,000 flight cycles.

#### Exception to Service Bulletin F100–32–111

(m) Although Messier-Dowty Service Bulletin F100–32–111, including Appendices A through C and excluding Appendix D, dated December 20, 2005, specifies to submit certain information to the manufacturer, this AD does not include that requirement.

#### Parts Installation

(n) As of the effective date of this AD, no person may install, on any airplane, a Messier-Dowty MLG, unless it has been inspected and reworked in accordance with paragraph (l) of this AD.

#### Alternative Methods of Compliance (AMOCs)

(o) The Manager, International Branch, ANM–116, FAA, has the authority to approve AMOCs for this AD, if requested using the procedures found in 14 CFR 39.19. Send information to ATTN: Tom Rodriguez, Aerospace Engineer, International Branch, ANM–116, Transport Airplane Directorate, FAA, 1601 Lind Avenue, SW., Renton, Washington 98057–3356; telephone (425) 227–1137; fax (425) 227–1149. Before using any approved AMOC on any airplane to which the AMOC applies, notify your appropriate principal inspector (PI) in the FAA Flight Standards District Office (FSDO), or lacking a PI, your local FSDO.

#### Related Information

(p) The Civil Aviation Authority—The Netherlands airworthiness directive NL–2006–003, dated February 7, 2006, also addresses the subject of this AD.

Issued in Renton, Washington, on June 24, 2008.

#### Ali Bahrami,

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

[FR Doc. E8–14976 Filed 7–1–08; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 71

[Docket No. FAA–2008–0716; Airspace Docket No. 08–ASW–9]

RIN 2120–AA66

#### Proposed Establishment of Low Altitude Area Navigation Route (T-Route); Houston, TX

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

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

**SUMMARY:** This action proposes to establish a low altitude Area Navigation (RNAV) route, designated T-254, in the Houston, TX, terminal area. T-routes are low altitude Air Traffic Service routes, based on RNAV, for use by aircraft that have instrument flight rules (IFR) approved Global Positioning System (GPS)/Global Navigation Satellite System (GNSS) equipment. This action would enhance safety and improve the efficient use of the navigable airspace in the Houston, TX, terminal area.

**DATES:** Comments must be received on or before August 18, 2008.

**ADDRESSES:** Send comments on this proposal to the U.S. Department of Transportation, Docket Operations, M-30, 1200 New Jersey Avenue, SE., West Building Ground Floor, Room W12-140, Washington, DC 20590-0001; telephone: (202) 366-9826. You must identify FAA Docket No. FAA-2008-0716 and Airspace Docket No. 08-ASW-9 at the beginning of your comments. You may also submit comments through the Internet at <http://www.regulations.gov>.

**FOR FURTHER INFORMATION CONTACT:** Steve Rohring, Airspace and Rules Group, Office of System Operations Airspace and AIM, Federal Aviation Administration, 800 Independence Avenue, SW., Washington, DC 20591; telephone: (202) 267-8783.

**SUPPLEMENTARY INFORMATION:**

**Comments Invited**

Interested parties are invited to participate in this proposed rulemaking by submitting such written data, views, or arguments, as they may desire. Comments that provide the factual basis supporting the views and suggestions presented are particularly helpful in developing reasoned regulatory decisions on the proposal. Comments are specifically invited on the overall regulatory, aeronautical, economic, environmental, and energy-related aspects of the proposal.

Communications should identify both docket numbers (FAA Docket No. FAA-2008-0716 and Airspace Docket No. 08-ASW-9) and be submitted in triplicate to the Docket Management Facility (see **ADDRESSES** section for address and phone number). You may also submit comments through the Internet at <http://www.regulations.gov>.

Commenters wishing the FAA to acknowledge receipt of their comments on this action must submit with those comments a self-addressed, stamped postcard on which the following statement is made: "Comments to FAA Docket No. FAA-2008-0716 and Airspace Docket No. 08-ASW-9." The

postcard will be date/time stamped and returned to the commenter.

All communications received on or before the specified closing date for comments will be considered before taking action on the proposed rule. The proposal contained in this action may be changed in light of comments received. All comments submitted will be available for examination in the public docket both before and after the closing date for comments. A report summarizing each substantive public contact with FAA personnel concerned with this rulemaking will be filed in the docket.

**Availability of NPRMs**

An electronic copy of this document may be downloaded through the Internet at <http://www.regulations.gov>. Recently published rulemaking documents can also be accessed through the FAA's Web page at <http://www.faa.gov>, or the **Federal Register's** Web page at <http://www.gpoaccess.gov/fr/index.html>.

You may review the public docket containing the proposal, any comments received, and any final disposition in person in the Dockets Office (see **ADDRESSES** section for address and phone number) between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. An informal docket may also be examined during normal business hours at the office of the Central Service Center, Air Traffic Organization, Federal Aviation Administration, 901 Locust, Kansas City, MO 64106.

Persons interested in being placed on a mailing list for future NPRM's should contact the FAA's Office of Rulemaking, (202) 267-9677, for a copy of Advisory Circular No. 11-2A, Notice of Proposed Rulemaking Distribution System, which describes the application procedure.

**The Proposal**

The FAA is proposing an amendment to Title 14 Code of Federal Regulations (14 CFR) part 71 to establish a low altitude RNAV route in the Houston, TX, terminal area. The route, designated as T-254, would be depicted on the appropriate IFR En Route Low Altitude charts. This T-route is only intended for use by GPS/GNSS equipped aircraft and is being proposed to enhance safety and to facilitate the more flexible and efficient use of the navigable airspace for en route IFR operations transitioning through and around the Houston Class B airspace area.

Low altitude RNAV routes are published in paragraph 6011 of FAA Order 7400.9R signed August 15, 2007, and effective September 15, 2007, which

is incorporated by reference in 14 CFR 71.1. The low altitude RNAV routes listed in this document will be published subsequently in the Order.

The FAA has determined that this proposed regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. Therefore, this proposed regulation: (1) Is not a "significant regulatory action" under Executive Order 12866; (2) is not a "significant rule" under Department of Transportation (DOT) Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and (3) does not warrant preparation of a regulatory evaluation as the anticipated impact is so minimal. Since this is a routine matter that will only affect air traffic procedures and air navigation, it is certified that this proposed rule, when promulgated, will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

The FAA's authority to issue rules regarding aviation safety is found in Title 49 of the United States Code. 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.

This rulemaking is promulgated under the authority described in Subtitle VII, Part A, Subpart I, Section 40103. Under that section, the FAA is charged with prescribing regulations to assign the use of the airspace necessary to ensure the safety of aircraft and the efficient use of airspace. This regulation is within the scope of that authority as it establishes a low altitude Area Navigation route (T-route) at Houston, Texas.

**Environmental Review**

The FAA has determined that this action qualifies for categorical exclusion under the National Environmental Policy Act in accordance with FAA Order 1050.1E, "Environmental Impacts: Policies and Procedures," paragraph 311a, 311b, and 311k. This airspace action is not expected to cause any potentially significant environmental impacts, and no extraordinary circumstances exist that warrant preparation of an environmental assessment.

**List of Subjects in 14 CFR Part 71**

Airspace, Incorporation by reference, Navigation (air).

**The Proposed Amendment**

In consideration of the foregoing, the Federal Aviation Administration proposes to amend 14 CFR part 71 as follows:

**PART 71—DESIGNATION OF CLASS A, B, C, D, AND E AIRSPACE AREAS; AIR TRAFFIC SERVICE ROUTES; AND REPORTING POINTS**

1. The authority citation for part 71 continues to read as follows:

**Authority:** 49 U.S.C. 106(g), 40103, 40113, 40120; E.O. 10854, 24 FR 9565, 3 CFR, 1959–1963 Comp., p. 389.

**§ 71.1 [Amended]**

2. The incorporation by reference in 14 CFR 71.1 of FAA Order 7400.R, Airspace Designations and Reporting Points, signed August 15, 2006 and effective September 15, 2007, is amended as follows:

*Paragraph 6011 Area Navigation Routes.*  
\* \* \* \* \*

**T-254 Centex, TX to Lake Charles, LA [New]**

Centex, TX (CWK) .....	VORTAC .....	(Lat. 30°22'43" N., long. 97°31'47" W.)
College Station, TX (CLL) .....	VORTAC .....	(Lat. 30°36'18" N., long. 96°25'14" W.)
EAKES, TX .....	WP .....	(Lat. 30°33'18" N., long. 95°18'29" W.)
CREPO, TX .....	WP .....	(Lat. 30°16'54" N., long. 94°14'43" W.)
Lake Charles, LA (LCH) .....	VORTAC .....	(Lat. 30°08'28" N., long. 93°06'18" W.)

\* \* \* \* \*

Issued in Washington, DC, on June 25, 2008.

**Paul Gallant,**

*Acting Manager, Airspace and Rules Group.*  
[FR Doc. E8–15018 Filed 7–1–08; 8:45 am]

**BILLING CODE 4910–13–P**

**DEPARTMENT OF THE INTERIOR**

**Bureau of Indian Affairs**

**25 CFR Part 293**

**RIN 1076–AE99**

**Class III Tribal State Gaming Compact Process**

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

**ACTION:** Notice of proposed rulemaking.

**SUMMARY:** The Bureau of Indian Affairs (BIA) proposes to establish procedures for Indian tribes and States to submit Tribal-State compacts and compact amendments, governing the conduct of class III gaming activities on the tribe's Indian lands located within that State, for review and approval by the Secretary of the Interior.

**DATES:** Comments must be received on or before September 2, 2008.

**ADDRESSES:** You may submit comments on the rule, identified by the number 1076–AE99, by any of the following methods:

- *Federal rulemaking portal:* <http://www.regulations.gov>. Follow the instructions for submitting comments.
- *Fax:* 202–273–3153.
- *Mail:* Ms. Paula Hart, Acting Director, Office of Indian Gaming, Office of the Deputy Assistant Secretary—Policy and Economic Development, 1849 C Street, NW, Mail Stop 3657–MIB, Washington, DC 20240.
- *Hand delivery:* Office of Indian Gaming, Office of the Deputy Assistant

Secretary—Policy and Economic Development, 1849 C Street, NW., Room 3657–MIB, Washington, DC, from 9 a.m. to 4 p.m., Monday through Friday.

Note that requests for comments on the rule and the information collection are separate. Comments on the information collection requirements should be sent to: Office of Management and Budget, Office of Information and Regulatory Affairs, Attention: Desk Officer for the Department of the Interior, by e-mail at [http://www.OIRA\\_DOCKET@omb.eop.gov](http://www.OIRA_DOCKET@omb.eop.gov) or, by facsimile at (202) 395–6566.

Please also send a copy of your comments on information collection requirements to the Office of Indian Gaming at the above address.

**FOR FURTHER INFORMATION CONTACT:** Paula Hart, Acting Director, Office of Indian Gaming, (202) 219–4066.

**SUPPLEMENTARY INFORMATION:** The authority to issue this document is vested in the Secretary of the Interior by 5 U.S.C. 301 and 25 U.S.C. 2, 9, and 2710. The Secretary has delegated this authority to the Assistant Secretary—Indian Affairs by part 209 of the Departmental Manual.

**Background**

The Indian Gaming Regulatory Act (IGRA), 25 U.S.C. 2701–2721, was signed into law on October 17, 1988. IGRA, 25 U.S.C. 2710, authorizes class III gaming activities on Indian lands when authorized by an approved ordinance, located in a State that permits such gaming and conducted in conformance with a Tribal-State compact. IGRA, 25 U.S.C. 2710(d)(8)(A), (B) and (C), authorizes the Secretary to approve, disapprove or consider approved a Tribal-State compact or compact amendment and publish notice of that approval or considered approval in the **Federal Register**. The submission process for the Tribal-State compact or compact amendment is not clear.

Therefore this proposed rule establishes procedures for submitting Tribal-State compacts and compact amendments.

**Procedural Requirements**

*Regulatory Planning and Review (Executive Order 12866)*

In accordance with the criteria in Executive Order 12866, this rule is not a significant regulatory action and is not subject to review by the Office of Management and Budget (OMB).

(a) This rule will not have an economic effect of \$100 million or adversely affect an economic sector, productivity, jobs, the environment, or other units of government.

(b) This rule will not create serious inconsistencies or otherwise interfere with an action taken or planned by another Federal agency. BIA is the only governmental agency that approves Tribal-State compacts and compact amendments.

(c) This rule will not materially affect entitlements, grants, user fees, loan programs, or the rights and obligations of their recipients. This rule sets out the procedures for the submission of Tribal-State compacts and compact amendments.

(d) This rule will not raise novel legal or policy issues.

*Regulatory Flexibility Act*

The Department of the Interior certifies that this document will not have a significant economic effect on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*). Indian tribes are not considered to be small entities for the purposes of this Act.

*Small Business Regulatory Enforcement Fairness Act (SBREFA)*

This rule is not a major rule under 5 U.S.C. 804(2), the Small Business Regulatory Enforcement Fairness Act. This rule: