

would require propeller blade replacement within 200 flight hours or 1 year from the effective date of the proposed AD, whichever occurs first. The reduction in blade replacement time from the SB has been made to prevent blade failure during the compliance period of this AD. The times are based on an engineering evaluation of the failure rate of hard alloy blades due to intergranular corrosion induced fatigue.

FAA's Determination of an Unsafe Condition and Proposed Actions

Since an unsafe condition has been identified that is likely to exist or develop on other Hartzell Propeller Inc. model HC-B3TN-5() propellers of the same type design, the proposed AD would require replacement of propeller blades, part number T10176H(B,K)-5 or T10178H(B)-11(R), with propeller blades part number T10176(N)(S)(B,K)-5 or T10178(N)(S)(B)-11(R), respectively, within 200 flight hours or 1 year from the effective date of this AD, whichever occurs first. The actions would be required to be done in accordance with the service bulletin described previously.

Economic Analysis

There are approximately 250 Hartzell Propeller Inc. model HC-B3TN-5() propellers of the affected design in the worldwide fleet. The FAA estimates that 200 propellers installed on airplanes of U.S. registry would be affected by this proposed AD. The FAA also estimates that it would take approximately 10 work hours per propeller to accomplish the proposed actions, and that the average labor rate is \$60 per work hour. Required parts would cost approximately \$10,000 per propeller. Based on these figures, the total cost of the proposed AD on U.S. operators is estimated to be \$2,120,000.

Regulatory Analysis

This proposed rule does not have federalism implications, as defined in Executive Order 13132, because it 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. Accordingly, the FAA has not consulted with state authorities prior to publication of this proposed rule.

For the reasons discussed above, I certify that this 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) if promulgated, 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. A copy of the draft regulatory evaluation prepared for this action is contained in the Rules Docket. A copy of it may be obtained by contacting the Rules Docket at the location provided under the caption **ADDRESSES**.

List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Safety.

The Proposed Amendment

Accordingly, pursuant to the authority delegated to me by the Administrator, the Federal Aviation Administration proposes to amend part 39 of the Federal Aviation Regulations (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. Section 39.13 is amended by adding the following new airworthiness directive:

Hartzell Propeller Inc.: Docket No. 2001-NE-44-AD.

Applicability: This airworthiness directive (AD) is applicable to Hartzell Propeller Inc. model HC-B3TN-5() propellers, with T10176H(B)-5, T10176H(K)-5, T10176H-5, T10178H-11, T10178H-11R, T10178H(B)-11, and T10178H(B)-11R, blades that are installed on Mitsubishi Heavy Industries, Ltd, MU-2 series airplanes.

Note 1: The parentheses indicate the presence or absence of an additional letter(s) which vary the basic propeller blade model designation. This AD still applies regardless of whether these letters are present or absent on the propeller blade model designation.

Note 2: This AD applies to each propeller identified in the preceding applicability provision, regardless of whether it has been modified, altered, or repaired in the area subject to the requirements of this AD. For propellers 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 (c) 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: Compliance with this AD is required within 200 flight hours or 1 year

from the effective date of this AD, whichever occurs first, unless already done.

To prevent propeller blade separation, damage to the airplane, and possible loss of the airplane, do the following:

(a) Remove and replace propeller blades in accordance with paragraphs 3.A. through 3.C.(3) of the Accomplishment Instructions of Hartzell Propeller Inc. Service Bulletin (SB) HC-SB-61-250, Revision 1, dated April 8, 2002.

(b) After the effective date of this AD, do not install any propeller blade removed in accordance with paragraph (a) of this AD, on any airplane.

Alternative Methods of Compliance

(c) 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, Chicago Aircraft Certification Office (ACO). Operators must submit their request through an appropriate FAA Principal Maintenance Inspector, who may add comments and then send it to the Manager, Chicago ACO.

Note 3: Information concerning the existence of approved alternative methods of compliance with this airworthiness directive, if any, may be obtained from the Chicago ACO.

Special Flight Permits

(d) Special flight permits may be issued in accordance with §§ 21.197 and 21.199 of the Federal Aviation Regulations (14 CFR 21.197 and 21.199) to operate the airplane to a location where the requirements of this AD can be done.

Issued in Burlington, Massachusetts, on October 10, 2002.

Mark C. Fulmer,

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

[FR Doc. 02-26588 Filed 10-17-02; 8:45 am]

BILLING CODE 4910-13-P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 2000-NE-60-AD]

RIN 2120-AA64

Airworthiness Directives; Hartzell Propeller Inc. Model HD-E6C-3B/E13890K Propellers

AGENCY: Federal Aviation Administration, DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: The Federal Aviation Administration (FAA) proposes to adopt a new airworthiness directive (AD) that is applicable to Hartzell Propeller Inc. model HD-E6C-3B/E13890K propellers with certain serial numbers of model D-1199-2 propeller control units (PCU's)

installed. This proposal would require initial and repetitive inspections for below-limit propeller flight idle blade angles, and, as a terminating action, removal of the affected PCU's from service and performance of a complete Major Periodic Inspection (overhaul) when the applicable time-since-new or time-since-overhaul limit is reached, or when any flight idle blade angle is below limits. This proposal is prompted by a review by Hartzell Propeller Inc. of the model D-1199-2 PCU overhaul procedures, that revealed several dimensional checks and a nondestructive evaluation were not performed on certain serial number PCU's during a Major Periodic Inspection (overhaul). The overhaul procedures are required to comply with the Airworthiness Limitation PCU Major Periodic Inspection (overhaul) directive. The actions specified by the proposed AD are intended to prevent below-limit flight idle propeller blade angles that, if not corrected, could result in degraded aircraft performance and control.

DATES: Comments must be received by December 17, 2002.

ADDRESSES: Submit comments in triplicate to the Federal Aviation Administration (FAA), New England Region, Office of the Regional Counsel, Attention: Rules Docket No. 2000-NE-60-AD, 12 New England Executive Park, Burlington, MA 01803-5299. Comments may be inspected at this location, by appointment, between 8 a.m. and 4:30 p.m., Monday through Friday, except Federal holidays. Comments may also be sent via the Internet using the following address: *9-ane-adcomment@faa.gov*. Comments sent via the Internet must contain the docket number in the subject line.

The service information referenced in the proposed rule may be obtained from Hartzell Propeller Inc. Technical Publications Department, One Propeller Place, Piqua, OH 45356; telephone (937) 778-4200, fax (937) 778-4391. This information may be examined, by appointment, at the FAA, New England Region, Office of the Regional Counsel, 12 New England Executive Park, Burlington, MA.

FOR FURTHER INFORMATION CONTACT: Tomaso DiPaolo, Aerospace Engineer, Chicago Aircraft Certification Office, FAA, Small Airplane Directorate, 2300 East Devon Avenue, Des Plaines, IL 60018; telephone (847) 294-7031, fax (847) 294-7834.

SUPPLEMENTARY INFORMATION:

Comments Invited

Interested persons are invited to participate in the making of the

proposed rule by submitting such written data, views, or arguments as they may desire. Communications should identify the Rules Docket number and be submitted in triplicate to the address specified above. All communications received on or before the closing date for comments, specified above, will be considered before taking action on the proposed rule. The proposals contained in this action may be changed in light of the comments received.

Comments are specifically invited on the overall regulatory, economic, environmental, and energy aspects of the proposed rule. All comments submitted will be available, both before and after the closing date for comments, in the Rules Docket for examination by interested persons. A report summarizing each FAA-public contact concerned with the substance of this proposal will be filed in the Rules Docket.

Commenters wishing the FAA to acknowledge receipt of their comments submitted in response to this action must submit a self-addressed, stamped postcard on which the following statement is made: "Comments to Docket Number 2000-NE-60-AD." The postcard will be date stamped and returned to the commenter.

Availability of NPRM's

Any person may obtain a copy of this NPRM by submitting a request to the FAA, New England Region, Office of the Regional Counsel, Attention: Rules Docket No. 2000-NE-60-AD, 12 New England Executive Park, Burlington, MA 01803-5299.

Discussion

The FAA was notified by Hartzell Propeller Inc. that model HD-E6C-3B/E13890K propellers with certain serial numbers of model D-1199-2 PCU's installed, could be potentially out of compliance with the Airworthiness Limitations Chapter of Hartzell Manual 162, by having higher than allowable wear dimensions. This condition is due to improperly performed Major Periodic Inspections (overhauls) by Hartzell Propeller Inc., on 78 PCU's, identified by serial number. This proposal would require initial and repetitive inspections of flight idle blade angles, and performance of a complete Major Periodic Inspection (overhaul) of the affected PCU's or replacement with a serviceable part as terminating action. This proposal is prompted by a review by Hartzell Propeller Inc. of the model D-1199-2 PCU overhaul procedures, that revealed several dimensional checks and a nondestructive evaluation

were not performed on certain serial number PCU's. The actions specified in the proposed AD are intended to prevent below-limit flight idle propeller blade angles that, if not corrected, could result in degraded aircraft performance and control.

Manufacturer's Service Information

Hartzell Propeller Inc. has issued Service Bulletins (SB's) No. HD-SB-61-025, dated November 17, 2000, and No. HD-SB-61-025, Revision 1, dated December 20, 2000, that specify initial and repetitive inspections for below-limit propeller flight idle blade angles, and, as terminating action, removal of the affected PCU's from service and performance of a complete Major Periodic Inspection (overhaul) when the applicable time-since-new or time-since-overhaul limit is reached, or when any flight idle blade angle is below limits. The Major Periodic Inspection (overhaul) constitutes completion of paragraphs 2B. and 2C. of the Accomplishment Instructions of Hartzell Service Bulletin (SB) No. HD-SB-61-025, dated November 17, 2000, or SB No. HD-SB-61-025, Revision 1, dated December 20, 2000. Revision 1 was issued to correct the table of affected serial numbers.

FAA's Determination of an Unsafe Condition and Proposed Actions

Since an unsafe condition has been identified that is likely to exist or develop on other propellers of the same type design, the proposed AD would require:

- Initial and repetitive inspections for below-limit propeller flight idle blade angles; and
- As a terminating action of the flight idle blade angle repetitive inspections, removal of the affected PCU's from service and performance of a complete Major Periodic Inspection (overhaul) when the applicable time-since-new or time-since-overhaul limit is reached; or when any flight idle blade angle is below limits.

The proposed actions are required to be done in accordance with the service bulletins described previously.

Economic Analysis

There are approximately 78 Hartzell Propeller Inc. model D-1199-2 PCU's of the affected design in the worldwide fleet. The FAA estimates that 50 PCU's installed on airplanes of U.S. registry would be affected by this proposed AD. The FAA also estimates that it would take approximately 1.5 work hours per propeller to perform the proposed initial inspections, 25 work hours per propeller to perform the proposed PCU

replacements, and that the average labor rate is \$60 per work hour. Required parts would cost approximately \$7,321 per propeller. Based on these figures, the total cost of initial inspections of the proposed AD to U.S. operators is estimated to be \$4,500, and the total cost of replacement of the PCU's of the proposed AD to U.S. operators is estimated to be \$441,050.

Regulatory Analysis

This proposed rule does not have federalism implications, as defined in Executive Order 13132, because it 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. Accordingly, the FAA has not consulted with state authorities prior to publication of this proposed rule.

For the reasons discussed above, I certify that this 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) if promulgated, 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. A copy of the draft

regulatory evaluation prepared for this action is contained in the Rules Docket. A copy of it may be obtained by contacting the Rules Docket at the location provided under the caption ADDRESSES.

List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Safety.

The Proposed Amendment

Accordingly, pursuant to the authority delegated to me by the Administrator, the Federal Aviation Administration proposes to amend part 39 of the Federal Aviation Regulations (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. Section 39.13 is amended by adding the following new airworthiness directive:

Hartzell Propeller Inc.: Docket No. 2000–NE–60–AD.

Applicability: This airworthiness directive (AD) is applicable to Hartzell Propeller Inc. model HD–E6C–3B/E13890K propellers with certain serial numbers of model D–1199–2 Propeller Control Units (PCU's) installed, as listed in Table 1 of this AD. These propellers

are installed on, but not limited to Fairchild Dornier GmbH 328–100 series airplanes.

Note 1: This airworthiness directive (AD) applies to each propeller identified in the preceding applicability provision, regardless of whether it has been modified, altered, or repaired in the area subject to the requirements of this AD. For propellers 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 (g) 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: Compliance with this AD is required as indicated, unless already done.

To prevent below-limit flight idle propeller blade angles that, if not corrected, could result in degraded aircraft performance and control, do the following:

Initial and Repetitive Inspection Requirements

(a) On PCU's listed by serial number in the following Table 1 of this AD, at the next "2A" maintenance check, but no later than 600 hours time-in-service from the effective date of this AD, perform an initial flight idle blade angle inspection, in accordance with paragraph 2A. of the Accomplishment Instructions of Hartzell Service Bulletin (SB) No. HD–SB–61–025, Revision 1, dated December 20, 2000. Table 1 follows:

TABLE 1.—AFFECTED SERIAL NUMBERS, MODEL D–1199–2 PCU'S

PCU–A–29	PCU–A–EFS140	PCU–A–EFS194	PCU–A–EFS234	PCU–A–EFS284
PCU–A–31	PCU–A–EFS141	PCU–A–EFS204	PCU–A–EFS236	PCU–A–EFS290
PCU–A–44	PCU–A–EFS144	PCU–A–EFS207	PCU–A–EFS239	PCU–A–EFS292
PCU–A–46	PCU–A–EFS152	PCU–A–EFS208	PCU–A–EFS242	PCU–A–EFS293
PCU–A–53	PCU–A–EFS155	PCU–A–EFS210	PCU–A–EFS244	PCU–A–EFS294
PCU–A–54	PCU–A–EFS158	PCU–A–EFS212	PCU–A–EFS245	PCU–A–EFS302
PCU–A–57	PCU–A–EFS160	PCU–A–EFS213	PCU–A–EFS246	PCU–A–EFS307
PCU–A–58	PCU–A–EFS162	PCU–A–EFS214	PCU–A–EFS249	PCU–A–EFS319
PCU–A–59	PCU–A–EFS165	PCU–A–EFS218	PCU–A–EFS250	PCU–A–EFS320
PCU–A–EFS101	PCU–A–EFS182	PCU–A–EFS220	PCU–A–EFS257	PCU–A–EFS326
PCU–A–EFS106	PCU–A–EFS184	PCU–A–EFS223	PCU–A–EFS261	PCU–A–EFS328
PCU–A–EFS109	PCU–A–EFS185	PCU–A–EFS224	PCU–A–EFS266	PCU–A–EFS330
PCU–A–EFS110	PCU–A–EFS187	PCU–A–EFS225	PCU–A–EFS268	PCU–A–EFS340
PCU–A–EFS111	PCU–A–EFS188	PCU–A–EFS226	PCU–A–EFS269	PCU–A–EFS347
PCU–A–EFS120	PCU–A–EFS192	PCU–A–EFS228	PCU–A–EFS271	
PCU–A–EFS122	PCU–A–EFS193	PCU–A–EFS233	PCU–A–EFS279	

(b) Remove PCU's that fail the inspection in paragraph (a) of this AD and perform a Major Periodic Inspection (overhaul), in accordance with paragraphs 2.B. and 2.C. of the Accomplishment Instructions of Hartzell Service Bulletin (SB) No. HD–SB–61–025, Revision 1, dated December 20, 2000, or replace with a serviceable PCU.

(c) Thereafter, at each successive "4A" maintenance check, but not to exceed 1,200 hours time-in-service, perform the flight idle blade angle inspection until the limiting time-since-overhaul or time-since-new is reached, as specified in Hartzell SB HD–SB–

61–025, Revision 1, dated December 20, 2000.

(d) Remove PCU's that fail the inspection in paragraph (c) of this AD and perform a Major Periodic Inspection (overhaul), in accordance with paragraphs 2.B. and 2.C. of Hartzell SB No. HD–SB–61–025, Revision 1, dated December 20, 2000, or replace with a serviceable PCU.

(e) Once the limiting time-since-overhaul or time-since-new specified in Hartzell SB HD–SB–61–025, Revision 1, dated December 20, 2000 is reached, remove the PCU from service and perform a Major Periodic

Inspection (overhaul), in accordance with paragraphs 2.B. and 2.C. of Hartzell SB HD–SB–61–025, Revision 1, dated December 20, 2000.

Optional Terminating Action

(f) Replacement with a serviceable PCU is terminating action for the repetitive inspections specified in paragraph (c) of this AD. For the purpose of this AD, a serviceable PCU is one that is not listed in Table 1 of this AD, or is one listed in Table 1 of this AD that has undergone a Major Periodic Inspection (overhaul) after November 17, 2000, in

accordance with paragraphs 2.B. and 2.C. of Hartzell SB HD-SB-61-025, Revision 1, dated December 20, 2000.

Alternative Methods of Compliance

(g) 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, Chicago Aircraft Certification Office (ACO). An alternative method of compliance to Hartzell SB HD-SB-61-025, Revision 1, dated December 20, 2000, is compliance with Hartzell SB HD-SB-61-025, dated November 17, 2000. Operators must submit their requests through an appropriate FAA Principal Maintenance Inspector, who may add comments and then send it to the Manager, Chicago ACO.

Note 2: Information concerning the existence of approved alternative methods of compliance with this airworthiness directive, if any, may be obtained from the ACO.

Special Flight Permits

(h) Special flight permits may be issued in accordance with §§ 21.197 and 21.199 of the Federal Aviation Regulations (14 CFR 21.197 and 21.199) to operate the airplane to a location where the requirements of this AD can be done.

Issued in Burlington, Massachusetts, on October 11, 2002.

Mark C. Fulmer,

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

[FR Doc. 02-26591 Filed 10-17-02; 8:45 am]

BILLING CODE 4910-13-P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 2002-SW-19-AD]

RIN 2120-AA64

Airworthiness Directives; Bell Helicopter Textron Canada Limited Model 427 Helicopters

AGENCY: Federal Aviation Administration, DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: This document proposes adopting a new airworthiness directive (AD) for Bell Helicopter Textron Canada Limited (Bell) Model 427 helicopters. This proposal would require replacing the hydraulic solenoid tee fitting (tee fitting) and tubes. This proposal is prompted by the manufacturer's discovery that tee fittings may be installed improperly and restrict hydraulic fluid flow. The actions specified by this proposed AD are intended to prevent restricted flow of hydraulic fluid to the flight control

hydraulic actuators resulting in loss of hydraulic control, excessive stiffness in the flight controls, and a subsequent forced landing of the helicopter.

DATES: Comments must be received on or before December 17, 2002.

ADDRESSES: Submit comments in triplicate to the Federal Aviation Administration (FAA), Office of the Regional Counsel, Southwest Region, Attention: Rules Docket No. 2002-SW-19-AD, 2601 Meacham Blvd., Room 663, Fort Worth, Texas 76137. You may also send comments electronically to the Rules Docket at the following address: 9-asw-adcomments@faa.gov. Comments may be inspected at the Office of the Regional Counsel between 9 a.m. and 3 p.m., Monday through Friday, except Federal holidays.

FOR FURTHER INFORMATION CONTACT:

Uday Garadi, Aviation Safety Engineer, FAA, Rotorcraft Directorate, Rotorcraft Standards Staff, Fort Worth, Texas 76193-0110, telephone (817) 222-5123, fax (817) 222-5961.

SUPPLEMENTARY INFORMATION:

Comments Invited

Interested persons are invited to participate in the making of the proposed rule by submitting such written data, views, or arguments as they may desire. Communications should identify the Rules Docket number and be submitted in triplicate to the address specified above. All communications received on or before the closing date for comments will be considered before taking action on the proposed rule. The proposals contained in this document may be changed in light of the comments received.

Comments are specifically invited on the overall regulatory, economic, environmental, and energy aspects of the proposed rule. All comments submitted will be available, both before and after the closing date for comments, in the Rules Docket for examination by interested persons. A report summarizing each FAA-public contact concerned with the substance of this proposal will be filed in the Rules Docket.

Commenters wishing the FAA to acknowledge receipt of their mailed comments submitted in response to this proposal must submit a self-addressed, stamped postcard on which the following statement is made: "Comments to Docket No. 2002-SW-19-AD." The postcard will be date stamped and returned to the commenter.

Discussion

Transport Canada, the airworthiness authority for Canada, notified the FAA that an unsafe condition may exist on Bell Model 427 helicopters. Transport Canada advises that there is a possibility of installing the existing tee fitting in such a way that the hydraulic fluid flow will be significantly restricted. To preclude this possibility, Bell has designed a new tee fitting installation.

Bell has issued Bell Helicopter Textron Alert Service Bulletin No. 427-01-02, dated August 20, 2001, which specifies replacing the tee fitting. Transport Canada classified this alert service bulletin as mandatory and issued AD No. CF-2002-11, dated January 31, 2002, to ensure the continued airworthiness of these helicopters in Canada.

This helicopter model is manufactured in Canada and is type certificated for operation in the United States under the provisions of 14 CFR 21.29 and the applicable bilateral agreement. Pursuant to the applicable bilateral agreement, Transport Canada has kept the FAA informed of the situation described above. The FAA has examined the findings of Transport Canada, reviewed all available information, and determined that AD action is necessary for products of this type design that are certificated for operation in the United States.

This unsafe condition is likely to exist or develop on other helicopters of the same type design registered in the United States. Therefore, the proposed AD would require replacing certain tee fitting and tubes with an improved-designed tee fitting and tubes. The actions would be required to be accomplished in accordance with the service bulletin described previously.

The FAA estimates that 31 helicopters of U.S. registry would be affected by this proposed AD, that it would take approximately 1 work hour per helicopter to replace the tee fitting and tubes, and that the average labor rate is \$60 per work hour. Required parts would cost approximately \$527 per helicopter. Based on these figures, the total cost impact of the proposed AD on U.S. operators is estimated to be \$18,197 to replace the tee fitting and tubes in the entire fleet.

The regulations proposed herein 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. Therefore, it is determined that this proposal