

your disposable pay available for withholding.

(i) *Amounts withheld.* (1) Your employer must deduct from your disposable pay during each pay period the garnishment amount described in paragraph (i)(2) of this section.

(2) Except as shown in paragraphs (i)(3) and (i)(4) of this section, the amount of garnishment will be the lesser of:

(i) The amount stated on the garnishment order, not to exceed 15% of your disposable pay; or

(ii) The amount in 15 U.S.C. 1673(a)(2) (Restriction on Garnishment). The amount in 15 U.S.C. 1673(a)(2) is the amount by which your weekly disposable pay is greater than thirty times the minimum hourly wage. See 29 CFR 870.10.

(3) If your pay is subject to other withholding orders, the following applies:

(i) Unless otherwise provided by federal law, withholding orders issued by us must be paid in the amounts in paragraph (i)(2) of this section, and will have priority over other withholding orders issued later. However, withholding orders for family support have priority over withholding orders issued by us.

(ii) If amounts are being withheld from your pay because of a withholding order issued before we issued our withholding order, or because of a withholding order for family support issued at any time, the earlier or family support order will have priority, and the amount withheld because of the SBA withholding order will be the lesser of:

(A) The amount calculated under paragraph (i)(2) of this section, or

(B) An amount equal to 25% of your disposable pay minus the amount withheld under the withholding order with priority.

(iii) If you owe more than one debt to an agency, we may issue multiple withholding orders if the amount withheld from your pay does not exceed the amount in paragraph (i)(2) of this section.

(4) You may give written consent for us to withhold from your pay an amount greater than that in paragraphs (i)(2) and (i)(3) of this section.

(5) Your employer must pay to us as soon as possible all amounts withheld under a withholding order.

(6) Your employer is not required to change normal pay cycles to provide for the withholding order.

(7) No assignment or allotment of your earnings you have requested may interfere with or prohibit our withholding order. The one exception to this rule is that you may assign or allot

earnings because of a family support judgment or order.

(8) The withholding order will state a reasonable time period within which your employer must begin wage withholding. Your employer must withhold the designated amount from your wages each pay period until we notify your employer to stop wage withholding.

(j) *Exclusions from garnishment.* We may not garnish your wages if we know you have been involuntarily unemployed at any time during the last 12 months. You are responsible for informing us of the facts and circumstances of your unemployment.

(k) *Financial hardship.* (1) You may request us to review the amount being withheld from your wages. You must base this request on a material change in circumstances that causes you financial hardship, such as disability, divorce, or catastrophic illness.

(2) If you request review under paragraph (k)(1) of this section, you must specifically state why the current amount of garnishment causes you financial hardship and you must send documentation supporting your claim.

(3) If we find financial hardship, we will decide how much and how long to reduce the amount withheld from your pay. We will notify your employer of any reductions.

(l) *Ending garnishment.* (1) After we have recovered the amount you owe, including interest, penalties, and administrative costs consistent with the FCCS, we will send a notice to your employer to stop wage withholding.

(2) At least annually, we will review your account to ensure that withholding has stopped if you have paid your debt in full.

(m) *Prohibited actions by the employer.* No employer may fire, refuse to employ, or take disciplinary action against you because of a withholding order.

(n) *Refunds.* (1) We must promptly refund any amount collected by administrative wage garnishment if either—

(i) A Judge, after a hearing held under paragraph (f)(3) of this section, determines you do not owe a debt to the United States; or

(ii) We determine that your employer continued withholding wages after you had paid your debt in full.

(2) Refunds of amounts collected will not earn interest unless required by federal law or contract.

(o) *Right of action.* We may sue your employer if your employer fails to comply with the order to withhold from your wages. However, we may not file a suit until your collection action has

ended unless the expiration of a statute of limitations period requires action. Your collection action ends when we stop the collection action as required by the FCCS or other applicable standards. Your collection action also ends if we do not receive any garnishment payments from your employer for one (1) year.

Dated: June 7, 2000.

Aida Alvarez,
Administrator.

[FR Doc. 00-15923 Filed 6-26-00; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 2000-NM-146-AD]

RIN 2120-AA64

Airworthiness Directives; Boeing Model 737-100, -200, -300, -400, and -500 Series Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: This document proposes the adoption of a new airworthiness directive (AD) that is applicable to certain Boeing Model 737-100, -200, -300, -400, and -500 series airplanes. This proposal would require inspection of wire bundles in two junction boxes in the main wheel well to detect chafing or damage, and follow-on actions. This action is necessary to prevent wire damage, which could result in arcing and consequent fire in the main wheel well or passenger cabin, or inability to stop the flow of fuel to an engine or to the auxiliary power unit in the event of a fire. This action is intended to address the identified unsafe condition.

DATES: Comments must be received by August 11, 2000.

ADDRESSES: Submit comments in triplicate to the Federal Aviation Administration (FAA), Transport Airplane Directorate, ANM-114, Attention: Rules Docket No. 2000-NM-146-AD, 1601 Lind Avenue, SW., Renton, Washington 98055-4056. Comments may be inspected at this location between 9:00 a.m. and 3:00 p.m., Monday through Friday, except Federal holidays. Comments may be submitted via fax to (425) 227-1232. Comments may also be sent via the Internet using the following address: 9-anm-nprmcomment@faa.gov. Comments

sent via fax or the Internet must contain "Docket No. 2000-NM-146-AD" in the subject line and need not be submitted in triplicate. Comments sent via the Internet as attached electronic files must be formatted in Microsoft Word 97 for Windows or ASCII text.

The service information referenced in the proposed rule may be obtained from Boeing Commercial Airplane Group, P.O. Box 3707, Seattle, Washington 98124-2207. This information may be examined at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington.

FOR FURTHER INFORMATION CONTACT: Stephen Oshiro, Aerospace Engineer, Systems and Equipment Branch, ANM-130S, FAA, Transport Airplane Directorate, Seattle Aircraft Certification Office, 1601 Lind Avenue, SW., Renton, Washington 98055-4056; telephone (425) 227-2793; fax (425) 227-1181.

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 shall 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 notice may be changed in light of the comments received.

Submit comments using the following format:

- Organize comments issue-by-issue. For example, discuss a request to change the compliance time and a request to change the service bulletin reference as two separate issues.
- For each issue, state what specific change to the proposed AD is being requested.
- Include justification (*e.g.*, reasons or data) for each request.

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 notice must submit a self-addressed, stamped

postcard on which the following statement is made: "Comments to Docket Number 2000-NM-146-AD." The postcard will be date stamped and returned to the commenter.

Availability of NPRMs

Any person may obtain a copy of this NPRM by submitting a request to the FAA, Transport Airplane Directorate, ANM-114, Attention: Rules Docket No. 2000-NM-146-AD, 1601 Lind Avenue, SW., Renton, Washington 98055-4056.

Discussion

The FAA has received reports indicating that damaged electrical wiring has been found in a junction box formed by electrical disconnect brackets on the right side of the main wheel well on certain Boeing Model 737 series airplanes. Several airplane systems—including the autopilot, the fuel shutoff valve for the right engine, and the fuel shutoff valve for the auxiliary power unit (APU)—failed as a result of the damaged wiring. The damaged wiring has been attributed to wire bundles chafing against the inside surface of the cover of the junction box. A similar junction box is located on the left side of the main wheel well. Damaged wiring in these junction boxes, if not corrected, could result in arcing and consequent fire in the main wheel well or passenger cabin, or inability to stop the flow of fuel to an engine or to the APU in the event of a fire.

Explanation of Relevant Service Information

The FAA has reviewed and approved Boeing Service Letter 737-SL-24-111, dated February 27, 1996, which describes procedures for a one-time inspection to detect chafing or damage of wire bundles in two junction boxes in the main wheel well. The subject junction boxes are located on the left and right sides of the main wheel well, between body stations 716 and 727 at water line 202, where the wire bundles pass through the pressure seals to connectors on the disconnect brackets. The service letter also describes procedures for protecting the wiring from future damage by tying or supporting the wire bundles to prevent them from chafing against the cover plate of the junction box during airplane operations, or wrapping the wire bundles in Teflon tape or Teflon sleeving and lacing tape. The service letter references Boeing Standard Wiring Practices Manual D6-54446, Subjects 20-10-13 and 20-00-11, as the appropriate sources of repair instructions if any damaged wiring is found. Accomplishment of the actions

specified in the service letter is intended to adequately address the identified unsafe condition.

Explanation of Requirements of Proposed Rule

Since an unsafe condition has been identified that is likely to exist or develop on other products of this same type design, the proposed AD would require accomplishment of the actions specified in the service letter described previously, except as discussed below.

Difference Between Service Letter and This Proposed AD

Operators should note that, while the service letter does not specify the type of inspection of the wire bundles to detect chafing, this proposed AD would require a detailed visual inspection to detect chafing of the wire bundles. A note has been included in this proposed rule to define that inspection.

Operators also should note that this proposed AD would require the inspection be accomplished within 12 months after the effective date of the AD. The service letter does not specify a compliance time for the described actions. In developing an appropriate compliance time for this proposed AD, the FAA considered the degree of urgency associated with addressing the subject unsafe condition, the average utilization of the affected fleet, and the time necessary to perform the actions (approximately 4 hours). In light of all of these factors, the FAA finds a 12-month compliance time for initiating the required actions to be warranted, in that it represents an appropriate interval of time allowable for affected airplanes to continue to operate without compromising safety.

Cost Impact

There are approximately 2,462 airplanes of the affected design in the worldwide fleet. The FAA estimates that 971 airplanes of U.S. registry would be affected by this proposed AD, that it would take approximately 4 work hours per airplane to accomplish the proposed actions, and that the average labor rate is \$60 per work hour. The cost of required parts would be negligible. Based on these figures, the cost impact of the proposed AD on U.S. operators is estimated to be \$233,040, or \$240 per airplane.

The cost impact figure discussed above is based on assumptions that no operator has yet accomplished any of the proposed requirements of this AD action, and that no operator would accomplish those actions in the future if this proposed AD were not adopted. The cost impact figures discussed in AD

rulemaking actions represent only the time necessary to perform the specific actions actually required by the AD. These figures typically do not include incidental costs, such as the time required to gain access and close up, planning time, or time necessitated by other administrative actions.

Regulatory Impact

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 would not have federalism implications under Executive Order 13132.

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:

Boeing: Docket 2000-NM-146-AD.

Applicability: Model 737-100, -200, -300, -400, and -500 series airplanes; line numbers 1 through 2707 inclusive; certificated in any category.

Note 1: This AD applies to each airplane 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 airplanes 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 (b) 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 chafing of wire bundles in two junction boxes in the main wheel well, which could result in arcing and consequent fire in the main wheel well or passenger cabin, or inability to stop the flow of fuel to an engine or to the auxiliary power unit in the event of fire, accomplish the following:

Inspection

(a) Within 12 months after the effective date of this AD, perform a detailed visual inspection of the wire bundles in the junction boxes formed by electrical disconnect brackets on the left and right sides of the main wheel wells to detect damage or chafing, as specified in Boeing Service Letter 737-SL-24-111, dated February 27, 1996.

Note 2: For the purposes of this AD, a detailed visual inspection is defined as: Intensive visual examination of a specific structural area, system, installation, or assembly to detect damage, failure, or irregularity. Available lighting is normally supplemented with a direct source of good lighting at intensity deemed appropriate by the inspector. Inspection aids such as mirror, magnifying lenses, etc., may be used. Surface cleaning and elaborate access procedures may be required."

(1) If no chafing is detected, prior to further flight, protect the wire bundles from chafing against the cover plate of the junction box, in accordance with Method 1, Method 2, or Method 3, as specified in the service letter.

(2) If any chafing is detected, prior to further flight, repair the wiring in accordance with the service letter, and protect the wire bundles from chafing against the cover plate of the junction box, in accordance with Method 1, Method 2, or Method 3, as specified in the service letter.

Note 3: Boeing Service Letter 737-SL-24-111 references Boeing Standard

Wiring Practices Manual D6-54446, Subjects 20-10-13 and 20-00-11, as the appropriate sources of repair instructions if any damaged wiring is found.

Alternative Methods of Compliance

(b) 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, Seattle Aircraft Certification Office (ACO), FAA, Transport Airplane Directorate.

Operators shall submit their requests through an appropriate FAA Principal Maintenance Inspector, who may add comments and then send it to the Manager, Seattle ACO.

Note 4: Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Seattle ACO.

Special Flight Permits

(c) 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 airplane to a location where the requirements of this AD can be accomplished.

Issued in Renton, Washington, on June 21, 2000.

Donald L. Riggan,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 2000-NM-122-AD]

RIN 2120-AA64

Airworthiness Directives; Empresa Brasileira de Aeronautica S.A. (EMBRAER) Model EMB-120, EMB-120ER, and EMB-120RT Series Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: This document proposes the adoption of a new airworthiness directive (AD) that is applicable to certain EMBRAER Model EMB-120, EMB-120ER, and EMB-120RT series airplanes. This proposal would require removal of a certain fastener, if applicable, and sealing of the corresponding fastener hole. This action is necessary to prevent contact between one of the bolts that attaches the direct current (DC) relay box on the left-hand side of the airplane and one of the power terminals of electrical emergency contactor 2, which could result in a short circuit in the DC relay box, and consequent partial loss of the electrical system, and degraded operation of airplane systems. This action is intended to address the identified unsafe condition.