

obligations, and expenses; . . . and the affordability of the mortgage transaction for the consumer.”

The Bureau understands that these topics are currently covered by counseling agencies approved by HUD in providing counseling to prospective borrowers. As stated in the preamble for the 2013 HOEPA Final Rule, “HUD already requires counselors to analyze the financial situation of their clients and establish a household budget for their clients when providing housing counseling.”<sup>13</sup> To the extent that a counselor from a HUD-approved counseling agency covers the matters described in comment 34(a)(5)(iv)–1, the counseling requirement of § 1026.34(a)(5)(i) is met. Unless and until HUD limits the current scope of counseling in some way that would not include elements of the comment, counseling agencies that are already approved by HUD to offer homeownership counseling are also qualified to provide the counseling required for high-cost mortgages, provided such counseling does indeed cover the topics prescribed by comment 34(a)(5)(iv)–1. Further, the Bureau encourages creditors, counselors, and consumers to facilitate provision of the required counseling as early as feasible in the loan application process to help ensure the consumer ultimately makes an informed and considered decision.

#### *B. Lender Participation*

The Bureau has also received information that consumers may be receiving high-cost mortgage counseling by telephone in a creditor’s office while the creditor is present and listening-in. Such listening in may be objectionable by certain counselors, as it could diminish the quality of counseling. In the 2013 HOEPA Final Rule, the Bureau expressed a desire to implement the counseling requirement in a way that “ensures that borrowers will receive meaningful counseling, and at the same time that the required counseling can be provided in a manner that minimizes operational challenges.”<sup>14</sup> The Bureau added an anti-steering provision to the counseling requirement in § 1026.34(a)(5)(vi) that provides that a creditor “shall not steer or otherwise direct a consumer to choose a particular counselor or counseling organization for the counseling required. . . .”<sup>15</sup> The 2013 HOEPA Final Rule described the rationale behind this provision as “preserv[ing] counselor independence

and prevent[ing] conflicts of interest that may arise. . . .”<sup>16</sup>

Consistent with the purpose of the high-cost mortgage counseling requirement and with the anti-steering provision at § 1026.34(a)(5)(vi) in particular, the Bureau is issuing this interpretive rule, in part, to clarify that a creditor may be steering, that is directing, if the creditor insists on participating or listening in to a counseling call or session if such behavior results in a consumer’s selection of a particular counselor. Under these circumstances, creditors comply with the anti-steering provision if a counselor is allowed to request that the creditor not participate or listen on the call. A counselor also is allowed to request that a creditor participate in a call or a portion of a call. For example, a counselor may request that a creditor participate in part of the counseling session to provide additional information related to the loan.

The Bureau believes that counselor independence and impartiality, which the anti-steering provision seeks to preserve, may be adversely affected by a concern that another counselor may be selected or the content of the counseling influenced if the counselor requests that the creditor not listen to the counseling and the creditor does not agree. Counselor independence and impartiality may also be compromised by the knowledge that the creditor is listening-in to the advice given. Moreover, creditor participation in such conversations may influence loan applicants away from a full and frank conversation with an independent and impartial counselor, thus undermining the purpose of the rule.

#### **IV. Regulatory Requirements**

This rule articulates the Bureau’s official interpretations of the Bureau’s Regulation X and Regulation Z. It is therefore exempt from the APA’s notice and comment rulemaking requirements pursuant to 5 U.S.C. 553(b).

Because no notice of proposed rulemaking is required, the Regulatory Flexibility Act does not require an initial or final regulatory flexibility analysis. 5 U.S.C. 603(a), 604(a).

The Bureau has determined that this rule does not impose any new or revise any existing recordkeeping, reporting, or disclosure requirements on covered entities or members of the public that would be collections of information requiring OMB approval under the Paperwork Reduction Act, 44 U.S.C. 3501, *et seq.* The RESPA requirements under Regulation X that lenders provide

loan applicants with a written list of homeownership counseling organizations in the loan applicants’ location are currently approved by OMB and assigned the OMB control number 3170–0025. The related TILA requirements are approved under OMB control number 3170–0023. Generally, the collections of information contained in Regulation X are assigned the OMB control number 3170–0016, and the collections of information contained in Regulation Z are assigned the OMB control number 3170–0015.

Dated: April 15, 2015.

**Richard Cordray,**

*Director, Bureau of Consumer Financial Protection.*

[FR Doc. 2015–09244 Filed 4–20–15; 8:45 am]

**BILLING CODE 4810–AM–P**

---

## **DEPARTMENT OF TRANSPORTATION**

### **Federal Aviation Administration**

#### **14 CFR Part 39**

[Docket No. FAA–2014–0528; Directorate Identifier 2014–NM–060–AD; Amendment 39–18139; AD 2015–08–03]

**RIN 2120–AA64**

#### **Airworthiness Directives; Bombardier, Inc. Airplanes**

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

**ACTION:** Final rule.

**SUMMARY:** We are adopting a new airworthiness directive (AD) for certain Bombardier, Inc. Model DHC–8–400 series airplanes. This AD was prompted by a report that during production, an incorrect clevis was used, resulting in improper installation onto the alternate release cable of the main landing gear (MLG). This AD requires a detailed visual inspection of the emergency release clevis of the MLG to determine if an incorrect clevis has been installed, and if necessary, replacing the clevis with a correct clevis and clevis pin. We are issuing this AD to detect and correct improper installation of the clevis, which could cause loss of the alternate release system and prevent the MLG from extending and retracting, and could consequently affect the airplane’s continued safe flight and landing.

**DATES:** This AD becomes effective May 26, 2015.

The Director of the Federal Register approved the incorporation by reference of a certain publication listed in this AD as of May 26, 2015.

<sup>13</sup> 78 FR 6931 (Jan. 31, 2013).

<sup>14</sup> 78 FR 6928 (Jan. 31, 2013).

<sup>15</sup> 12 CFR 1026.34(a)(5)(vi).

<sup>16</sup> 78 FR 6933 (Jan. 31, 2013).

**ADDRESSES:** You may examine the AD docket on the Internet at <http://www.regulations.gov/> `#!docketDetail;D=FAA-2014-0528` or in person at the Docket Management Facility, U.S. Department of Transportation, Docket Operations, M-30, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue SE., Washington, DC.

For service information identified in this AD, contact Bombardier, Inc., Q-Series Technical Help Desk, 123 Garratt Boulevard, Toronto, Ontario M3K 1Y5, Canada; telephone 416-375-4000; fax 416-375-4539; email [thd.qseries@aero.bombardier.com](mailto:thd.qseries@aero.bombardier.com); Internet <http://www.bombardier.com>. You may view this referenced service information at the FAA, Transport Airplane Directorate, 1601 Lind Avenue SW., Renton, WA. For information on the availability of this material at the FAA, call 425-227-1221. It is also available on the Internet at <http://www.regulations.gov> by searching for and locating Docket No. FAA-2014-0528.

**FOR FURTHER INFORMATION CONTACT:** Ezra Sasson, Aerospace Engineer, Airframe and Mechanical Systems Branch, ANE-171, FAA, New York Aircraft Certification Office, 1600 Stewart Avenue, Suite 410, Westbury, NY 11590; telephone 516-228-7320; fax 516-794-5531.

#### **SUPPLEMENTARY INFORMATION:**

##### **Discussion**

We issued a notice of proposed rulemaking (NPRM) to amend 14 CFR part 39 by adding an AD that would apply to certain Model DHC-8-400 series airplanes. The NPRM published in the *Federal Register* on August 13, 2014 (79 FR 47393).

Transport Canada Civil Aviation (TCCA), which is the aviation authority for Canada, has issued Canadian Airworthiness Directive CF-2013-40, dated December 9, 2013 (referred to after this as the Mandatory Continuing Airworthiness Information, or “the MCAI”), to correct an unsafe condition for certain Model DHC-8-400 series airplanes. The MCAI states:

A discrepancy has been found in the Main Landing Gear (MLG) emergency release clevis installation. During production, an incorrect clevis was used, resulting in improper installation onto the MLG alternate release cable. Failure of the clevis could cause the loss of the alternate release system, preventing the MLG from extending in the case of a failure of the normal MLG extension/retraction system.

This [Canadian] AD mandates the inspection for proper MLG emergency release

clevis installation, and the rectification as required.

The required actions for this AD include a detailed visual inspection of the emergency release clevis of the MLG to determine if an incorrect clevis has been installed, and if necessary, replacing the clevis with a correct clevis and clevis pin. You may examine the MCAI in the AD docket on the Internet at <http://www.regulations.gov/> `#!documentDetail;D=FAA-2014-0528-0002`.

##### **Comments**

We gave the public the opportunity to participate in developing this AD. The following presents the comment received on the NPRM (79 FR 47393, August 13, 2014) and the FAA’s response to the comment.

##### **Request To Correct a Typographical Error**

Horizon Airlines stated that the Air Transport Association (ATA) of America Code in paragraph (d) of the NPRM (79 FR 47393, August 13, 2014) is incorrect for the MLG, and should be 32, not 31.

We agree with the commenter. We have changed the ATA of America Code in paragraph (d) of this AD to 32, Landing Gear.

##### **Conclusion**

We reviewed the relevant data, considered the comment received, and determined that air safety and the public interest require adopting this AD with the change described previously and minor editorial changes. We have determined that these minor changes:

- Are consistent with the intent that was proposed in the NPRM (79 FR 47393, August 13, 2014) for correcting the unsafe condition; and
- Do not add any additional burden upon the public than was already proposed in the NPRM (79 FR 47393, August 13, 2014).

We also determined that these changes will not increase the economic burden on any operator or increase the scope of this AD.

##### **Related Service Information Under 1 CFR Part 51**

Bombardier, Inc., has issued Service Bulletin 84-32-67, dated July 8, 2009. The service information describes a visual inspection of the emergency release clevis of the MLG to determine if an incorrect clevis has been installed, and if necessary, replacing the clevis with a correct clevis and clevis pin. The actions described in this service information are intended to correct the unsafe condition identified in the MCAI. You can find this information at

<http://www.regulations.gov> by searching for and locating Docket No. FAA-2014-0528. This service information is reasonably available; see **ADDRESSES** for ways to access this service information.

##### **Costs of Compliance**

We estimate that this AD affects 18 airplanes of U.S. registry.

We also estimate that it will take about 2 work-hours per product to comply with the basic requirements of this AD. The average labor rate is \$85 per work-hour. Required parts will cost about \$0 per product. Based on these figures, we estimate the cost of this AD on U.S. operators to be \$3,060, or \$170 per product.

In addition, we estimate that any necessary follow-on actions will take about 3 work-hours and require parts costing \$0, for a cost of \$255 per product. We have no way of determining the number of aircraft that might need this action.

##### **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 determined that this AD will not have federalism implications under Executive Order 13132. This AD will 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 this AD:

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);

3. Will not affect intrastate aviation in Alaska; and
4. 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.

### Examining the AD Docket

You may examine the AD docket on the Internet at <http://www.regulations.gov/#!docketDetail;D=FAA-2014-0528>; or in person at the Docket Management Facility between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The AD docket contains this AD, the regulatory evaluation, any comments received, and other information. The street address for the Docket Operations office (telephone 800-647-5527) is in the **ADDRESSES** section.

### List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Incorporation by reference, Safety.

### Adoption of the Amendment

Accordingly, under the authority delegated to me by the Administrator, the FAA amends 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 FAA amends § 39.13 by adding the following new airworthiness directive (AD):

**2015-08-03 Bombardier, Inc.:** Amendment 39-18139. Docket No. FAA-2014-0528; Directorate Identifier 2014-NM-060-AD.

#### (a) Effective Date

This AD becomes effective May 26, 2015.

#### (b) Affected ADs

None.

#### (c) Applicability

This AD applies to Bombardier, Inc. Model DHC-8-400, -401, and -402 airplanes, certificated in any category, serial numbers 4001 through 4109 inclusive.

#### (d) Subject

Air Transport Association (ATA) of America Code 32, Landing Gear.

#### (e) Reason

This AD was prompted by a report that during production, an incorrect clevis was used, resulting in improper installation onto the alternate release cable of the main landing gear (MLG). We are issuing this AD

to detect and correct improper installation of the clevis, which could cause loss of the alternate release system and prevent the MLG from extending and retracting, and could consequently affect the airplane's continued safe flight and landing.

#### (f) Compliance

Comply with this AD within the compliance times specified, unless already done.

#### (g) Inspection

Within 2,000 flight hours or 12 months after the effective date of this AD, whichever occurs first: Do a general visual inspection of the emergency release clevis of the MLG to determine if an incorrect clevis has been installed, in accordance with the Accomplishment Instructions of Bombardier Service Bulletin 84-32-67, dated July 8, 2009. If an incorrect clevis has been installed, before further flight, replace the clevis with a correct clevis and clevis pin, in accordance with the Accomplishment Instructions of Bombardier Service Bulletin 84-32-67, dated July 8, 2009.

#### (h) Other FAA AD Provisions

The following provisions also apply to this AD:

(1) *Alternative Methods of Compliance (AMOCs):* The Manager, New York Aircraft Certification Office (ACO), ANE-170, FAA, has the authority to approve AMOCs for this AD, if requested using the procedures found in 14 CFR 39.19. In accordance with 14 CFR 39.19, send your request to your principal inspector or local Flight Standards District Office, as appropriate. If sending information directly to the New York ACO, send it to ATTN: Program Manager, Continuing Operational Safety, FAA, New York ACO, 1600 Stewart Avenue, Suite 410, Westbury, NY 11590; telephone 516-228-7300; fax 516-794-5531. Before using any approved AMOC, notify your appropriate principal inspector, or lacking a principal inspector, the manager of the local flight standards district office/certificate holding district office. The AMOC approval letter must specifically reference this AD.

(2) *Contacting the Manufacturer:* For any requirement in this AD to obtain corrective actions from a manufacturer, the action must be accomplished using a method approved by the Manager, New York ACO, ANE-170, FAA; or Transport Canada Civil Aviation (TCCA); or Bombardier, Inc.'s TCCA Design Approval Organization (DAO). If approved by the DAO, the approval must include the DAO-authorized signature.

#### (i) Related Information

Refer to Mandatory Continuing Airworthiness Information (MCAI) Canadian Airworthiness Directive CF-2013-40, dated December 9, 2013, for related information. This MCAI may be found in the AD docket on the Internet at <http://www.regulations.gov/#!documentDetail;D=FAA-2014-0528-0002>.

#### (j) Material Incorporated by Reference

(1) The Director of the Federal Register approved the incorporation by reference (IBR) of the service information listed in this

paragraph under 5 U.S.C. 552(a) and 1 CFR part 51.

(2) You must use this service information as applicable to do the actions required by this AD, unless this AD specifies otherwise.

(i) Bombardier Service Bulletin 84-32-67, dated July 8, 2009.

(ii) Reserved.

(3) For service information identified in this AD, contact Bombardier, Inc., Q-Series Technical Help Desk, 123 Garratt Boulevard, Toronto, Ontario M3K 1Y5, Canada; telephone 416-375-4000; fax 416-375-4539; email [thd.qseries@aero.bombardier.com](mailto:thd.qseries@aero.bombardier.com); Internet <http://www.bombardier.com>.

(4) You may view this service information at the FAA, Transport Airplane Directorate, 1601 Lind Avenue SW., Renton, WA. For information on the availability of this material at the FAA, call 425-227-1221.

(5) You may view this service information that is incorporated by reference at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call 202-741-6030, or go to: <http://www.archives.gov/federal-register/cfr/ibr-locations.html>.

Issued in Renton, Washington, on April 6, 2015.

**John P. Piccola, Jr.,**

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

[FR Doc. 2015-08718 Filed 4-20-15; 8:45 am]

**BILLING CODE 4910-13-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

### 14 CFR Part 73

[Docket No. FAA-2015-0618; Airspace Docket No. 15-ANM-3]

**RIN 2120-AA66**

### Amendment of Restricted Area Boundary Descriptions; Joint Base Lewis-McChord, WA

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

**ACTION:** Final rule; technical amendment, correction.

**SUMMARY:** This action corrects a final rule; technical amendment, published in the **Federal Register** on April 7, 2015, that made a correction to a typographical error to R-6703A, R-6703B, R-6703C, R-6703D, R-6703E and R-6703F at Joint Base Lewis-McChord, WA. Due to a submission error, the abbreviation for West in the longitude description of restricted area R-6703A was entered as "N". This action corrects the boundary description of R-6703A by changing the longitude direction to "W".

**DATES:** Effective date 0901 UTC, May 7, 2015.