

loan.<sup>86</sup> These stakeholders argue that, when a loan defaults after performing for two or three years, it is not reasonable to conclude that the default was caused by the creditor's failure to consider the consumer's ability to repay.

Another possibility would be to require creditors to consider other credit risk factors, such as credit score or LTV ratio, in lieu of DTI ratio. The rationale for such an approach would be similar to the rationale for the pricing-based approaches already discussed. That is, because credit risk factors such as credit score and LTV ratio are predictive of default, they arguably are more useful criteria than DTI for determining whether a loan will be repaid.<sup>87</sup>

a. The Bureau requests comment on whether standards that do not directly measure a consumer's personal finances are consistent with, and further TILA's purpose of, ensuring that consumers are offered and receive residential mortgage loans on terms that reasonably reflect their ability to repay the loans. The Bureau requests that commenters provide data and analysis to support their views.

b. The Bureau requests comment on the advantages and disadvantages of such standards relative to standards that directly measure a consumer's personal finances, including DTI ratio and residual income. The Bureau requests that commenters provide data and analysis to support their views.

c. Assuming without deciding that the Bureau were to adopt standards that do not directly measure a consumer's personal finances, should the Bureau retain the current line separating safe-harbor and rebuttable-presumption QMs or modify it and, if so, how? The Bureau requests that commenters provide data and analysis to support their views.

d. The Rule currently provides that a consumer may rebut the presumption of compliance only by proving that, based on the information available to the creditor at the time of consummation, the consumer lacked sufficient residual income to meet living expenses, including any recurring and material non-debt obligations of which the creditor was aware.<sup>88</sup> Assuming without deciding that the Bureau were to adopt standards that do not directly measure a consumer's personal finances, should the Bureau further specify or clarify the

grounds on which the presumption of compliance can be rebutted? The Bureau requests that commenters provide data and analysis to support their views.

#### B. Other Temporary GSE QM Loan Issues

1. The Temporary GSE QM loan provision will remain in effect until the earlier of January 10, 2021, or the date that the GSEs exit conservatorship.<sup>89</sup> To minimize disruption to the mortgage market when the Temporary GSE QM loan provision expires, should the Bureau consider any other changes to Regulation Z's ability-to-repay and qualified mortgage provisions (*i.e.*, other than changes discussed in response to prior questions)? The Bureau requests that commenters provide data and analysis to support their views.

2. The Bureau recognizes that industry will need time to change its practices to respond to the expiration of the Temporary GSE QM loan provision and any changes the Bureau makes to the General QM loan definition. To conduct an orderly rulemaking process and to smooth the transition to any new General QM loan definition, the Bureau requests comment, with supporting data, on how much time industry would need to change its practices following the issuance of a final rule with such a new definition. If the answer depends on how the Bureau revises the definition, the Bureau requests answers based on alternative possible definitions.

Dated: July 25, 2019.

**Kathleen L. Kraninger,**

*Director, Bureau of Consumer Financial Protection.*

[FR Doc. 2019-16298 Filed 7-30-19; 8:45 am]

**BILLING CODE 4810-AM-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

**[Docket No. FAA-2019-0580; Product Identifier 2019-NM-019-AD]**

**RIN 2120-AA64**

#### **Airworthiness Directives; Airbus SAS Airplanes**

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

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

**SUMMARY:** The FAA proposes to adopt a new airworthiness directive (AD) for all Airbus SAS Model A330-243, -243F, -341, -342, and -343 airplanes. This proposed AD was prompted by a determination that cracks can develop on the ripple damper weld of the hydraulic pressure tube assembly and reports of failure of the ripple damper of the hydraulic pressure tube assembly. This proposed AD would require replacement of the affected hydraulic pressure tube assembly or modification of both engines, as specified in a European Aviation Safety Agency (EASA) AD, which will be incorporated by reference. The FAA is proposing this AD to address the unsafe condition on these products.

**DATES:** The FAA must receive comments on this proposed AD by September 16, 2019.

**ADDRESSES:** You may send comments, using the procedures found in 14 CFR 11.43 and 11.45, by any of the following methods:

- *Federal eRulemaking Portal:* Go to <http://www.regulations.gov>. Follow the instructions for submitting comments.

- *Fax:* 202-493-2251.

- *Mail:* U.S. Department of Transportation, Docket Operations, M-30, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue SE, Washington, DC 20590.

- *Hand Delivery:* Deliver to Mail address above between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

For the material identified in this proposed AD that will be incorporated by reference (IBR), contact the EASA, at Konrad-Adenauer-Ufer 3, 50668 Cologne, Germany; telephone +49 221 89990 1000; email [ADs@easa.europa.eu](mailto:ADs@easa.europa.eu); internet [www.easa.europa.eu](http://www.easa.europa.eu). You may find this IBR material on the EASA website at <https://ad.easa.europa.eu>. You may view this IBR material at the FAA, Transport Standards Branch, 2200 South 216th St., Des Moines, WA. For information on the availability of this material at the FAA, call 206-231-3195. It is also available in the AD docket on the internet at <http://www.regulations.gov> by searching for and locating Docket No. FAA-2019-0580.

#### **Examining the AD Docket**

You may examine the AD docket on the internet at <http://www.regulations.gov> by searching for and locating Docket No. FAA-2019-0580; or in person at Docket Operations between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The AD docket contains this NPRM, the

<sup>86</sup> See, e.g., Norbert Michel, *The Best Housing Finance Reform Options for the Trump Administration*, Forbes (July 15, 2019), <https://www.forbes.com/sites/norbertmichel/2019/07/15/the-best-housing-finance-reform-options-for-the-trump-administration/#4f5640de7d3f>.

<sup>87</sup> See, e.g., Assessment Report, *supra* note 33, at 100 n.239.

<sup>88</sup> 12 CFR 1026.43(e)(1)(ii)(B).

<sup>89</sup> 12 CFR 1026.43(e)(4)(iii)(B).

regulatory evaluation, any comments received, and other information. The street address for Docket Operations is listed above. Comments will be available in the AD docket shortly after receipt.

**FOR FURTHER INFORMATION CONTACT:** Vladimir Ulyanov, Aerospace Engineer, International Section, Transport Standards Branch, FAA, 2200 South 216th St., Des Moines, WA 98198; telephone and fax 206-231-3229.

**SUPPLEMENTARY INFORMATION:**

**Comments Invited**

The FAA invites you to send any written relevant data, views, or arguments about this proposal. Send your comments to an address listed under the **ADDRESSES** section. Include “Docket No. FAA-2019-0580; Product Identifier 2019-NM-019-AD” at the beginning of your comments. The FAA specifically invites comments on the overall regulatory, economic, environmental, and energy aspects of this NPRM. The FAA will consider all comments received by the closing date and may amend this NPRM based on those comments.

The FAA will post all comments received, without change, to <http://www.regulations.gov>, including any personal information you provide. The FAA will also post a report summarizing each substantive verbal contact received about this NPRM.

**Discussion**

The EASA, which is the Technical Agent for the Member States of the European Union, has issued EASA AD 2019-0031, dated February 13, 2019 (“EASA AD 2019-0031”) (also referred to as the Mandatory Continuing Airworthiness Information, or “the MCAI”), to correct an unsafe condition for all Airbus SAS Model A330-243, -243F, -341, -342, and -343 airplanes. The MCAI states:

Following introduction in-service of Airbus mod 205242, a new hydraulic pressure tube assembly P/N [part number] AE711121-18 was installed, one on each engine, with an integral ripple damper. It was determined that, at a relatively low number of cycles, cracks could develop on the ripple damper weld of this new hydraulic pressure tube, which could lead to hydraulic leakage and consequent loss of the green hydraulic system. Further to the installation on both engines of this new hydraulic pressure tube assembly, a high failure rate of the affected dampers has been reported that, if continued, may exceed the overall safety objective of this certified design.

This condition, if not corrected, could, in combination with other system failures, result in reduced control of the aeroplane.

Prompted by these findings, Airbus published AOT [Alert Operators Transmission] A71L012-16 Rev 01, to provide instructions to replace the hydraulic pressure tube assembly P/N AE711121-18 with an improved assembly P/N AE711121-18 Rev A (introduced by Airbus mod 206979), equipped with a double-welded ripple damper. Consequently, EASA issued AD 2017-0041 [which corresponds to FAA AD 2017-07-03, Amendment 39-18841 (82 FR 15985, March 31, 2017); corrected April 13, 2017 (82 FR 17749) (“AD 2017-07-03”)] to require replacement of each affected hydraulic pressure tube assembly with a tube assembly having the double-welded ripple damper installed. That [EASA] AD also required implementation of a life limit of the improved part.

Since issuance of EASA AD 2017-0041, a new design hydraulic pressure tube assembly has been developed, defined as serviceable part in this [EASA] AD, which has no life limitation. Consequently, Airbus published the AOT to provide modification instructions for installation of the serviceable part.

For the reasons described above, this [EASA] AD requires the replacement of all affected parts with serviceable parts [or modification of both engines].

**Relationship Between This Proposed AD and AD 2017-07-03**

This NPRM would not supersede AD 2017-07-03. Rather, the FAA has determined that a stand-alone AD would be more appropriate to address the changes in the MCAI. This NPRM would require replacement of the affected hydraulic pressure tube assembly or modification of both engines. Accomplishment of the proposed actions would then terminate all of the requirements of AD 2017-07-03 for that airplane only.

**Related IBR Material Under 1 CFR Part 51**

EASA AD 2019-0031 describes procedures for replacement of the affected hydraulic pressure tube assembly with a serviceable hydraulic pressure tube assembly or modification of both engines. This material is reasonably available because the interested parties have access to it through their normal course of business or by the means identified in the **ADDRESSES** section.

**FAA’s Determination and Requirements of This Proposed AD**

This product has been approved by the aviation authority of another country, and is approved for operation in the United States. Pursuant to a

bilateral agreement with the State of Design Authority, the FAA has been notified of the unsafe condition described in the MCAI referenced above. The FAA is proposing this AD because the agency evaluated all the relevant information and determined the unsafe condition described previously is likely to exist or develop in other products of the same type design.

**Proposed AD Requirements**

This proposed AD would require accomplishing the actions specified in EASA AD 2019-0031 described previously, as incorporated by reference, except for any differences identified as exceptions in the regulatory text of this AD.

**Explanation of Required Compliance Information**

In the FAA’s ongoing efforts to improve the efficiency of the AD process, the FAA worked with Airbus and EASA to develop a process to use certain EASA ADs as the primary source of information for compliance with requirements for corresponding FAA ADs. As a result, EASA AD 2019-0031 will be incorporated by reference in the FAA final rule. This proposed AD would, therefore, require compliance with the provisions specified in EASA AD 2019-0031, through that incorporation, except for any differences identified as exceptions in the regulatory text of this proposed AD. Using common terms that are the same as the heading of a particular section in the EASA AD does not mean that operators need comply only with that section. For example, where the AD requirement refers to “all required actions and compliance times,” compliance with this AD requirement is not limited to the section titled “Required Action(s) and Compliance Time(s)” in the EASA AD. Service information specified in EASA AD 2019-0031 that is required for compliance with EASA AD 2019-0031 will be available on the internet at <http://www.regulations.gov> by searching for and locating Docket No. FAA-2019-0580 after the FAA final rule is published.

**Costs of Compliance**

The FAA estimates that this proposed AD affects 53 airplanes of U.S. registry. The FAA estimates the following costs to comply with this proposed AD:

ESTIMATED COSTS FOR REQUIRED ACTIONS

Labor cost	Parts cost	Cost per product	Cost on U.S. operators
4 work-hours × \$85 per hour = \$340 .....	\$20,000	\$20,340	\$1,078,020

**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.

The FAA is 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.

This proposed AD is issued in accordance with authority delegated by the Executive Director, Aircraft Certification Service, as authorized by FAA Order 8000.51C. In accordance with that order, issuance of ADs is normally a function of the Compliance and Airworthiness Division, but during this transition period, the Executive Director has delegated the authority to issue ADs applicable to transport category airplanes and associated appliances to the Director of the System Oversight Division.

**Regulatory Findings**

The FAA 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 this proposed regulation:

1. Is not a “significant regulatory action” under Executive Order 12866;
2. Will not affect intrastate aviation in Alaska; 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.

**List of Subjects in 14 CFR Part 39**

Air transportation, Aircraft, Aviation safety, Incorporation by reference, 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 FAA amends § 39.13 by adding the following new airworthiness directive (AD):

**Airbus SAS:** Docket No. FAA–2019–0580; Product Identifier 2019–NM–019–AD.

**(a) Comments Due Date**

The FAA must receive comments by September 16, 2019.

**(b) Affected ADs**

This AD affects AD 2017–07–03, Amendment 39–18841 (82 FR 15985, March 31, 2017); corrected April 13, 2017 (82 FR 17749) (“AD 2017–07–03”).

**(c) Applicability**

This AD applies to all Airbus SAS Model A330–243, –243F, –341, –342, and –343 airplanes, certificated in any category.

**(d) Subject**

Air Transport Association (ATA) of America Code 71, Powerplant.

**(e) Reason**

This AD was prompted by a determination that cracks can develop on the ripple damper weld of the hydraulic pressure tube assembly and reports of failure of the ripple damper of the hydraulic pressure tube assembly. The FAA is issuing this AD to address cracking of the ripple damper weld of the hydraulic pressure tube assembly, which could lead to hydraulic fluid leakage and consequent loss of the green hydraulic system. This condition, if combined with other system failures, could result in reduced control of the airplane.

**(f) Compliance**

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

**(g) Requirements**

Except as specified in paragraph (h) of this AD: Comply with all required actions and compliance times specified in, and in accordance with, European Aviation Safety Agency (EASA) AD 2019–0031, dated February 13, 2019 (“EASA AD 2019–0031”).

**(h) Exceptions to EASA AD 2019–0031**

(1) For purposes of determining compliance with the requirements of this AD: Where EASA AD 2019–0031 refers to its effective date, this AD requires using the effective date of this AD.

(2) The “Remarks” section of EASA AD 2019–0031 does not apply to this AD.

**(i) Terminating Action for AD 2017–07–03**

Accomplishing the actions required by this AD terminates all requirements of AD 2017–07–03 for that airplane only.

**(j) No Reporting Requirement**

Although the service information referenced in EASA AD 2019–0031 specifies to submit certain information to the manufacturer, this AD does not include that requirement.

**(k) Other FAA AD Provisions**

The following provisions also apply to this AD:

(1) *Alternative Methods of Compliance (AMOCs):* The Manager, International Section, Transport Standards Branch, 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 International Section, send it to the attention of the person identified in paragraph (l)(2) of this AD. Information may be emailed to: 9-ANM-116-AMOC-REQUESTS@faa.gov. 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.

(2) *Contacting the Manufacturer:* For any requirement in this AD to obtain instructions from a manufacturer, the instructions must be accomplished using a method approved by the Manager, International Section, Transport Standards Branch, FAA; or EASA; or Airbus SAS’s EASA Design Organization Approval (DOA). If approved by the DOA, the approval must include the DOA-authorized signature.

(3) *Required for Compliance (RC):* For any service information referenced in EASA AD 2019–0031 that contains RC procedures and tests: Except as required by paragraph (k)(2) of this AD, RC procedures and tests must be done to comply with this AD; any procedures or tests that are not identified as RC are

recommended. Those procedures and tests that are not identified as RC may be deviated from using accepted methods in accordance with the operator's maintenance or inspection program without obtaining approval of an AMOC, provided the procedures and tests identified as RC can be done and the airplane can be put back in an airworthy condition. Any substitutions or changes to procedures or tests identified as RC require approval of an AMOC.

#### (I) Related Information

(1) For information about EASA AD 2019-0031, contact the EASA, Konrad-Adenauer-Ufer 3, 50668 Cologne, Germany; telephone +49 221 89990 6017; email [ADs@easa.europa.eu](mailto:ADs@easa.europa.eu); Internet [www.easa.europa.eu](http://www.easa.europa.eu). You may find this EASA AD on the EASA website at <https://ad.easa.europa.eu>. You may view this EASA AD at the FAA, Transport Standards Branch, 2200 South 216th St., Des Moines, WA. For information on the availability of this material at the FAA, call 206-231-3195. EASA AD 2019-0031 may be found in the AD docket on the internet at <http://www.regulations.gov> by searching for and locating Docket No. FAA-2019-0580.

(2) For more information about this AD, contact Vladimir Ulyanov, Aerospace Engineer, International Section, Transport Standards Branch, FAA, 2200 South 216th St., Des Moines, WA 98198; telephone and fax 206-231-3229.

Issued in Des Moines, Washington, on July 23, 2019.

#### Dionne Palermo,

Acting Director, System Oversight Division, Aircraft Certification Service.

[FR Doc. 2019-16132 Filed 7-30-19; 8:45 am]

BILLING CODE 4910-13-P

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. FAA-2019-0581; Product Identifier 2019-NM-067-AD]

RIN 2120-AA64

#### Airworthiness Directives; Lockheed Martin Corporation/Lockheed Martin Aeronautics Company Airplanes

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

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

**SUMMARY:** The FAA proposes to adopt a new airworthiness directive (AD) for all Lockheed Martin Corporation/Lockheed Martin Aeronautics Company Model 382, 382B, 382E, 382F, 382G, C-130A, C-130B, C-130BL, C130E, C-130H, C130H 30, C130J, C130J-30, EC130Q, HC130H, KC 130H, NC-130B, NC130, and WC-130H airplanes. This proposed AD was prompted by a report indicating

that two elevator booster assemblies experienced significant hydraulic fluid leaks, caused by fatigue cracks in the actuator cylinder. This proposed AD would require an inspection to determine the part number of the elevator booster actuator, repetitive ultrasonic inspections of the actuator to detect cracking, and replacement of cracked elevator booster assemblies. The FAA is proposing this AD to address the unsafe condition on these products.

**DATES:** The FAA must receive comments on this proposed AD by September 16, 2019.

**ADDRESSES:** You may send comments, using the procedures found in 14 CFR 11.43 and 11.45, by any of the following methods:

- **Federal eRulemaking Portal:** Go to <http://www.regulations.gov>. Follow the instructions for submitting comments.

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

- **Mail:** U.S. Department of Transportation, Docket Operations, M-30, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue SE, Washington, DC 20590.

- **Hand Delivery:** Deliver to Mail address above between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

For service information identified in this NPRM, contact Lockheed Martin Corporation/Lockheed Martin Aeronautics Company, Customer Support Center, Dept. 3E1M, Zone 0591, 86 S. Cobb Drive, Marietta, GA 30063; telephone 770-494-9131; email [hercules.support@lmco.com](mailto:hercules.support@lmco.com); internet <http://www.lockheedmartin.com/en-us/who-we-are/business-areas/aeronautics/mmro/customer-support-center.html>.

You may view this service information at the FAA, Transport Standards Branch, 2200 South 216th St., Des Moines, WA. For information on the availability of this material at the FAA, call 206-231-3195.

#### Examining the AD Docket

You may examine the AD docket on the internet at <http://www.regulations.gov> by searching for and locating Docket No. FAA-2019-0581; or in person at Docket Operations between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The AD docket contains this NPRM, the regulatory evaluation, any comments received, and other information. The street address for Docket Operations is listed above. Comments will be available in the AD docket shortly after receipt.

#### FOR FURTHER INFORMATION CONTACT:

Hector Hernandez, Aerospace Engineer, Systems and Equipment Section, FAA,

Atlanta ACO Branch, 1701 Columbia Avenue, College Park, GA 30337; phone: 404-474-5587; fax: 404-474-5606; email: [hector.hernandez@faa.gov](mailto:hector.hernandez@faa.gov).

#### SUPPLEMENTARY INFORMATION:

#### Comments Invited

The FAA invites you to send any written relevant data, views, or arguments about this proposal. Send your comments to an address listed under the **ADDRESSES** section. Include "Docket No. FAA-2019-0581; Product Identifier 2019-NM-067-AD" at the beginning of your comments. The FAA specifically invites comments on the overall regulatory, economic, environmental, and energy aspects of this NPRM. The FAA will consider all comments received by the closing date and may amend this NPRM because of those comments.

The FAA will post all comments received, without change, to <http://www.regulations.gov>, including any personal information you provide. The FAA will also post a report summarizing each substantive verbal contact received about this NPRM.

#### Discussion

The FAA has received a report indicating that two elevator booster assemblies experienced significant hydraulic fluid leaks, caused by fatigue cracks in the actuator cylinder. Laboratory analysis of the cracked elevator booster actuators revealed an internal area in the cylinder body that is prone to fatigue crack initiation. The fatigue crack propagates unseen within the cylinder under normal operational loading until either a minor fluid leak becomes evident or the cylinder ruptures, creating a major leak. This condition, if not addressed, could result in a dual failure of the left and right actuator cylinders in the elevator booster assembly, which could lead to a significant reduction in controllability of the airplane.

#### Related Service Information Under 14 CFR Part 51

The FAA reviewed Lockheed Martin Aeronautics Company Service Bulletin 382-27-51, Revision 1, dated January 17, 2018; and Lockheed Martin Aeronautics Company Service Bulletin 82-833, Revision 1, dated January 17, 2018. This service information describes procedures for an inspection to determine the part number of the elevator booster actuator, repetitive ultrasonic inspections of the elevator booster actuator at the forward-most end to detect cracking along the fluid transfer bore, left and right cylinders, and replacement of cracked elevator