

authority to make, service, liquidate, and/or litigate SBA microloans, and the imposition of an immediate freeze on the Intermediary's MRF and LLRF accounts. Section 120.1425(c)(6) sets forth the grounds for SBA Microloan Program immediate suspension of an Intermediary.

(c) *Revocation.* SBA may revoke an Intermediary's authority to participate in the Microloan Program which may include, but is not limited to:

- (1) Removal from the program;
- (2) Liquidation of the Intermediary's MRF and LLRF accounts by SBA, and application of the liquidated funds to any outstanding balance owed to SBA;
- (3) Payment of outstanding debt to SBA by the Intermediary;
- (4) Forfeiture or repayment of any unused grant funds by the Intermediary;
- (5) Debarment of the organization from receipt of Federal funds until loan and grant repayments are met; and
- (6) Surrender of possession of Intermediary's SBA microloan portfolio to SBA, with the microloan portfolio and all associated rights transferred on a permanent basis to SBA, in accordance with SBA's rights as a secured creditor.

(d) *Other actions.* Such other actions available under law.

- 18. Amend § 120.1600 by:
  - a. Revising the section heading;
  - b. Removing the phrase "SBA Lender, Intermediary, or NTAP" wherever it appears and adding in its place the phrase "SBA Lender or Intermediary";
  - c. Removing the phrase "SBA Lender, Intermediary, or NTAP's" wherever it appears and adding in its place the phrase "SBA Lender's or Intermediary's";
  - d. Revising the introductory text to paragraph (a);
  - e. Adding the word "formal" before the word "enforcement" wherever it appears in paragraphs (a)(1) through (4);
  - f. Removing the phrase "SBA Lender, Intermediary, NTAP or SBA," and adding in its place the phrase "SBA Lender, Intermediary, or SBA," in paragraph (a)(1)(ii);
  - g. Removing the phrase "final decision" wherever it appears and adding in its place the phrase "final agency decision" in paragraphs (a)(2) through (4);
  - h. Removing the phrase "SBA Lender, Intermediary, NTAP or other parties" and adding in its place the phrase "SBA Lender, Intermediary or other parties" in paragraph (a)(3)(iii);
  - i. Revising the headings for paragraphs (a)(3) and (4) and paragraph (a)(5); and
  - j. Adding the word "formal" before the word "enforcement" in the headings for paragraphs (b) and (c).

The revisions read as follows:

**§ 120.1600 General procedures for formal enforcement actions against SBA Lenders, SBA Supervised Lenders, Other Regulated SBLCs, Management Officials, Other Persons, and Intermediaries.**

(a) *In general.* Except as otherwise set forth for the formal enforcement actions listed in paragraphs (a)(6), (b), and (c) of this section and in § 120.465, SBA will follow the procedures listed in this section.

(3) *SBA's notice of final agency decision on a formal enforcement action where an SBA Lender or Intermediary filed objection to the proposed action or immediate suspension.* \* \* \*

(4) *SBA's notice of final agency decision on a formal enforcement action where no filed objection or untimely objection not considered.* \* \* \*

(5) *Appeals.* An SBA Lender or Intermediary may appeal the final agency decision to the appropriate Federal district court. Alternatively, 7(a) Lenders may appeal such decisions (except for decisions against SBA Supervised Lenders that are covered by procedures in § 120.1600(b) or (c) or § 120.465) to SBA's Office of Hearings and Appeals ("OHA") within 30 calendar days of the date of the decision, and in the event of such an appeal, OHA will issue its decision in accordance with part 134 of this title. The enforcement action will remain in effect pending resolution of the appeal, if any.

**PART 134—RULES OF PROCEDURE GOVERNING CASES BEFORE THE OFFICE OF HEARINGS AND APPEALS**

■ 19. The authority citation for part 134 is revised to read as follows:

**Authority:** 5 U.S.C. 504; 15 U.S.C. 632, 634(b)(6), 634(i), 637(a), 648(l), 656(i), 657t, and 687(c); 38 U.S.C. 8127(f); E.O. 12549, 51 FR 6370, 3 CFR, 1986 Comp., p. 189.

Subpart J issued under 38 U.S.C. 8127(f)(8)(B).

Subpart K issued under 38 U.S.C. 8127(f)(8)(A).

■ 20. Amend § 134.102 by adding paragraph (d) to read as follows:

**§ 134.102 Jurisdiction of OHA.**

(d) 7(a) Lender appeals from informal enforcement actions and final agency decisions on 7(a) Lender formal enforcement actions, and any other appeal that is specifically authorized by part 120 of this title, but not including appeals of actions against SBA

Supervised Lenders under § 120.1600(b) or (c) or under § 120.465;

\* \* \* \* \*

■ 21. Amend § 134.205 by revising paragraph (c) to read as follows:

**§ 134.205 The appeal file, confidential information, and protective orders.**

\* \* \* \* \*

(c) *Public access.* Except for confidential business and financial information; source selection sensitive information; income tax returns; documents and information covered under § 120.1060 of this title; and other exempt information, the appeal file is available to the public pursuant to the Freedom of Information Act (FOIA), 5 U.S.C. 552.

\* \* \* \* \*

Jovita Carranza,  
Administrator.

[FR Doc. 2020-04663 Filed 3-13-20; 8:45 am]

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**DEPARTMENT OF TRANSPORTATION**

**Federal Aviation Administration**

**14 CFR Part 39**

[Docket No. FAA-2019-0979; Product Identifier 2019-NM-182-AD; Amendment 39-19868; AD 2020-05-18]

RIN 2120-AA64

**Airworthiness Directives; Airbus SAS Airplanes**

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

**ACTION:** Final rule.

**SUMMARY:** The FAA is adopting a new airworthiness directive (AD) for certain Airbus SAS Model A350-941 and -1041 airplanes. This AD was prompted by a report of incorrectly engaged lock washer tabs of the main landing gear (MLG) forward pintle bearing (FPB) at the forward face of the trunnion block. This AD requires detailed inspections of the left-hand (LH) and right-hand (RH) side MLG FPB nuts and lock washer tabs, and depending on findings, accomplishment of repetitive detailed inspections or corrective actions, as specified in a European Union Aviation Safety Agency (EASA) AD, which is incorporated by reference. The FAA is issuing this AD to address the unsafe condition on these products.

**DATES:** This AD is effective April 20, 2020.

The Director of the Federal Register approved the incorporation by reference

of a certain publication listed in this AD as of April 20, 2020.

**ADDRESSES:** For the material incorporated by reference (IBR) in this AD, contact the EASA, Konrad-Adenauer-Ufer 3, 50668 Cologne, Germany; phone: +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 <https://www.regulations.gov> by searching for and locating Docket No. FAA-2019-0979.

**Examining the AD Docket**

You may examine the AD docket on the internet at <https://www.regulations.gov> by searching for and locating Docket No. FAA-2019-0979; 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 final rule, the regulatory evaluation, any comments received, and other information. The address for Docket Operations is U.S. Department of Transportation, Docket Operations, M-30, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue SE, Washington, DC 20590.

**FOR FURTHER INFORMATION CONTACT:** Kathleen Arrigotti, Aerospace Engineer, International Section, Transport Standards Branch, FAA, 2200 South 216th St., Des Moines, WA 98198; phone and fax: 206-231-3218; email: [kathleen.arrigotti@faa.gov](mailto:kathleen.arrigotti@faa.gov).

**SUPPLEMENTARY INFORMATION:**

**Discussion**

The EASA, which is the Technical Agent for the Member States of the European Union, has issued EASA AD 2019-0265, dated October 25, 2019 (“EASA AD 2019-0265”) (also referred to as the Mandatory Continuing Airworthiness Information, or “the MCAI”), to correct an unsafe condition for certain Airbus SAS Model A350-941 and -1041 airplanes.

The FAA issued a notice of proposed rulemaking (NPRM) to amend 14 CFR part 39 by adding an AD that would apply to certain Airbus SAS Model A350-941 and -1041 airplanes. The NPRM published in the **Federal Register** on December 13, 2019 (84 FR 68063). The NPRM was prompted by a report of incorrectly engaged lock washer tabs of the MLG FPB at the forward face of the trunnion block. The NPRM proposed to require detailed inspections of the LH and RH side MLG FPB nuts and lock washer tabs, and depending on findings, accomplishment of repetitive detailed inspections or corrective actions, as specified in an EASA AD.

The FAA is issuing this AD to address absence of an engaged lock washer tab at the bearing nut, which could cause an unexpected rotation of the nut and loss of torque, progressively allowing an axial movement of the bearing housing. This condition, if not detected and corrected, could lead to collapse of a MLG, possibly resulting in damage to the airplane and/or injury to occupants. See the MCAI for additional background information.

**Comments**

The FAA gave the public the opportunity to participate in developing

this final rule. The FAA has considered the comment received. Air Line Pilots Association, International (ALPA) indicated its support for the NPRM.

**Conclusion**

The FAA reviewed the relevant data, considered the comment received, and determined that air safety and the public interest require adopting this final rule as proposed, except for minor editorial changes. The FAA has determined that these minor changes:

- Are consistent with the intent that was proposed in the NPRM for addressing the unsafe condition; and
- Do not add any additional burden upon the public than was already proposed in the NPRM.

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

EASA AD 2019-0265 describes procedures for detailed inspections of the LH and RH side MLG FPB nuts and lock washer tabs for any MLG FPB nut not correctly locked by the lock washer tab, and depending on findings, accomplishment of repetitive detailed inspections for discrepancies or corrective actions. Corrective actions include bending the washer tab to lock the bearing nut and replacing any parts that have damage or wear. 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.

**Costs of Compliance**

The FAA estimates that this AD affects 12 airplanes of U.S. registry. The FAA estimates the following costs to comply with this AD:

**ESTIMATED COSTS FOR REQUIRED ACTIONS**

Labor cost	Parts cost	Cost per product	Cost on U.S. operators
2 work-hours × \$85 per hour = \$170 .....	\$0	\$170	\$2,040

The FAA has received no definitive data that would enable us to provide cost estimates for the on-condition actions specified in this AD.

**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.

**Regulatory Findings**

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) 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.

#### 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):

**2020–05–18 Airbus SAS:** Amendment 39–19868; Docket No. FAA–2019–0979; Product Identifier 2019–NM–182–AD.

#### (a) Effective Date

This AD is effective April 20, 2020.

#### (b) Affected ADs

None.

#### (c) Applicability

This AD applies to Airbus SAS Model A350–941 and –1041 airplanes, certificated in any category, as identified in European Union Aviation Safety Agency (EASA) AD 2019–0265, dated October 25, 2019 (“EASA AD 2019–0265”).

#### (d) Subject

Air Transport Association (ATA) of America Code 57, Wings.

#### (e) Reason

This AD was prompted by a report of incorrectly engaged lock washer tabs of the main landing gear (MLG) forward pintle bearing (FPB) at the forward face of the trunnion block. The FAA is issuing this AD to address absence of an engaged lock washer tab at the bearing nut, which could cause an unexpected rotation of the nut and loss of torque, progressively allowing an axial movement of the bearing housing. This condition, if not detected and corrected, could lead to collapse of a MLG, possibly resulting in damage to the airplane and/or injury to occupants.

#### (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, EASA AD 2019–0265.

#### (h) Exceptions to EASA AD 2019–0265

- (1) Where EASA AD 2019–0265 refers to its effective date, this AD requires using the effective date of this AD.
- (2) The “Remarks” section of EASA AD 2019–0265 does not apply to this AD.

#### (i) No Reporting Requirement

Although the service information referenced in EASA AD 2019–0265 specifies to submit certain information to the manufacturer, this AD does not include that requirement.

#### (j) 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 (k) of this AD. Information may be emailed to: [9-ANM-116-AMOC-REQUESTS@faa.gov](mailto: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 2019–0265 that contains RC procedures and tests: Except as required by paragraph (j)(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.

#### (k) Related Information

For more information about this AD, contact Kathleen Arrigotti, Aerospace Engineer, International Section, Transport Standards Branch, FAA, 2200 South 216th St., Des Moines, WA 98198; phone and fax: 206–231–3218; email: [kathleen.arrigotti@faa.gov](mailto:kathleen.arrigotti@faa.gov).

#### (l) 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) European Union Aviation Safety Agency (EASA) AD 2019–0265, dated October 25, 2019.
  - (ii) [Reserved]
  - (3) For information about EASA AD 2019–0265, contact the EASA, Konrad-Adenauer-Ufer 3, 50668 Cologne, Germany; phone: +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>.
  - (4) You may view this 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. This material may be found in the AD docket on the internet at <https://www.regulations.gov> by searching for and locating Docket No. FAA–2019–0979.
  - (5) You may view this material that is incorporated by reference at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, email [fedreg.legal@nara.gov](mailto:fedreg.legal@nara.gov), or go to: <https://www.archives.gov/federal-register/cfr/ibr-locations.html>.

Issued on March 4, 2020.

#### Gaetano A. Sciortino,

Deputy Director for Strategic Initiatives, Compliance & Airworthiness Division, Aircraft Certification Service.

[FR Doc. 2020–05264 Filed 3–13–20; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. FAA–2020–0221; Product Identifier 2019–SW–042–AD; Amendment 39–19862; AD 2020–04–21]

RIN 2120–AA64

#### Airworthiness Directives; Bell Helicopter Textron Canada Limited Helicopters

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

**ACTION:** Final rule; request for comments.