

# Rules and Regulations

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This section of the FEDERAL REGISTER contains regulatory documents having general applicability and legal effect, most of which are keyed to and codified in the Code of Federal Regulations, which is published under 50 titles pursuant to 44 U.S.C. 1510.

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## GOVERNMENT ACCOUNTABILITY OFFICE

### 4 CFR Chapter I

#### Nomenclature Changes

**AGENCY:** Government Accountability Office.

**ACTION:** Final rule.

**SUMMARY:** The GAO Human Capital Reform Act of 2004 changed the name of the General Accounting Office to the Government Accountability Office. Accordingly, this technical amendment changes the name of the agency in the heading of the chapter in which the Government Accountability Office's regulations appear, chapter I of title 4 of the Code of Federal Regulations. This document also redesignates all references in chapter I of the Government Accountability Office's regulations. This rulemaking is technical in nature, and merely implements a statutory mandate.

**DATES:** *Effective Date:* April 7, 2005.

**FOR FURTHER INFORMATION CONTACT:** Jeffrey S. Forman, Assistant General Counsel, Government Accountability Office, room 7838D, 441 G Street, NW., Washington, DC 20548, (202) 512-9763.

**SUPPLEMENTARY INFORMATION:** On July 7, 2004, the President signed the GAO Human Capital Reform Act of 2004 (Pub. L. 108-271), providing the Government Accountability Office with additional flexibilities in its human capital management. Section 8 of Public Law 108-271 changed the name of the General Accounting Office to the Government Accountability Office to more accurately reflect the audit and evaluation work in which the Office engages to assist the Congress in fulfilling its constitutional responsibilities.

This document changes the name of the agency from General Accounting Office to Government Accountability

Office. Accordingly, chapter I of title 4 of the Code of Regulations is amended so that in every place in which the name General Accounting Office has appeared the name will now be read as Government Accountability Office. The Government Accountability Office finds good cause for making this final rule effective immediately, since the rule is merely a technical amendment following a statutory change in our name and underlying statute.

■ For the reasons set out above, title 4, chapter I of the Code of Federal Regulations is amended under the authority of section 8 of Pub. L. 108-271, 118 Stat. 814.

#### CHAPTER I—GENERAL ACCOUNTING OFFICE

■ 1. The heading of chapter I is revised to read as set forth below:

#### CHAPTER I—GOVERNMENT ACCOUNTABILITY OFFICE

■ 2. In 4 CFR chapter I, remove the words "General Accounting Office", and add in their place, the words "Government Accountability Office", wherever they appear.

Issued on: April 1, 2005.

**Anthony H. Gamboa,**  
General Counsel.

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## SMALL BUSINESS ADMINISTRATION

### 13 CFR Parts 134 and 140

RIN 3245-AE50

#### Procedures for Office of Hearings and Appeals, Administrative Wage Garnishment

**AGENCY:** U.S. Small Business Administration (SBA).

**ACTION:** Direct final rule.

**SUMMARY:** This direct final rule implements the administrative wage garnishment provisions contained in the Debt Collection Improvement Act of 1996 (DCIA) in accordance with the regulations issued by the Secretary of the Treasury. By implementing these provisions, SBA will be able to garnish the disposable wages of a person who is indebted to the United States for nontax debts, without first obtaining a court order. This rule also amends SBA's

regulations on hearings and appeals in order to expand the scope of those regulations to hearings in administrative wage garnishment cases.

**DATES:** This rule is effective on June 6, 2005 without further action, unless adverse comment is received by May 9, 2005. If adverse comment is received, SBA will publish a timely withdrawal of the rule in the **Federal Register**.

**ADDRESSES:** You may submit comments, identified by RIN number 3245-AE50, by any of the following methods: (1) Federal rulemaking portal at <http://www.regulations.gov>; (2) e-mail: [walter.intlekofer@sba.gov](mailto:walter.intlekofer@sba.gov), include RIN number 3245-AE50 in the subject line of the message; (3) mail to: Walter C. Intlekofer, Director Portfolio Management Division, 409 3rd Street, SW., Mail Code: 7021, Washington, DC 20416; and (4) Hand Delivery/Courier: 409 3rd Street, SW., Washington, DC 20416.

**FOR FURTHER INFORMATION CONTACT:** Walter C. Intlekofer, Director Portfolio Management Division, (202) 205-7543.

#### SUPPLEMENTARY INFORMATION:

##### Background

Section 31001(o) of the Debt Collection Improvement Act of 1996, which is codified at 31 U.S.C. 3720D, authorizes Federal agencies to use an administrative procedure to garnish the disposable pay of an individual to collect delinquent non-tax debt owed to the United States in accordance with regulations promulgated by the Secretary of the Treasury. Wage garnishment is a process whereby an employer withholds amounts from an employee's wages and pays those amounts to the employee's creditor pursuant to a withholding order. Under the DCIA agencies may garnish up to 15% of a delinquent non-tax debtor's disposable wages. Prior to the enactment of the DCIA, agencies were generally required to obtain a court judgment before garnishing the wages of non-Federal employees.

DCIA requires the Secretary of the Treasury to issue regulations implementing the administrative wage garnishment requirements. These implementing regulations, which are at 31 CFR 285.11, provide for due process for nontax debtors and require agencies to publish regulations for administrative wage garnishment hearings. This direct final rule implements that requirement.