

P.D.

July 27, 1970
CCPA

This is in reply to your letter of June 26, 1970, concerning Title III, Restriction on Garnishment, of the Consumer Credit Protection Act.

Section 302(a) of Title III defines "garnishment" to mean any legal or equitable procedure through which the earnings of any individual are required to be withheld for payment of any debt. This would include wage executions.

With respect to a pre-judgment garnishment, the interposition of the ~~Smith~~ decision as a defense by the judgment debtor would be a matter separate and apart from the application of the garnishment restrictions.

Sincerely,

ROBERT D. MORAN

Robert D. Moran
Administrator

3 Enclosures