United States Department of the Interior

OFFICE OF THE SECRETARY
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FINANCIAL MANAGEMENT MEMORANDUM 2009-058 (Vol. X.A)

To: Bureau Chief Finance Officers
Bureau Assistant Directors for Administration
Director, National Business Center

From: Daniel L. Fletcher,
Director, Office of Financial Management

Subject: Travel of an Employee with Special Needs—Services of Attendants

Attached is a copy of pages 24596 and 24597, Federal Register, Volume 71, No. 80, dated Wednesday, April 26, 2006, which contains Federal Travel Regulation (FTR), Amendment 2006-03. This amendment is a final rule and amends the FTR, 41 CFR Parts 301-12, 301-13, and 301-70, by clarifying existing authority to allow agencies to reimburse employees with special needs for expenses incurred for the services of an attendant while on official travel. Reimbursement for "services of an attendant traveling with an employee with special needs" is added to the FTR as a miscellaneous expense item.

Prior to this amendment, the FTR did not include a provision on reimbursement for expenses incurred for the actual services performed by an attendant while on travel with an employee with special needs. Agencies are authorized to pay for travel expenses such as the transportation and per diem expenses incurred by a family member or other attendant who must travel with the employee to make the trip possible. Authority to approve special needs travel for an Interior employee is delegated to the approving official.

Highlighted changes to the FTR:

- 301-12.1: Added "Services of an attendant" included on reimbursable miscellaneous expenses table.
- 301-13.3: Included renting and/or transporting a wheelchair; premium-class accommodations when necessary; and services of an attendant when necessary.
- 301-70.400: An employee with a special need should be treated the same as an employee with a disability.

If you have any questions regarding this information or if you require additional information, please contact Robert Smith (Robert_Smith @ios.doi.gov) on 202-208-5684.

Attachments

Replaces: FAM 2006-007

## XII. Congressional Review Act

The Congressional Review Act, 5 U.S.C. 801 *et seq.*, as added by the Small Business Regulatory Enforcement Fairness Act of 1996, generally provides that before a rule may take effect, the agency promulgating the rule must submit a rule report, which includes a copy of the rule, to each House of the Congress and to the Comptroller General of the United States. EPA will submit a report containing this rule and other required information to the U.S. Senate, the U.S. House of Representatives, and the Comptroller General of the United States prior to publication of this final rule in the **Federal Register**. This final rule is not a "major rule" as defined by 5 U.S.C. 804(2).

### List of Subjects in 40 CFR Part 180

Environmental protection, Administrative practice and procedure, Agricultural commodities, Pesticides and pests, Reporting and recordkeeping requirements.

Dated: April 7, 2006.

**James Jones,**

*Director, Office of Pesticide Programs.*

■ Therefore, 40 CFR chapter I is amended as follows:

## PART 180—[AMENDED]

■ 1. The authority citation for part 180 continues to read as follows:

**Authority:** 21 U.S.C. 321(q), 346a and 371.

■ 2. Section 180.1267 is added to subpart D to read as follows:

### § 180.1267 Pantoea agglomerans strain C9–1; exemption from the requirement of a tolerance.

An exemption from the requirement of a tolerance is established for residues of *Pantoea agglomerans* strain C9–1 when used on apples and pears.

[FR Doc. 06–3856 Filed 4–25–06; 8:45 am]

BILLING CODE 6560–50–S

## GENERAL SERVICES ADMINISTRATION

### 41 CFR Parts 301–12, 301–13, and 301–70

**[FTR Amendment 2006–03; FTR Case 2006–303]**

**RIN 3090–AI24**

### Federal Travel Regulation; Travel of an Employee with Special Needs—Services of Attendants

**AGENCY:** Office of Governmentwide Policy, General Services Administration (GSA).

**ACTION:** Final rule.

**SUMMARY:** The General Services Administration (GSA) is amending the Federal Travel Regulation (FTR), to clarify existing authority under the Rehabilitation Act of 1973, as amended, 29 U.S.C. 701–796l, and 5 U.S.C. 3102, that allows agencies to reimburse employees with special needs for expenses incurred for the services of an attendant while on official travel. Specifically, this final rule amends the FTR by adding reimbursement for "services of an attendant traveling with an employee with special needs" as a miscellaneous expense item. The FTR and any corresponding documents may be accessed at GSA's website at *http://www.gsa.gov/ftr.*

**DATES:** Effective Date: This final rule is effective April 26, 2006.

**FOR FURTHER INFORMATION CONTACT:** The Regulatory Secretariat (VIR), Room 4035, GS Building, Washington, DC, 20405, (202) 208–7312, for information pertaining to status or publication schedules. For clarification of content, contact Umeki Thorne, Office of Governmentwide Policy, Travel Management Policy, at (202) 208–7636. Please cite FTR Amendment 2006–03; FTR case 2006–303.

**SUPPLEMENTARY INFORMATION:**

### A. Background

In order to provide reasonable accommodations for travel of an employee with special needs, agencies are authorized to pay for a variety of travel expenses as needed by the employee. Allowable expenses include the transportation and per diem expenses incurred by a family member or other attendant who must travel with the employee to make the trip possible. Although authorized by existing statutes, the FTR has not included a provision expressly addressing whether or not agencies may reimburse employees for expenses incurred for the actual services performed by an attendant while on travel with the employee. Accordingly, this final rule adds a provision stating that agencies may reimburse employees for the expenses of an attendant as a miscellaneous travel expense.

### B. Executive Order 12866

This is not a significant regulatory action and, therefore, was not subject to review under Section 6(b) of Executive Order 12866, Regulatory Planning and Review, dated September 30, 1993. This rule is not a major rule under 5 U.S.C. 804.

### C. Regulatory Flexibility Act

This final rule is not required to be published in the **Federal Register** for notice and comment; therefore, the Regulatory Flexibility Act, 5 U.S.C. 601, *et seq.*, does not apply.

### D. Paperwork Reduction Act

The Paperwork Reduction Act does not apply because the changes to the FTR do not impose recordkeeping or information collection requirements, or the collection of information from offerors, contractors, or members of the public that require the approval of the Office of Management and Budget under 44 U.S.C. 3501, *et seq.*

### E. Small Business Regulatory Enforcement Fairness Act

This final rule is also exempt from congressional review prescribed under 5 U.S.C. 801 since it relates solely to agency management and personnel.

### List of Subjects in 41 CFR Parts 301–12, 301–13, and 301–70

Government employees, Travel and transportation expenses.

Dated: March 7, 2006.

**David L. Bibb,**

*Acting Administrator of General Services.*

■ For the reasons set forth in the preamble, under 5 U.S.C. 5701–5709, GSA amends 41 CFR parts 301–12, 301–13, and 301–70 as set forth below:

## PART 301–12—MISCELLANEOUS EXPENSES

■ 1. The authority citation for 41 CFR part 301–12 continues to read as follows:

**Authority:** Authority: 5 U.S.C. 5707.

### § 301–12.1 [Amended]

■ 2. Amend section 301–12.1, in the table, in the first column under the heading "General expenses", by adding the entry "Services of an attendant as described in § 301–13.3" after the entry "Services of guides, interpreters, and drivers".

## PART 301–13—TRAVEL OF AN EMPLOYEE WITH SPECIAL NEEDS

■ 3. The authority citation for 41 CFR part 301–13 continues to read as follows:

**Authority:** Authority: 5 U.S.C. 5707.

■ 4. Amend section 301–13.3 by revising the introductory sentence, paragraphs (e) and (f); and adding paragraph (g), and Note to paragraph (g) to read as follows:

**§ 301–13.3 What additional travel expenses may my agency pay under this part?**

Your agency approving official may pay for any expenses deemed necessary by your agency to accommodate an employee with a special need including, but not limited to, the following expenses:

* * * * *

(e) Renting and/or transporting a wheelchair;

(f) Premium-class accommodations when necessary to accommodate your special need, under Subpart B of Part 301–10 of this subchapter; and

(g) Services of an attendant, when necessary, to accommodate your special need.

*Note to § 301–13.3(g)*: For limits on the amount that may be paid to an attendant, other than travel expenses, see 5 U.S.C. 3102 and guidance at *http://www.opm.gov/disability/mngr_6–01–B.asp.*

## PART 301–70—INTERNAL POLICY AND PROCEDURE REQUIREMENTS

■ 5. The authority citation for 41 CFR part 301–70 continues to read as follows:

**Authority:** Authority: 5 U.S.C. 5707; 40 U.S.C. 121(c); Sec. 2, Pub. L. 105–264, 112 Stat. 2350 (5 U.S.C. 5701 note), Office of Management and Budget Circular No. A–126, "Improving the Management and Use of Government Aircraft." Revised May 22, 1992.

■ 6. Revise section 301–70.400 to read as follows:

**§ 301–70.400 How should we authorize and administer the payment of additional travel expenses for an employee with a disability or special need?**

You should authorize and administer the payment to reasonably accommodate employee(s) with disabilities in accordance with the Rehabilitation Act of 1973, as amended (29 U.S.C. 701–796l) and 5 U.S.C. 3102 and Part 301–13 of this chapter. An employee with a special need should be treated the same as an employee with a disability. You must determine that additional travel expenses are necessary to accommodate the employee's needs.

[FR Doc. 06–3913 Filed 4–25–06; 8:45 am]

BILLING CODE 6820–14–S

## GENERAL SERVICES ADMINISTRATION

## 41 CFR Parts 301–51 and 301–74

**[FTR Amendment 2006–02; FTR Case 2006–302]**

**RIN 3090–AI23**

## Federal Travel Regulation; Conference Planning—Prepayment of Registration Fee

**AGENCY:** Office of Governmentwide Policy, General Services Administration (GSA).

**ACTION:** Final rule.

**SUMMARY:** This final rule amends the Federal Travel Regulation (FTR) by clarifying that advance payment of discounted conference fees may be treated as an allowable travel advance, and by adding a new section to allow for the reimbursement of the prepayment of "early bird" discounted registration fees to attend a conference or training seminar. This clarification is added to allow agencies to take advantage of discounted "early bird" registration discounts, thereby saving Government funds. The FTR and any corresponding documents may be accessed at GSA's website at *http://www.gsa.gov/ftr.*

**EFFECTIVE DATE:** This final rule is effective April 26, 2006.

**FOR FURTHER INFORMATION CONTACT:** The Regulatory Secretariat, Room 4035, GS Building, Washington, DC, 20405, (202) 208–7312, for information pertaining to status or publication schedules. For clarification of content, contact Umeki Thorne, Office of Governmentwide Policy, email *umeki.thorne@gsa.gov* or by telephone at (202) 208–7636. Please cite FTR Amendment 2006–02; FTR case 2006–302.

**SUPPLEMENTARY INFORMATION:**

### A. Background

When planning a conference, it is a general practice to offer discounted "early bird" registration fees, which are available in the months prior to the beginning of the conference. However, many travelers have expressed reluctance over taking advantage of such offers because of the belief that they cannot claim reimbursement until the conference is over, and they file their travel claims. To take advantage of such specials, agencies may authorize travelers to charge such fees to their individually billed Government sponsored travel cards. Accordingly, this final rule clarifies that authorized travelers are allowed to register early and claim reimbursement for the discounted registration fee as soon as their agencies have approved their attendance at the conference. This final rule also addresses the situations when the traveler fails to attend the conference and identifies the circumstances under which the traveler might have to repay the agency for the registration fee.

### B. Executive Order 12886

This is not a significant regulatory action and, therefore, was not subject to review under Section 6(b) of Executive Order 12866, Regulatory Planning and Review, dated September 30, 1993. This final rule is not a major rule under 5 U.S.C. 804.

### C. Regulatory Flexibility Act

This final rule is not required to be published in the **Federal Register** for notice and comment; therefore, the Regulatory Flexibility Act, 5 U.S.C. 601, *et seq.*, does not apply.

### D. Paperwork Reduction Act

The Paperwork Reduction Act does not apply because the changes to the Federal Travel Regulation (FTR) do not impose recordkeeping or information collection requirements, or the collection of information from offerors, contractors, or members of the public which require the approval of the Office of Management and Budget (OMB) under 44 U.S.C. 3501, *et seq.*

### E. Small Business Regulatory Enforcement Fairness Act

This final rule is also exempt from congressional review prescribed under 5 U.S.C. 801 since it relates solely to agency management and personnel.

### List of Subjects in 41 CFR Parts 301–51 and 301–74

Government employees, Travel and transportation expenses.

Dated: March 7, 2006.

**David L. Bibb,**

*Acting Administrator for General Services.*

■ For the reasons set forth in the preamble, under 5 U.S.C. 5701–5709, the General Services Administration (GSA) amends 41 CFR parts 301–51 and 301–74 as set forth below:

## PART 301–51—PAYING TRAVEL EXPENSES

■ 1. The authority citation for 41 CFR part 301–51 is revised to read as follows:

**Authority:** 5 U.S.C. 5707. Subpart A is issued under the authority of Sec. 2, Pub. L. 105—264, 112 Stat. 2350 [5 U.S.C. 5701 note]; 40 U.S.C. 121(c).