

List of Subjects in 40 CFR Part 180

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

Dated: February 27, 1997.

Daniel M. Barolo,  
Director, Office of Pesticide Programs.

Therefore, 40 CFR part 180 is amended as follows:

**PART 180—[AMENDED]**

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

Authority: 21 U.S.C. 346a and 371.

2. By adding § 180.498 to read as follows:

**§ 180.498 Sulfentrazone; tolerances for residues.**

(a) *Tolerance--general.* A tolerance is established for combined residues of the herbicide sulfentrazone N-[2,4-dichloro-5-[4-(difluoromethyl)-4,5-dihydro-3-methyl-5-oxo-1H-1,2,4-triazol-1-yl]phenyl]methanesulfonamide and its major metabolite 3-hydroxymethyl sulfentrazone N-[2,4-dichloro-5-[4-(difluoromethyl)-4,5-dihydro-3-hydroxymethyl-5-oxo-1H-1,2,4-triazol-1-yl]phenyl]methanesulfonamide in or on the following raw agricultural commodity:

Commodity	Parts per million
Soybean, seed .....	0.05

(b) *Tolerances--inadvertent and indirect residues.* Tolerances are established for inadvertent and indirect combined residues of the herbicide sulfentrazone (N-[2,4-dichloro-5-[4-(difluoromethyl)-4,5-dihydro-3-methyl-5-oxo-1H-1,2,4-triazol-1-yl]phenyl]methanesulfonamide) and its metabolites 3-hydroxymethyl sulfentrazone (N-[2,4-dichloro-5-[4-(difluoromethyl)-4,5-dihydro-3-hydroxymethyl-5-oxo-1H-1,2,4-triazol-1-yl]phenyl]methanesulfonamide) and 3-desmethyl sulfentrazone (N-[2,4-dichloro-5-[4-(difluoromethyl)-4,5-dihydro-5-oxo-1H-1,2,4-triazol-1-yl]phenyl]methanesulfonamide) in or on the following raw agricultural commodities when present therein as a result of the application of sulfentrazone to growing crops.

Commodity	Parts per million
Cereal Grains (excluding sweet corn), Bran .....	0.15
Cereal Grains (excluding sweet corn), Forage .....	0.2
Cereal Grains (excluding sweet corn), Grain .....	0.1
Cereal Grains (excluding sweet corn), Hay .....	0.2
Cereal Grains (excluding sweet corn), Hulls .....	0.30
Cereal Grains (excluding sweet corn), Stover .....	0.1
Cereal Grains (excluding sweet corn), Straw .....	0.6

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**GENERAL SERVICES ADMINISTRATION**

**41 CFR Parts 302-1, 302-2, 302-3, 302-7, 302-8, 302-9, and 302-11**

[FTR Amendment 58]

RIN 3090-AG17

**Federal Travel Regulation; Authority for the Administrator of General Services To Issue Regulations; Authority To Waive Limitations on Relocation Allowances When an Employee Is Relocated To or From a Remote or Isolated Location; Technical Correction To Relocation Income Tax (RIT) Allowance**

AGENCY: Office of Governmentwide Policy, GSA.

ACTION: Final rule.

**SUMMARY:** This final rule amends the Federal Travel Regulation (FTR) to reflect the direct authority conferred by statute on the Administrator of General Services to issue regulations implementing subchapter II of chapter 57 of title 5, United States Code, and to authorize agencies to waive certain statutory and regulatory limitations for an employee relocating to or from a remote or isolated location. This amendment also makes a technical correction to the RIT allowance. The amendment implements statutory changes, and is intended to improve the treatment of an employee transferred to a remote or isolated location.

**DATES:** This final rule is effective March 22, 1997.

*Applicability:* This rule applies to an employee whose effective date of transfer (date the employee reports for duty at the new official station) is on or after March 22, 1997.

**FOR FURTHER INFORMATION CONTACT:**

Robert A. Clauson, Travel and Transportation Management Policy Division (MTT), Washington, DC 20405, telephone 202-501-0299.

**SUPPLEMENTARY INFORMATION:** On September 23, 1996, the President signed into law the Federal Employee Travel Reform Act of 1996 (Pub. L. 104-201). Section 1722 of the Act transfers from the President to the Administrator of General Services authority to issue regulations implementing subchapter II of chapter 57 of title 5, United States Code, unless otherwise specified in subchapter II. Previously, the Administrator had exercised implementation authority under E.O. 11609, 36 FR 13747, 3 CFR, 1971-1975 Comp., p. 586; E.O. 12466, 49 FR 7349, 3 CFR, 1984 Comp., p. 165; and E.O. 12522, 50 FR 26337, 3 CFR, 1985 Comp., p. 375. This amendment reflects the statutory change of authority.

Section 1722 of the Act also directs the Administrator to authorize heads of agencies or their designees to waive any limitation in subchapter II of chapter 57 of title 5, United States Code, or in any implementing regulation for an employee relocating to or from a remote or isolated location who otherwise would suffer hardship. This amendment implements the limitation waiver provisions of section 1722 of the Act.

This amendment also makes a technical correction to the RIT allowance. The withholding rate for supplemental wages was raised from 20 percent to 28 percent in 1995. This amendment modifies the withholding tax allowance (WTA) provisions to reflect the 28 percent withholding rate.

The General Services Administration has determined that this rule is not a significant regulatory action for the purposes of Executive Order 12866 of September 30, 1993. This final rule is not required to be published in the Federal Register for notice and comment. Therefore, the Regulatory Flexibility Act does not apply. This rule also is 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 302-1, 302-2, 302-3, 302-7, 302-8, 302-9, and 302-11

Government employees, Income taxes, Relocation allowances and entitlements, Transfers.

For the reasons set out in the preamble, 41 CFR parts 302-1, 302-2, 302-3, 302-7, 302-8, 302-9, and 302-11 are amended to read as follows:

**PART 302-1—APPLICABILITY, GENERAL RULES, AND ELIGIBILITY CONDITIONS**

1. The authority citation for part 302-1 is revised to read as follows:

Authority: 5 U.S.C. 5738; 20 U.S.C. 905(a); E.O. 11609, 36 FR 13474, 3 CFR, 1971-1975 Comp., p. 586.

**Subpart A—New Appointees and Transferred Employees**

2. Section 302-1.15 is added to subpart A to read as follows:

**§ 302-1.15 Waiver of limitations for an employee relocating to or from a remote or isolated location.**

The head of an agency or his/her designee may waive any limitation contained in subchapter II of chapter 57 of title 5, United States Code, or in any regulation (including this chapter) implementing those statutory provisions, for any employee relocating to or from a remote or isolated location when the following conditions are met:

(a) The limitation if not waived would cause the employee to suffer a hardship; and

(b) The head of the agency or his/her designee certifies in writing that the limitation is waived and the reason(s) for the waiver.

**PART 302-2—ALLOWANCES FOR SUBSISTENCE AND TRANSPORTATION**

2. The authority citation for part 302-2 is revised to read as follows:

Authority: 5 U.S.C. 5738; 20 U.S.C. 905(a); E.O. 11609, 36 FR 13474, 3 CFR, 1971-1975 Comp., p. 586.

**PART 302-3—ALLOWANCE FOR MISCELLANEOUS EXPENSES**

3. The authority citation for part 302-3 is revised to read as follows:

Authority: 5 U.S.C. 5738; 20 U.S.C. 905(a); E.O. 11609, 36 FR 13474, 3 CFR, 1971-1975 Comp., p. 586.

**PART 302-7—TRANSPORTATION OF MOBILE HOMES**

4. The authority citation for part 302-7 is revised to read as follows:

Authority: 5 U.S.C. 5738; 20 U.S.C. 905(a); E.O. 11609, 36 FR 13474, 3 CFR, 1971-1975 Comp., p. 586.

**PART 302-8—TRANSPORTATION AND TEMPORARY STORAGE OF HOUSEHOLD GOODS AND PROFESSIONAL BOOKS, PAPERS, AND EQUIPMENT**

5. The authority citation for part 302-8 is revised to read as follows:

Authority: 5 U.S.C. 5738; 20 U.S.C. 905(a); E.O. 11609, 36 FR 13474, 3 CFR, 1971-1975 Comp., p. 586.

**PART 302-9—ALLOWANCES FOR NONTEMPORARY STORAGE OF HOUSEHOLD GOODS**

6. The authority citation for part 302-9 is revised to read as follows:

Authority: 5 U.S.C. 5738; 20 U.S.C. 905(a); E.O. 11609, 36 FR 13474, 3 CFR, 1971-1975 Comp., p. 586.

**PART 302-11—RELOCATION INCOME TAX (RIT) ALLOWANCE**

7. The authority citation for part 302-11 is revised to read as follows:

Authority: 5 U.S.C. 5738; 20 U.S.C. 905(a); E.O. 11609, 36 FR 13474, 3 CFR, 1971-1975 Comp., p. 586.

8. Section 302-11.7 is amended by revising paragraphs (c) and (d) to read as follows:

**§ 302-11.7 Procedures for determining the WTA in Year 1.**

\* \* \* \* \*

(c) *Determination of Federal withholding tax rate (FWTR).* Moving expense reimbursements constitute supplemental wages for Federal income tax purposes. Therefore, an agency must withhold at the withholding rate applicable to supplemental wages. Currently, the supplemental wages withholding rate is 28 percent. The supplemental wages withholding rate should be used in calculating the WTA unless under an agency's withholding procedures a different withholding rate is used pursuant to IRS tax regulations. In such cases, the applicable withholding rate shall be substituted for the supplemental wages withholding rate in the calculation shown in paragraph (d) of this section.

(d) *Calculation of the WTA.* The WTA is calculated by substituting the amounts determined in paragraphs (b) and (c) of this section into the following WTA gross-up formula:

Formula:

$$Y = \frac{X}{1 - X}(N)$$

Where:

Y = WTA

X = FWTR (generally, 28 percent)

N = nondeductible moving expenses/covered taxable reimbursements

Example:

If:

X = 28 percent

N = \$20,000

Then:

$$Y = \frac{.28}{1 - .28}(\$20,000)$$

$$Y = .3889(\$20,000)$$

$$Y = \$7778.00$$

\* \* \* \* \*

Dated: February 18, 1997.

David J. Barram,

*Acting Administrator of General Services.*

[FR Doc. 97-5843 Filed 3-7-97; 8:45 am]

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**DEPARTMENT OF DEFENSE**

**GENERAL SERVICES ADMINISTRATION**

**NATIONAL AERONAUTICS AND SPACE ADMINISTRATION**

**48 CFR Parts 3, 5, 6, 9, 11, 12, 13, 15, 19, 33, 36, 37, 42, and 52**

[FAC 90-45 Correction]

**Federal Acquisition Regulation; Corrections**

**AGENCIES:** Department of Defense (DOD), General Services Administration (GSA), and National Aeronautics and Space Administration (NASA).

**ACTION:** Corrections.

**SUMMARY:** The Civilian Agency Acquisition Council and the Defense Acquisition Regulations Council are issuing corrections to Federal Acquisition Circular 90-45 published at 62 FR 224, January 2, 1997, to correct miscellaneous editorial and technical errors.

**EFFECTIVE DATE:** January 1, 1997, except for the correction to § 33.103, which is effective March 3, 1997.

**FOR FURTHER INFORMATION CONTACT:** Ms. Beverly Fayson at (202) 501-4755, General Services Administration, FAR Secretariat, Washington, DC 20405.

**Corrections**

In the final and interim rule documents appearing in the issue of January 2, 1997:

1. On page 226, third column, third full paragraph, first line, the word "interim" should read "final".

**3.104-3 [Corrected]**

2. On page 228, in the first column, under the definition for *In excess of \$10,000,000*, paragraph (3) is corrected