

62817

OST-94-6187-3

on 11

DEPARTMENT OF TRANSPORTATION

Office of the Secretary

49 CFR Part 1

[OST Docket No. 1; Amdt. 249]

Organization and Delegation of Powers and Duties; Delegations to All Administrators and the Assistant Secretary for Administration

AGENCY: Office of the Secretary, DOT.

ACTION: Final rule.

SUMMARY: This final rule amends the delegations to the Assistant Secretary for Administration and all DOT administrators to waive collection of claims for erroneous payments of pay and allowances by expanding the authority to include waiver of erroneous payments of travel, transportation, and relocation expenses and allowances; and by increasing from **\$500** to **1,500** the amount that may be waived. This rule is necessary to reflect in the Code of Federal Regulations statutory changes to the Secretary's authority,

EFFECTIVE DATE: June 23, 1992.

FOR FURTHER INFORMATION CONTACT:

Joyce B. Johnson, Office of Financial Management, M-83, (202) 366-5631, or Paul B. Larsen, Office of the General Counsel (C-10), (202) 366-0181, Department of Transportation, 400 7th Street, SW., Washington, DC 20590.

SUPPLEMENTARY INFORMATION: Public Law 99-224, enacted December 28, 1985, 89 Stat. 1741, 5 U.S.C. 5584, amended waiver statutes granting agency heads the authority to waive collection of claims for erroneous payments of pay and allowances by extending the waiver authority to include erroneous payment of travel, transportation and relocation expenses end allowances. Section 657 of the National Defense Authorization Act of Fiscal Years 1992 and 1993 (Public Law 102-190, enacted December 5, 1991, 105 Stat. 1290, 1393) further amended the statutes to increase from \$500 to \$1,500 the amount that may be waived. The DOT Organization Manual has been updated to include these statutory changes. The Code of Federal Regulations is being revised to reflect these statutory changes. Since this amendment relates to Departmental management, organization, procedures, and practice, notice and public comment are unnecessary, and it may be made effective in fewer than thirty days after publication in the Federal Register. Therefore, this amendment is effective on the date of its publication.

List of Subjects in 49 CFR Part 1

Authority delegations (Government agencies), Organizations and functions (Government agencies).
 in consideration of the foregoing, part 1 of title 49, Code of Federal Regulations, is amended as follows:

PART 1—(AMENDED)

1. The authority citation for part 1 continues to read as follows:
Authority: 49 U.S.C. 322.

2. Section 1.45 is amended by revising paragraph (a)(8) to read as follows:

§ 1.45 Delegations to all Administrators.

(a) . . .
 (8) Waive claims and make refunds in connection with claims of the United States for erroneous payment of pay and allowances or of travel, transportation, and relocation expenses and allowances in amounts aggregating not more than \$1,500 without regard to any repayments, and deny requests for waiver of such claims regardless of the aggregate amount of the claim, as provided by 4 CFR parts 91, 92, and 93. Redelegation of this authority may be

made only to the level of Regional Director or District Commander.

3. Section 1.59 is amended by revising paragraph (c)(5) to read as follows:

§ 1.59 Delegations to the Assistant Secretary for Administration.

(c) . . .
 (5) Waive claims and make refunds in connection with claims of the United States for erroneous payment of pay and allowances or of travel, transportation, and relocation expenses and allowances to an employee of the Office of the Secretary in amounts aggregating not more than \$1,500 without regard to any repayments, and deny requests for waiver of such claims regardless of the aggregate amount of the claim, as provided by 4 CFR parts 91, 92, and 93. This authority may be redelegated only to the Director of Financial Management.

Issued at Washington, DC this 12th day of June, 1992.

Andrew H. Card, Jr.,
 Secretary of Transportation.
 [FR Doc. 92-14677 Filed 6-22-92; 8:45 am]
 BILLING CODE 4910-02-M

DEPARTMENT OF TRANSPORTATION

Office of the Secretary

49 CFR Part 1

(OST DOCKET NO. 1 ; Amdt.249 }

Organization and Delegation of Powers and Duties

Delegations to All Administrators and
the Assistant Secretary for Administration

AGENCY: Office of the Secretary, DOT.

ACTION: Final rule.

SUMMARY: This final rule amends the delegations to the Assistant Secretary for Administration and all **DOT** administrators to waive collection of claims for erroneous payments of pay and allowances by ~~(a)~~ expanding the authority to include waiver of erroneous payments of travel, transportation, and relocation expenses and allowances; and ^{by} ~~(b)~~ increasing from \$500 to \$1,500 the amount that may be waived. This rule is necessary to reflect in the Code of Federal Regulations statutory changes to the Secretary's authority.

EFFECTIVE DATE: [Insert publication date.]

FOR FURTHER INFORMATION CONTACT: Joyce B. Johnson, Office of Financial Management, M-83, (202) 366-5631, or Paul B. Larsen, Office of the General Counsel (C-10), (202) 366-9161, Department of Transportation, 400 7th Street, SW, Washington, D.C. 20590.

50 FR (2 7 92)

6 2 92

SUPPLEMENTARY INFORMATION: Public Law 99-224, enacted December 28, 1985, 99 Stat. 1741, 5 U.S.C. 5584, amended waiver statutes granting agency heads the authority to waive collection of claims for erroneous payments of pay and allowances by extending the waiver authority to include erroneous payment of travel, transportation and relocation expenses and allowances. Section 657 of the National Defense Authorization Act for Fiscal Years 1992 and 1993 (Public Law 102-190, enacted December 5, 1991, 105 Stat. 1290, 1393) further amended the statutes to increase from \$500 to \$1,500 the amount that may be waived. The DOT Organization **Manual has** been updated to include these statutory changes. The Code **of Federal Regulations is being revised to** reflect these statutory changes. Since this amendment relates to Departmental management, organization, procedures, and practice, notice and public comment are unnecessary, and it may be made effective in fewer than thirty days after publication in the Federal Register. Therefore, this amendment is effective on the date of its publication.

List of Subjects in 49 CFR Part 1.

Authority Delegations (Government agencies), Organization and functions (Government agencies).

In consideration of the foregoing, Part 1 of Title 49, Code of Federal Regulations, is amended as follows:

PART 1 - (AMENDED)

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

Authority: 49 U.S.C. 322.

2. Section 1.45~~(a)~~ is amended by revising paragraph ⁽⁶⁾(8) to read as follows:

§1.45 Delegations to ^{and} All Administrators.

(a) * * * * *

(8) Waive claims and make refunds in connection with claims of the United States for erroneous payment of pay and allowances or of travel, transportation, and relocation expenses and allowances in amounts aggregating not more than \$1,500 without regard to any repayments, and deny requests for waiver of such claims regardless of the aggregate amount of the claim, as provided by 4 CFR Parts 91, 92, and 93. Redelelegation of this authority may be made only to the level of Regional Director or District Commander.

* * * * *

3. Section 1.59~~(a)~~ is amended by revising paragraph (5) to read as follows:

§1.59 Delegations to the Assistant Secretary for Administration.

* * * * *

(5) Waive **claims** and make refunds in **connection** with claims of the United States for erroneous payment of pay and allowances or of travel, transportation, and relocation expenses and allowances to an employee of the Office of the Secretary in amounts aggregating not more than \$1,500 without regard to any repayments, and deny requests for waiver of such claims regardless of the aggregate amount of the claim, as provided by 4 CFR Parts 91, 92, and 93. This authority may be redelegated only to the Director of Financial Management.

* * * * *

Issued at Washington, D.C. this 12th day of June , 1992.


 Andrew H. Card, Jr.
 Secretary of Transportation