

A grantee provides (1) a final report that summarizes the technical project reports, (2) an evaluation report, and (3) a closeout financial report at the end of the grant period project. These final reports are due no later than 90 days after the end of the 12-month performance period. Federal Mine Safety and Health Act of 1977 section 103(h) authorizes this information collection. See 30 U.S.C. 813(h).

This proposed information collection is subject to the PRA. A Federal agency generally cannot conduct or sponsor a collection of information, and the public is generally not required to respond to an information collection, unless it is approved by the OMB under the PRA and displays a currently valid OMB Control Number. In addition, notwithstanding any other provisions of law, no person shall generally be subject to penalty for failing to comply with a collection of information if the collection of information does not display a valid Control Number. See 5 CFR 1320.5(a) and 1320.6. For additional information, see the related notice published in the **Federal Register** on June 12, 2017 (82 FR 26951).

Interested parties are encouraged to send comments to the OMB, Office of Information and Regulatory Affairs at the address shown in the **ADDRESSES** section within thirty (30) days of publication of this notice in the **Federal Register**. In order to help ensure appropriate consideration, comments should mention OMB ICR Reference Number 201711-1219-001. The OMB is particularly interested in comments that:

- Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;
- Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;
- Enhance the quality, utility, and clarity of the information to be collected; and
- Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses.

Agency: DOL-MSHA.

Title of Collection: Mine Safety and Health Administration Grant Performance Reports.

OMB ICR Reference Number: 201711-1219-001.

Affected Public: State, Local, and Tribal Governments.

Total Estimated Number of Respondents: 60.

Total Estimated Number of Responses: 300.

Total Estimated Annual Time Burden: 750 hours.

Total Estimated Annual Other Costs Burden: \$53.

Dated: March 27, 2018.

Michel Smyth,

Departmental Clearance Officer.

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DEPARTMENT OF LABOR

Office of Workers' Compensation Programs

Division of Coal Mine Workers' Compensation; Proposed Collection; Comment Request: Request To Be Selected as Payee (CM-910)

ACTION: Notice.

AGENCY: Division of Coal Mine Workers' Compensation, Office of Workers' Compensation Programs, DOL.

SUMMARY: The Department of Labor, as part of its continuing effort to reduce paperwork and respondent burden, conducts a pre-clearance consultation program to provide the general public and Federal agencies with an opportunity to comment on proposed and/or continuing collections of information in accordance with the Paperwork Reduction Act of 1995 (PRA95). This program helps to ensure that requested data can be provided in the desired format, reporting burden (time and financial resources) is minimized, collection instruments are clearly understood, and the impact of collection requirements on respondents can be properly assessed.

Currently, the Office of Workers' Compensation Programs is soliciting comments concerning the proposed collection: Request to be Selected as Payee (CM-910). A copy of the proposed information collection request can be obtained by contacting the office listed below in the **ADDRESSES** section of this notice.

DATES: Written comments must be submitted to the office listed in the **ADDRESSES** section below on or before April 2, 2018.

ADDRESSES: You may submit comments by mail, delivery service or by hand to Ms. Yoon Ferguson, U.S. Department of Labor, 200 Constitution Ave. NW, Room

S-3323, Washington, DC 20210; by fax to (202) 354-9647; or by Email to ferguson.yoon@dol.gov. Please use only one method of transmission for comments (mail/delivery, fax, or Email). Please note that comments submitted after the comment period will not be considered.

SUPPLEMENTARY INFORMATION:

I. Background: The Black Lung Benefits Act (BLBA), 30 U.S.C. 901 *et seq.*, provides for the payment of benefits to coal miners who are totally disabled due to pneumoconiosis and to certain survivors of the miner. If a beneficiary is incapable of handling his or her affairs, the person or institution responsible for their care is required to apply to receive the benefit payments on the beneficiary's behalf. The CM-910 is the form completed by representative payee applicants. The payee applicant completes the form and either mails it or files it electronically through a web portal for evaluation by the district office that has jurisdiction over the beneficiary's claim file. Regulations 20 CFR 725.505-513 require the collection of this information. This information collection is currently approved for use through June 30, 2018.

II. Review Focus: The Department of Labor is particularly interested in comments which:

- * Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;
- * evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;
- * enhance the quality, utility and clarity of the information to be collected; and
- * minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submissions of responses.

III. Current Actions: The Department of Labor seeks approval for the extension of this currently-approved information collection in order to carry out its responsibility to evaluate an applicant's ability to be a representative payee. If the Program were not able to screen representative payee applicants, the beneficiaries' best interests would not be served.

Agency: Office of Workers' Compensation Programs.

Type of Review: Extension.
Title: Request to be Selected as Payee.
OMB Number: 1240-0010.
Agency Number: CM-910.
Affected Public: Individuals or households; Business or other for profit; Not-for-profit institutions.
Total Respondents: 250.
Total Annual Responses: 250.
Average Time per Response: 15 minutes.
Estimated Total Burden Hours: 63 hours.
Frequency: On occasion.
Total Burden Cost (capital/startup): \$0.

Total Burden Cost (operating/maintenance): \$132.50.

Comments submitted in response to this notice will be summarized and/or included in the request for Office of Management and Budget approval of the information collection request; they will also become a matter of public record.

Dated: March 13, 2018.

Yoon Ferguson,

Agency Clearance Officer, Office of Workers' Compensation Programs, U.S. Department of Labor.

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LEGAL SERVICES CORPORATION

Notice of Revisions to Performance Area Four of LSC's Performance Criteria

AGENCY: Legal Services Corporation.

ACTION: Notice of revisions to guidelines.

SUMMARY: To provide grantees with the most effective guidance, in 2018 the Legal Services Corporation revised Performance Area Four to refine and expand the areas of inquiry to focus on those criteria for which LSC has found the most deficiencies, particularly Criteria 1 (Board Governance), 4 (Financial Administration), and 7 (General Resource Development). The 2018 revisions codify the work of LSC staff with numerous grantees and provide evidence-based guidance to recipients on how to run a high-performing nonprofit organization.

FOR FURTHER INFORMATION CONTACT:

Lynn Jennings, Vice President for Grants Management, Legal Services Corporation, 3333 K Street NW,

Washington, DC 20007, (202) 295-1645, performancearea4@lsc.gov.

SUPPLEMENTARY INFORMATION: LSC's Performance Criteria indicate that legal services programs should be led and managed effectively with high-quality governance, administrative systems, procedures, and policies. Good leadership and strong internal operations increase the likelihood of effective program services for clients.

Over the past several years, LSC has observed some areas of weakness in grantee governance through performance quality visits, compliance reviews, and Office of Inspector General (OIG) visits. The 2018 revisions codify the work of LSC staff with numerous grantees and provide evidence-based guidance to recipients on how to run a high-performing nonprofit organization.

Since 2010, LSC's Office of Program Performance has conducted 133 Program Quality Visits of 124 grantees. LSC issued 1,901 Tier One¹ recommendations across the reports summarizing those visits. Of the 1,901 Tier One recommendations, 695 recommendations—36.5%, the most of any performance area—pertained to Performance Area 4. From 2011 to 2016, LSC's Office of Compliance and Enforcement conducted 111 Compliance Reviews of 106 grantees. LSC issued more than 1,200 Required Corrective Actions (RCAs) related to both regulatory and fiscal issues. Approximately 25% of the RCAs identified deficiencies in the grantees' financial administration. Additionally, OIG conducted 41 A-50 reviews between June 2012 and September 2017. As a result of those reviews, the OIG made 160 referrals to OCE. The referrals covered issues related to timekeeping,

deficiencies in policies and procedures, cost allocation, and internal controls.

This is the background against which LSC evaluated the existing criteria for Performance Area 4. The statistics above gave LSC valuable information about which areas of grantee administration, leadership, and governance needed more rigorous evaluation.

These Performance Criteria are guidelines for ensuring high program quality. They are not requirements. They reflect best practices to which programs should aspire and which they should, to the extent possible and consistent with program resources, attempt to achieve. These revisions do not reflect a change in the purposes of the Performance Criteria stated in the Introduction to the 2007 revised version. The purposes of the Performance Criteria are twofold. First, the Performance Criteria "guide LSC's assessments of program performance generally and in the competitive grants process." Second, the Performance Criteria serve as a "useful framework for internal program self-evaluations, planning, and program development, as well as external peer reviews and expert assessments by other funding sources."

LSC will begin using the revised Performance Area 4 on June 1, 2018. LSC management recognizes that it may take time, guidance, and experience for all grantees to adjust to the revisions. LSC will, therefore, provide training and forums to discuss the implementation of the changes. When conducting program assessments, LSC staff will take the scope of the revisions and each program's capacity into consideration when making recommendations.

As the table below indicates, LSC reorganized the order of the Performance Criteria. The current Criterion 3—Overall Management and Administration—includes a limited review of a grantee's technology infrastructure and administration. To more accurately reflect the role technology plays in the daily operations of an organization and in providing efficient and effective client services, LSC proposed creating a separate, new technology criterion, Criterion 3: Technology Infrastructure and Administration. The criterion for Overall Administration and Management would now be Criterion 6, with Internal Communication being folded into the proposed Criterion 6.

¹ According to LSC's Office of Program Performance Procedure Manual:

- Tier One Recommendations are those recommendations that are determined to be significant and will be included in the next Request for Proposal to the grantee.

- Tier One Recommendations are those that *if addressed*, have the potential for significantly improving program quality and/or program performance within the short term, *i.e.*, two years.

A Tier One Recommendation must:

- be stated in simple straightforward terms such that there is no doubt by the program that a response is required; and
- have an objective, the value of which equals or outweighs any additional burden that the recommendation imposes on the program (does not apply to statutory or regulatory requirements).