

Potential Costs and Benefits

We have reviewed the proposed priorities in accordance with Executive Order 12866 and do not believe that these priorities would generate a considerable increase in burden. We believe any additional costs imposed by the proposed priorities would be negligible, primarily because they would create new opportunities to prioritize applicants that may have submitted applications regardless of these changes, changes that do not impose additional burden. Moreover, we believe any costs will be significantly outweighed by the potential benefits of making funding opportunities available that leverage maximum flexibility under ESEA and allow for State and local innovation. In addition, generally, participation in a discretionary grant program is entirely voluntary; as a result, these proposed priorities would not impose any particular burden except when an entity voluntarily elects to apply for a grant.

Proposed Priority 1 would give the Department the opportunity to prioritize an applicant to the CGSA program that already has approval for IADA. We believe that this proposed priority could result in changes in the behavior of CGSA applicants. First, while SEAs with IADA approval could previously apply for CGSA (and one of the two SEAs then approved for IADA did apply for CGSA in 2019), we believe that SEAs that have IADA flexibility would be more likely to apply for CGSA if the Department includes Proposed Priority 1 since use of the priority would demonstrate particular Department interest in such projects. Second, we believe that the proposed priority would shift at least some of the Department's grants and prioritize a portion of CGSA funds for those SEAs with IADA approval. However, because this proposed priority would be used in concert with another priority or priorities such that all SEAs could apply for and receive CGSA funds, it would neither expand nor restrict the universe of eligible entities for any Department grant program. Since application submission and participation in our discretionary grant programs is voluntary, we do not think that it would be appropriate to characterize any increased participation in our grant competitions or differences in which entities receive awards as costs associated with this priority.

Proposed Priority 2, which would give the Department the opportunity to prioritize an applicant to the CGSA program that plans to apply for IADA flexibility, would similarly not create

costs or benefits, but may have the result of shifting at least some of the Department's grants among eligible entities. We believe that this proposed priority could result in changes in the behavior of applicants. First, while SEAs that may seek future IADA approval could previously have applied for CGSA in 2019, we believe that SEAs that are interested in IADA flexibility would be more likely to apply for CGSA under Proposed Priority 2 since use of the priority would demonstrate particular Department interest in such projects. Second, we believe that the proposed priority could shift at least some of the Department's grants among eligible entities. However, as with Proposed Priority 1, because this proposed priority would be used in concert with another priority or priorities such that all SEAs could apply for and receive CGSA funds, it would neither expand nor restrict the universe of eligible entities for any Department grant program. Again, since application submission and participation in our discretionary grant programs is voluntary, we do not think that it would be appropriate to characterize any increased participation or differences in which entities receive awards as costs associated with this priority.

Both Proposed Priority 1 and Proposed Priority 2 may result in benefits in the form of increased innovation in State assessment.

Regulatory Flexibility Act Certification

The Secretary certifies that this proposed regulatory action would not have a significant economic impact on a substantial number of small entities. The U.S. Small Business Administration Size Standards define proprietary institutions as small businesses if they are independently owned and operated, are not dominant in their field of operation, and have total annual revenue below \$7,000,000. Nonprofit institutions are defined as small entities if they are independently owned and operated and not dominant in their field of operation. Public institutions are defined as small organizations if they are operated by a government overseeing a population below 50,000.

Of the impacts we estimate accruing to grantees or eligible entities, all are voluntary and related mostly to an increase in the available support for meeting existing obligations to provide statewide student assessment. Therefore, we do not believe that the proposed priorities would significantly impact small entities beyond the potential for receiving additional support from their SEA should the SEA

receive a competitive grant from the Department.

Paperwork Reduction Act

The proposed priorities contain information collection requirements approved under OMB 1894-0006.

Intergovernmental Review: This program is subject to Executive Order 12372 and the regulations in 34 CFR part 79. One of the objectives of the Executive order is to foster an intergovernmental partnership and a strengthened federalism. The Executive order relies on processes developed by State and local governments for coordination and review of proposed Federal financial assistance.

This document provides early notification of our specific plans and actions for this program.

Accessible Format: Individuals with disabilities can obtain this document in an accessible format (e.g., Braille, large print, audiotape, or compact disc) on request to the program contact person listed under **FOR FURTHER INFORMATION CONTACT**.

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Dated: December 31, 2019.

Frank T. Brogan,

Assistant Secretary for Elementary and Secondary Education.

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POSTAL SERVICE

39 CFR Part 111

Seamless Changes for Detached Mail Unit (DMU) and Full-Service Mailings

AGENCY: Postal Service™.

ACTION: Proposed rule.

SUMMARY: The Postal Service is proposing to revise *Mailing Standards of the United States Postal Service*, Domestic Mail Manual (DMM®) to require Detached Mail Unit (DMU) mailers and mailers that enter full-service mailings at a Business Mail Entry Unit (BMEU) to participate in Seamless Parallel by March 1, 2020 and enroll in the Seamless Acceptance Program by February 1, 2021 at all DMU sites. All full-service mailings entered at a BMEU would then be verified using automated sampling and verification processes by July 1, 2021.

DATES: Submit comments on or before February 7, 2020.

ADDRESSES: Mail or deliver written comments to the Manager, Product Classification, U.S. Postal Service, 475 L'Enfant Plaza SW, Room 4446, Washington, DC 20260–5015. If sending comments by email, include the name and address of the commenter and send to ProductClassification@usps.gov, with a subject line of “Seamless Changes for Detached Mail Unit and Full-Service Mailings”. Faxed comments are not accepted.

All submitted comments and attachments are part of the public record and subject to disclosure. Do not enclose any material in your comments that you consider to be confidential or inappropriate for public disclosure.

You may inspect and photocopy all written comments, by appointment only, at USPS® Headquarters Library, 475 L'Enfant Plaza SW, 11th Floor North, Washington, DC 20260. These records are available for review on Monday through Friday, 9 a.m.–4 p.m., by calling 202–268–2906.

FOR FURTHER INFORMATION CONTACT: Lance Bell at (407) 782–2972, or Jacqueline Erwin at (202) 268–2158.

SUPPLEMENTARY INFORMATION: Seamless Acceptance leverages electronic documentation (eDoc) and the Intelligent Mail barcodes (IMbs) on containers, handling units, and mailpieces required under full-service. Mailpiece scans collected from mail processing equipment (MPE) and samples from hand-held scanning devices are reconciled to the mailer eDoc to confirm proper mail preparation for the discounts claimed and postage paid. This capability avoids the need for verification of mail at acceptance.

For purposes of clarification, the Postal Service provides the following definitions of key terms/concepts used in this document:

Terms

90 Percent Full-Service Volume: eDoc submitter must apply a unique

Intelligent Mail barcode (IMb) to each postcard, letter, and flat, tray or sacks, and placards for containers when required, for 90 percent of all mailing volume submitted.

Auto-finalization: Postage statements are finalized by the *PostalOne!* system on the mailing date indicated within the eDoc. At this time, permit balance checks are performed. Beginning January 26, 2020, Seamless Acceptance mailings will auto-finalize without presort fees being paid.

Census Verification: The comparison of eDoc to MPE scans for a mailing. Census verifications validate that the delivery point and nesting/sortation information reflected in the eDoc aligns with the information captured by MPE. Census verifications also check for undocumented mailpieces within a mailing.

Electronic Induction (eInduction): An electronic alternative to the manual preparation and submission of PS Forms 8125, 8125–C, 8125–CD, and 8017. Additional information, including verification and associated assessments, is provided in Publication 685, *Publication for Streamlined Mail Acceptance for Letters and Flats*, at: <https://postalpro.usps.com/StreamlinedMailAcceptLettersFlatsPub685>.

Sampling Verification: Hand-held scanners are used to collect mailing characteristics that are not collected during automated mail processing. These characteristics include the following information about the payment method, piece weight, mailpiece content, nonprofit eligibility, mail class, and processing category of the mailing. The information collected in the sample is used later in the process to check the mail preparation quality. A complete sample includes one container, three handling units from that container, and 30 mailpieces from the container (10 mailpieces are selected from each handling unit).

Seamless Mailing: Any mailing submitted by an eDoc submitter whose Customer Registration ID (CRID) is enrolled in Seamless Acceptance.

Seamless Parallel: A pre-requisite for Seamless Acceptance participation. During Seamless Parallel, there are no changes to the mailer's current acceptance and verification procedures. Mailings continue to be accepted without interruption (except in cases of manual verification failures). At the same time, Seamless monitoring, sampling, and reporting features are activated to evaluate mail quality. Mailers can utilize the Mailer Scorecard to monitor and improve mail quality, business processes, and software prior to enrollment in Seamless Acceptance.

Mailers need to work with their local BMEU, Business Acceptance Performance Specialist (BAPS), or Major Mailer Support Analyst (MMSA) to resolve any Seamless mail quality and electronic documentation (eDoc) submission errors prior to enrolling in Seamless Acceptance.

Undocumented Mailpiece: Any mailpiece scanned by MPE that is not associated with a valid eDoc submission over the past 45 days.

Proposal

The Postal Service proposes to require:

1. Participation in Seamless Acceptance for all mailers with an authorized Detached Mail Unit (DMU) by February 1, 2021.

- Mailers with an authorized DMU consistently submitting at least 90 percent full-service eligible volume for First-Class Mail, Periodicals, USPS Marketing Mail letters and flats, and Bound Printed Matter (BPM) barcoded flats will have their mailings verified under the Seamless Acceptance Program on February 1, 2021.

2. Performance of Seamless Acceptance verifications on all BMEU entered mailings that claim the full-service discount by July 1, 2021.

- While BMEU mailers will not be required to enroll in Seamless Acceptance, all full-service mailings will be verified using the automated verification processes utilized by the Seamless Acceptance program. Current manual verification processes will be retired for full-service mailings of First-Class Mail, Periodicals, USPS Marketing Mail letters and flats, and BPM barcoded flats and replaced with the automated processes beginning July 1, 2021.

DMU and BMEU mailers will be required to:

- Meet all content and price eligibility standards for the price claimed.

- Participate in eInduction for DMU-verified origin entry and destination entry drop-shipments (would be applicable to DMUs only).

- Participate in Seamless Parallel by March 1, 2020.

Any DMU mailer that anticipates they will be unable to comply with Seamless Acceptance requirements by February 1, 2021 must request an extension by November 1, 2020. Extension requests must be sent to the Mail Entry and Payment Technology (MEPT) mailbox at HQMailEntry@usps.gov, certifying the date that compliance with Seamless Acceptance requirements will be achieved.

Beginning July 1, 2021, manual verifications will be retired for all BMEU-entered full-service mailings. The Postal Service will begin utilizing automated census and sampling verifications for all mailings claiming the full-service discount. Postage assessments will be based on the data received through census and sampling verifications for each calendar month. Verification results will be documented on the Mailer Scorecard for each mailer Customer Registration ID (CRID). Non-full-service mailings will continue to be accepted and will be verified using traditional manual verifications.

Information regarding verification and associated assessments for the eInduction and Seamless Acceptance Programs, is available in Publication 685, *Publication for Streamlined Mail Acceptance for Letters and Flats*, available at: <https://postalpro.usps.com/StreamlinedMailAcceptLettersFlatsPub685>.

Benefits of Seamless Acceptance include:

- Longer mail production cycle
- Mailer control over postage statement finalization date
- Mailer control over mail release timing
- Elimination of the need for postal employees to release containers in the Drop Shipment Management Systems (DSMS)
- Seamless Acceptance and eInduction eliminates the need for PS Forms 8125–C, 8125–CD (Plant-Verified Drop Shipment (PVDS) Consolidated Verification and Clearance), PS Form 8125 (Plant-Verified Drop Shipment (PVDS) Verification and Clearance), and PS Form 8017 (Expedited Plant-Load Shipment Clearance)
 - Note: Participation in eInduction is required for mailers participating in the Seamless Acceptance program
- Elimination of Special Postage Payment System (SPPS) Authorizations
 - Elimination of hard copy/electronic itemized or batched manifests for letter and flats
- Seamless Mailers no longer have to use Manifest key-lines when using the traditional ACS product
- Standardization of acceptance and electronic verification procedures
- Elimination of all manual verifications for Seamless mailings
- Improved mail quality feedback
- Trend-based verifications measuring mail quality across a calendar month

Although exempt from the notice and comment requirements of the

Administrative Procedure Act (5 U.S.C. 553(b), (c)) regarding proposed rulemaking by 39 U.S.C. 410(a), the Postal Service invites public comments on the following proposed revisions to *Mailing Standards of the United States Postal Service*, Domestic Mail Manual (DMM), incorporated by reference in the Code of Federal Regulations. See 39 CFR 111.1.

We will publish an appropriate amendment to 39 CFR part 111 to reflect these changes if our proposal is adopted.

List of Subjects in 39 CFR Part 111

Administrative practice and procedure, Postal Service.

Accordingly, 39 CFR part 111 is proposed to be amended as follows:

PART 111—[AMENDED]

- 1. The authority citation for 39 CFR part 111 continues to read as follows:

Authority: 5 U.S.C. 552(a); 13 U.S.C. 301–307; 18 U.S.C. 1692–1737; 39 U.S.C. 101, 401, 403, 404, 414, 416, 3001–3011, 3201–3219, 3403–3406, 3621, 3622, 3626, 3632, 3633, and 5001.

- 2. Revise the following sections of *Mailing Standards of the United States Postal Service*, Domestic Mail Manual (DMM), as follows:

Mailing Standards of the United States Postal Service, Domestic Mail Manual (DMM)

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700 Special Standards

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705 Advanced Preparation and Special Postage Payment Systems

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22.0 Seamless Acceptance Program

22.1 Description

[Revise the first and add new second sentence of 22.1; to read as follows:]

Seamless Acceptance leverages electronic documentation (eDoc) and Intelligent Mail barcodes (IMBs) on containers, handling units and mailpieces that full-service provides. Mailpiece scans collected from USPS mail processing equipment (MPE) and samples from hand held scanning devices are reconciled to the mailer eDoc to confirm proper mail preparation for the discounts claimed and postage paid. Seamless Acceptance is available for First-Class Mail cards, letters, and flats, Periodicals, USPS Marketing Mail letters and flats, and Bound Printed Matter flats.* * *

[Revise the title of 22.2; to read as follows:]

22.2 Seamless Participation

[Revise the text of 22.2 to read as follows:]

Mailers may initiate participation in the Seamless Acceptance Program by contacting a local BMEU or the *PostalOne!* Helpdesk at 1–800–522–9085.

* * * * *

[Revise the title of subsection 22.3.1; to read as follows:]

22.3.1 Seamless Parallel Program

[Revise the text of subsection 22.3.1; to read as follows:]

Detached Mail Unit (DMU) mailers and mailers that enter full-service mailings at a Business Mail Entry Unit (BMEU) must participate in the Seamless Parallel Program. Additional information on the Seamless Parallel Program is available in Publication 685, *Publication for Streamlined Mail Acceptance for Letters and Flats*, available at: <https://postalpro.usps.com/StreamlinedMailAcceptLettersFlatsPub685>.

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23.0 Full-Service Automation Option

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23.3 Fees

23.3.1 Eligibility for Exception to Payment of Annual Fees and Waiver of Deposit of Permit Imprint Mail Restrictions

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c. * * * (i.e., the percentage of all the permit holder's full-service eligible pieces that were actually mailed as full-service items) to fall:

[Revise the text of item 23.3.1c1; to read as follows:]

1. The annual mailing fee will be due and the mailing verification date will become the renewal or anniversary date of the permit fees. The full-service percentage will automatically set to 0 percent on each subsequent anniversary date. The first mailing presented after the anniversary date begins the cumulative process for the full-service percentage calculation. If the first mailing presented after the anniversary date is below 90 percent, the annual fee will need to be paid prior to the mail being finalized. Once the annual fees are paid, the next validation date will be the next anniversary date.

[Remove subsection 23.3.1c2; in its entirety:]

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We will publish an appropriate amendment to 39 CFR part 111 to reflect these changes.

Joshua J. Hofer,

Attorney, Federal Compliance.

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CORPORATION FOR NATIONAL AND COMMUNITY SERVICE

45 CFR Parts 2522 and 2540

RIN 3045–AA69

National Service Criminal History Check

AGENCY: Corporation for National and Community Service.

ACTION: Proposed rule with request for comments.

SUMMARY: The Corporation for National and Community Service (CNCS) proposes changes to existing National Service Criminal History Check (NSCHC) regulations under the National and Community Service Act of 1990, as amended. These amendments will simplify the NSCHC requirements.

DATES: Comments must reach CNCS on or before March 9, 2020.

ADDRESSES: You may submit comments, identified by the title of the information collection activity, by any of the following methods:

(1) Electronically through www.regulations.gov.

(2) By mail sent to: Corporation for National and Community Service; Attention Amy Borgstrom; 250 E Street SW, Washington, DC 20525.

(3) By hand delivery or by courier to the CNCS mailroom at the address above between 9:00 a.m. and 4:00 p.m. Eastern Time, Monday through Friday, except federal holidays.

Comments submitted in response to this Notice will be made available to the public through www.regulations.gov. For this reason, please do not include in your comments information of a confidential nature, such as sensitive personal information or proprietary information. If you send an email comment, your email address will be automatically captured and included as part of the comment that is placed in the public docket and made available on the internet. Please note that responses to this public comment request containing any routine notice about the confidentiality of the communication will be treated as public comments that may be made available to the public notwithstanding the inclusion of the routine notice.

FOR FURTHER INFORMATION CONTACT:

Amy Borgstrom at the Corporation for National and Community Service, 250 E Street SW, Washington, DC 20525, aborgstrom@cns.gov, phone 202–422–2781.

SUPPLEMENTARY INFORMATION:

I. Background

CNCS proposes updating its current National Service Criminal History Check (NSCHC) regulations. CNCS first established its NSCHC regulation in 2007. In 2009, Congress codified NSCHC requirements in Section 189D of the National and Community Service Act of 1990 (NCSA), as amended by the Serve America Act. CNCS issued regulations in 2009 and 2012 implementing the Serve America Act NSCHC provisions.

Grant recipient and subrecipient compliance with the NSCHC requirements has been an ongoing challenge. Successful implementation of the NSCHC process by grant recipients has been frustrated, in part, by access to state sources of criminal history record information, requirements of state law, and restrictions on sharing information. As such, Congressional hearings and CNCS Office of the Inspector General (OIG) reports have highlighted grantee noncompliance with this important statutory requirement.

Improving CNCS core functions—including eliminating barriers to compliance—is a primary goal of the CNCS Transformation and Sustainability Plan. In pursuit of that goal, CNCS has approved vendors for grant recipients to use to obtain the required NSCHC components. Since November 2018, CNCS grant recipients and subrecipients have had the ability to establish accounts and obtain the required National Sex Offender Public website (NSOPW), state, and FBI components of the NSCHC, through the approved vendors. Additionally, to help ensure grantee compliance with NSCHC requirements, CNCS made grant funds available for the purpose of rechecking individuals who needed to have an NSCHC conducted. And for those grant recipients who took the opportunity to ensure compliance by rechecking individuals in covered positions, CNCS announced that it would not, except in limited circumstances, take enforcement action for past noncompliance. As of September 25, 2019, 1,942 accounts were established with the new vendor resulting in 93,993 checks.

CNCS grant recipients must ensure that they identify individuals who need an NSCHC and ensure that it is done on time. The NSCHC must be conducted as

a matter of law, and as a condition of receiving grant funds for individuals in covered positions working or serving under: Operational grants provided by AmeriCorps State and National, Foster Grandparent Program Grants, Retired Senior Volunteer Program Grants, Senior Companion Program Grants, Senior Corps Demonstration Program Grants that receive funding from CNCS, Martin Luther King, Jr. Day of Service Grants, September 11th Day of Service Grants, Social Innovation Fund Grants, Volunteer Generation Fund Grants, AmeriCorps VISTA Program Grants, or AmeriCorps VISTA Support Grants. Section 189D of the NCSA and these regulations do not apply to AmeriCorps NCCC and or AmeriCorps VISTA members, who serve in Federally-operated programs that have separate criminal history check requirements. For the purpose of NSCHC, individuals in covered positions are: The staff working under these grants, AmeriCorps State and National members, Foster Grandparents, and Senior Companion Volunteers.

II. Scope of Proposed Rule

In addition to the steps already taken to ensure that grantees have a clear path to obtaining the required NSCHC components, CNCS proposes this revision to its regulations. The intent of this revision is to recognize the impact of the availability of vendors and to reduce the complexity of the requirements. The proposed rule requires that grant recipients establish accounts, and conduct checks, through the CNCS-approved vendors. By establishing one path for obtaining compliant checks, CNCS will simplify the process and make use of technological innovations that will help CNCS and its grantees monitor and improve NSCHC compliance. A preliminary analysis of the agency's FY 2019 IPERIA test transactions shows that use of the vendor by CNCS grantees resolved the NSCHC component of the improper payment transactions in 88% of the transactions for which the NSCHC component rendered the payment improper.

Further, the proposed rule eliminates a distinction between the checks required for those serving vulnerable populations and those not serving vulnerable populations. All individuals in covered positions will require an NSCHC comprised of NSOPW, state, and FBI criminal history components available through the CNCS-approved vendors. In addition, the proposed rule requires that the NSCHC be completed before an individual works or serves in a covered position—including any