

also be viewed online through the Federal Docket Management System (FDMS) at <http://www.regulations.gov>.

**FOR FURTHER INFORMATION CONTACT:** Michael Shores, Director, Office of Regulation Policy and Management, Office of the Secretary, Department of Veterans Affairs, 810 Vermont Avenue NW, Washington DC, 20420; (202) 461-4921.

**SUPPLEMENTARY INFORMATION:** Section 1710 of title 38 United States Code (U.S.C.) requires VA to “furnish hospital care and medical services which the Secretary determines to be needed” for eligible veterans. In 1999, VA promulgated 38 CFR 17.38, establishing the Department’s medical benefits package for veterans enrolled in VA’s health care system. 64 FR 54207 (Oct. 6, 1999). The regulation describes the types of medical care and services available for such veterans. Care referred to in the medical benefits package is provided to individuals only if it is determined by appropriate healthcare professionals that the care is needed to promote, preserve, or restore the health of the individual and is in accord with generally accepted standards of medical practice. 38 CFR 17.38(b). Paragraph (c) of that section provides a list of medical services the medical benefits package does not include. Paragraph (c)(4) explicitly excludes “gender alterations” from the medical benefits package.

On May 9, 2016, VA received a Petition for Rulemaking petitioning VA to amend its medical regulations by removing the exclusion of “gender alterations” from its medical benefits package. The petition asks VA to remove 38 CFR 17.38(c)(4), allowing VA to provide gender alteration surgeries.

As part of its ongoing consideration of the petition, VA now seeks public comment on the petition and on whether “gender alterations” should be included in the medical benefits package. On February 22, 2018, the Department of Defense issued a report that considered the efficacy of gender alteration surgery as treatment for gender dysphoria. That report noted considerable scientific uncertainty and overall lack of high quality scientific evidence demonstrating the extent to which transition-related treatments such as sex reassignment surgery remedy the multifaceted mental health problems associated with gender dysphoria.

Commenters are specifically invited to address the following questions:

What evidence is available about the safety and effectiveness of gender alterations for the treatment of gender

dysphoria and how reliable is that evidence?

Given the challenge of the high rates of Veteran suicide, what does the evidence, including peer-reviewed evidence, suggest about the impact of gender alterations on the rates of suicide and suicide ideation among those suffering from gender dysphoria?

Given that any addition to the medical benefits package will have an associated cost and burden on existing specialists, especially urological and vascular surgeons and other highly trained specialists who are already in short supply nationwide, what is the potential impact of adding “gender alterations” on Veterans’ access to care, particularly for Veterans facing life-threatening medical conditions waiting to see surgical specialists?

We are providing a 60-day period from the date of publication of this **Federal Register** Notice for the public to submit comments on this subject. VA will consider the comments received, and then determine whether to propose a regulatory change in response to the Petition for Rulemaking. VA will announce any action it takes in the **Federal Register**.

#### Signing Authority

The Secretary of Veterans Affairs, or designee, approved this document and authorized the undersigned to sign and submit the document to the Office of the Federal Register for publication electronically as an official document of the Department of Veterans Affairs. Jacquelyn Hayes-Byrd, Acting Chief of Staff, Department of Veterans Affairs, approved this document on June 19, 2018, for publication.

#### Michael Shores,

*Director, Office of Regulation Policy & Management, Office of the Secretary, Department of Veterans Affairs.*

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## POSTAL SERVICE

### 39 CFR Part 111

#### New Mailing Standards for Mailpieces Containing Liquids

**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) section 601.3.4 to provide for more rigorous packaging requirements for mailpieces containing liquids.

**DATES:** Submit comments on or before August 8, 2018.

**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](mailto:ProductClassification@usps.gov) with a subject line of “New Standards for Liquids”. Faxed comments are not accepted. 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 Monday through Friday, 9 a.m.–4 p.m., by calling 202-268-2906.

**FOR FURTHER INFORMATION CONTACT:** Direct questions to Wm. Kevin Gunther at [wkgunther@uspis.gov](mailto:wkgunther@uspis.gov) or phone at (202) 268-7208, or Michelle Lassiter at [michelle.d.lassiter@usps.gov](mailto:michelle.d.lassiter@usps.gov) or phone at (202) 268-2914.

**SUPPLEMENTARY INFORMATION:** The Postal Service and United States Postal Inspection Service (USPIS) have observed an increased frequency of incidents involving containers of liquids rupturing while in Postal Service networks. A typical result of these incidents is damage to surrounding mailpieces and to Postal Service equipment.

When responding to incidents involving liquid spills, Postal Service employees frequently note that mailpieces containing liquids are often not marked on the outer mailing container as required by DMM 601.3.4. Many of these leaking mailpieces contain plastic primary receptacles. Mailers often do not consider plastic primary receptacles to be breakable, and therefore do not cushion these primary receptacles with absorbent material or include secondary containers, as specified by DMM 601.3.4.

The Postal Service and USPIS have also observed that spills of non-hazardous materials in relatively small quantities can result in damage to surrounding mailpieces and cause temporary equipment shutdowns. This is especially true with viscous or oily substances, such as oils and lotions. These materials are often mailed by First-Class Package Service®. When ruptured, they will frequently leak onto other lightweight mailpieces containing photographs and documents.

This proposed revision would require mailers of all liquids in nonmetal containers, regardless of volume, to provide triple packaging, including

absorbent cushioning materials, sealed secondary packaging, and a strong outer mailing container. The Postal Service is also adding language to encourage the use of locking rings when mailing metal containers with friction-top closures (push-down tops).

The Postal Service believes these new mailing standards will prevent spills in general and reduce the frequency of incidents in which ruptured containers of liquid cause significant damage to surrounding mailpieces. The Postal Service anticipates that this proposed revision will result in decreased cost and time related to spill response, mail decontamination, site cleanup, and provide for an improved customer experience.

If this proposed rule is adopted, the Postal Service will revise and align the language referencing the packaging of nonhazardous liquids located in DMM 601.3.4 and add clarifying language regarding the use of orientation arrows. The Postal Service will also publish an appropriate amendment to 39 CFR part 111 to reflect these changes. Finally, if the proposed rule is adopted, the Postal Service will also make corresponding revisions to Publication 52, *Hazardous, Restricted, and Perishable Mail*, section 451 to align both publications with regard to the packaging of liquids in its networks.

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).

**List of Subjects in 39 CFR Part 111**

Administrative practice and procedure, Incorporation by reference, Postal Service.

Accordingly, for the reasons stated in the preamble, the Postal Service proposes that 39 CFR parts 111 and 113 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)**

\* \* \* \* \*

**600 Basic Standards for All Mailing Services**

**601 Mailability**

\* \* \* \* \*

**3.0 Packaging**

\* \* \* \* \*

**3.4 Liquids**

*[Revise the introductory paragraph of 3.4 to read as follows:]*

Mailers must mark the outer container of a mailpiece containing liquid to indicate the nature of the contents, and include orientation arrows in accordance with Publication 52, section 226. Mailers must package and mail liquids under the following conditions:

*[Revise 601.3.4a to read as follows:]*

a. Use screw-on caps with a minimum of one and one-half turns, soldering, clips, or similar means to close primary containers containing liquids. Do not use containers with friction-top closures (push-down tops) except as provided in 3.4d.

*[Re-number the current 601.3.4b through 601.3.4d as the new 601.3.4c through 601.3.4e and add a new 601.3.4b to read as follows:]*

b. The use of locking rings or similar devices is encouraged when mailing containers with friction-top closures (push-down tops).

\* \* \* \* \*

*[Revise renumbered 601.3.4d to read as follows:]*

d. All nonmetal containers of liquids, including plastic containers, and metal containers with friction top closures, without regard to volume, must be triple-packaged according to the following requirements:

1. Cushion the primary container(s) with absorbent material capable of absorbing all of the liquid in the container(s) in case of breakage;

2. Place the primary container inside another sealed, leakproof container (secondary container), such as a watertight can or plastic bag; and

3. Use a strong and securely sealed outer mailing container durable enough to protect the contents and durable

enough to withstand normal processing in Postal Service networks.

\* \* \* \* \*

**Ruth Stevenson,**  
*Attorney, Federal Compliance.*

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**BILLING CODE 7710–12–P**

**POSTAL REGULATORY COMMISSION**

**39 CFR Part 3050**

[Docket No. RM2018–9; Order No. 4692]

**Periodic Reporting**

**AGENCY:** Postal Regulatory Commission.

**ACTION:** Notice of proposed rulemaking.

**SUMMARY:** The Commission is acknowledging a recent filing requesting the Commission initiate an informal rulemaking proceeding to consider changes to an analytical method for use in periodic reporting (Proposal Six). This document informs the public of the filing, invites public comment, and takes other administrative steps.

**DATES:** *Comments are due:* August 15, 2018.

**ADDRESSES:** Submit comments electronically via the Commission’s Filing Online system at <http://www.prc.gov>. Those who cannot submit comments electronically should contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section by telephone for advice on filing alternatives.

**FOR FURTHER INFORMATION CONTACT:** David A. Trissell, General Counsel, at 202–789–6820.

**SUPPLEMENTARY INFORMATION:**

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**I. Introduction**

On June 26, 2018, the Postal Service filed a petition pursuant to 39 CFR 3050.11, requesting that the Commission initiate a rulemaking proceeding to consider changes to analytical principles relating to periodic reports.<sup>1</sup> The Petition identifies the

<sup>1</sup> Petition of the United States Postal Service for the Initiation of a Proceeding to Consider Proposed Changes in Analytical Principles (Proposal Six), June 26, 2018 (Petition). The Postal Service filed a non-public library reference with Proposal Six. Library Reference USPS–RM2018–9/NP1, Nonpublic Material Relating to Proposal Six, June 26, 2018; Notice of Filing of USPS–RM2018–9/NP1 and Application for Nonpublic Treatment, June 26, 2018.