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## POSTAL SERVICE

### 39 CFR Part 111

#### Delivery Confirmation and Signature Confirmation Services With First-Class Mail Parcels and Package Services Parcels

AGENCY: Postal Service.

ACTION: Final rule.

**SUMMARY:** In this final rule, the Postal Service adopts revisions to the *Domestic Mail Manual* (DMM) that clarify when it is permissible to use Delivery Confirmation service or Signature Confirmation service with mailpieces claimed at First-Class Mail or Package Services rates. In particular, this final rule specifies that, for First-Class Mail and Package Services mailpieces, Delivery Confirmation service or Signature Confirmation service may be used only with parcels and not with letter-size mail or flat-size mail as defined by the Postal Service.

**EFFECTIVE DATE:** July 10, 2003.

**FOR FURTHER INFORMATION CONTACT:** Neil Berger at (703) 292-3645, Mailing Standards, United States Postal Service.

**SUPPLEMENTARY INFORMATION:** In a proposed rule published on April 15, 2003, in the **Federal Register** (68 FR 18174-18176), the Postal Service put forward for public comment revised language to the DMM that would clarify the mailing standards governing the use of Delivery Confirmation service or Signature Confirmation service with First-Class Mail parcel-shaped mailpieces and Package Services parcel-shaped mailpieces. For this clarification, the general term "box," as used in part of the original language of those mailing standards to identify "parcel-shaped" mail, is to be replaced with the specific dimensional definitions of a parcel currently used in DMM C050 for machinable parcels, irregular parcels, and outside parcels.

The term "box" was initially adopted when classification changes extended the use of Delivery Confirmation service and Signature Confirmation service to First-Class Mail parcels only and confined the use of those two special services to Package Services parcels only. Those classification changes took effect on June 30, 2002, as announced

on April 16, 2002, in the **Federal Register** (67 FR 18684-18771).

The term "box" had been carefully selected for the classification changes for two important reasons. First, the term offered a functional and convenient description of a parcel that could be easily understood by the general mailing public, parcel and merchandise shippers, and Postal Service employees at retail units and business mail entry units. Second, the term permitted a wide range of First-Class Mail and Package Services mailpieces—including pieces measuring  $\frac{3}{4}$  inch thick or less—to qualify as "parcel-shaped" mail if prepared in boxes. This second reason was also important because most mailpieces measuring  $\frac{1}{4}$  inch thick or less are generally categorized as letter-size mail ("letters"), and most mailpieces measuring between  $\frac{1}{4}$  and  $\frac{3}{4}$  inch thick are generally categorized as flat-size mail ("flats") under DMM C050.

The original mailing standards underlying the term "box," which this final rule now effectively revises, were first presented in sections C100.5.0 and C700.1.0h of Issue 57 of the DMM, dated June 30, 2002. Those original mailing standards permitted the use of either special service with a First-Class Mail mailpiece or a Package Services mailpiece only if the piece met the following conditions:

- a. Has an address side with enough surface area to fit the delivery address, return address, postage, markings and endorsements, and special service label; and
- b. Is in a box or, if not in a box, is more than  $\frac{3}{4}$  inch thick at its thickest point.

In the case of First-Class Mail parcels and Package Services parcels, these standards reflected both a customer need and an operational requirement to maintain high rates of successful scanning of Delivery Confirmation barcodes and Signature Confirmation barcodes by segregating the pieces. With these barcodes from letter-size and flat-size mailpieces.

Nevertheless, the use of the term "box" to define a parcel has continued to create uncertainty among customers and Postal Service employees in determining whether specific mailing containers qualify as "boxes" and whether specific mailpieces qualify as "parcel-shaped" mail. This uncertainty comes into play especially for mailpieces prepared in lightly constructed or flimsy containers. These pieces can easily flatten or compress during transportation and mail processing into flat-size pieces or, on occasion for smaller containers, even

into letter-size pieces. Flattened or compressed pieces, even if originally prepared as parcels, no longer meet the intent or the function of parcels. As a consequence, they are not handled in the parcel mailstream. Instead, these pieces are generally processed as flats and, as a result, invariably fail to receive a Delivery Confirmation or Signature Confirmation scan.

One way to remove the uncertainty about the term "box" would be to define a parcel as any mailpiece that is neither letter-size nor flat-size. This approach at first seems relatively straightforward in resolving the uncertainty surrounding the term "box," by providing a practical definition that can be reasonably and uniformly applied as a mailing requirement. Even with a specification such as "any mailpiece thicker than  $\frac{3}{4}$  inch is not letter-size or flat-size," customers and employees would encounter two new and unforeseen issues:

- Merchandise items sent as First-Class Mail or Package Services pieces that are thinner than  $\frac{3}{4}$  inch thick—such as compact discs, coins in flat plastic display cases, and some children's picture books—would not be eligible for the use of Delivery Confirmation service or Signature Confirmation service because their dimensions of length, height, and, most notably, thickness would generally fall within the dimensional definition of letter-size or flat-size mail.
- Any qualifying mailpiece that passed the thickness requirement (that is, the piece measured more than  $\frac{3}{4}$  inch thick) but was not uniformly thick might also be ineligible for the use of either special service if part of the mailpiece could, in some cases, fall within the dimensional requirements for either flat-size mail or letter-size mail.

To overcome these two issues and to ensure that customers and parcel shippers can benefit from the use of Delivery Confirmation service or Signature Confirmation service in such cases, the Postal Service is adopting the current three parcel definitions in DMM C050 for a machinable parcel, an irregular parcel, and an outside parcel for the purposes of defining First-Class Mail parcels and Package Services parcels eligible for the use of Delivery Confirmation service or Signature Confirmation service.

The Postal Service has also added a clarification to the descriptions of Delivery Confirmation service and Signature Confirmation service with information that states that some statutes and regulations governing the mailing of documents with legal significance may require the use of