

TABLE 1.—ESTIMATED THREE-YEAR REFUGEE/ENTRANT/ASYLEE/PAROLEE POPULATIONS OF STATES PARTICIPATING IN THE REFUGEE PROGRAM AND FINAL SOCIAL SERVICE FORMULA AMOUNT AND ALLOCATION FOR FY 2001—Continued

State	Refugees ¹	Entrants	Havana parolees ²	Total population	Final formula amount	Final allocation	Final set-aside (\$10.5 million)	Asylees ³	Asylee set-aside (\$10 million)	Total final allocation
Tennessee	3,226	7	118	3,351	815,872	815,872	119,723	263	71,173	1,006,768
Texas	13,282	831	459	14,572	3,547,861	3,547,861	520,620	798	215,956	4,284,437
Utah	3,433	0	2	3,435	836,323	836,323	122,724	48	12,990	972,037
Vermont	981	0	0	981	238,845	238,845	35,049	9	2,436	276,330
Virginia	4,867	111	72	5,050	1,229,529	1,229,529	180,423	1,330	359,926	1,769,878
Washington	15,760	0	36	15,796	3,845,869	3,845,869	564,350	387	104,730	4,514,949
West Virginia	20	0	0	20	4,869	75,000	715	4	1,082	76,797
Wisconsin	1,667	2	4	1,673	407,327	407,327	59,772	119	32,204	499,303
Wyoming ⁴										
Total	235,315	18,757	39,820	293,892	71,554,211	71,927,850	10,500,000	36,952	10,000,000	92,427,850

¹ Includes: refugees and Amerasian immigrants from Vietnam adjusted for secondary migration.
² For FY 1999 and FY 2000, Havana Parolee arrivals for all States are based on actual data. For FY 1998, Florida's HP's based on actual data, while Havana Parolees in other States are prorated according to the State's proportion of the three-year entrant population.
³ Includes individuals granted asylum in FY 2000 by the INS asylum corps (22,787), the immigration judges of the Executive Office of Immigration Review (12,763), and the Bureau of Immigration Appeals (1,402). These numbers were not used for the social services allocation. See narrative for their use in the set-aside.
⁴ Alaska and Wyoming no longer participate in the Refugee Program.
⁵ The allocation for Idaho is expected to be awarded to the State replacement designee.
⁶ The allocations for South Dakota, Kentucky, and Nevada are expected to be awarded to Wilson/Fish projects.

VI. Paperwork Reduction Act

This notice does not create any reporting or recordkeeping requirements requiring OMB clearance.

(Catalog of Federal Domestic Assistance No. 93.566 Refugee Assistance—State Administered Programs)

Dated: June 26, 2001.

Carmel Clay-Thompson,

Acting Director, Office of Refugee Resettlement

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DEPARTMENT OF HEALTH AND HUMAN SERVICES

Substance Abuse and Mental Health Services Administration

Agency Information Collection Activities: Submission for OMB Review; Comment Request

Periodically, the Substance Abuse and Mental Health Services Administration (SAMHSA) will publish a list of information collection requests under OMB review, in compliance with the Paperwork Reduction Act (44 U.S.C. Chapter 35). To request a copy of these documents, call the SAMHSA Reports Clearance Officer on (301) 443-7978.

The Status of PASRR and Mental Health Services for Persons in Nursing Facilities: Case Studies of Four States—New—SAMHSA's Center for Mental Health Services is sponsoring an assessment of the effectiveness of the Preadmission Screening and Resident

Review (PASRR) program, which is a required component of every State's Medicaid plan. Data will be collected from administrators and staff in 24 nursing facilities in four states (six facilities per state). In addition, data will be collected from a total of 100 residents of nursing facilities in two of the states. Data collection for this project will be conducted over a 4-month period.

Nursing facility variables of interest include the following: availability of mental health services; change in condition procedures; alternative placement procedures; and experience with PASRR.

Variables of interest for the nursing facility residents include: mental health symptomatology, functioning, and mental health service access. Data will be entered and managed electronically. The total estimated respondent burden is summarized in the table below.

Respondent	Number of respondents	Responses/respondents	Average burden/response (hrs.)	Total burden (hrs.)
Nursing Facility Administrators	24	1	1.0	24
Nursing Facility Staff	48	1	1.0	48
Nursing Facility Residents	100	1	.5	50
Total	172	122

Written comments and recommendations concerning the proposed information collection should be sent within 30 days of this notice to: Lauren Wittenberg, Human Resources and Housing Branch, Office of Management and Budget, New Executive Office Building, Room 10235, Washington, DC 20503.

Dated: June 28, 2001.

Richard Kopanda,

Executive Officer, SAMHSA.

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DEPARTMENT OF HEALTH AND HUMAN SERVICES

Substance Abuse and Mental Health Service Administration

Community Mental Health Services and Substance Abuse Prevention and Treatment Block Grant Maintenance of Effort Requirements: Exclusion From Future Year Calculations

In keeping with SAMHSA's delegation of authority from the Secretary for Health and Human Services (HHS) and in compliance with section 1915(b)(2) and section 1930(b) of the Public Health Service (PHS) Act as amended by Public Law 106-310, the Substance Abuse and Mental Health Services Administration is issuing the following guidance that will be used in determining whether to approve an exclusion from aggregate expenditures by the State used in the calculation of maintenance of effort requirements under both the Community Mental Health Services (CMHS) Block Grant program and the Substance Abuse Prevention and Treatment (SAPT) Block Grant program.

Summary: Under the CMHS Block Grant program, States are required as a condition of receipt of funds to maintain State expenditures for community based mental health services for adults with serious mental illness and children with serious emotional disturbance at a level that was equal to the average expenditures for such purposes over the previous two years. Under the SAPT Block Grant program, the States are required to maintain State expenditures for the single State agency responsible for substance abuse services at a level that is equal to the average expenditures for such purposes over the previous two years. Under both block grants, the States are required to materially comply with the maintenance of effort requirements.

Public Law 106-310 added sections 1915(b)(2) and 1930(b) to the PHS Act

which explicitly authorize the Secretary, as a matter within his discretion, to exclude from the calculation of the maintenance of effort "funds appropriated to the principal agency for authorized activities which are of a non-recurring nature and for a specific purpose." This exclusion from the maintenance of effort will, among other things, offer States some latitude to try new programs without having to commit themselves to outyear expenditures.

This notice provides guidance to States eligible to request such an exclusion from the maintenance of effort requirements. The State must request the exclusion separate from the yearly application that it submits for funding under both programs and the request must be signed by the State's Chief Executive Officer or by an individual authorized on behalf of the Chief Executive Officer. The State must also submit documentation sufficient to support its request for an exclusion under section 1915(b)(2) or section 1930(b). The documentation must support its position that the funds were appropriated by the State legislature for authorized activities that are of a non-recurring nature and for a specific purpose, indicate the length of time the project is expected to last in years and months, and affirm that these expenditures would be in addition to funds otherwise needed to meet the State's maintenance of effort requirement for the year that it is applying for exclusion. With regard to the last point, if the State is otherwise required to expend \$1,000,000 to satisfy its maintenance of effort requirement, an expenditure of \$100,000 eligible for exclusion under this new authority must be expended in addition to the \$1,000,000. It simply will not be used to calculate future maintenance of effort requirements.

With respect to documentation to support the State's position that the funds were appropriated for authorized activities that are of a non-recurring nature and for a specific purpose, the governor's budget justification would be sufficient unless the appropriation for the principal agency responsible for community based mental health services or substance abuse services is below the budget request, in which case the State should show that the legislature intended to provide funding for the activity at issue. If the State legislature explicitly rejected that activity of the governor's budget, it may not be claimed as an eligible exclusion as funds have not been appropriated for the specific purpose in question.

The length of time of the activity may be for more than one year. The longer the length of the activity, however, the more difficult it will be to determine that the expenditure is non-recurring.

In addition, a State may apply for more than one exclusion in any one year or apply for additional exclusions in other years while other excluded activities are ongoing.

In summary, in order for SAMHSA to approve a request from a State to have excluded from the aggregate State expenditures funds appropriated by the State legislature to the principal agency for authorized activities which are of a non-recurring nature and for a specific purpose, the following is necessary:

1. The State shall request the exclusion separately from the application;
2. The request shall be signed by the State's Chief Executive Officer or by an individual authorized to apply for the SAPT or CMHS Block Grant on behalf of the Chief Executive Officer. SAMHSA will consider such requests for funds appropriated after the date of enactment of Public Law 106-310, October 17, 2000, in the first year for which additional funds are being added to the budget for such activities;
3. The State shall provide documentation that supports its position that the funds were appropriated by the State legislature for authorized activities which are of a non-recurring nature and for a specific purpose, indicates the length of time the project is expected to last in years and months, and affirms that these expenditures would be in addition to funds needed to otherwise meet the State's maintenance of effort requirement for the year for which it is applying for exclusion; and
4. The Administrator of SAMHSA agrees that the criteria for exclusion have been met.

Nothing in this guidance limits a State from requesting more than one exclusion in any one year. If during a particular year the State wishes to submit more than one project for exclusion, it should do so in a single request.

Dated: June 28, 2001.

Richard Kopanda,

Executive Officer, SAMHSA.

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