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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 summary 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 (240) 276-1243.

Project: Protection and Advocacy for Individuals With Mental Illness (PAIMI) Annual Program Performance Report (OMB No. 0930-0169)—Extension

The Protection and Advocacy for Individuals with Mental Illness (PAIMI) Act at 42 U.S.C. 10801 et seq., authorized funds to the same protection and advocacy (P&A) systems created under the Developmental Disabilities Assistance and Bill of Rights Act of 1975, known as the DD Act (as amended in 2000, 42 U.S.C. 15001 et seq.). The DD Act supports the Protection and Advocacy for Developmental Disabilities (PADD) Program administered by the Administration on Intellectual and Developmental Disabilities (AIDD) within the Administration on Community Living. AIDD is the lead federal P&A agency. The PAIMI Program supports the same

governor-designated P&A systems established under the DD Act by providing legal-based individual and systemic advocacy services to individuals with significant (severe) mental illness (adults) and significant (severe) emotional impairment (children/youth) who are at risk for abuse, neglect and other rights violations while residing in a care or treatment facility.

In 2000, the PAIMI Act amendments created a 57th P&A system—the American Indian Consortium (the Navajo and Hopi Tribes in the Four Corners region of the Southwest). The Act, at 42 U.S.C. 10804(d), states that a P&A system may use its allotment to provide representation to individuals with mental illness, as defined by section 42 U.S.C. 10802 (4)(B)(iii) residing in the community, including their own home, only, if the total allotment under this title for any fiscal year is \$30 million or more, and in such cases an eligible P&A system must give priority to representing PAIMI-eligible individuals, as defined by 42 U.S.C. 10802(4)(A) and (B)(i).

The Children’s Health Act of 2000 (CHA) also referenced the state P&A system authority to obtain information on incidents of seclusion, restraint and related deaths [see, CHA, Part H at 42 U.S.C. 290ii-1]. PAIMI Program formula grants awarded by SAMHSA go directly to each of the 57 governor-designated P&A systems. These systems are located in each of the 50 states, the District of Columbia, the American Indian Consortium, American Samoa, Guam, the Commonwealth of the Northern Mariana Islands, the Commonwealth of Puerto Rico, and the U.S. Virgin Islands.

The PAIMI Act at 42 U.S.C. 10805(7) requires that each P&A system prepare and transmit to the Secretary HHS and to the head of its State mental health agency a report on January 1. This report describes the activities, accomplishments, and expenditures of

the system during the most recently completed fiscal year, including a section prepared by the advisory council (the PAIMI Advisory Council or PAC) that describes the activities of the council and its independent assessment of the operations of the system.

The Substance Abuse Mental Health Services Administration (SAMHSA) proposes no revisions to its annual PAIMI Program Performance Report (PPR), including the advisory council section, at this time for the following reasons: (1) AIDD is currently piloting a PADD PPR. The results of the pilot will not be available until October 2014 (FY 2015). (2) when the AIDD/ACL PPR is final, SAMHSA will revise its PPR, as appropriate, for consistency with the annual reporting requirements under the PAIMI Act and Rules [42 CFR Part 51]; (3) SAMHSA will develop a mechanism to facilitate electronic submission of the annual PAIMI PPR and ACR as recommended in the *Evaluation of the Protection and Advocacy for Individuals with Mental Illness (PAIMI) Program, Phase III. Evaluation Report al Report* (SAMHSA (2011). *Evaluation of the Protection and Advocacy for Individuals With Mental Illness (PAIMI) Program, Phase III. Final Report*. HHS Pub. No. PEP12-EVALPAIMI. Rockville, MD: CMHS, SAMHSA). (4) GPRA requirements for the PAIMI Program will be revised as appropriate to ensure that SAMHSA obtains information that closely measures actual outcomes of programs that it funds and (5) SAMHSA will reduce wherever feasible the current reporting burden by removing any information that does not facilitate evaluation of the programmatic and fiscal effectiveness of a state P&A system. The current report formats will be effective for the FY 2014 PPR reports due on January 1, 2015.

The annual burden estimate is as follows:

	Number of respondents	Number of responses per respondent	Hours per response	Total hour burden
Program Performance Report	57	1	26	1,482
Advisory Council Report	57	1	10	570
Total	57	2,052

Written comments and recommendations concerning the proposed information collection should be sent by July 7, 2014 to the SAMHSA Desk Officer at the Office of Information

and Regulatory Affairs, Office of Management and Budget (OMB). To ensure timely receipt of comments, and to avoid potential delays in OMB’s receipt and processing of mail sent

through the U.S. Postal Service, commenters are encouraged to submit their comments to OMB via email to: *OIRA_Submission@omb.eop.gov*. Although commenters are encouraged to

send their comments via email, commenters may also fax their comments to: 202-395-7285. Commenters may also mail them to: Office of Management and Budget, Office of Information and Regulatory Affairs, New Executive Office Building, Room 10102, Washington, DC 20503.

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DEPARTMENT OF HOMELAND SECURITY

[Docket Number DHS-2013-0052]

National Environmental Policy Act Implementing Procedures

AGENCY: Department of Homeland Security.

ACTION: Notice of Proposed Revisions to National Environmental Policy Act implementing procedures and request for comments.

SUMMARY: The purpose of this notice is to provide an opportunity for public comment on the Department of Homeland Security (DHS or Department) draft Directive 023-01, Rev. 01 and draft Instruction Manual 023-01-001-01, Rev. 01, Implementation of the National Environmental Policy Act (herein after referred to as Directive and Instruction). Together, the Directive and Instruction serve as the Department's procedures for implementing the National Environmental Policy Act of 1969 (NEPA) (42 U.S.C. 4321 et seq.), as amended, and the Council on Environmental Quality (CEQ) regulations for implementing the procedural provisions of NEPA (40 CFR Parts 1500-1508). Pursuant to the CEQ regulations, DHS is soliciting comments on its proposed internal Directive and Instruction from members of the interested public.

DATES: Comments and related material must be received on or before (or, if mailed, postmarked on or before) August 4, 2014 to ensure consideration. Late comments may be considered to the extent practicable.

ADDRESSES: Relevant documents are posted at <http://www.regulations.gov> (Docket ID: DHS-2013-0052) and www.dhs.gov/nepa. These documents include: this notice, the proposed Directive and Instruction, and a synopsis of the Department's administrative record for several proposed new NEPA categorical exclusions (CATEXs).

You may submit comments, identified by "DHS NEPA Procedures," by one of the following methods:

(1) *Federal eRulemaking Portal:* <http://www.regulations.gov>. Follow the online instructions for submitting comments electronically via docket number DHS-2013-0052.

(2) *Mail:* Sustainability and Environmental Programs, Office of the Chief Readiness Support Officer, Management Directorate, Department of Homeland Security, 245 Murray Lane SW., Mail Stop 0075, Washington, DC 20528-0075.

(3) *Email:* SEP-EPHP@hq.dhs.gov. In choosing among these means of providing comments, please give due regard to the security screening difficulties and delays associated with delivery of mail to federal agencies in Washington, DC, through the U.S. Postal Service.

All comments received, including any personal information provided, will become a part of the public record for the Department's NEPA procedures and may be posted without change on the internet at <http://www.regulations.gov> and <http://www.dhs.gov/nepa>.

FOR FURTHER INFORMATION CONTACT: Laura Shick, Environmental Protection Specialist, Department of Homeland Security, 202-603-3517, or laura.shick@hq.dhs.gov.

SUPPLEMENTARY INFORMATION: The Department of Homeland Security (DHS or Department) encourages interested persons to submit written data, views, or comments. Persons submitting comments should include their name, address, and other appropriate contact information. You may submit your comments and material by one of the means listed under **ADDRESSES**. If you submit them by mail or hand delivery, submit them in an unbound format, no larger than 8½ by 11 inches, suitable for copying and electronic filing. If you submit them by mail and would like to know that they were received, please enclose a stamped, self-addressed postcard or envelope. DHS will consider all comments received during the comment period.

The Directive and Instruction establish the policy and procedures DHS follows to comply with NEPA (42 U.S.C. 4321 et seq.) and the CEQ regulations (40 CFR Parts 1500-1508). Together, the Directive and Instruction apply to all of DHS, which is currently comprised of over 20 support and operational components, and help ensure the integration of environmental stewardship into DHS decision making as required by NEPA. The Directive and Instruction serve as the DHS

implementing procedures for NEPA and the CEQ regulations (as required by 40 CFR 1505.1 and 1507.3) and therefore must be read in conjunction with the CEQ regulations.

The Directive and Instruction have been substantially revised to address a number of circumstances and requirements that have arisen since April 19, 2006, the effective date of the original DHS procedures (**Federal Register**, Vol. 71, No. 64, April 4, 2006). Revision of the Directive and Instruction, including additions to the Department's list of NEPA categorical exclusions (CATEXs), was a collaborative effort on the part of numerous DHS environmental and legal professionals from across the Department. These professionals are NEPA practitioners and environmental protection specialists with numerous years of federal NEPA experience, including experience in implementing the 2006 DHS NEPA procedures or Component-specific procedures, and legal practitioners with advanced education and experience advising federal agency project and program managers on NEPA compliance. The DHS Components and offices whose staff contributed to the update of the Directive and Instruction include:

- Sustainability and Environmental Programs (SEP), Office of the Chief Readiness Support Officer, Under Secretary for Management, DHS HQ
- Office of the General Counsel, DHS HQ
- Federal Emergency Management Agency (FEMA)
- United States Coast Guard (USCG)
- Customs and Border Protection (CBP)
 - Transportation Security Administration (TSA)
 - Immigration and Customs Enforcement (ICE)
 - Federal Law Enforcement Training Center (FLETC)
 - United States Secret Service (USSS)
 - Science and Technology Directorate (S&T)
 - National Protection and Programs Directorate (NPPD)
 - United States Citizenship and Immigration Services (USCIS)

When originally published in 2006, the Directive and Instruction did not apply to the Components of FEMA, CBP, or USCG; these three Components each maintained their own procedures for implementing NEPA when the Department was established in 2002. This proposed revision to the Directive and Instruction incorporates FEMA, CBP, and USCG into the Department's NEPA procedures and addresses the full scope of DHS activities to which NEPA