

Send comments to Janet Heekin, SAMHSA Reports Clearance Officer, Room 15E21-B, 5600 Fishers Lane, Rockville, MD 20850 OR email her a copy at [janet.heekin@samhsa.hhs.gov](mailto:janet.heekin@samhsa.hhs.gov). Written comments should be received within 60 days of this notice.

Dated: June 6, 2019.

**Carlos Castillo,**

*Committee Management Officer.*

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## DEPARTMENT OF HEALTH AND HUMAN SERVICES

### Substance Abuse and Mental Health Services Administration

#### Agency Information Collection Activities: Proposed Collection; Comment Request

In compliance with Section 3506(c)(2)(A) of the Paperwork Reduction Act of 1995 concerning opportunity for public comment on proposed collections of information, the Substance Abuse and Mental Health Services Administration (SAMHSA) will publish periodic summaries of proposed projects. To request more information on the proposed projects or to obtain a copy of the information collection plans, call the SAMHSA Reports Clearance Officer on (240) 276-1112.

*Comments are invited on:* (a) Whether the proposed collections of information are necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden of the proposed collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology.

#### Proposed Project: Protection and Advocacy for Individuals With Mental Illness (PAIMI) Final Rule, 42 CFR Part 51 (OMB No. 0930-0172)—Extension

These regulations meet the directive under 42 U.S.C. 10826(b) requiring the Secretary to promulgate final regulations to carry out the PAIMI Act (42 U.S.C. 10801 *et seq.*). The regulations contain information collection requirements associated with the rule. The Act authorizes funds to support activities on behalf of individuals with significant (severe)

mental illness (adults) or significant (severe) emotional impairment (children/youth) as defined by the Act at 42 U.S.C. 10802(4) and 10804(d). Only entities designated by the governor of each State, including the American Samoa, Guam, Commonwealth of the Northern Mariana Islands, Commonwealth of Puerto Rico, U.S. Virgin Islands, District of Columbia (Mayor), and the tribal councils of the American Indian Consortium (the Hopi Tribe and the Navajo Nation located in the Four Corners region of the Southwest), to protect and advocate the rights of persons with developmental disabilities are eligible to receive PAIMI Program grants [ibid at 42 U.S.C. at 10802(2)]. These grants are based on a formula prescribed by the Secretary [ibid at 42 U.S.C. at 10822(a)(1)(A)].

On January 1, each eligible state protection and advocacy (P&A) system is required to prepare an annual PAIMI Program Performance Report (PPR). Each annual PPR describes a P&A system's activities, accomplishments and expenditures to protect the rights of individuals with mental illness supported with payments from PAIMI program allotments during the most recently completed fiscal year. Each P&A system transmit a copy of its annual report to the Secretary (via SAMHSA) and to the State Mental Health Agency where the system is located per the PAIMI Act at 42 U.S.C. 10824(a). Each annual PPR must provide the Secretary with the following information:

- The number of (PAIMI-eligible) individuals with mental illness served;
- A description of the types of activities undertaken;
- A description of the types of facilities providing care or treatment to which such activities are undertaken;
- A description of the manner in which the activities are initiated;
- A description of the accomplishments resulting from such activities;
- A description of systems to protect and advocate the rights of individuals with mental illness supported with payments from PAIMI program allotments;
- A description of activities conducted by states to protect and advocate such rights;
- A description of mechanisms established by residential facilities for individuals with mental illness to protect such rights;
- A description of the coordination among such systems, activities, and mechanisms;
- Specification of the number of public and nonprofit P&A systems

established with PAIMI program allotments; and

- Recommendations for activities and services to improve the protection and advocacy of the rights of individuals with mental illness and a description of the need for such activities and services that were not met by the state P&A systems established under the PAIMI Act due to resource or annual program priority limitations.

Each PAIMI grantee's annual PPR must include a separate section, prepared by its PAIMI Advisory Council (PAC), that describes the council's activities and its assessment of the state P&A system's operations per the PAIMI Act at 42 U.S.C. 10805(7).

In 2017, SAMHSA included the annual PAIMI PPR in the Web-based Block Grant Application System (WebBGAS). WebBGAS, SAMHSA's electronic data system, is used to collect grantee information for the following reasons:

(1) To meet the OMB requirements for data collection for mandatory (formula) grant programs;

(2) To comply with the annual program reporting requirements of the PAIMI Act, 42 U.S.C. 10801 *et seq.* and the PAIMI Rules 42 CFR part 51;

(3) To simplify the submission of PAIMI Program data by the state P&A systems;

(4) To meet the Government Performance and Results Act (GPRA) requirements;

(5) To comply with the Government Accountability Office (GAO) evaluation recommendations that SAMHSA obtain information that closely measures the actual outcomes of the programs it funds;

(6) To reduce the grantee data collection burden by removing information that did not facilitate evaluation of a PAIMI grantee's programmatic and financial management systems;

(7) To provide immediate access to the PAIMI program data used to prepare a section of the Secretary's biennial report to the President, Congress, and National Council on Disability in accordance with the *Developmental Disabilities Assistance Act of 2000* at 42 U.S.C. 15005. Reports of the Secretary;

(8) To improve SAMHSA's ability to create reports, analyze trends, and provide timely feedback to the P&A grantees when PPR revisions are needed.

On July 17, 2017, OMB approved SAMHSA's PPR and Advisory Council Report (Control No. 0930-0169, Expiration Date July 31, 2020). The burden estimate for the annual state

P&A system reporting requirements for these regulations is as follows:

42 CFR citation	Number of respondents	Responses per respondent	Burden/response (hrs.)	Total hour burden
51.8(a)(2) Program Performance Report (1) .....	.....	.....	.....	.....
51.8(b)(8) Advisory Council Report* .....	.....	.....	.....	.....
51.10 Remedial Actions: Corrective Action Plans & Implementation Status Reports .....	5	2	8	80
.....	5	3	2	30
51.23(c) Reports, materials and fiscal data provided to the Advisory Council .....	57	1	1	57
51.25(b)(3) Grievance Procedure .....	57	1	0.5	28.5
51.43 Written denial of access by P&A system** .....	.....	.....	.....	.....
<b>Total</b> .....	<b>57</b>	<b>.....</b>	<b>11.5</b>	<b>195.5</b>

**Note:** Burden for the annual application [42 CFR 51.5 (b–d)] is approved at a standard level per application under OMB control number 0920–0428.

\* Responses and burden hours associated with these reports are approved under OMB No. 0930–0169.

\*\* There is no burden estimate associated with this program provision. State P&A systems report that when a facility denies a P&A system access to the facility, a client, or records, the P&A attempts to resolve the dispute through negotiation, conciliation, mediation, and other non-adversarial techniques. Only after exhausting the non-legal remedies provided under state and federal laws will a P&A system file a formal complaint in the appropriate federal district court. See also, the PAIMI Act at 42 U.S.C. 10807(a)—Legal Actions and the PAIMI Final Rule at 42 CFR 51.32—Resolving Disputes.

Send comments to Janet Heekin, SAMHSA Reports Clearance Officer, 5600 Fishers Lane, Room 15E21–B, Rockville, MD 20857 OR email her a copy at [janet.heekin@samhsa.hhs.gov](mailto:janet.heekin@samhsa.hhs.gov). Written comments should be received by August 12, 2019.

Dated: June 6, 2019.

**Carlos Castillo,**

*Committee Management Officer.*

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**DEPARTMENT OF HOMELAND SECURITY**

**Coast Guard**

[Docket No. USCG–2019–0423]

**Certificate of Alternative Compliance for the Towing Vessel CAPE HATTERAS**

**AGENCY:** Coast Guard, DHS.

**ACTION:** Notification of issuance of a certificate of alternative compliance.

**SUMMARY:** The Coast Guard announces that the Fifth District, Chief of Prevention Division has issued a certificate of alternative compliance from the International Regulations for Preventing Collisions at Sea, 1972 (72 COLREGS), for the towing vessel CAPE HATTERAS, Official Number (O.N.) 1293071, Master Boat Builders Hull Number 460. We are issuing this notice because its publication is required by statute. Due to its construction, purpose and service, the towing vessel CAPE HATTERAS cannot fully comply with

the light, shape, or sound signal provisions of the 72 COLREGS without interfering with the vessel’s design and construction. This notification of issuance of a certificate of alternative compliance promotes the Coast Guard’s marine safety mission.

**DATES:** The Certificate of Alternative Compliance was issued on June 5, 2019.

**FOR FURTHER INFORMATION CONTACT:** For information or questions about this notice call or email LCDR Ronaydee M. Marquez, District Five, Asst. Chief, Inspections and Investigations, U.S. Coast Guard; telephone: 757–398–6682, email: [Ronaydee.M.Marquez@uscg.mil](mailto:Ronaydee.M.Marquez@uscg.mil).

**SUPPLEMENTARY INFORMATION:** The United States is signatory to the International Maritime Organization’s International Regulations for Preventing Collisions at Sea, 1972 (72 COLREGS), as amended. The special construction or purpose of some vessels makes them unable to comply with the light, shape, or sound signal provisions of the 72 COLREGS. Under statutory law, however, specified 72 COLREGS provisions are not applicable to a vessel of special construction or purpose if the Coast Guard determines that the vessel cannot comply fully with those requirements without interfering with the special function of the vessel.<sup>1</sup>

The owner, builder, operator, or agent of a special construction or purpose vessel may apply to the Coast Guard District Office in which the vessel is being built or operated for a determination that compliance with

alternative requirements is justified,<sup>2</sup> and the Chief of the Prevention Division would then issue the applicant a certificate of alternative compliance (COAC) if he or she determines that the vessel cannot comply fully with 72 COLREGS light, shape, and sound signal provisions without interference with the vessel’s special function.<sup>3</sup> If the Coast Guard issues a COAC, it must publish notice of this action in the **Federal Register**.<sup>4</sup> Because CAPE HATTERAS operates out of Wilmington, Delaware, within Coast Guard Fifth District, this office is authorized to issue the COAC.

The Fifth District, Chief of Prevention Division, U.S. Coast Guard, certifies that the CAPE HATTERAS, O.N. 1293071 is a vessel of special construction or purpose, and that, with respect to the position of the sidelights, it is not possible to comply fully with the requirements of the provisions enumerated in the 72 COLREGS, without interfering with the normal operation, or design of the vessel. The vessel is a dual-mode Articulated Tug (ATB), which intends to operate as an ATB as well as multiple other modes such as towing alongside, harbor ship/ barge assist tug and towing on a towline. Placing the sidelights at or near the side of the vessel would interfere with the vessel’s purpose and operations, and would place the sidelights at risk of damage during the course of normal operations. The sidelights will be

<sup>2</sup> 33 CFR 81.5.

<sup>3</sup> 33 CFR 81.9.

<sup>4</sup> 33 U.S.C. 1605(c) and 33 CFR 81.18.

<sup>1</sup> 33 U.S.C. 1605.