

provided, including, but not limited to, consultation (which may include consultation carried out by the IRB itself) with representatives of the communities from which the subjects will be drawn;

(iv) The research could not practicably be carried out without the waiver; and

(v) Whenever appropriate, the subjects will be provided with additional pertinent information after participation.

### Background

The NIH, through its National Institute of Neurological Disorders and Stroke, has funded a research project entitled, "National Acute Brain Injury Study: Hypothermia," which is a study of the treatment with hypothermia of severe head injury. This important and necessary research needs to be carried out in human subjects who, because of their injuries, are not conscious and cannot, therefore, consent to their participation. In some instances, but not always, consent from a legally authorized representative can be sought and obtained. Nevertheless, the unavailability of such representatives in many cases is impeding the progress of the research to such an extent, that the NIH determined that the research cannot go forward in the context of the current Department of Health and Human Services (HHS) regulations for the protection of human subjects (45 CFR Part 46) unless certain informed consent requirements of those regulations are waived by the Secretary, HHS in accord with the waiver provisions provided at 45 CFR 46.101(i). A request for consideration of such a waiver was received from the Institutional Review Board, University of Texas Health Science Center, Houston, on July 12, 1995.

Current HHS regulations permit IRBs acting in accord with an Assurance of Compliance with 45 CFR Part 46, to waive the requirement for obtaining informed consent under the following stringently applied conditions found at 45 CFR 46.116(d).

The IRB must find and document that:

- The research involves no more than minimal risk to the subjects;
- The waiver \* \* \* will not adversely affect the rights and welfare of the subjects;
- The research could not practicably be carried out without the waiver \* \* \* ; and,
- Whenever appropriate, the subjects will be provided with additional pertinent information after participation.

However, the waiver of informed consent requirements now being authorized under § 46.101(i) could not previously have been approved by an IRB, acting independently of the

§ 46.101(i) waiver, because the risk involved in this emergency treatment activity is greater than minimal and therefore the "minimal risk" requirement for the exercise of an IRB waiver of informed consent could not be met.

NIH notes that testimonies to this effect, in regard to similar research activities, were delivered to (i) the Subcommittee on Regulation, Business Opportunities, and Technology, Committee on Small Business, U.S. House of Representatives (Washington, DC, May 23, 1994); (ii) the Coalition Conference of Acute Resuscitation Researchers (Washington, DC, October 25, 1994); (iii) the meeting of Applied Research Ethics National Association (Boston, MA, October 30, 1994); (iv) the meeting of Public Responsibility in Medicine & Research (Boston, MA, November 1, 1994); and (v) the Food and Drug Administration/National Institutes of Health Public Forum on Informed Consent in Clinical Research Conducted in Emergency Circumstances (Rockville, MD, January 9–10, 1995).

Therefore, the issue for decision by the Secretary was whether this particular research activity, involving greater than minimal risk to the subjects, should be permitted to go forward in the absence of legally effective informed consent. The decision is that under certain strictly limited circumstances such permission is appropriate.

### Periodic Review

A periodic review of the implementation by IRBs of this waiver will be conducted by OPRR to determine its adequacy in meeting its intended need or if adjustments to the waiver might be necessary and appropriate.

Dated: July 19, 1995.

**Philip R. Lee,**

*Assistant Secretary for Health.*

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BILLING CODE 4140-01-M

### Office of Refugee Resettlement

#### Refugee Resettlement Program; Availability of Formula Allocation Funding for FY 1995 Targeted Assistance Grants for Services to Refugees in Local Areas of High Need

**AGENCY:** Office of Refugee Resettlement (ORR), ACF, HHS.

**ACTION:** Final notice of availability of formula allocation funding for FY 1995 targeted assistance grants to States for

services to refugees<sup>1</sup> in local areas of high need.

**SUMMARY:** This notice announces the availability of funds and award procedures for FY 1995 targeted assistance grants for services to refugees under the Refugee Resettlement Program (RRP). These grants are for service provision in localities with large refugee populations, high refugee concentrations, and high use of public assistance, and where specific needs exist for supplementation of currently available resources. The formula has been updated to take into account FY 1994 arrivals.

A notice of proposed allocation of targeted assistance funds was published for public comment in the **Federal Register** on April 17, 1995 (60 FR 19270).

**FOR FURTHER INFORMATION CONTACT:** Toyo Biddle (202) 401-9250.

**APPLICATION DEADLINE:** The deadline for applications from States for grants under this notice is on August 25, 1995.

Applications from States for grants under this notice must be received on time. An application will be considered to be received on time under either of the following two circumstances: The application is postmarked indicating it was sent via the U.S. Postal Service or by private commercial carrier not later than the closing date specified in the final notice or the application is hand-delivered on or before the closing date to the Office of Refugee Resettlement, 370 L'Enfant Promenade, SW., 6th Floor, Washington, DC 20447. Hand-delivered applications will be accepted during the normal working hours of 8:00 a.m. to 4:30 p.m., Monday through Friday (excluding Federal legal holidays) up to 4:30 p.m. of the closing date.

To be considered complete, an application package must include a

<sup>1</sup> In addition to persons who meet all requirements of 45 CFR 400.43, "Requirements for documentation of refugee status," eligibility for targeted assistance includes Cuban and Haitian entrants, certain Amerasians from Vietnam who are admitted to the U.S. as immigrants, and certain Amerasians from Vietnam who are U.S. citizens. (See section II of this notice on "Authorization.") The term "refugee", used in this notice for convenience, is intended to encompass such additional persons who are eligible to participate in refugee program services, including the targeted assistance program.

Refugees admitted to the U.S. under admissions numbers set aside for private-sector-initiative admissions are not eligible to be served under the targeted assistance program (or under other programs supported by Federal refugee funds) during their period of coverage under their sponsoring agency's agreement with the Department of State—usually two years from their date of arrival, or until they obtain permanent resident alien status, whichever comes first.

signed original and two copies of Standard Form 424, 424A, and 424B, dated April 1988. (We will provide copies of these materials to all targeted assistance States.) The application package should be addressed to the Division of Refugee Self-Sufficiency, Office of Refugee Resettlement, ACF, 6th Floor, 370 L'Enfant Promenade SW., Washington, DC 20447.

**CATALOG OF FEDERAL DOMESTIC ASSISTANCE (CFDA) NUMBER:** 93.584.

**FOR FURTHER INFORMATION ON APPLICATION PROCEDURES, STATES SHOULD CONTACT:** RON MUNIA AT (202) 401-4559 IN ORR.

**SUPPLEMENTARY INFORMATION:**

**I. Purpose and Scope**

This notice announces the availability of funds for grants for targeted assistance for services to refugees in counties where, because of factors such as unusually large refugee populations, high refugee concentrations, and high use of public assistance, there exists and can be demonstrated a specific need for supplementation of resources for services to this population.

The Office of Refugee Resettlement (ORR) has available \$49,397,000 in FY 1995 funds for the targeted assistance program (TAP) as part of the FY 1995 appropriation for the Department of Health and Human Services (Pub. L. 103-333).

The House Appropriations Committee Report reads as follows with respect to targeted assistance funds (H.R. Rept. No. 103-553, p. 93):

This program provides grants to States for counties which are impacted by high concentrations of refugees and high dependency rates. The Committee intends that \$19,000,000 of the total recommended for targeted assistance be provided to continue the current program of support to communities affected as a result of the massive influx of Cuban and Haitian entrants. The Committee also intends that 10 percent of the total appropriated for targeted assistance be used for grants to localities most heavily impacted by the influx of refugees such as Laotian Hmong, Cambodians, and Soviet Pentecostals, including secondary migrants who entered the United States after October 1, 1979. The Committee expects these grants to be awarded to communities not presently receiving targeted assistance because of previous concentration requirements and other factors in the grant formulas, as well as those who do currently receive targeted assistance grants.

The Senate Appropriations Committee Report (S. Rept. No. 103-318, p. 154) is consistent with the above-quoted House Report.

The Conference Report on Appropriations (H. Rept. No. 103-733,

p. 24) clarifies Congress' intent on the use of the \$19 million for communities affected by Cuban and Haitian entrants as follows:

The conferees are agreed that \$19,000,000 of the \$49,397,000 appropriated for targeted assistance is to serve communities affected by the Cuban and Haitian entrants and refugees whose arrivals in recent years have increased.

The Director of the Office of Refugee Resettlement (ORR) will use the \$49,397,000 appropriated for FY 1995 targeted assistance as follows:

- \$25,457,300 will be allocated under the updated formula, as set forth in this notice.
- \$19,000,000 will be awarded to serve communities most heavily affected by recent Cuban and Haitian entrant and refugee arrivals.
- \$4,939,700 (10% of the total) will be awarded as second-year continuation grants in a two-year project period under a discretionary grant announcement that was issued in FY 1994.

In addition, the Office of Refugee Resettlement has available an additional \$6,000,000 in FY 1995 funds to augment the targeted assistance 10% program through the Foreign Operations, Export Financing, and Related Programs Appropriations Act (Pub. L. 103-306). These funds will be awarded under a separate discretionary grant announcement which will be issued setting forth application requirements and evaluation criteria.

The purpose of targeted assistance grants is to provide, through a process of local planning and implementation, direct services intended to result in the economic self-sufficiency and reduced welfare dependency of refugees through job placements.

The targeted assistance program reflects the requirements of section 412(c)(2)(B) of the Immigration and Nationality Act (INA), which provides that targeted assistance grants shall be made available "(i) primarily for the purpose of facilitating refugee employment and achievement of self-sufficiency, (ii) in a manner that does not supplant other refugee program funds and that assures that not less than 95 percent of the amount of the grant award is made available to the county or other local entity."

**II. Authorization**

Targeted assistance projects are funded under the authority of section 412(c)(2) of the Immigration and Nationality Act (INA), as amended by the Refugee Assistance Extension Act of 1986 (Pub. L. 99-605), 8 U.S.C. 1522(c); section 501(a) of the Refugee Education

Assistance Act of 1980 (Pub. L. 96-422), 8 U.S.C. 1522 note, insofar as it incorporates by reference with respect to Cuban and Haitian entrants the authorities pertaining to assistance for refugees established by section 412(c)(2) of the INA, as cited above; section 584(c) of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1988, as included in the FY 1988 Continuing Resolution (Pub. L. 100-202), insofar as it incorporates by reference with respect to certain Amerasians from Vietnam the authorities pertaining to assistance for refugees established by section 412(c)(2) of the INA, as cited above, including certain Amerasians from Vietnam who are U.S. citizens, as provided under title II of the Foreign Operations, Export Financing, and Related Programs Appropriations Acts, 1989 (Pub. L. 100-461), 1990 (Pub. L. 101-167), and 1991 (Pub. L. 101-513).

**III. Client and Service Priorities**

Targeted assistance funding should be used to assist refugee families to achieve economic independence. To this end, ORR expects States and counties to ensure that a coherent plan of services is developed for each eligible family that addresses the family's needs from time of arrival until attainment of economic independence. Each service plan should address a family's needs for both employment-related services and other needed social services. In local jurisdictions that have both targeted assistance and refugee social services programs, one plan of services may be developed for a family that incorporates both targeted assistance and refugee social services.

Services funded under the targeted assistance allocations are required to focus primarily on those refugees who, either because of their protracted use of public assistance or difficulty in securing employment, continue to need services beyond the initial years of resettlement. The targeted assistance program, however, is not intended to be limited to cash assistance recipients. TAP-funded services may also be provided to other refugees in need of services, regardless of whether the refugees are receiving cash assistance.

However, effective October 1, 1995, under new provisions in § 400.314 in the final rule published in the **Federal Register** on June 28, 1995, (60 FR 33584), States will be required to provide targeted assistance services to refugees in the following order of priority, except in certain individual extreme circumstances: (a) Refugees who are cash assistance recipients, particularly long-term recipients; (b)

unemployed refugees who are not receiving cash assistance; and (c) employed refugees in need of services to retain employment or to attain economic independence. Effective October 1, 1995, States will also be required, in accordance with § 400.315, to limit the provision of targeted assistance services, with the exception of referral and interpreter services, to refugees who have been in the U.S. for 60 months or less.

In addition to the statutory requirement that TAP funds be used "primarily for the purpose of facilitating refugee employment" (section 412(c)(2)(B)(i)), funds awarded under this program are intended to help fulfill the Congressional intent that "employable refugees should be placed on jobs as soon as possible after their arrival in the United States" (section 412(a)(1)(B)(i) of the INA). Therefore targeted assistance funds must be used primarily for services which directly enhance refugee employment potential, have specific employment objectives, and are designed to enable refugees to obtain jobs with less than one year's participation in the targeted assistance program. Examples of these activities are: Job development; job placement; job-related and vocational English; short-term job training specifically related to opportunities in the local economy; on-the-job training; business and employer incentives (such as on-site employee orientation, vocational English training, or bilingual supervisor assistance); and business technical assistance. General or remedial educational activities—such as adult basic education (ABE) or preparation for a high school equivalency or general education diploma (GED)—may be provided within the context of an individual employability plan for a refugee which is intended to result in job placement in less than one year. ORR encourages the continued provision of services after a refugee has entered a job to help the refugee retain employment or move to a better job. Targeted assistance funds cannot be used for long-term training programs such as vocational training that last for more than a year or educational programs that are not intended to lead to employment within a year. If TAP funds are used for the provision of English language training, such training should be provided concurrently, rather than sequentially, with employment or with other employment-related services, to the maximum extent possible.

A portion of a local area's allocation may be used for services which are not directed toward the achievement of a specific employment objective in less

than one year but which are essential to the adjustment of refugees in the community, provided such needs are clearly demonstrated and such use is approved by the State.

Reflecting section 412(a)(1)(A)(iv) of the INA, the Director of ORR expects States to "insure that women have the same opportunities as men to participate in training and instruction." In addition, States are expected to make sure that services are provided in a manner that encourages the use of bilingual women on service agency staffs to ensure adequate service access by refugee women. In order to facilitate refugee self-support, the Director also expects States to implement strategies which address simultaneously the employment potential of both male and female wage earners in a family unit. States and counties are expected to make every effort to assure availability of day care services in order to allow women with children the opportunity to participate in employment services or to accept or retain employment. To accomplish this, day care may be treated as a priority employment-related service under the targeted assistance program. Refugees who are participating in TAP-funded or social services-funded employment services or have accepted employment are eligible for day care services. For an employed refugee, TAP-funded day care must be limited to one year after the refugee becomes employed. States and counties, however, are expected to use day care funding from other publicly funded mainstream programs as a prior resource and are encouraged to work with service providers to assure maximum access to other publicly funded resources for day care.

Targeted assistance services should be provided in a manner that is culturally and linguistically compatible with a refugee's language and cultural background. In light of the increasingly diverse population of refugees who are resettling in this country, refugee service agencies will need to develop practical ways of providing culturally and linguistically appropriate services to a changing ethnic population. To the maximum extent possible, particularly during a refugee's initial years of resettlement, targeted assistance services should be provided through a refugee-specific service system rather than through a system in which refugees are only one of many client groups being served.

ORR strongly encourages States and counties when contracting for targeted assistance services, including employment services, to give consideration to the special strengths of

MAAs, whenever contract bidders are otherwise equally qualified, provided that the MAA has the capability to deliver services in a manner that is culturally and linguistically compatible with the background of the target population to be served. States may use a portion of their targeted assistance funds, either through contracts or through the use of State/county staff, to provide technical assistance and organizational training to strengthen the capability of MAAs to provide employment services, particularly in States where MAA capability is weak or undeveloped. If a State chooses to use State employees to provide technical assistance to MAAs, this would be an administrative cost which must be included within the State administrative cost limit of 5% for the targeted assistance program.

ORR defines MAAs as organizations with the following qualifications:

- a. The organization is legally incorporated as a nonprofit organization; and
- b. Not less than 51% of the composition of the Board of Directors or governing board of the mutual assistance association is comprised of refugees or former refugees, including both refugee men and women.

Finally, in order to provide culturally and linguistically compatible services in as cost-efficient a manner as possible in a time of limited resources, ORR strongly encourages States and counties to promote and give special consideration to the provision of services through coalitions of refugee service organizations, such as coalitions of MAAs, voluntary resettlement agencies, or a variety of service providers. ORR believes it is essential for refugee-serving organizations to form close partnerships in the provision of services to refugees in order to be able to respond adequately to a changing refugee picture. Coalition-building and consolidation of providers is particularly important in communities with multiple service providers in order to ensure better coordination of services and maximum use of funding for services by minimizing the funds used for multiple administrative overhead costs.

The award of funds to States under this notice will be contingent upon the completeness of a State's application as described in section IX, below.

#### IV. Discussion of Comment Received

Nine letters of comment were received in response to the notice of proposed availability of FY 1995 funds for targeted assistance. The comments are summarized below and are followed

in each case by the Department's response.

*Comment:* Five commenters opposed allowing States with more than one eligible county to determine county allocations differently from those specified in the targeted assistance notice. Four of those commenters complained that their State's reallocation plan shifted resources from counties with new arrivals to counties with long-term assistance users.

*Response:* We believe that States with more than one eligible county should be given the flexibility to determine county allocations differently from those specified in the notice, based on more complete and accurate data that a State may have on county population numbers and welfare dependency rates than what is available at the Federal level.

Effective October 1, 1995, under the new rule, States with more than one eligible targeted assistance county will be allowed to allocate funds differently from the formula in the targeted assistance notice only on the basis of its population of refugees who arrived in the U.S. during the most recent 5-year period. States will be allowed to use welfare data as a factor in its allocation formula, but only in combination with arrival data, not as the only factor.

*Comment:* Two commenters questioned the 3 percent threshold for the Cuban/Haitian special allocation. One commenter objected to the exclusion of secondary migrants in the entrant population count. The other commenter recommended that the threshold be lowered to 1 percent to avoid awards to more counties.

*Response:* As we have noted in previous years, we are not able to include secondary migrants in the population count for targeted assistance because secondary migration data are not available at the county level.

In order to be consistent with the Conference Report on Appropriations, we have established a 3 percent threshold for allocations under the Cuban/Haitian special allocation in order to target the communities most heavily affected by recent Cuban and Haitian entrant and refugee arrivals. A lowering of the threshold would disperse the available funds across more communities, which would significantly reduce the grants to the communities which have the greatest need.

*Comment:* One commenter objected to ORR's intention not to consider data for the purpose of determining the eligibility of new counties for participation in TAP in FY 1995.

*Response:* In FY 1996 we intend to re-examine the targeted assistance program

to determine what policies need to be updated or revised. At that time, the eligibility of all counties will be reviewed against the new qualifying criteria. We do not believe that it makes sense to admit new counties to the program in FY 1995 when these counties may become ineligible in FY 1996. We believe that funds are best used for already established counties rather than for the start up costs for new counties that may only receive funding for one year.

*Comment:* One commenter recommended that the 10% discretionary program be eliminated because the program allows non-impacted counties to receive grants which, in turn, reduces the grants to the impacted counties.

*Response:* The communities which receive grants under the TAP 10% discretionary program are impacted communities, even though they may not receive grants under the targeted assistance formula program. The TAP 10% program reflects Congressional intent as expressed in the House Appropriations Committee Report which states: "The Committee expects these [TAP 10%] grants to be awarded to communities not presently receiving targeted assistance because of previous concentration requirements \* \* \* as well as those who do currently receive targeted assistance grants."

*Comment:* One commenter recommended that TAP funds be allocated to counties within 5 months after being appropriated by Congress. The commenter felt that releasing the funds later keeps counties from accessing funds when they are needed and gives Congress and OMB the impression that the counties do not really need the resources.

*Response:* We hope to issue targeted assistance awards earlier in the fiscal year than has been the case to date.

*Comment:* Two commenters recommended that the allowances for State and county administrative costs, 5 and 10 percent respectively, be re-examined. The commenters felt that the counties' allowance should be increased. One commenter recommended that counties be allowed as much as 15 to 20 percent in administrative costs since the counties are responsible for directly administering the targeted assistance grants. The other commenter recommended a sliding-scale for State allowances, with a higher percentage for smaller States and a lower percentage for larger States.

*Response:* Regarding State administrative allowances, section 412(c)(2)(B)(ii) of the INA allows up to

5% of the TAP allocation to be retained by the State.

As we indicated earlier, in FY 1996 we intend to re-examine the targeted assistance program to determine what policies need to be updated or revised. This will provide an appropriate time to re-examine the issue of allowable administrative cost levels.

*Comment:* One commenter requested that the application procedures for the Cuban/Haitian special allocation be made available as soon as possible if the procedures will be different from previous years.

*Response:* The application procedures for the Cuban/Haitian special allocation will be provided to participating States shortly.

*Comment:* One commenter requested that counties receiving awards for the first time under the Cuban/Haitian special allocation be awarded grants from October 1995 through September 1996 to give the State sufficient planning time.

*Response:* Awards will be made before the end of FY 1995. Counties may obligate targeted assistance funds for up to one year after the end of the Federal fiscal year in which the Department awarded the grant. Therefore, grants awarded this year may be obligated through September 30, 1996. Funds must be liquidated within two years after the end of the Federal fiscal year in which the Department awarded the grant.

## V. Eligible Grantees

The following requirements, which have previously applied to TAP, will continue to apply with respect to FY 1995 awards:

Eligible grantees are those agencies of State governments which are responsible for the refugee program under 45 CFR 400.5 in States containing counties which qualify for FY 1995 targeted assistance awards. The use of targeted assistance funds for services to Cuban and Haitian entrants is limited to States which have an approved State plan under the Cuban/Haitian Entrant Program (CHEP).

The State agency will submit a single application on behalf of all county governments of the qualified counties in that State. Subsequent to the approval of the State's application by ORR, local targeted assistance plans will be developed by the county government or other designated entity and submitted to the State.

A State with more than one qualified county is permitted, but not required, to determine the allocation amount for each qualified county within the State. However, if a State chooses to determine

county allocations differently from those set forth in this notice, the FY 1995 allocations proposed by the State must be included in the State's application.

Applications submitted in response to this notice are not subject to review by State and areawide clearinghouses under Executive Order 12372, "Intergovernmental Review of Federal Programs."

**VI. Qualification and Allocation Formulas**

**A. Qualifying New Counties**

ORR is not considering new counties for participation in TAP in FY 1995. The reason is that in FY 1996 we intend to modify the qualifying criteria and allocations formula for targeted assistance. At that time, the eligibility of all counties for participation in TAP will be reviewed against the new qualifying criteria. We do not believe it makes sense to invite new counties to submit evidence of eligibility in FY 1995 when these counties may become ineligible in FY 1996 under the new qualifying criteria.

**B. Allocation Formula**

The FY 1995 TAP formula allocations are based on the same formula as in FY 1994, updated to reflect arrivals through September 30, 1994.

Under this formula, one portion of the allocation is based on refugee and Cuban/Haitian entrant arrivals during FY 1980-1982; funds for this portion of the formula are allocated on the same proportionate basis among participating counties as in FY 1994. The second portion of the allocation is based on refugee and entrant placements in these counties during calendar year (CY) 1983-September 30, 1994.

For the participating counties, the \$25,457,300 which is allocated by formula is apportioned as follows:

a. \$7,891,763 or 31%, is allocated on the basis of the formula which has been used for all previous targeted assistance allocations ("old formula") and which is based on initial placements during FY 1980-1982 and other factors as described under "Formula Used to Date" in the FY 1989 TAP notice published in the **Federal Register** on July 3, 1989 (54 F.R. 27944).

b. \$17,565,537 or 69%, is allocated on the basis of arrivals during CY 1983-September 30, 1994 ("new formula").

The above percentages are based on the proportion of initial placements in these counties during the two periods: 338,247 refugee arrivals, or 31% of the total number of placements, during the old-formula period; and 768,750 or 69%, during the new-formula period.

The old-formula allocation of \$7,891,763 follows the same distribution among counties as in the past.

The new-formula allocation of \$17,565,537 is based on the number of initial placements in each county during CY 1983-September 30, 1994. Welfare dependency rates were not used as a factor in this portion of the formula.

**C. Allocation Formula for Communities Affected by Recent Cuban/Haitian Arrivals**

Allocations for recent Cuban and Haitian refugee and entrant arrivals are based on arrival numbers during the 3-year period beginning October 1, 1991 through September 30, 1994.

Allocations are limited to targeted assistance counties with 3 percent or more of the total 3-year Cuban and Haitian arrival population (35,863 arrivals) in the 42 targeted assistance counties. We have established a 3 percent threshold for allocations in

order to target the most impacted communities.

**VII. Allocations**

Table 1 lists the participating counties, the number of placements in each county during CY 1983-September 30, 1994, the amount of each county's allocation which is based on the old formula, the amount of each county's allocation which is based on the new formula, and the county's total allocation.

Although Table 1 shows an amount for each county, the Director has decided, in the case of a State which contains more than one qualified county, to continue to permit the State to determine (in accordance with the requirements set forth in this notice) the appropriate allocation of the State's targeted assistance award among the qualified counties in the State. If a State chooses to make allocations which are different from the notice, the State, as in the FY 1994 TAP, would be responsible for determining an appropriate and equitable basis for allocating the funds among the qualified counties in the State and for including in its application a description of this allocation basis, the data to be used, and the allocation proposed for each county.

Table 2 lists the participating counties, the number of Cuban and Haitian refugee and entrant arrivals in each county during FY 1992-FY 1994, each county's percentage of the aggregate total Cuban/Haitian arrivals in the 42 targeted assistance counties, and the allocation amount for each county that has an arrival threshold of 3 percent or above.

Table 3 provides State totals for targeted assistance allocations.

Table 4 indicates the areas that each participating county represents.

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TABLE 1.—TARGETED ASSISTANCE ALLOCATIONS BY COUNTY: FY 1995

County	State	Arrivals Jan. 1983-Sept. 1994	Portion of FY 1995 allocation under old formula	Portion of FY 1995 allocation under new formula	Total FY 1995 allocation <sup>1</sup>
		(A)	(B)	(C)	(D)
Alameda .....	CA	15,342	\$196,075	\$350,380	\$546,455
Contra Costa .....	CA	4,291	56,063	97,998	154,061
Fresno .....	CA	14,168	108,273	323,569	431,842
Los Angeles .....	CA	96,344	990,155	2,200,303	3,190,458
Merced .....	CA	4,419	132,156	100,921	233,077
Orange .....	CA	45,039	440,587	1,028,600	1,469,187
Sacramento .....	CA	17,687	167,821	403,935	571,756
San Diego .....	CA	25,368	328,383	579,354	907,737
San Francisco .....	CA	25,198	254,838	575,471	830,309
San Joaquin .....	CA	9,352	169,342	213,581	382,923
Santa Clara .....	CA	34,488	327,990	787,636	1,115,626
Stanislaus .....	CA	3,433	30,639	78,403	109,042
Tulare .....	CA	5,345	0	122,069	122,069

TABLE 1.—TARGETED ASSISTANCE ALLOCATIONS BY COUNTY: FY 1995—Continued

County	State	Arrivals Jan.	Portion of FY	Portion of FY	Total FY 1995 allocation <sup>1</sup>
		1983–Sept. 1994	1995 alloca- tion under old formula	1995 alloca- tion under new formula	
		(A)	(B)	(C)	(D)
Denver .....	CO	9,865	66,147	225,297	291,444
Broward .....	FL	3,568	109,568	81,486	191,054
Dade .....	FL	55,816	1,911,490	1,274,725	3,186,215
Hillsboro .....	FL	3,496	34,433	79,842	114,275
Palm Beach .....	FL	3,595	45,517	82,103	127,620
Honolulu .....	HI	3,417	72,838	78,037	150,875
Cook/Kane .....	IL	36,430	342,151	831,988	1,174,139
Sedgwick .....	KS	4,038	81,534	92,220	173,754
Orleans .....	LA	3,899	55,699	89,045	144,744
Montgomery/Prince Georges .....	MD	8,851	67,761	202,139	269,900
Middlesex .....	MA	6,355	53,529	145,135	198,664
Suffolk .....	MA	16,114	122,853	368,011	490,864
Hennepin .....	MN	10,446	86,311	238,566	324,877
Ramsey .....	MN	10,263	121,357	234,386	355,743
Jackson .....	MO	4,319	31,685	98,637	130,322
Essex .....	NJ	5,925	18,336	135,315	153,651
Hudson .....	NJ	2,941	122,698	67,167	189,865
Union .....	NJ	1,812	24,631	41,382	66,013
New York .....	NY	135,631	273,761	3,097,538	3,371,299
Multnomah .....	OR	17,076	185,998	389,981	575,979
Philadelphia .....	PA	18,643	127,317	425,769	553,086
Providence .....	RI	4,850	90,936	110,764	201,700
Dallas/Tarrant .....	TX	26,002	0	593,833	593,833
Harris .....	TX	21,917	149,237	500,540	649,777
Salt Lake .....	UT	7,210	45,368	164,662	210,030
Arlington .....	VA	3,183	78,619	72,693	151,312
Fairfax .....	VA	9,006	94,800	205,679	300,479
King/Snohomish .....	WA	29,276	226,469	668,605	895,074
Pierce .....	WA	4,719	48,398	107,772	156,170
Total .....		769,137	7,891,763	17,565,537	25,457,300

<sup>1</sup> Based on arrivals through September 30, 1994.

TABLE 2.—TARGETED ASSISTANCE ALLOCATIONS FOR COMMUNITIES AFFECTED BY RECENT CUBAN AND HAITIAN ARRIVALS: FY 1995

County	State	FY 92–94 total Cuban & Hai- tian refugee & entrant arrivals	% of total ar- rivals	Amount to be allocated: \$19,000,000
				Final Alloca- tion: 3% arriv- al threshold
Alameda .....	CA	6	0.02	.....
Contra Costa .....	CA	1	0.00	.....
Fresno .....	CA	3	0.01	.....
Los Angeles .....	CA	660	1.80	.....
Merced .....	CA	0	0.00	.....
Orange .....	CA	24	0.07	.....
Sacramento .....	CA	13	0.04	.....
San Diego .....	CA	199	0.54	.....
San Francisco .....	CA	274	0.75	.....
San Joaquin .....	CA	2	0.01	.....
Santa Clara .....	CA	4	0.01	.....
Stanislaus .....	CA	0	0.00	.....
Tulare .....	CA	0	0.00	.....
Denver .....	CO	58	0.16	.....
Broward .....	FL	2,000	5.46	\$1,237,866
Dade .....	FL	24,932	68.10	15,431,234
Hillsboro .....	FL	832	2.27	.....
Palm Beach .....	FL	2,621	7.16	1,622,223
Honolulu .....	HI	0	0.00	.....
Cook/Kane .....	IL	250	0.68	.....
Sedgwick .....	KS	6	0.02	.....
Orleans .....	LA	94	0.26	.....
Montgom./Pr. G. ....	MD	59	0.16	.....
Middlesex .....	MA	82	0.22	.....

TABLE 2.—TARGETED ASSISTANCE ALLOCATIONS FOR COMMUNITIES AFFECTED BY RECENT CUBAN AND HAITIAN ARRIVALS: FY 1995—Continued

County	State	FY 92-94 total Cuban & Haitian refugee & entrant arrivals	% of total arrivals	Amount to be allocated: \$19,000,000
				Final Allocation: 3% arrival threshold
Suffolk .....	MA .....	392	1.07	.....
Hennepin .....	MN .....	51	0.14	.....
Ramsey .....	MN .....	0	0.00	.....
Jackson .....	MO .....	310	0.85	.....
Essex .....	NJ .....	371	1.01	.....
Hudson .....	NJ .....	1,079	2.95	.....
Union .....	NJ .....	121	0.33	.....
New York .....	NY .....	1,145	3.13	708,678
Multnomah .....	OR .....	139	0.38	.....
Philadelphia .....	PA .....	154	0.42	.....
Providence .....	RI .....	11	0.03	.....
Dallas/Tarrant .....	TX .....	349	0.95	.....
Harris .....	TX .....	137	0.37	.....
Salt Lake .....	UT .....	0	0.00	.....
Arlington .....	VA .....	12	0.03	.....
Fairfax .....	VA .....	3	0.01	.....
King/Snohomish .....	WA .....	219	0.60	.....
Pierce .....	WA .....	0	0.00	.....
Total .....	.....	36,613	100.00	19,000,000

TABLE 3.—TARGETED ASSISTANCE ALLOCATIONS BY STATE: FY 1995

State	FY 1995 allocation <sup>1</sup>
California .....	\$10,064,542
Colorado .....	291,444
Florida .....	<sup>2</sup> 21,910,486
Hawaii .....	150,875
Illinois .....	1,174,139
Kansas .....	173,754
Louisiana .....	144,744
Maryland .....	269,900
Massachusetts .....	689,528
Minnesota .....	680,620
Missouri .....	130,322
New Jersey .....	409,529
New York .....	<sup>2</sup> 4,079,977
Oregon .....	575,979
Pennsylvania .....	553,086
Rhode Island .....	201,700
Texas .....	1,243,610
Utah .....	210,030
Virginia .....	451,791
Washington .....	1,051,244
Total .....	44,457,300

<sup>1</sup> Based on arrivals through September 30, 1994.

<sup>2</sup> The allocations for Federal and New York include \$18,291,322 and \$708,678 respectively for communities affected by Cuban and Haitian entrants and refugees. This is referred to in the Conference Report on the appropriations: "to serve communities affected by the Cuban and Haitian entrants and refugees whose arrivals in recent years have increased."

TABLE 4.—TARGETED ASSISTANCE AREAS

State	Targeted assistance area <sup>1</sup>	Definition	
CA	ALAMEDA	SAN DIEGO	
CA	CONTRA COSTA		
CA	FRESNO		
CA	LOS ANGELES		
CA	MERCED		
CA	ORANGE		
CA	SACRAMENTO		
CA	SAN FRANCISCO .....		MARIN, SAN FRANCISCO, & SAN MATEO COUNTIES.
CA	SAN JOAQUIN		
CA	SANTA CLARA		
CA	STANISLAUS	ADAMS, ARAPHOE, BOULDER, DENVER & JEFFERSON COUNTIES.	
CA	TULARE		
CO	DENVER .....		
FL	BROWARD	DADE	
FL	DADE		
FL	HILLSBOROUGH		
FL	PALM BEACH		
HI	HONOLULU		
IL	COOK/KANE	JEFFERSON & ORLEANS PARISHES.	
KS	SEDGWICK		
LA	ORLEANS .....		
MD	MONTGOMERY/PRINCE GEORGES	MIDDLESEX	
MA	MIDDLESEX		
MA	SUFFOLK		
MN	HENNEPIN		
MN	RAMSEY	JACKSON COUNTY, MO. & WYANDOTTE COUNTY KS.	
MO	JACKSON .....		
NJ	ESSEX	BRONX, KINGS, NEW YORK, QUEENS, & RICHMOND COUNTIES.	
NJ	HUDSON		
NJ	UNION		
NY	NEW YORK .....	CLACKAMAS, MULTNOMAH, & WASHINGTON COUNTIES, OR. & CLARK COUNTY, WA.	
OR	MULTNOMAH .....		
PA	PHILADELPHIA	DAVID, SALT LAKE & UTAH COUNTIES.	
RI	PROVIDENCE		
TX	DALLAS/TARRANT		
TX	HARRIS		
UT	SALT LAKE .....		
VA	ARLINGTON		
VA	FAIRFAX .....		FAIRFAX COUNTY & THE INDEPENDENT CITIES OF ALEXANDRIA, FAIRFAX AND FALLS CHURCH.
WA	KINGS/SNOHOMISH		
WA	PIERCE		

<sup>1</sup> Consists of a named county/counties unless otherwise defined.

BILLING CODE 4184-01-M

### VIII. Application and Implementation Process

Under the FY 1995 targeted assistance program, States may apply for and receive grant awards on behalf of qualified counties in the State. A single allocation will be made to each State by ORR on the basis of an approved State application. The State agency will, in turn, receive, review, and determine the acceptability of individual county targeted assistance plans.

TAP funds will be awarded through a more streamlined grant process similar to that used for the ORR social services formula grant program. An application and assurances are still required of the States eligible to receive TAP funding. FY 1995 funds must be obligated by the State agency no later than one year after

the end of the Federal fiscal year in which the Department awarded the grant. There will be no carryover of unobligated funds into the FY 1996 grant award. Funds must be liquidated within two years after the end of the Federal fiscal year in which the Department awarded the grant. A State's final financial report on targeted assistance expenditures must be received no later than two years after the end of the Federal fiscal year in which the Department awarded the grant. If final reports are not received on time, the Department will deobligate any unexpended funds, including any unliquidated obligations, on the basis of a State's last filed report.

Although additional funding to Florida and New York for communities affected by Cuban and Haitian entrants

and refugees whose arrivals in recent years have increased is part of the appropriation amount for targeted assistance, the scope of activities for these additional funds will be administratively determined. Applications for these funds are therefore not subject to provisions contained in this notice but to other requirements which will be conveyed separately. Similarly, the requirements regarding the 10% portion of the targeted assistance appropriation as well as the supplemental funds to the 10% portion of the targeted assistance appropriation that will be awarded separately have been addressed in the grant announcements for those funds.



## IX. Application Requirements

The State application requirements for grants for the FY 1995 targeted assistance formula allocation are as follows:

States that are currently operating under approved management plans for their FY 1994 targeted assistance program and wish to continue to do so for their FY 1995 grants may provide the following in lieu of resubmitting the full currently approved plan:

The State's application for FY 1995 funding shall provide:

A. Assurance that the State's current management plan for the administration of the targeted assistance program, as approved by ORR, will continue to be in full force and effect for the FY 1995 targeted assistance program, subject to any additional assurances or revisions required by this notice which are not reflected in the current plan. Any proposed modifications to the approved plan will be identified in the application and are subject to ORR review and approval. Any proposed changes must address and reference all appropriate portions of the FY 1994 application content requirements to ensure complete incorporation in the State's management plan.

B. Assurance that effective October 1, 1995, targeted assistance funds will be used in accordance with the new ORR regulations published in the **Federal Register** on June 28, 1995.

C. Assurance that targeted assistance funds will be used primarily for the provision of services which directly enhance refugee employment potential, have specific employment objectives, and are designed to enable refugees to obtain jobs with less than one year's participation in the targeted assistance program. States must indicate what percentage of FY 1995 targeted assistance formula allocation funds that are used for services will be allocated for employment services.

D. A line item budget and justification for State administrative costs limited to a maximum of 5% of the total award to the State. Each total budget period funding amount requested must be necessary, reasonable, and allocable to the project.

*States administering the program locally:* States that have administered the program locally or provide direct service to the refugee population (with the concurrence of the county) must submit a program summary to ORR for prior review and approval. The summary must include a description of the proposed services; a justification for the projected allocation for each component including relationship of

funds allocated to numbers of clients served, characteristics of clients, duration of training and services, projected outcomes, and cost per placement. In addition, the program component summary must describe any ancillary services or subcomponents such as day care, transportation, or language training.

*States with two or more counties receiving targeted assistance funds:* As in FY 1994, a State with two or more local areas which qualify for the program may choose to determine respective county allocations. If the State chooses to determine county allocations differently from those set forth in Table 1 of this notice, the State must provide a description of the State's proposed allocation plan and the basis for the proposed allocations. The application must contain a description of the allocation approach, data used in its determination, the calculated allocation amount for each county, and the rationale for the proposed allocations. States are encouraged to revise allocation formulas to assure appropriate funding among eligible counties for the duration of the grant such that targeted assistance activities within the State conclude simultaneously. Where the State chooses not to determine county allocation amounts, the State must provide the allocations which are specified in this notice.

## X. Reporting Requirements

States will be required to submit quarterly reports on the outcomes of the targeted assistance program, using the same form which States use for reporting on refugee social services formula grants. This is Schedule A and Schedule C of the ORR-6 Quarterly Performance Report form. ORR is no longer using the ORR-12 form which was originally used to report on the outcomes of the targeted assistance program. ORR is consolidating its reporting requirements. The new reporting form will consolidate social services and targeted assistance performance reporting in one format in order to simplify and coordinate reporting. The new form will be available when reporting on FY 1995 grants begins, which would be at the end of the first quarter of FY 1996.

Dated: July 19, 1995.

**Lavinia Limon,**

*Director, Office of Refugee Resettlement.*

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BILLING CODE 4184-01-P

## Substance Abuse and Mental Health Services Administration Proposed Data Collection

**AGENCY:** Substance Abuse and Mental Health Services Administration (SAMHSA), HHS.

**ACTION:** Notice.

**SUMMARY:** SAMHSA is publishing this notice to solicit public comment on a proposed data collection: Evaluation of High Risk Substance Abuse Prevention Initiatives. Written comments are requested within 60 days of the publication of this notice.

**AUTHORITY/JUSTIFICATION:** Section 3506(c)(2)(A) of the Paperwork Reduction Act of 1995 requires that Federal agencies provide a 60-day notice in the **Federal Register** concerning each proposed collection of information.

In compliance with Section 3506(c)(2)(A) of the Paperwork Reduction Act of 1995 for opportunity for public comment on proposed data collection projects, the Substance Abuse and Mental Health Services Administration will publish periodic summaries of proposed projects. To request copies of data collection plans and instruments, call the SAMHSA Reports Clearance Officer on (301) 443-0525.

Comments are invited on: (a) Whether the proposed collection of information is 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. Send comments to Deborah Trunzo, SAMHSA Reports Clearance Officer, Room 16-105, Parklawn Building, 5600 Fishers Lane, Rockville, MD 20857. Written comments should be received within 60 days of this notice.

## Proposed Project

Evaluation of High Risk Substance Abuse Prevention Initiatives—New—The Center for Substance Abuse Prevention (CSAP), SAMHSA will conduct a cross-site evaluation of approximately 50 demonstration projects targeting high risk youth to: (1) Assess the effectiveness of the Demonstration Program in preventing and/or reducing substance abuse among at-risk youth and intervention strategies