

collection request for review and clearance in accordance with the Paperwork Reduction Act of 1995. The information collection is published to obtain comments from the public and affected agencies. Comments are encouraged and will be accepted for sixty days until February 13, 2009.

Written comments and suggestions regarding items contained in this notice, and especially with regard to the estimated public burden and associated response time should be directed to the Department of Homeland Security (DHS), USCIS, Chief, Regulatory Management Division, Clearance Office, 111 Massachusetts Avenue, NW., Suite 3008, Washington, DC 20529-2260. Comments may also be submitted to DHS via facsimile to 202-272-8352, or via e-mail at [rfs.regs@dhs.gov](mailto:rfs.regs@dhs.gov). When submitting comments by e-mail add the OMB Control Number 1615-0045 in the subject box.

During this 60-day period USCIS will be evaluating whether to revise the Form I-829. Should USCIS decide to revise the Form I-829 it will advise the public when it publishes the 30-day notice in the **Federal Register** in accordance with the Paperwork Reduction Act. The public will then have 30-days to comment on any revisions to the Form I-829.

Written comments and suggestions from the public and affected agencies concerning the proposed collection of information should address one or more of the following four points:

(1) Evaluate whether the collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;

(2) Evaluate the accuracy of the agency's estimate of the burden of the collection of information, including the validity of the methodology and assumptions used;

(3) Enhance the quality, utility, and clarity of the information to be collected; and

(4) Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques, or other forms of information technology, e.g., permitting electronic submission of responses.

#### Overview of This Information Collection:

(1) *Type of Information Collection:* Extension of an existing information collection.

(2) *Title of the Form/Collection:* Petition by Entrepreneur to Remove Conditions.

(3) *Agency form number, if any, and the applicable component of the Department of Homeland Security sponsoring the collection:* Form I-829. U.S. Citizenship and Immigration Services.

(4) *Affected public who will be asked or required to respond, as well as a brief abstract:* *Primary:* Individuals and households. This form is used by a conditional resident alien entrepreneur who obtained such status through a qualifying investment, to apply to remove conditions on his or her conditional residence, and on the conditional residence for his or her spouse and children(s).

(5) *An estimate of the total number of respondents and the amount of time estimated for an average respondent to respond:* 200 responses at 2 hours and 5 minutes (2.083) per response.

(6) *An estimate of the total public burden (in hours) associated with the collection:* 416 annual burden hours.

If you have additional comments, suggestions, or need a copy of the information collection instrument, please visit: <http://www.regulations.gov/search/index.jsp>

We may also be contacted at: USCIS, Regulatory Management Division, 111 Massachusetts Avenue, NW., Suite 3008, Washington, DC 20529-2260, telephone number 202-272-8377.

Dated: December 10, 2008.

**Stephen Tarragon,**

*Deputy Chief, Regulatory Management Division, U.S. Citizenship and Immigration Services.*

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**BILLING CODE 9111-97-P**

## DEPARTMENT OF HOMELAND SECURITY

### U.S. Citizenship and Immigration Services

[CIS No. 2456-08; DHS Docket No. USCIS-2008-0034]

RIN 1615-ZA79

#### Automatic Extension of Employment Authorization Documentation for Salvadoran Temporary Protected Status Beneficiaries

**AGENCY:** U.S. Citizenship and Immigration Services, DHS.

**ACTION:** Notice.

**SUMMARY:** On October 1, 2008, the Department of Homeland Security (DHS) published a Notice in the **Federal**

**Register** extending the designation of El Salvador for Temporary Protected Status (TPS) through September 9, 2010.

Beneficiaries of TPS for El Salvador are required to re-register and obtain new Employment Authorization Documents (EADs). Since USCIS will not be able to process and re-issue new EADs for all such beneficiaries by the March 9, 2009, expiration date, USCIS has decided to automatically extend the validity of EADs issued to Salvadoran nationals (or aliens having no nationality who last habitually resided in El Salvador) until September 9, 2009. This Notice announces that extension and also explains how TPS beneficiaries and their employers may determine which EADs are automatically extended.

**DATES:** This notice is effective December 15, 2008. The automatic extension of EADs will begin on March 10, 2009, and will remain in effect until September 9, 2009.

**FOR FURTHER INFORMATION CONTACT:** TPS Operations Program Manager, Status and Family Branch, Office of Service Center Operations, U.S. Citizenship and Immigration Services, Department of Homeland Security, 20 Massachusetts Avenue, NW., Washington, DC 20529-2060, telephone (202) 272-1533. This is not a toll-free call. Further information will also be available at local USCIS offices upon publication of this Notice and on the USCIS Web site at <http://www.uscis.gov>.

**Note:** The phone number provided here is solely for questions regarding this TPS notice. It is not for individual case status inquiries. Applicants seeking information about the status of their individual case can check Case Status Online available at the USCIS Web site listed above, or applicants may call the USCIS National Customer Service Center at 1-800-375-5283 (TTY 1-800-767-1833).

#### SUPPLEMENTARY INFORMATION:

#### Why is USCIS automatically extending the validity of EADs for Salvadoran TPS beneficiaries?

Considering the large number of applications, it is likely that many re-registrants will not receive their new EADs until after the expiration date of their current EADs. In order to prevent a gap in employment authorization for qualified re-registrants, DHS will automatically extend the validity of EADs for Salvadoran TPS beneficiaries until September 9, 2009.

#### Who is eligible to receive an automatic six-month EAD extension from March 10, 2009, to September 9, 2009?

You are eligible to receive an automatic six-month extension of an EAD, if you:

- Are a national of El Salvador (or an alien having no nationality who last habitually resided in El Salvador);
- Applied for and received an EAD under the designation of El Salvador for TPS; and
- Have not had TPS withdrawn or denied.

This automatic extension is limited to EADs issued on Form I-766, Employment Authorization Document, bearing an expiration date of March 9, 2009. These EADs must also bear the notation "A-12" or "C-19" on the face of the card under "Category."

**If employment authorization is valid until September 9, 2009, why should I file for re-registration now?**

DHS has granted a one time automatic extension of EADs through September 9, 2009. This allows USCIS additional time to process EAD applications for re-registrants and ensure that a gap in status does not occur. Applications for re-registration that are received by USCIS on or before December 30, 2008 may be processed prior to the EAD expiration date of March 9, 2009. However, in order to maintain TPS benefits through September 9, 2010, all TPS beneficiaries must comply with the re-registration requirements, and submit any associated application fees or applications for waivers of the fees, described in Federal Notice 73 FR 57128 (October 1, 2008), to USCIS. Those applications that are received after December 30, 2008 may take considerably longer to process. Although this Notice extends the EAD through September 9, 2009, applicants for re-registration should file their applications early to allow ample time for processing so that a gap in TPS benefits does not occur. There will not be a second automatic extension for EAD.

**How may employers determine whether an EAD has been automatically extended for six months, through September 9, 2009, and is therefore acceptable for completion of the Form I-9, Employment Eligibility Verification?**

An EAD that has been automatically extended for six months by this Notice through September 9, 2009, will bear the notation "A-12" or "C-19" on the face of the Form I-766 under "Category," and have an expiration date of March 9, 2009, on the face of the card. New EADs or extension stickers showing the September 9, 2009, expiration date of the six-month automatic extension will not be issued. Employers should not request proof of Salvadoran citizenship.

Employers should accept an EAD as a valid "List A" document and not ask for additional Form I-9 documentation if presented with an EAD that has been extended pursuant to this **Federal Register** Notice, and the EAD reasonably appears on its face to be genuine and to relate to the employee. This extension does not affect the right of an applicant for employment or an employee to present any legally acceptable document as proof of identity and eligibility for employment.

**Note to Employers:** Employers are reminded that the laws requiring employment eligibility verification and prohibiting unfair immigration-related employment practices remain in full force. This Notice does not supersede or in any way limit applicable employment verification rules and policy guidance, including those setting forth re-verification requirements. For questions, employers may call the USCIS Customer Assistance Office at 1-800-357-2099. Employers may also call the U.S. Department of Justice Office of Special Counsel for Immigration Related Unfair Employment Practices (OSC) Employer Hotline at 1-800-255-8155. Employees or applicants may call the OSC Employee Hotline at 1-800-255-7688 for information regarding the automatic extension. Additional information is available on the OSC Web site at <http://www.usdoj.gov/crt/osc/index.html>.

**How may employers determine an employee's eligibility for employment once the automatic six-month extension expires on September 9, 2009?**

Eligible TPS aliens will possess an EAD on Form I-766 with an expiration date of September 9, 2010. The EAD will bear the notation "A-12" or "C-19" on the face of the card under "Category," and should be accepted for the purposes of verifying identity and employment authorization.

**What documents may a qualified individual show to his or her employer as proof of employment authorization and identity when completing Form I-9?**

Qualified individuals who have received a six-month automatic extension of their EADs by virtue of this **Federal Register** Notice may present their TPS-based EAD to their employers, as described above, as proof of identity and employment authorization through September 9, 2009. To minimize confusion over this extension at the time of hire or re-verification, qualified individuals may also present a copy of this **Federal Register** Notice regarding the automatic extension of employment authorization documentation through September 9, 2009. After September 9, 2009, a qualified individual may present

a new EAD valid through September 9, 2010.

In the alternative, any legally acceptable document or combination of documents as listed on the Form I-9 may be presented as proof of identity and employment eligibility.

Dated: December 9, 2008.

**Michael L. Aytes,**

*Acting Deputy Director, U.S. Citizenship and Immigration Services.*

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**DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT**

[Docket No. FR-5187-N-69]

**Notice of Submission of Proposed Information Collection to OMB; Emergency Comment Request; Disaster Housing Assistance Program (DHAP) Incremental Rent Transition Study**

**AGENCY:** Office of Policy Development and Research.

**ACTION:** Notice of proposed information collection.

**SUMMARY:** The proposed information collection requirement described below has been submitted to the Office of Management and Budget (OMB) for emergency review and approval, as required by the Paperwork Reduction Act. The Department is soliciting public comments on the subject proposal.

**DATES:** *Comments Due Date:* December 29, 2008.

**ADDRESSES:** Interested persons are invited to submit comments regarding this proposal. Comments must be received within fourteen (14) days from the date of this Notice. Comments should refer to the proposal by name and should be sent to: HUD Desk Officer, Office of Management and Regulatory Affairs, Office of Management and Budget, New Executive Office Building, Washington, DC 20503.

**FOR FURTHER INFORMATION CONTACT:** Lillian Deitzer, Paperwork Reduction Act Officer, QDAM Department of Housing and Urban Development, 451 Seventh Street, SW., Washington, DC 20410; e-mail [Lillian\\_Deitzer@hud.gov](mailto:Lillian_Deitzer@hud.gov), telephone (202) 402-8048. This is not a toll-free number. Copies of documentation submitted to OMB may be obtained from Ms. Deitzer.

**SUPPLEMENTARY INFORMATION:** This Notice informs the public that the U.S. Department of Housing and Urban Development (HUD) has submitted to