

*Agenda:* To review and evaluate grant applications.

*Place:* Embassy Suites Hotel, 1250 22nd Street, Washington, DC 20037.

*Contact Person:* Joann Mcconnell, PhD, Scientific Review Administrator, Scientific Review Branch, NIH/NINDS/Neuroscience Center, 6001 Executive Blvd., Suite 3208, Msc 9529, Bethesda, MD 20892-9529, (301) 496-5324, [mcconnel@ninds.nih.gov](mailto:mcconnel@ninds.nih.gov).

(Catalogue of Federal Domestic Assistance Program Nos. 93.853, Clinical Research Related to Neurological Disorders; 93.854, Biological Basis Research in the Neurosciences, National Institutes of Health, HHS)

Dated: January 14, 2010.

**Jennifer Spaeth,**

*Director, Office of Federal Advisory Committee Policy.*

[FR Doc. 2010-1053 Filed 1-20-10; 8:45 am]

**BILLING CODE 4140-01-P**

## DEPARTMENT OF HEALTH AND HUMAN SERVICES

### National Institutes of Health

#### National Institute on Aging; Notice of Closed Meeting

Pursuant to section 10(d) of the Federal Advisory Committee Act, as amended (5 U.S.C. App.), notice is hereby given of the following meeting.

The meeting will be closed to the public in accordance with the provisions set forth in sections 552b(c)(4) and 552b(c)(6), Title 5 U.S.C., as amended. The contract proposals and the discussions could disclose confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the contract proposals, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

*Name of Committee:* National Institute on Aging Special Emphasis Panel; Clinical Services.

*Date:* January 29, 2010.

*Time:* 2 p.m. to 3 p.m.

*Agenda:* To review and evaluate contract proposals.

*Place:* National Institute on Aging, Gateway Building, 7201 Wisconsin Avenue, Suite 2C212, Bethesda, MD 20892. (Telephone Conference Call)

*Contact Person:* Ramesh Vemuri, PhD, Chief, Scientific Review Branch, National Institute on Aging, National Institutes of Health, 7201 Wisconsin Avenue, Suite 2C-212, Bethesda, MD 20892, 301-402-7700, [rv23r@nih.gov](mailto:rv23r@nih.gov).

This notice is being published less than 15 days prior to the meeting due to the timing limitations imposed by the review and funding cycle.

(Catalogue of Federal Domestic Assistance Program Nos. 93.866, Aging Research, National Institutes of Health, HHS)

Dated: January 14, 2010.

**Jennifer Spaeth,**

*Director, Office of Federal Advisory Committee Policy.*

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## DEPARTMENT OF HOMELAND SECURITY

### U.S. Citizenship and Immigration Services

[CIS No. 2491-10; DHS Docket No. USCIS]

RIN 1615-ZA96

#### Designation of Haiti for Temporary Protected Status

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

**ACTION:** Notice.

**SUMMARY:** The Department of Homeland Security announces that the Secretary of Homeland Security (Secretary) has designated Haiti for temporary protected status (TPS) for a period of 18 months. Under section 244(b)(1) of the Immigration and Nationality Act, the Secretary is authorized to designate a foreign state for TPS or parts of such state upon finding that such state is experiencing ongoing armed conflict, an environmental disaster, or "extraordinary and temporary conditions." The Secretary may grant TPS to individual nationals of the designated foreign state (or to eligible aliens having no nationality who last habitually resided in such state) who have been both continuously physically present in the United States since the effective date of the designation and continually residing in the United States since a date determined by the Secretary, and who meet other eligibility criteria. TPS is available only to persons who were continuously physically present in the United States as of the effective date of the designation.

Under this designation, Haitian nationals (and aliens having no nationality who last habitually resided in Haiti) who have continuously resided in the United States since January 12, 2010, and who remain in continual physical presence in the United States from the effective date of the notice, may apply for TPS within the 180-day registration period that begins on the date of publication of the notice. These nationals also may apply for employment authorization documents and for permission to depart from and return to the United States.

This notice also sets forth procedures necessary for nationals of Haiti (or aliens having no nationality who last habitually resided in Haiti) to register and to apply for TPS and employment authorization documents with U.S. Citizenship and Immigration Services.

**DATES:** This designation of Haiti for TPS is effective on January 21, 2010, and will remain in effect through July 22, 2011. The 180-day registration period for eligible individuals to submit their TPS applications begins January 21, 2010, and will remain in effect until July 20, 2010.

#### FOR FURTHER INFORMATION CONTACT:

- For further information on TPS, including guidance on the application process and additional information on eligibility, please visit the USCIS Web site at <http://www.uscis.gov>. Select "Temporary Protected Status" from the homepage under "Humanitarian." You can find detailed information about this Haitian designation on our Web site at the Haitian Questions & Answers Section.

- Applicants seeking information about the status of their individual cases can check Case Status Online available at the USCIS Web site (<http://www.uscis.gov>), or call the USCIS National Customer Service Center at 1-800-375-5283 (TTY 1-800-767-1833).

- Further information will also be available at local USCIS offices upon publication of this Notice.

#### SUPPLEMENTARY INFORMATION:

##### Abbreviations and Terms Used in This Document

ASC—USCIS Application Support Center  
 DHS—Department of Homeland Security  
 DOS—Department of State  
 EAD—Employment Authorization Document  
 Government—United States Government  
 INA—Immigration and Nationality Act  
 OSC—U.S. Department of Justice, Office of Special Counsel for Immigration Related Unfair Employment Practices  
 Secretary—Secretary of Homeland Security  
 TPS—Temporary Protected Status  
 USCIS—U.S. Citizenship and Immigration Services

##### What Is Temporary Protected Status?

TPS is a temporary immigration status granted to eligible nationals of a country (or to persons without nationality who last habitually resided in the designated country) that the Secretary has designated for TPS because the country is experiencing an ongoing armed conflict, an environmental disaster, or extraordinary and temporary conditions. During the period for which the Secretary has designated a country for TPS, TPS beneficiaries are eligible to remain in the United States and may

obtain work authorization, so long as they continue to meet the terms and conditions of their TPS status. The granting of TPS is available only to persons who were continuously physically present in the United States as of the effective date of this designation and does not lead to permanent resident status.

When the Secretary terminates a country's TPS designation, beneficiaries return to the same immigration status they maintained before TPS (unless that status has since expired or been terminated) or to any other status they may have obtained while registered for TPS.

### What Authority Does the Secretary of Homeland Security Have To Designate Haiti for TPS?

The Immigration and Nationality Act (INA), authorizes the Secretary, after consultation with appropriate agencies of the government, to designate a foreign State (or part thereof) for TPS.<sup>1</sup> One of the bases for TPS designation is "there exist extraordinary and temporary conditions in the foreign state that prevent aliens who are nationals of the state from returning to the state in safety, unless [she] finds that permitting the aliens to remain temporarily in the United States is contrary to the national interest of the United States." INA section 244(b)(1)(C) (emphasis added); 8 U.S.C. 1254a(b)(1)(C). The Secretary has determined, after consulting with the Department of State (DOS) and other government agencies, that there exists in Haiti "extraordinary and temporary conditions," preventing Haitian nationals from returning to Haiti in safety and that permitting eligible Haitian nationals to remain temporarily in the United States would not be contrary to the national interest.

Following the designation of a country for TPS, the Secretary may grant TPS to eligible nationals of that foreign State (or aliens having no nationality who last habitually resided in that State) who have been both continually physically present in the United States since the effective date of the notice and continually residing in the United States since a date determined by the Secretary, and who meet all other eligibility criteria. INA section 244(a)(1)(A) and (c); 8 U.S.C.

1254a(a)(1)(A) and (c). Persons convicted of any felony, or two or more misdemeanors, committed in the United States are ineligible for TPS. Applicants may also be ineligible if one of the bars to asylum eligibility applies. *Id.* at section 244(c)(2)(B)(i-ii).

### Why Is the Secretary Designating Haiti for TPS?

On January 12, 2010, Haiti was struck by a 7.0-magnitude earthquake. DHS and DOS have conducted an initial review of the conditions in Haiti following the earthquake. Based on this review, the Secretary has determined to designate Haiti for TPS for 18-months pursuant to section 244(b)(1)(C) of the INA for reasons discussed below. The Department of State concurs in the designation of Haiti for a period of 18 months.

The epicenter of the earthquake was off the coast of Haiti, and only 17 km from the capital, Port-au-Prince, an area where some three million of the nation's nine million residents reside. Aftershocks have been measured at 5.9 and 5.5 respectively, and more aftershocks are expected.

Reports indicate that the earthquake destroyed most of the capital city. Initial estimates indicate that the death toll is substantial. The International Red Cross indicates that about three million people—one-third of Haiti's population—have been affected by the earthquake.

Reports also indicate that concrete homes have collapsed and hospitals are overflowing with victims. The Presidential Palace, the Ministry of Justice, Parliament, the tax office and other government buildings, as well as the United Nations headquarters, and the World Bank offices are among the buildings reported to be destroyed or damaged. Hospitals and schools have been destroyed. The Ministry of Public Works and the Ministry of Communication and Culture have also been damaged.

The country's critical infrastructure, including its capacity for the provision of electricity, water, and telephone services, has been severely affected. Food and water are increasingly scarce. Fuel shortages are emerging as an immediate concern.

There is limited access to the capital city. Roads are blocked by debris and other obstacles, and the collapse of the Croix de Mission Bridge has cut off a major artery between Port-au-Prince and the northern part of the country, making it more difficult to transport food, fresh water, and medical supplies. Haiti's main airport in Port-au-Prince, Toussaint L'Ouverture International

Airport, also has suffered significant damage that is hindering access to the country.

Haiti has limited resources to cope with a natural disaster, and now has been struck by its strongest earthquake in 200 years. Although a number of organizations and countries have pledged humanitarian aid, the magnitude of the disaster is substantial.

Given the size of the destruction and humanitarian challenges, there clearly exist extraordinary and temporary conditions preventing Haitian nationals from returning to Haiti in safety. Moreover, allowing eligible Haitian nationals to remain temporarily in the United States, as an important complement to the U.S. government's wider disaster relief and humanitarian aide response underway on the ground in Haiti, would not be contrary to the public interest.

DHS estimates that there are 100,000 to 200,000 nationals of Haiti (or otherwise eligible aliens having no nationality who last habitually resided in Haiti) who are eligible for TPS under this designation.

### Designation of Haiti for TPS

Based upon these unique, specific, and extreme factors, the Secretary has determined, after consultation with the appropriate Government agencies, that there exist extraordinary and temporary conditions in Haiti preventing aliens who are nationals of Haiti from returning to Haiti in safety. The Secretary further finds that it is not contrary to the national interest of the United States to permit Haitian nationals (or aliens having no nationality who last habitually resided in Haiti) who meet the eligibility requirements of TPS to remain in the United States temporarily. *See* INA section 244(b)(1)(C); 8 U.S.C. 1254a(b)(1)(C). On the basis of these findings and determinations, the Secretary concludes that Haiti should be designated for TPS for an 18-month period. *See* INA section 244(b)(2)(B); 8 U.S.C. 1254a(b)(2)(B).

Nationals of Haiti (and aliens having no nationality who last habitually resided in Haiti) who have been "continuously physically present" in the United States since January 21, 2010 and have "continuously resided" in the United States since January 12, 2010, may apply for TPS within the registration period that begins on January 21, 2010 and ends on July 20, 2010. Except as specifically provided in this notice, applications for TPS by nationals of Haiti (and aliens having no nationality who last habitually resided in Haiti) must be filed pursuant to the

<sup>1</sup> As of March 1, 2003, in accordance with section 1517 of title XV of the Homeland Security Act of 2002 (HSA), Public Law No. 107-296, 116 Stat. 2135, any reference to the Attorney General in a provision of the Immigration and Nationality Act describing functions transferred under the HSA from the Department of Justice to the Department of Homeland Security "shall be deemed to refer to the Secretary" of Homeland Security. *See* 6 U.S.C. 557 (2003) (codifying HSA, tit. XV, sec. 1517).

provisions of 8 CFR part 244. Aliens who wish to apply for TPS must file an Application for Temporary Protected Status, Form I-821, together with an Application for Employment Authorization, Form I-765, in accordance with the form's instructions and applicable regulations during the registration period.

**Janet Napolitano,**  
*Secretary.*

**Required Application Forms and Application Fees To Register for TPS**

To register for TPS, an applicant must submit two applications:

1. Form I-821, Application for Temporary Protected Status, and pay the Form I-821 application fee, which is \$50. If you are unable to pay the fee, you

may submit a fee waiver request with appropriate documentation.

2. Form I-765, Application for Employment Authorization.

- If you want an employment authorization document (EAD), you must pay the Form I-765 application fee, which is \$340, or submit a fee waiver request.
  - However, if you are filing an initial TPS registration and you are under the age of 14 or above the age of 65, you do not pay the Form I-765 fee to obtain an EAD.
  - If you are not requesting an EAD, you do not pay the Form I-765 fee.
3. Individuals who may apply for TPS pursuant to this notice and who are in removal proceedings will be provided an opportunity to apply in accordance with 8 CFR 244.7(d).

You must submit both applications together. For more information on the application forms and application fees for TPS, please visit the USCIS Web site at <http://www.uscis.gov>.

**Biometric Services Fee**

Biometrics (such as fingerprints) are required for all applicants 14 years of age or older. Those applicants must submit a biometric services fee of \$80. If you are unable to pay the fee, you may submit a fee waiver request with appropriate documentation. For more information on the biometric services fee, please visit the USCIS Web site at <http://www.uscis.gov>.

**Mailing Information**

Mail your application for TPS to the proper address in Table 3:

TABLE 3—MAILING ADDRESSES

Residence	Filing location
If you live in the state of Florida .....	US Postal Service: USCIS, PO Box 4464, Chicago, IL 60680-4464. For Express mail and courier deliveries: USCIS, Attn: Haiti TPS, 131 South Dearborn, 3rd Floor, Chicago, IL 60603-5520.
If you live in the state of New York .....	US Postal Service: USCIS, PO Box 660167, Dallas, TX 75266-0167. For Express mail and courier deliveries: USCIS, Attn: Haiti TPS, 2501 S. State Hwy. 121 Business, Suite 400, Lewisville, TX 75067.
All other .....	US Postal Service: USCIS, PO Box 24047, Phoenix, AZ 85074-4047. For Express mail and courier deliveries: USCIS, Attn: Haiti TPS, 1820 E. Skyharbor Circle S, Suite 100, Phoenix, AZ 85034.

**E-Filing**

You cannot E-file your application when applying for initial registration for TPS. Please mail your application to the mailing address listed in Table 3 above.

**Supporting Documents**

*What type of basic supporting documentation must I submit?*

To meet the basic eligibility requirements for TPS, you must submit evidence that you:

- Are a national of Haiti or an alien of no nationality who last habitually resided in Haiti (such as a copy of your passport, birth certificate with English translation, etc.);
- Continually resided in the United States since January 12, 2010 (see 8 CFR 244.9(a)(2));
- Have been continually physically present in the United States since January 21, 2010; and
- Two color passport-style photographs of yourself.

The filing instructions on Form I-821, Application for Temporary Protected Status, list all the documents needed to establish basic eligibility for TPS.

*Do I need to submit additional supporting documentation?*

If one or more of the questions listed in Part 4, Question 2 of the Form I-821 applies to you, then you must submit an explanation on a separate sheet(s) of paper, and/or additional documentation. Depending on the nature of the question(s) you are addressing, additional documentation alone may suffice, but usually a written explanation will also be needed.

**Employment Authorization Document (EAD)**

*May I request an interim EAD at my local USCIS office?*

No. USCIS will not issue interim EADs to TPS applicants at USCIS local offices.

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

TPS beneficiaries under the designation of Haiti who have timely registered with USCIS as directed under this Notice and obtained an EAD, may present their valid EAD to their employers as proof of employment

authorization and identity. Employers may not accept EADs that are no longer valid.

Individuals may also present any other legally acceptable document or combination of documents listed on the Form I-9 as proof of identity and employment eligibility.

**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 rules 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.

**Note to Employees**

Employees or applicants may call the OSC Employee Hotline at 1-800-255-7688 for information. Additional information is available on the OSC

Web site at <http://www.justice.gov/crt/osc/index.php>.

[FR Doc. 2010-1169 Filed 1-20-10; 8:45 am]

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## DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. FR-5364-N-01]

### Mortgagee Review Board: Administrative Actions

**AGENCY:** Office of the Assistant Secretary for Housing-Federal Housing Commissioner, Department of Housing and Urban Development (HUD).

**ACTION:** Notice.

**SUMMARY:** In compliance with Section 202(c) of the National Housing Act, this notice advises of the cause and description of administrative actions taken by HUD's Mortgagee Review Board against HUD-approved mortgagees.

**FOR FURTHER INFORMATION CONTACT:** Julie Shaffer, Acting Secretary to the Mortgagee Review Board, 451 Seventh Street, SW., Room 3150, Washington, DC 20410-8000; telephone: (215) 861-7216. A Telecommunications Device for Hearing- and Speech-Impaired Individuals (TTY) is available at (800) 877-8339 (Federal Information Relay Service).

**SUPPLEMENTARY INFORMATION:** Section 202(c)(5) of the National Housing Act (added by Section 142 of the Department of Housing and Urban Development Reform Act of 1989, Pub. L. 101-235, approved December 15, 1989), requires that HUD "publish a description of and the cause for administrative action against a HUD-approved mortgagee" by the Department's Mortgagee Review Board (Board). In compliance with the requirements of Section 202(c)(5), this notice advises of actions that have been taken by the Board from July 10, 2008 to August 4, 2009.

### I. Settlement Agreements, Civil Money Penalties, Withdrawal of FHA Approval, Suspensions, Probations, Reinstatement and Reprimand

#### 1. *Ascella Mortgage, LLC, Manchester, CT* [Docket No. 09-9610-MR]

**Action:** On August 4, 2009, the Board voted to immediately withdraw Ascella Mortgage LLC's (Ascella) FHA approval for a period of one year.

**Cause:** The Board took this action based on the following violation of HUD/FHA requirements alleged by HUD: Ascella failed to notify HUD that

it voluntarily surrendered its license to originate mortgages.

#### 2. *Americare Investment Group, Inc. d/b/a/Premiere Capital Lending, Arlington, TX* [Docket No. 08-8082-MR]

**Action:** On October 8, 2009, the Board entered into a settlement with Americare Investment Group, Inc's., d/b/a Premiere Capital Lending (Americare) requiring, without the admission of fault or liability, the payment of a civil money penalty of \$124,000 and placing Americare on probation for a period of six months. During the period of probation, Americare will be required to obtain and provide to HUD post-closing reviews on all construction-to-permanent loans closed during the period.

**Cause:** The Board took this action based on the following violations of HUD/FHA requirements alleged by HUD: (1) Failing to include required loan documents and information and (2) failing to ensure that the maximum mortgage amount was properly calculated, resulting in over-insured mortgages.

#### 3. *Beneficial Mortgage Corp., San Juan, PR* [Docket No. 09-9626-MR]

**Action:** On June 3, 2009, the Board immediately suspended Beneficial Mortgage's (Beneficial) FHA approval pending the outcome of a HUD review and any ensuing legal proceedings.

**Cause:** The Board took this action based on the following violation of HUD/FHA requirements alleged by HUD: Beneficial failed to notify HUD of a business change affecting the information upon which Beneficial was originally approved. Specifically, Beneficial failed to notify HUD that it was the subject of an investigation by the Puerto Rico Financial Institutions Commissioner's Office.

#### 4. *Community Home Lending, Inc., Birmingham, AL* [Docket No. 09-8041-MR]

**Action:** On July 1, 2009, the Board entered into a settlement agreement with Community Home Lending, Inc.'s (Community) requiring Community to pay a civil money penalty in the amount of \$11,500 without admitting fault or liability.

**Cause:** The Board took this action based on the following violations of HUD/FHA requirements alleged by HUD: Community violated third party origination restrictions by allowing non-employees to originate FHA-insured mortgages; allowed an employee to originate FHA-insured mortgages and simultaneously work in the fields of

property management and real estate; failed to maintain a quality control (QC) plan conforming to all HUD/FHA requirements, including allowing its reviews to be conducted by a loan officer; and failing to conduct QC reviews in 15 early default cases.

#### 5. *Eagle Nationwide Mortgage Company, Chadds Ford, PA* [Docket No. 09-9003-MR]

**Action:** On July 29, 2009, the Board entered into a settlement agreement with Eagle Nationwide Mortgage Company's (Eagle) requiring Eagle to pay a \$3,500 civil money penalty without admitting fault or liability.

**Cause:** The Board took this action based on the following violations of HUD/FHA requirements alleged by HUD: Eagle distributed a direct mail solicitation which improperly used the name of the Federal Housing Administration, thereby implying FHA endorsement of Eagle's programs. Additionally, the text of the advertisement implied that Eagle employed FHA personnel.

#### 6. *Golden First Mortgage Corp., Great Neck, New York* [Docket No. 09-9625-MR]

**Action:** On June 3, 2009, the Board immediately suspended Golden First Mortgage's (Golden First) FHA approval pending the outcome of the Office of Inspector General's investigation and any ensuing legal proceedings.

**Cause:** The Board took this action based on the following violations of HUD/FHA requirements alleged by HUD: Golden First failed to notify HUD of a business change affecting the information upon which Golden First was originally approved. Specifically, Golden First Mortgage failed to notify HUD that its president was under investigation by the Office of Thrift Supervision, U.S. Department of Treasury, and was a party to a civil money penalty proceeding.

#### 7. *Great Country Mortgage Bankers, Corp., Coral Gables, FL* [Docket No. 09-9618-MR]

**Action:** On June 3, 2009, the Board immediately suspended Great Country Mortgage Bankers Corporation's (Great Country) FHA approval pending the outcome of a HUD review and any ensuing legal proceedings.

**Cause:** The Board took this action based on the following violations of HUD/FHA requirements alleged by HUD: Great Country failed to implement a QC plan in compliance with HUD/FHA requirements by failing to conduct QC reviews on loans defaulting within six months of origination; failed to