interests deemed relevant in these consultations, that paragraphs (i)(VIII), (iv)(IV), (iv)(V), and (iv)(VI) of section 212(a)(3)(B) of the INA, 8 U.S.C. 1182(a)(3)(B), shall not apply with respect to an, for solicitation of funds or other things of value for; solicitation of any individual for membership; the provision of material support to; who received military-type training from or on behalf of the Democratic Movement for the Liberation of Eritrean Kunama (DMLEK), provided that the alien satisfies the relevant agency authority that the alien:

(a) Is seeking a benefit or protection under the INA and has been determined to be otherwise eligible for the benefit or protection;

(b) has undergone and passed all relevant background and security checks;

(c) has fully disclosed, to the best of his or her knowledge, in all relevant applications and interviews with U.S. government representatives and agents, the nature and circumstances of each instance of military-type training, solicitation, and material support, and any other activity or association falling within the scope of section 212(a)(3)(B) of the INA, 8 U.S.C. 1182(a)(3)(B);

(d) has not participated in, or knowingly provided material support to, terrorist activities that targeted noncombatant persons or U.S. interests;

(e) poses no danger to the safety and security of the United States; and

(f) warrants an exemption from the relevant inadmissibility provision(s) in the totality of the circumstances.

Implementation of this determination will be made by U.S. Citizenship and Immigration Services (USCIS), in consultation with U.S. Immigration and Customs Enforcement (ICE), or by U.S. consular officers, as applicable, who shall ascertain, to their satisfaction, and in their discretion, that the particular applicant meets each of the criteria set forth above. This exercise of authority may be revoked as a matter of discretion and without notice at any time, with respect to any and all persons subject to it. Any determination made under this exercise of authority as set out above can inform but shall not control a decision regarding any subsequent benefit or protection application, unless such exercise of authority has been revoked.

This exercise of authority shall not be construed to prejudice, in any way, the ability of the U.S. government to commence subsequent criminal or civil proceedings in accordance with U.S. law involving any beneficiary of this exercise of authority (or any other person). This exercise of authority creates no substantive or procedural right or benefit that is legally enforceable by any party against the United States or its agencies or officers or any other person.

In accordance with section 212(d)(3)(B)(ii) of the INA, 8 U.S.C. 1182(d)(3)(B)(ii), a report on the aliens to whom this exercise of authority is applied, on the basis of case-by-case decisions by the U.S. Department of Homeland Security or by the U.S. Department of State, shall be provided to the specified congressional committees not later than 90 days after the end of the fiscal year.

This determination is based on an assessment related to the national security and foreign policy interests of the United States as they apply to the particular persons described herein and shall not have any application with respect to other persons or to other provisions of U.S. law.

Dated: October 17, 2013.

Rand Beers,
Acting Secretary of Homeland Security.

[FR Doc. 2013–26263 Filed 11–1–13; 8:45 am]
BILLING CODE 9110–9M–P

DEPARTMENT OF HOMELAND SECURITY

Office of the Secretary

Exercise of Authority Under the Immigration and Nationality Act

AGENCY: Office of the Secretary, DHS.

ACTION: Notice of determination.


Following consultations with the Secretary of State and the Attorney General, I hereby conclude, as a matter of discretion in accordance with the authority granted to me by section 212(d)(3)(B)(i) of the Immigration and Nationality Act (INA), 8 U.S.C. 1182(d)(3)(B)(i), as amended, as well as the foreign policy and national security interests deemed relevant in these consultations, that paragraphs (i)(VIII), (iv)(IV), (iv)(V), and (iv)(VI) of section 212(a)(3)(B) of the INA, 8 U.S.C. 1182(a)(3)(B), shall not apply with respect to an alien who:

(a) On or after January 1, 1980, solicited funds or other things of value for; solicited any individual for membership in; provided material support to; or received military-type training from or on behalf of the Eritrean Liberation Front (ELF); or

(b) prior to January 1, 1980, engaged in the conduct described above with respect to the ELF and was previously granted asylum or admitted as a refugee under the INA on or before the date of this Exercise of Authority, or is the beneficiary of an I–730 Refugee/Asylee Relative Petition filed at any time by such an asylee or admitted refugee, provided that the alien satisfies the relevant agency authority that the alien:

(a) Is seeking a benefit or protection under the INA and has been determined to be otherwise eligible for the benefit or protection;

(b) has undergone and passed all relevant background and security checks;

(c) has fully disclosed, to the best of his or her knowledge, in all relevant applications and interviews with U.S. government representatives and agents, the nature and circumstances of each instance of solicitation, material support, and military-type training, and any other activity or association falling within the scope of section 212(a)(3)(B) of the INA, 8 U.S.C. 1182(a)(3)(B);

(d) has not participated in, or knowingly provided material support to, terrorist activities that targeted noncombatant persons or U.S. interests;

(e) poses no danger to the safety and security of the United States; and

(f) warrants an exemption from the relevant inadmissibility provision(s) in the totality of the circumstances.

Implementation of this determination will be made by U.S. Citizenship and Immigration Services (USCIS), in consultation with U.S. Immigration and Customs Enforcement (ICE), or by U.S. consular officers, as applicable, who shall ascertain, to their satisfaction, and in their discretion, that the particular applicant meets each of the criteria set forth above.

This exercise of authority may be revoked as a matter of discretion and without notice at any time, with respect to any and all persons subject to it. Any determination made under this exercise of authority as set out above can inform but shall not control a decision regarding any subsequent benefit or protection application, unless such exercise of authority has been revoked.

This exercise of authority shall not be construed to prejudice, in any way, the ability of the U.S. government to commence subsequent criminal or civil proceedings in accordance with U.S. law involving any beneficiary of this exercise of authority (or any other person). This exercise of authority creates no substantive or procedural right or benefit that is legally enforceable by any party against the United States or its agencies or officers or any other person.

In accordance with section 212(d)(3)(B)(ii) of the INA, 8 U.S.C.
1182(d)(3)[B][ii], a report on the aliens to whom this exercise of authority is applied, on the basis of case-by-case decisions by the U.S. Department of Homeland Security or by the U.S. Department of State, shall be provided to the specified congressional committees not later than 90 days after the end of the fiscal year.

This determination is based on an assessment related to the national security and foreign policy interests of the United States as they apply to the particular persons described herein and shall not have any application with respect to other persons or to other provisions of U.S. law.

Dated: October 17, 2013.

Rand Beers,

Acting Secretary of Homeland Security.

For consideration, submit comments by one of the following methods:

and may be submitted by one of the following methods:

Corruption

In the Federal Register of September 19, 2013, in FR Vol. 78, No. 182, on page 57644, in the third column, correct the SUPPLEMENTARY INFORMATION caption to read:

CIPAC represents a partnership between the Federal Government and critical infrastructure owners and operators, and provides a forum in which they can engage in a broad spectrum of activities to support and coordinate critical infrastructure security and resilience. The November 5, 2013, meeting will include topic-specific discussions focused on partnership efforts to enhance critical infrastructure resilience. Topics, such as Critical Infrastructure Security and Resilience and Cybersecurity, will be discussed.


Larry May,

Designated Federal Officer for the CIPAC.

The following Catalog of Federal Domestic Assistance Numbers (CFDA) are to be used for reporting and drawing funds: 97.030, Community Disaster Loans; 97.031, Cora Brown Fund; 97.032, Crisis Counseling; 97.033, Disaster Legal Services; 97.034, Disaster Unemployment Assistance (DUA); 97.046, Fire Management Assistance Grant; 97.048, Disaster Housing Assistance to Individuals and Households in Presidentialy Declared Disaster Areas; 97.049, Presidentialy Declared Disaster Assistance—Disaster Housing Operations for Individuals and Households; 97.050 Presidentialy Declared Disaster Assistance to Individuals and Households—Other Needs; 97.036, Disaster Grants—Public Assistance (Presidentialy Declared Disasters); 97.039, Hazard Mitigation Grant.

W. Craig Fugate,

Administrator, Federal Emergency Management Agency.

Effective Date:

October 21, 2013.

DEPARTMENT OF HOMELAND SECURITY

Critical Infrastructure Partnership Advisory Council (CIPAC); Correction.

AGENCY: National Protection and Programs Directorate, DHS.

ACTION: Committee Management; Notice of an open Federal Advisory Committee Meeting; Corrections.


FOR FURTHER INFORMATION CONTACT: Renee Murphy, Critical Infrastructure Partnership Advisory Council Alternate Designated Federal Officer, telephone (703) 235–3999.

Correction

In the Federal Register of September 19, 2013, in FR Vol. 78, No. 182, on page 57644, in the second column, correct the ADDRESSES caption to read:

Written comments are welcome at any time prior to or following the meeting. Written comments may be sent to Renee Murphy, Department of Homeland Security, National Protection and Programs Directorate, 245 Murray Lane, Mail Stop 0607, Arlington, VA 20598–0607. For consideration in the CIPAC deliberations, written comments must be received by Renee Murphy by no later than 12:00PM on November 4, 2013, identified by Federal Register Docket Number DHS–2013–0050 and may be submitted by one of the following methods: