DEPARTMENT OF HOMELAND SECURITY

U.S. Citizenship and Immigration Services

[OMB Control Number 1615–0029]

Agency Information Collection Activities; Extension, Without Change, of a Currently Approved Collection: Application for Waiver of Grounds of Inadmissibility


ACTION: 30-day notice.

SUMMARY: The Department of Homeland Security (DHS), U.S. Citizenship and Immigration Services (USCIS) will be submitting the following information collection request to the Office of Management and Budget (OMB) for review and clearance in accordance with the Paperwork Reduction Act of 1995. The purpose of this notice is to allow an additional 30 days for public comments.

DATES: The purpose of this notice is to allow an additional 30 days for public comments. Comments are encouraged and will be accepted until April 1, 2019.

ADDRESSES: Written comments and/or suggestions regarding the item(s) contained in this notice, especially regarding the estimated public burden and associated response time, must be directed to the OMB USCIS Desk Officer via email at dhodeskofficer@omb.eop.gov. All submissions received must include the agency name and the OMB Control Number 1615–0029 in the subject line.

You may wish to consider limiting the amount of personal information that you provide in any voluntary submission you make. For additional information please read the Privacy Act notice that is available via the link in the footer of http://www.regulations.gov.

FOR FURTHER INFORMATION CONTACT:
USCIS, Office of Policy and Strategy, Regulatory Coordination Division, Samantha Deshommes, Chief, 20 Massachusetts Avenue NW, Washington, DC 20529–2140, Telephone number (202) 272–8377 (This is not a toll-free number; comments are not accepted via telephone message.). Please note contact information provided here is solely for questions regarding this notice. It is not for individual case status inquiries. Applicants seeking information about the status of their individual cases can check Case Status Online, available at the USCIS website at http://www.uscis.gov, or call the USCIS National Customer Service Center at (800) 375–5283; TTY (800) 767–1833.

SUPPLEMENTARY INFORMATION:

Comments

The information collection notice was previously published in the Federal Register on November 5, 2018, at 83 FR 55392, allowing for a 60-day public comment period. USCIS received one comment in connection with the 60-day notice.

You may access the information collection instrument with instructions, or additional information by visiting the Federal eRulemaking Portal site at: http://www.regulations.gov and enter USCIS–2007–0042 in the search box. Written comments and suggestions from the public and affected agencies should address one or more of the following four points:

(1) Evaluate whether the proposed 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 proposed 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 required to respond, as well as a brief abstract: Primary: Individuals or required to respond, as well as a brief abstract: Primary: Individuals or households.

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DEPARTMENT OF HOMELAND SECURITY

U.S. Citizenship and Immigration Services

[CIS No. 2641–19; DHS Docket No. USCIS–2018–0005]

RIN 1615–ZB78

Continuation of Documentation for Beneficiaries of Temporary Protected Status Designations for Sudan, Nicaragua, Haiti, and El Salvador


ACTION: Notice.

SUMMARY: Through this notice, the Department of Homeland Security (DHS) announces actions to ensure its continued compliance with the preliminary injunction order of the U.S. District Court for the Northern District of California in Ramos v. Nielsen, No. 18–cv–01554 (N.D. Cal. Oct. 3, 2018) ("preliminary injunction"). Beneficiaries under the Temporary Protected Status (TPS) designations for Sudan, Nicaragua, Haiti, and El Salvador will retain their TPS while the preliminary injunction remains in effect, provided that an individual’s TPS is not withdrawn under Immigration and Nationality Act (INA) section 244(c)(3) or 8 CFR 244.14 because of ineligibility.

DHS is further announcing it is automatically extending through January 2, 2020, the validity of TPS-related Employment Authorization Documents (EADs), Forms I–797, Notice of Action (Approval Notice), and Forms I–94 (Arrival/Departure Record) (collectively “TPS-Related Documentation”), as specified in this notice, for beneficiaries under the TPS designations for Sudan, Nicaragua, Haiti, and El Salvador, as provided for in the preliminary injunction. See INA section 244(c)(3). This Notice also provides information explaining DHS’s plans to issue a subsequent notice that will describe the steps DHS will take after January 2, 2020, should continued compliance with the preliminary injunction become necessary.

DATES: The TPS designations of Sudan, Nicaragua, Haiti, and El Salvador will remain in effect, as required by the preliminary injunction order of the U.S. District Court for the Northern District of California in Ramos v. Nielsen, No. 18–cv–01554 (N.D. Cal. Oct. 3, 2018), so long as the preliminary injunction remains in effect. TPS for those countries will not be terminated unless and until any superseding, final, non-appealable judicial order permits the implementation of such terminations. Information on the status of the preliminary injunction will be available at http://uscis.gov/tps.

Further, DHS is automatically extending the validity of TPS-Related Documentation for those beneficiaries under the TPS designations for Sudan, Nicaragua, Haiti, and El Salvador, as specified in this Notice. Those documents will remain in effect for nine months through January 2, 2020, provided the individual’s TPS is not withdrawn under INA section 244(c)(3) or 8 CFR 244.14 because of ineligibility. See 83 FR 54764 (Oct. 31, 2018) (notice stating that should Ramos injunction continue beyond April 2, 2019, DHS will publish a subsequent notice to extend TPS-related Documentation of eligible beneficiaries under the TPS designations of Sudan, Nicaragua, Haiti, and El Salvador for nine months from that date).

In the event the preliminary injunction is reversed and that reversal becomes final, DHS will allow for an orderly transition period, as described in the “Possible Future Action” section of this Notice.


• For further information on TPS, please visit the USCIS TPS web page at http://www.uscis.gov/tps. You can find specific information about this continuation of the TPS benefits for eligible individuals under the TPS designations for Sudan, Nicaragua, Haiti, and El Salvador by selecting the respective country’s page from the menu on the left side of the TPS web page.

• If you have additional questions about TPS, please visit uscis.gov/tools. Our online virtual assistant, Emma, can answer many of your questions and point you to additional information on our website. If you are unable to find your answers there, you may also call our USCIS Contact Center at 800–375–5283.

• Applicants seeking information about the status of their individual cases may check Case Status Online, available on the USCIS website at http://www.uscis.gov, or call the USCIS Contact Center at 800–375–5283 (TTY 800–767–1833).

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

SUPPLEMENTARY INFORMATION:

Table of Abbreviations

BIA—Board of Immigration Appeals
CFR—Code of Federal Regulations
DHS—U.S. Department of Homeland Security
DOS—U.S. Department of State
EAD—Employment Authorization Document
FNC—Final Nonconfirmation
Form I–94—Arrival/Departure Record
FR—Federal Register
Government—U.S. Government
IJ—Immigration Judge
INA—Immigration and Nationality Act
IER—U.S. Department of Justice Civil Rights Division, Immigrant and Employee Rights Section
SAYE— USCIS Systematic Alien Verification for Entitlements Program
Secretary—Secretary of Homeland Security
TNC—Tentative Nonconfirmation
TPS—Temporary Protected Status
TTY—Text Telephone
USCIS—U.S. Citizenship and Immigration Services

Background on Temporary Protected Status (TPS)

• TPS is a temporary immigration status granted to eligible nationals of a country designated for TPS under the INA, or to eligible persons without nationality who last habitually resided in that designated country.

• During the TPS designation period, TPS beneficiaries are eligible to remain