

Administrator, under Executive Order 12148, as amended, DuWayne Tewes, of FEMA is appointed to act as the Federal Coordinating Officer for this major disaster.

The following areas of the State of Kansas have been designated as adversely affected by this major disaster:

Barton, Brown, Clay, Cloud, Doniphan, Edwards, Ellis, Ellsworth, Ford, Geary, Gove, Graham, Grant, Gray, Greeley, Hamilton, Haskell, Hodgeman, Jewell, Kearny, Lane, Lincoln, Logan, Marshall, Meade, Mitchell, Morris, Morton, Nemaha, Ness, Osborne, Ottawa, Pawnee, Republic, Rice, Riley, Rooks, Rush, Russell, Saline, Scott, Sheridan, Smith, Stafford, Stanton, Stevens, Sumner, Trego, Wabaunsee, Wallace, Washington, Wichita, and Wyandotte Counties.

All areas within the State of Kansas are eligible for assistance under the Hazard Mitigation Grant Program.

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 Presidentially Declared Disaster Areas; 97.049, Presidentially Declared Disaster Assistance—Disaster Housing Operations for Individuals and Households; 97.050, Presidentially Declared Disaster Assistance to Individuals and Households—Other Needs; 97.036, Disaster Grants—Public Assistance (Presidentially Declared Disasters); 97.039, Hazard Mitigation Grant.

Deanne Criswell,

Administrator, Federal Emergency Management Agency.

[FR Doc. 2022-05907 Filed 3-18-22; 8:45 am]

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DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

[Internal Agency Docket No. FEMA-4643-DR; Docket ID FEMA-2022-0001]

Kentucky; Major Disaster and Related Determinations

AGENCY: Federal Emergency Management Agency, Department of Homeland Security (DHS).

ACTION: Notice.

SUMMARY: This is a notice of the Presidential declaration of a major disaster for the Commonwealth of Kentucky (FEMA-4643-DR), dated February 27, 2022, and related determinations.

DATES: The declaration was issued February 27, 2022.

FOR FURTHER INFORMATION CONTACT: Dean Webster, Office of Response and Recovery, Federal Emergency Management Agency, 500 C Street SW, Washington, DC 20472, (202) 646-2833. **SUPPLEMENTARY INFORMATION:** Notice is hereby given that, in a letter dated February 27, 2022, the President issued a major disaster declaration under the authority of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. 5121 *et seq.* (the “Stafford Act”), as follows:

I have determined that the damage in certain areas of the Commonwealth of Kentucky resulting from severe storms, straight-line winds, tornadoes, flooding, landslides, and mudslides during the period of December 31, 2021 to January 2, 2022, is of sufficient severity and magnitude to warrant a major disaster declaration under the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. 5121 *et seq.* (the “Stafford Act”). Therefore, I declare that such a major disaster exists in the Commonwealth of Kentucky.

In order to provide Federal assistance, you are hereby authorized to allocate from funds available for these purposes such amounts as you find necessary for Federal disaster assistance and administrative expenses.

You are authorized to provide Public Assistance in the designated areas and Hazard Mitigation throughout the Commonwealth. Consistent with the requirement that Federal assistance be supplemental, any Federal funds provided under the Stafford Act for Public Assistance and Hazard Mitigation will be limited to 75 percent of the total eligible costs.

Further, you are authorized to make changes to this declaration for the approved assistance to the extent allowable under the Stafford Act.

The Federal Emergency Management Agency (FEMA) hereby gives notice that pursuant to the authority vested in the Administrator, under Executive Order 12148, as amended, John Brogan, of FEMA is appointed to act as the Federal Coordinating Officer for this major disaster.

The following areas of the Commonwealth of Kentucky have been designated as adversely affected by this major disaster:

Boyd, Breathitt, Carter, Christian, Clay, Floyd, Green, Johnson, Knott, Lawrence, Owsley, Pike, and Taylor Counties.

All areas within the Commonwealth of Kentucky are eligible for assistance under the Hazard Mitigation Grant Program.

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 Presidentially Declared Disaster Areas; 97.049, Presidentially Declared Disaster Assistance—Disaster Housing Operations for Individuals and Households; 97.050, Presidentially Declared Disaster Assistance to Individuals and Households—Other Needs; 97.036, Disaster Grants—Public Assistance (Presidentially Declared Disasters); 97.039, Hazard Mitigation Grant.

Deanne Criswell,

Administrator, Federal Emergency Management Agency.

[FR Doc. 2022-05915 Filed 3-18-22; 8:45 am]

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DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

[Internal Agency Docket No. FEMA-4481-DR; Docket ID FEMA-2022-0001]

Washington; Amendment No. 6 to Notice of a Major Disaster Declaration

AGENCY: Federal Emergency Management Agency, Department of Homeland Security (DHS).

ACTION: Notice.

SUMMARY: This notice amends the notice of a major disaster declaration for the State of Washington (FEMA-4481-DR), dated March 22, 2020, and related determinations.

DATES: This change occurred on March 4, 2022.

FOR FURTHER INFORMATION CONTACT: Dean Webster, Office of Response and Recovery, Federal Emergency Management Agency, 500 C Street SW, Washington, DC 20472, (202) 646-2833.

SUPPLEMENTARY INFORMATION: The Federal Emergency Management Agency (FEMA) hereby gives notice that pursuant to the authority vested in the Administrator, under Executive Order 12148, as amended, Willie G. Nunn, of FEMA is appointed to act as the Federal Coordinating Officer for this disaster.

This action terminates the appointment of Vincent J. Maykovich as Federal Coordinating Officer for this disaster.

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 Presidentially Declared Disaster Areas; 97.049,

Presidentially 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 (Presidentially Declared Disasters); 97.039, Hazard Mitigation Grant.

Deanne Criswell,

Administrator, Federal Emergency Management Agency.

[FR Doc. 2022–05912 Filed 3–18–22; 8:45 am]

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DEPARTMENT OF HOMELAND SECURITY

Office of the Secretary

RIN 1601–ZA22

Rescission of the Notice of July 23, 2019, Designating Aliens for Expedited Removal

AGENCY: Office of the Secretary, Department of Homeland Security.

ACTION: Notice.

SUMMARY: This Notice rescinds the July 23, 2019 Notice, *Designating Aliens for Expedited Removal*, which expanded to the maximum extent permitted by the Immigration and Nationality Act (INA) the application of expedited removal procedures to noncitizens not already covered by previous designations. The INA expressly authorizes the application of expedited removal procedures to noncitizens “arriving in the United States,” while also authorizing the Secretary of Homeland Security to extend (by designation) such procedures to certain other categories of noncitizens present in the United States. The INA permits the Secretary, in her or his sole and unreviewable discretion, to modify any such designations at any time. By rescinding only the designation of the class of noncitizens covered by the July 23, 2019 Notice, this Notice leaves in effect the prior discretionary designations that have, for over two decades, extended expedited removal to additional categories of noncitizens.

DATES: The rescission of the Notice published at 84 FR 35409 on July 23, 2019, is effective on March 21, 2022.

FOR FURTHER INFORMATION CONTACT: Ihsan Gunduz, Office of Strategy, Policy, and Plans, Department of Homeland Security, Washington, DC 20528, (202) 282–9708.

SUPPLEMENTARY INFORMATION:

I. Background

A. DHS Statutory Authority Over Expedited Removal Procedures

Under section 235(b)(1) of the Immigration and Nationality Act (INA), 8 U.S.C. 1225(b)(1), the Department of Homeland Security (DHS or Department)¹ may remove certain noncitizens² without a hearing before an immigration judge under what are known as “expedited removal” procedures. The INA itself authorizes immigration officers to apply expedited removal procedures to noncitizens “arriving in the United States.” The INA also grants the Secretary authority to apply expedited removal procedures (by designation) to “any or all” noncitizens referred to in the statute as “certain other aliens.” INA 235(b)(1)(A)(iii)(I), 8 U.S.C. 1225(b)(1)(A)(iii)(I). A noncitizen is within the class of “certain other aliens” if the noncitizen “has not been admitted or paroled into the United States, and . . . has not affirmatively shown, to the satisfaction of an immigration officer, that the alien has been physically present in the United States continuously for the 2-year period immediately prior to the date of the determination of inadmissibility.” INA 235(b)(1)(A)(iii)(II), 8 U.S.C. 1225(b)(1)(A)(iii)(II). Such designation “shall be in the sole and unreviewable discretion” of the Secretary and “may be modified at any time.” INA 235(b)(1)(A)(iii)(I), 8 U.S.C. 1225(b)(1)(A)(iii)(I); 8 CFR 235.3(b)(1)(ii). Those noncitizens “arriving in the United States” and those covered by an expedited removal designation must be determined to be inadmissible under INA 212(a)(6)(C), 8 U.S.C. 1182(a)(6)(C), for fraud or willful misrepresentation, or INA 212(a)(7), 8 U.S.C. 1182(a)(7), for lack of valid immigration documents, to be amenable to expedited removal. INA 235(b)(1)(A)(ii), 8 U.S.C. 1225(b)(1)(A)(ii).

Previous Secretaries—and, prior to enactment of the HSA, the Attorney General and the Commissioner of the former Immigration and Naturalization

¹ Section 235 of the INA continues to refer to the Attorney General, but the Homeland Security Act of 2002 (HSA), Public Law 107–296, 116 Stat. 2135, transferred immigration enforcement authorities to the Secretary of Homeland Security and provided that any reference to the Attorney General in a provision of the INA describing functions that were transferred from the Attorney General or other Department of Justice officials to DHS by the HSA “shall be deemed to refer to the Secretary” of Homeland Security. 6 U.S.C. 557 (codifying HSA sec. 1517); *see also* 6 U.S.C. 542 note; 8 U.S.C. 1551 note.

² For purposes of this Notice, DHS uses the term “noncitizen” to mean any person as defined in section 101(a)(3) of the INA, 8 U.S.C. 1101(a)(3).

Service (INS)—have exercised their statutory authority to facilitate the application of expedited removal procedures to certain categories of noncitizens. In 1997, the Department of Justice issued regulations implementing the application of expedited removal procedures to “arriving aliens.”³ 62 FR 10312, 10313–14 (Mar. 6, 1997). In 2002, the INS Commissioner designated as amenable to expedited removal noncitizens who arrive in the United States by sea, are not paroled or admitted into the United States, and “have not been physically present in the United States continuously for the two-year period prior to the determination of inadmissibility under” the Notice. 67 FR 68924 (Nov. 13, 2002). In 2004, the Secretary designated as amenable to expedited removal a category consisting of noncitizens encountered within 100 air miles of the border and within 14 days of their date of entry regardless of the noncitizen’s method of arrival. 69 FR 48877 (Aug. 11, 2004).⁴

In 2019, the Department issued a notice, *Designating Aliens for Expedited Removal*, 84 FR 35409 (July 23, 2019), expanding expedited removal procedures to noncitizens not already covered by previous designations. This new designation expanded the permissible use of expedited removal procedures to all amenable noncitizens not covered under previous designations found anywhere in the United States who have not been admitted or paroled and have not been physically present in the United States continuously for the 2-year period prior to the date of determination of inadmissibility. *See* 84 FR 35413–35414.

The authority to designate certain noncitizens to whom expedited removal procedures may be applied is entrusted by statute to the “sole and unreviewable discretion” of the Secretary. INA 235(b)(1)(A)(iii)(I), 8 U.S.C. 1225(b)(1)(A)(iii)(I); 8 CFR 235.3(b)(1)(ii). The statute provides that the Secretary may apply (by designation) expedited removal to any noncitizen “who has not been admitted or paroled into the United States, and

³ “Arriving alien” is defined in regulations as “an applicant for admission coming or attempting to come into the United States at a port-of-entry, or an alien seeking transit through the United States at a port-of-entry, or an alien interdicted in international or United States waters and brought into the United States by any means, whether or not to a designated port-of-entry, and regardless of the means of transport.” 8 CFR 1.2, 1001.1(q).

⁴ *See also* 82 FR 4902, 4904 (Jan. 17, 2017) (eliminating regulatory exceptions in the 2002 and 2004 notices to expedited removal for Cuban nationals encountered in the United States or arriving by sea).