

requested by the beneficiary. Since, USCIS will not be able to process and re-issue new EADs for all such beneficiaries by the January 5, 2009, expiration date, USCIS has decided to automatically extend the validity of EADs issued to Nicaraguan nationals (or aliens having no nationality who last habitually resided in Nicaragua) until July 5, 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 November 24, 2008. The re-registration period will be extended through December 30, 2008. The automatic extension of EADs will begin on January 6, 2009, and will remain in effect until July 5, 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, 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 extending the re-registration period for Nicaraguan TPS beneficiaries?**

In order to provide greater uniformity and avoid potential confusion between the re-registration periods for the three Central American countries currently designated for TPS, USCIS has decided to extend the re-registration period through December 30, 2008.

**Why is USCIS automatically extending the validity of EADs for Nicaraguan TPS beneficiaries?**

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

applicable EADs for Nicaraguan TPS beneficiaries until July 5, 2009.

**Who is eligible to receive an automatic six-month EAD extension from January 6, 2009, to July 5, 2009?**

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

- Are a national of Nicaragua (or an alien having no nationality who last habitually resided in Nicaragua);
- Applied for and received an EAD under the designation of Nicaragua 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 January 5, 2009. These EADs must also bear the notation "A-12" or "C-19" on the face of the card under "Category."

**How may employers determine whether an EAD has been automatically extended for six months, through July 5, 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 July 5, 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 January 5, 2009, on the face of the card. New EADs or extension stickers showing the July 5, 2009, expiration date of the six-month automatic extension will not be issued. Employers should not request proof of Nicaraguan 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 July 5, 2009?**

Eligible TPS aliens will possess an EAD on Form I-766 with an expiration date of July 5, 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 EADs to their employers, as described above, as proof of identity and employment authorization through July 5, 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 July 5, 2009. After July 5, 2009, a qualified individual may present a new EAD valid through July 5, 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: November 11, 2008.

**Jonathan R. Scharfen,**  
*Acting Director, U.S. Citizenship and Immigration Services.*

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**DEPARTMENT OF HOMELAND SECURITY**

**Bureau of Customs and Border Protection**

**Customs Brokers User Fee Payment for 2009**

**AGENCY:** Customs and Border Protection, Department of Homeland Security.

**ACTION:** General Notice.

**SUMMARY:** This document provides notice to customs brokers that the annual fee of \$138 that is assessed for each permit held by a broker, whether it may be an individual, partnership, association, or corporation, is due by January 23, 2009. Customs and Border Protection (CBP) announces this date of payment for 2009 in accordance with the Tax Reform Act of 1986.

**DATES:** Payment of the 2009 Customs Broker User Fee is due January 23, 2009.

**FOR FURTHER INFORMATION CONTACT:** Bruce Raine, Broker Compliance Branch, Trade Policy and Programs, (202) 863-6544.

**SUPPLEMENTARY INFORMATION:****Background**

CBP Dec. 07-01 amended § 111.96 of title 19 of the Code of Federal Regulations (19 CFR 111.96) pursuant to the amendment of section 13031 of the Consolidated Omnibus Budget Reconciliation Act (COBRA) of 1985 (19 U.S.C. 58c) by section 892 of the American Jobs Creation Act of 2004, to establish that effective April 1, 2007, an annual user fee of \$138 is to be assessed for each customs broker permit and national permit held by an individual, partnership, association, or corporation.

The Customs and Border Protection (CBP) regulations provide that this fee is payable for each calendar year in each broker district where the broker was issued a permit to do business by the due date which is published in the **Federal Register** annually. See 19 CFR 24.22(h) and (i)(9). Broker districts are defined in the General Notice entitled "Geographical Boundaries of Customs Brokerage, Cartage and Lighterage Districts" published in the **Federal Register** on September 27, 1995 (60 FR 49971).

Section 1893 of the Tax Reform Act of 1986 (Pub. L. 99-514) provides that notices of the date on which the payment is due for each broker permit shall be published by the Secretary of the Treasury in the **Federal Register** by no later than 60 days before such due date. Please note that section 403 of the Homeland Security Act of 2002, 6 U.S.C. 101 *et seq.* (Pub. L. 107-296), and Treasury Department Order No. 100-16 (see Appendix to 19 CFR Part 0) delegated general authority vested in the Secretary of the Treasury over customs revenue functions (with certain specified exceptions) to the Secretary of Homeland Security.

This document notifies customs brokers that for calendar year 2009, the due date for payment of the user fee is

January 23, 2009. It is anticipated that for subsequent years, the annual user fee for customs brokers will be due on or about the twentieth of January of each year.

Dated: November 18, 2008.

**Daniel Baldwin,**

*Assistant Commissioner, Office of International Trade.*

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**BILLING CODE 9111-14-P**

**DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT**

[Docket No. FR-5262-N-01]

**Emergency Capital Repair Grants for Multifamily Housing Projects Designated for Occupancy by the Elderly: Notice of Funding Availability**

**AGENCY:** Office of the Assistant Secretary for Housing-Federal Housing Commissioner, HUD.

**ACTION:** Notice.

**SUMMARY:** This notice announces the availability of approximately \$9.5 million in grant funds to make emergency capital repairs to eligible multifamily projects owned by private nonprofit entities that are designated for occupancy by elderly tenants. The capital repair needs must relate to items that present an immediate threat to the health, safety, and quality of life of the tenants. The intent of these grants is to provide one-time assistance for emergency items that could not be absorbed within the project's operating budget and other project resources, and where the tenants' continued occupancy in the immediate near future would be jeopardized by a delay in initiating the proposed cure. The notice provides instructions for owners of multifamily projects to request funding and instructions for the HUD field offices to process requests.

**FOR FURTHER INFORMATION CONTACT:** G. DeWayne Kimbrough, Director, Grant and Housing Assistance Field Support Division, Office of Multifamily Housing, Room 6146, Department of Housing and Urban Development, 451 Seventh Street, SW., Washington, DC 20410; telephone (202) 708-3000 (this is not a toll-free number). Persons with hearing or speech impairments may access this number via TTY by calling the toll-free Federal Information Relay Service at (800) 877-8339.

**Overview Information**

**A. Federal Agency Name:** Department of Housing and Urban Development, Office of the Assistant Secretary for

Housing-Federal Housing Commissioner.

**B. Funding Opportunity Title:** The Emergency Capital Repair Grants (ECRP) for Multifamily Housing Projects Designated for Occupancy by the Elderly.

**C. Announcement:** Type: Initial announcement.

**D. Funding Opportunity Number:** FR-5262-N-01; the OMB Approval Number is 2502-0542.

**E. Catalog of Federal Domestic Assistance (CFDA) Number:** 14.315; Emergency Capital Repair Grants for Multifamily Housing Projects Designated for Occupancy by the Elderly.

**F. Dates:** HUD will accept applications on a first-come, first-serve basis and will award emergency capital repair grants until available amounts are obligated or funds expire, whichever comes first.

**G. Additional Overview Information:**

1. Program Description. The purpose of this program is to provide grants to make emergency capital repairs to eligible multifamily projects owned by private nonprofit entities that are designated for occupancy by elderly tenants. Private nonprofit owners of eligible developments interested in applying for funding under this grant program should carefully review the detailed information listed in this NOFA. Funding will only be provided for those eligible emergency items.

2. Required Electronic Application Submission via Grants.gov. Applications must be submitted electronically via the Federal portal, <http://www.Grants.gov>, unless a waiver has been granted. Applications may be submitted to Grants.gov starting 15 days after the publication of this Notice. This time frame allows applicants to complete the Grants.gov registration process before applications are accepted by HUD. Applications received prior to the fifteen day period will not be accepted for review and processing. Applicants not familiar with Grants.gov are instructed to see the General Section of the SuperNOFA published on March 19, 2008 (72 FR 14882) (General Section), and the FY2008 SuperNOFA published on May 12, 2008 (72 FR 27032) (SuperNOFA), for further information about application, submission, and timely receipt requirements. Applicants should carefully read HUD's **Federal Register** Notice on Early Registration published on March 10, 2008 (73 FR 12751) (Early Registration Notice), and start the Grants.gov registration process immediately upon publication of this NOFA. Applicants should take