

DEPARTMENT OF HOMELAND SECURITY**U.S. Immigration and Customs Enforcement**

[Docket No. ICEB–2024–0008]

RIN 1653–ZA52

Employment Authorization for Somali F–1 Nonimmigrant Students Experiencing Severe Economic Hardship as a Direct Result of the Current Crisis in Somalia**AGENCY:** U.S. Immigration and Customs Enforcement; Department of Homeland Security.**ACTION:** Notice.

SUMMARY: The Department of Homeland Security (DHS) is suspending certain regulatory requirements for F–1 nonimmigrant students from Somalia who are experiencing severe economic hardship as a direct result of the current crisis in Somalia. The Secretary is providing relief to these students who are in lawful F–1 nonimmigrant status, so the students may request employment authorization, work an increased number of hours while school is in session, and reduce their course load while continuing to maintain their F–1 nonimmigrant status.

DATES: This action covers eligible Somali F–1 nonimmigrant students beginning on September 18, 2024, and ending on March 17, 2026.

FOR FURTHER INFORMATION CONTACT: Sharon Snyder, Unit Chief, Policy and Response Unit, Student and Exchange Visitor Program, MS 5600, U.S. Immigration and Customs Enforcement, 500 12th Street SW, Washington, DC 20536–5600; email: sevp@ice.dhs.gov, telephone: (703) 603–3400. This is not a toll-free number. Program information can be found at <https://www.ice.gov/sevis/>.

SUPPLEMENTARY INFORMATION:**What action is DHS taking under this notice?**

The Secretary is exercising authority under 8 CFR 214.2(f)(9) to temporarily suspend the applicability of certain requirements governing on-campus and off-campus employment for F–1 nonimmigrant students whose country of citizenship is Somalia regardless of country of birth (or individuals having no nationality who last habitually resided in Somalia), who are present in the United States in lawful F–1 nonimmigrant student status on the date of publication of this notice, and who are experiencing severe economic hardship as a direct result of the current

crisis in Somalia. The original notice, which applied to F–1 nonimmigrant students who met certain criteria, including having been lawfully present in the United States in F–1 nonimmigrant status on September 18, 2021, was effective from September 18, 2021, through March 17, 2023. See 86 FR 38739 (July 22, 2021). Most recently, DHS issued a notice which applied to F–1 nonimmigrant students who met certain criteria, including having been lawfully present in the United States in F–1 nonimmigrant status on March 13, 2023, was effective from March 18, 2023, through September 17, 2024. See 88 FR 15427 (Mar. 13, 2023). Effective with this publication, suspension of the employment limitations is available through March 17, 2026, for those who are in lawful F–1 nonimmigrant status on the date of publication of this notice. DHS will deem an F–1 nonimmigrant student granted employment authorization through this Notice to be engaged in a “full course of study” for the duration of the employment authorization, if the student satisfies the minimum course load set forth in this notice.¹ See 8 CFR 214.2(f)(6)(i)(F).

Who is covered by this notice?

This notice applies exclusively to F–1 nonimmigrant students who meet all of the following conditions:

- (1) Are a citizen of Somalia regardless of country of birth (or an individual having no nationality who last habitually resided in Somalia);
- (2) Were lawfully present in the United States on the date of publication of this notice in F–1 nonimmigrant status under section 101(a)(15)(F)(i) of the Immigration and Nationality Act (INA), 8 U.S.C. 1101(a)(15)(F)(i);
- (3) Are enrolled in an academic institution that is Student and Exchange Visitor Program (SEVP)-certified for enrollment for F–1 nonimmigrant students;
- (4) Are currently maintaining F–1 nonimmigrant status; and
- (5) Are experiencing severe economic hardship as a direct result of the current crisis in Somalia.

This notice applies to F–1 nonimmigrant students in an approved private school in kindergarten through

¹ Because the suspension of requirements under this notice applies throughout an academic term during which the suspension is in effect, DHS considers an F–1 nonimmigrant student who engages in a reduced course load or employment (or both) after this notice is effective to be engaging in a “full course of study,” see 8 CFR 214.2(f)(6), and eligible for employment authorization, through the end of any academic term for which such student is matriculated as of March 17, 2026, provided the student satisfies the minimum course load requirements in this notice.

grade 12, public school grades 9 through 12, and undergraduate and graduate education. An F–1 nonimmigrant student covered by this notice who transfers to another SEVP-certified academic institution remains eligible for the relief provided by means of this notice.

Why is DHS taking this action?

DHS is taking action to provide relief to Somali F–1 nonimmigrant students experiencing severe economic hardship due to the current crisis in Somalia. Based on its review of country conditions in Somalia and input received from the U.S. Department of State (DOS), DHS is taking action to allow eligible F–1 nonimmigrant students from Somalia to request employment authorization, work an increased number of hours while school is in session, and reduce their course load while continuing to maintain F–1 nonimmigrant student status.

Somalia faces multiple and competing security threats, including political instability, frequent attacks from international terrorist organizations, like Al-Shabaab, and inter-clan violence.² Additionally, the already bleak and widespread humanitarian situation has been exacerbated by droughts, disease, and general lack of access to essential goods like food, clean water, and medical supplies.³

Security Concerns

Somali President, Hassan Sheikh Mohamud, announced “total war” against Al-Shabaab in 2022 after the group attacked a popular hotel in Somalia’s capital, Mogadishu, in August of that year, killing 21 people.⁴ The Somali government launched a series of counter-insurgency operations against Al-Shabaab, beginning in central Somalia and expanding to southern Somalia.⁵ These operations resulted in

² Humanitarian Action for Children 2024—Somalia, UNICEF, Dec. 28, 2023, available at <https://reliefweb.int/report/somalia/humanitarian-action-children-2024-somalia> (last visited on Mar. 12, 2024).

³ *Id.*

⁴ Al Shabab: Are militant attacks on the rise in Somalia, BBC News, Nov. 2, 2022, available at <https://www.bbc.com/news/world-africa-49908716> (last visited on Mar. 8, 2024).

⁵ Somalia: The Government and al-Shabaab Vie for the Support of Clan Militias, ACLED, Sept. 15, 2023, available at <https://acleddata.com/2023/09/15/somalia-situation-update-september-2023-the-government-and-al-shabaab-vie-over-the-support-of-clan-militias/> (last visited on Mar. 8, 2024). Somalia is divided into 18 administrative regions (including Somaliland and Puntland). These regions are: Gedo, Middle Juba and Lower Juba (in Jubbaland state); Bakool, Bay and Lower Shabelle (in South-West state); Benadir (Banaadir)/Mogadishu (BRA); Hiraa and Middle Shabelle (in

an increase of Al-Shabaab-led attacks throughout Somalia, particularly in Mogadishu.⁶ In October 2023, the head of the African Union Transition Mission in Somalia stated that Al-Shabaab remains the main threat to Somalia and the region.⁷ In addition to the Al-Shabaab-led attacks, the Islamic State of Iraq and the Levant (ISIL)⁸ faction in Somalia continues to function and carry out attacks in the Puntland state.⁹ For example, in February 2023, ISIL-Somalia claimed responsibility for an improvised explosive device incident which targeted a convoy of electoral delegates traveling through the Bari Region of Somalia.¹⁰

Additionally, inter-clan violence remains a security concern in Somalia.¹¹ DOS reported in April 2023 that “[c]lan-based political violence involved

Hirshabelle state); Galgaduud and Mudug (in Galmudug state); Nugal and Bari (in Puntland state); Sool and Sanaag (contested between Puntland and Somaliland); Togdheer, Awdal and Woogoyi Galbeed (in Somaliland state). Somalia Security Situation, Country of Origin Information Report, European Asylum Support Office, Sept. 2021, available at https://euaa.europa.eu/sites/default/files/publications/2021_09_EASO_COI_Report_Somalia_Security_situation_new_AC.pdf (last visited on Mar. 20, 2024).

⁶ Statement by Special Representative of the Secretary-General Catriona Laing to the Security Council on the Situation on Somalia, United Nations Assistance Mission in Somalia (UNSOM), Oct. 19, 2023, available at <https://reliefweb.int/report/somalia/statement-special-representative-secretary-general-catriona-laing-security-council-situation-somalia> (last visited on Mar. 8, 2024).

⁷ As African Union Mission in Somalia Draws Down, Al-Shabaab Remains Threat to Country, Region, Special Representative Tells Security Council, UN News, Oct. 19, 2023, available at <https://press.un.org/en/2023/sc15457.doc.htm> (last visited on Mar. 8, 2024).

⁸ ISIL is also known as DAESH or DA'ISH, an acronym for its name in Arabic. The group was designated as a Foreign Terrorist Organization on December 17, 2004. See 69 FR 75587 (Dec. 17, 2004); see also, Counter Terrorism Guide-Islamic State of Iraq and the Levant, National Counterterrorism Center, available at <https://www.dni.gov/nctc/groups/isil.html> (last visited on June 3, 2024).

⁹ Somalia: Protection Analysis Update (Feb. 2022), Global Protection Cluster/UN High Commissioner for Refugees, Feb. 9, 2022, available at <https://reliefweb.int/report/somalia/somalia-protection-analysis-update-february-2022> (last visited on Mar. 20, 2024). In Puntland State, both the ISIL or DAESH and Al-Shabaab are present in the region. *Id.* The ISIL-Somalia fighters broke away from Al-Shabaab in 2015. See Foreign Terrorist Organizations: ISIS—SOMALIA, DNI, Sept 2022, available at https://www.dni.gov/nctc/ftos/isis_somalia_fto.html (last visited June 3, 2024).

¹⁰ Situation in Somalia—Report of the Secretary-General (covering Feb–June 2023), UN Security Council, June 15, 2023, available at <https://reliefweb.int/report/somalia/situation-somalia-report-secretary-general-s2023443-enarruzh> (last visited on Mar. 8, 2024).

¹¹ 2022 Country Reports on Human Rights Practices: Somalia, U.S. Department of State, Apr. 12, 2023, available at <https://www.state.gov/reports/2022-country-reports-on-human-rights-practices/somalia/> (last visited on Mar. 12, 2024).

revenge killings and attacks on civilian settlements.”¹² In February 2023, the UN Independent Expert on the Situation of Human Rights in Somalia expressed “alarm at the high number of civilian casualties” in the country, and called “upon all parties involved in the clashes to fully respect their obligations under international law, in particular with regard to the protection of civilians.”¹³ Furthermore, in an October 2023 statement to the UN Security Council, the UN Special Representative for Somalia reported that “Conflicts in Somalia continue to take a heavy toll on civilians. Last year [2022], we saw the largest increase in civilian casualties since 2017. Sadly, early data indicate a similar trend in 2023, with 1,289 civilian casualties recorded so far.”¹⁴

Humanitarian Concerns

In 2024, 6.9 million people are estimated to require humanitarian and protection assistance.¹⁵ In January 2024, the UN Office for the Coordination of Humanitarian Affairs (UNOCHA) reported that civilians in Somalia face multiple risks, including “gender-based violence, kidnapping and abduction, discrimination, family separation, abuse, forced eviction and destruction of properties, presence of mines and other explosive ordnance, civilian death or injury, and child recruitment into armed groups, among others.”¹⁶ Per UNOCHA, between January and October 2023, more than 120,000 people were evicted from privately owned sites, “sixty percent of whom were in Mogadishu.”¹⁷

As of February 2024, UNOCHA reported that there were 3.8 million people displaced in Somalia.¹⁸ In addition, more than 80 percent of the

displaced population in Somalia “are women and children who face significant protection risks.”¹⁹ UNOCHA assessed that “lack of food, drought-reduced access to water was the key driver for displacement in the first half of 2023.”²⁰ UNOCHA further noted that “the number of people newly or re-displaced due to conflict and insecurity in 2023–653,000 people—also stood at an all-time high [for Somalia].”²¹

In its annual report covering 2023, Human Rights Watch assessed that “[t]he humanitarian situation in Somalia remain[s] dire.”²² In a December 2023 report, the World Food Programme (WFP) reported that “Poverty is widespread, with seven out of ten Somalis living on less than USD 1.90 a day.”²³ In the same report, the WFP stated that, “malnutrition is driven by chronic food insecurity, poor infant and young child feeding practices, diseases, limited access to clean water, sanitation, and health.”²⁴ The WFP also noted that “1.5 million children under the age of five are estimated to suffer from acute malnutrition in 2023.”²⁵ Additionally, UNOCHA reported that “4.3 million people—almost one fourth of Somalia’s population [of 17 million²⁶—remain acutely food insecure in 2024.”²⁷

Concurrent disease outbreaks have also impacted “the health and the lives of the crisis-affected populations of Somalia.”²⁸ In February 2024, the Somalia Ministry of Health and Human Services further assessed that “the ongoing cholera outbreak can be attributed to a growing number of people, who lack access to safe water and proper sanitation.”²⁹

¹⁹ Somalia 2024 Humanitarian Needs and Response Plan, UNOCHA, Jan. 30, 2024, available at <https://reliefweb.int/report/somalia/somalia-2024-humanitarian-needs-and-response-plan-hnpr> (last visited on Mar. 12, 2024).

²⁰ *Id.*

²¹ *Id.*

²² Somalia, Human Rights Watch, Jan. 11, 2024, available at <https://www.hrw.org/world-report/2024/country-chapters/somalia#fa7e90> (last visited on Mar. 19, 2024).

²³ Somalia Country Brief, WFP, Dec. 2023, available at <https://reliefweb.int/report/somalia/wfp-somalia-country-brief-december-2023> (last visited on Mar. 12, 2024).

²⁴ *Id.*

²⁵ *Id.*

²⁶ Somalia Country Brief, WFP, Dec. 2023, available at <https://reliefweb.int/report/somalia/wfp-somalia-country-brief-december-2023> (last visited on Mar. 14, 2024).

²⁷ Somalia 2024 Humanitarian Needs and Response Plan, UNOCHA, Jan. 30, 2024, available at <https://reliefweb.int/report/somalia/somalia-2024-humanitarian-needs-and-response-plan-hnpr> (last visited on Mar. 12, 2024).

²⁸ *Id.*

²⁹ Acute Water Diarrhea/Cholera Weekly Epidemiological Report, Ministry of Health and

¹² *Id.*

¹³ Situation in Somalia—Report of the Secretary-General (covering Feb–June 2023), UN Security Council, June 15, 2023, available at <https://reliefweb.int/report/somalia/situation-somalia-report-secretary-general-s2023443-enarruzh> (last visited on Mar. 8, 2024).

¹⁴ Statement by Special Representative of the Secretary-General Catriona Laing to the Security Council on the situation in Somalia, UNSOM, Oct. 19, 2023, available at https://unos.unmissions.org/sites/default/files/19102023_srg_statement_as_delivered.pdf (last visited on Apr. 24, 2024).

¹⁵ Somalia 2024 Humanitarian Needs and Response Plan, UNOCHA, Jan. 30, 2024, available at <https://reliefweb.int/report/somalia/somalia-2024-humanitarian-needs-and-response-plan-hnpr> (last visited on Mar. 12, 2024).

¹⁶ *Id.*

¹⁷ *Id.*

¹⁸ Somalia Fact Sheet—Key Figures, UNOCHA, Feb. 29, 2024, available at https://reliefweb.int/report/somalia/somalia-factsheet-key-figures-29-feb-2024?_gl=1*1okgrm2*_ga*OT11NTY0MTI2LjE2NzQ2NzM4NjU.*_ga_E60ZNX2F68*MTcxMDg2Nzg5MC4xMDMuMS4xNzEwODY5MzQzLjYwLjAuMA (last visited on Mar. 20, 2024).

According to UNOCHA's January 2024 report, humanitarian access remains a challenge in Somalia due to ongoing conflict and insecurity, and inter-clan violence.³⁰ Close to 900,000 people live in areas that are inaccessible to humanitarian aid, and an additional two million people live in areas with significant access constraints due to the presence of non-state armed actors.³¹ Continued attacks on humanitarian workers and infrastructure, and restrictions on movement have exacerbated access and operational challenges.³²

Economic Concerns

According to the World Bank, in 2023, Somalia completed the Heavily Indebted Poor Countries Initiative.³³ After completing the initiative, Somalia "achieved debt service savings of \$4.5 billion and got access to critical additional financial resources that will help Somalia strengthen its economy, reduce poverty, and promote job creation."³⁴ As a result of this, Somalia's external debt fell to less than 6 percent of the GDP by the end of 2023.³⁵ Despite these achievements, the trade deficit was 59 percent of the GDP in 2023, and "real GDP growth has been low and volatile, averaging only 2 percent per year in 2019–23 while real GDP per capita averaged –0.8 percent per year."³⁶ Additionally, the purchasing power of many civilians has been eroded, "increasing the risk of more people falling into poverty."³⁷

As of June 28, 2024, approximately 130 F–1 nonimmigrant students from Somalia are enrolled at SEVP-certified

academic institutions in the United States. Given the extent of the current crisis in Somalia, affected students whose primary means of financial support comes from Somalia may need to be exempt from the normal student employment requirements to continue their studies in the United States. The current crisis has made it unfeasible for many students to safely return to Somalia for the foreseeable future. Without employment authorization, these students may lack the means to meet basic living expenses.

What is the minimum course load requirement to maintain valid F–1 nonimmigrant status under this notice?

Undergraduate F–1 nonimmigrant students who receive on-campus or off-campus employment authorization under this notice must remain registered for a minimum of six semester or quarter hours of instruction per academic term. Undergraduate F–1 nonimmigrant students enrolled in a term of different duration must register for at least one half of the credit hours normally required under a "full course of study." See 8 CFR 214.2(f)(6)(i)(B) and (F). A graduate-level F–1 nonimmigrant student who receives on-campus or off-campus employment authorization under this notice must remain registered for a minimum of three semester or quarter hours of instruction per academic term. See 8 CFR 214.2(f)(5)(v). Nothing in this notice affects the applicability of other minimum course load requirements set by the academic institution.

In addition, an F–1 nonimmigrant student (either undergraduate or graduate) granted on-campus or off-campus employment authorization under this notice may count up to the equivalent of one class or three credits per session, term, semester, trimester, or quarter of online or distance education toward satisfying this minimum course load requirement, unless their course of study is in an English language study program. See 8 CFR 214.2(f)(6)(i)(G). An F–1 nonimmigrant student attending an approved private school in kindergarten through grade 12 or public school in grades 9 through 12 must maintain "class attendance for not less than the minimum number of hours a week prescribed by the school for normal progress toward graduation," as required under 8 CFR 214.2(f)(6)(i)(E). Nothing in this notice affects the applicability of federal and state labor laws limiting the employment of minors.

May an eligible F–1 nonimmigrant student who already has on-campus or off-campus employment authorization benefit from the suspension of regulatory requirements under this notice?

Yes. An F–1 nonimmigrant student who is a Somali citizen, regardless of country of birth (or an individual having no nationality who last habitually resided in Somalia), who already has on-campus or off-campus employment authorization and is otherwise eligible may benefit under this notice, which suspends certain regulatory requirements relating to the minimum course load requirement under 8 CFR 214.2(f)(6)(i) and certain employment eligibility requirements under 8 CFR 214.2(f)(9). Such an eligible F–1 nonimmigrant student may benefit without having to apply for a new Form I–766, Employment Authorization Document (EAD). To benefit from this notice, the F–1 nonimmigrant student must request that their designated school official (DSO) enter the following statement in the remarks field of the student's Student and Exchange Visitor Information System (SEVIS) record, which the student's Form I–20, Certificate of Eligibility for Nonimmigrant (F–1) Student Status, will reflect:

Approved for more than 20 hours per week of [DSO must insert "on-campus" or "off-campus," depending upon the type of employment authorization the student already has] employment authorization and reduced course load under the Special Student Relief authorization from [DSO must insert the beginning date of the notice or the beginning date of the student's employment, whichever date is later] until [DSO must insert either the student's program end date, the current EAD expiration date (if the student is currently authorized for off-campus employment), or the end date of this notice, whichever date comes first].³⁸

Must the F–1 nonimmigrant student apply for reinstatement after expiration of this special employment authorization if the student reduces his or her "full course of study"?

No. DHS will deem an F–1 nonimmigrant student who receives and complies with the employment authorization permitted under this

³⁸ Because the suspension of requirements under this notice applies throughout an academic term during which the suspension is in effect, DHS considers an F–1 nonimmigrant student who engages in a reduced course load or employment (or both) after this notice is effective to be engaging in a "full course of study," see 8 CFR 214.2(f)(6), and eligible for employment authorization, through the end of any academic term for which such student is matriculated as of March 17, 2026, provided the student satisfies the minimum course load requirements in this notice.

Human Services, Federal Government of Somalia, Feb. 19–25, 2024, available at https://reliefweb.int/report/somalia/awdcholera-weekly-epidemiological-report-epi-week-8-19-february-25-february-2024? gl=1*1nmseu4* ga*OT1NTY0MTI2LjE2NzQ2NzQ4NjU.* ga_E60ZNX2F68*MTcxMTM3NTY3My4xMTIuMS4xNzExMzc3NjI2LjQ4LjAuMA (last visited on Mar. 22, 2024).

³⁰ Somalia 2024 Humanitarian Needs and Response Plan, UNOCHA, Jan. 30, 2024, available at <https://reliefweb.int/report/somalia/somalia-2024-humanitarian-needs-and-response-plan-hnrrp> (last visited on Mar. 12, 2024).

³¹ Joint Justice and Corrections Programme: 01 June 2023–30 May 2027, UN Somalia Joint Fund, available at https://mptf.undp.org/sites/default/files/documents/2023-09/unsjf_mptf_prodoc_jjcp_redacted.pdf (last visited May 2, 2024).

³² Somalia 2024 Humanitarian Needs and Response Plan, UNOCHA, Jan. 30, 2024, available at <https://reliefweb.int/report/somalia/somalia-2024-humanitarian-needs-and-response-plan-hnrrp> (last visited on Mar. 12, 2024).

³³ The World Bank in Somalia, The World Bank, Feb. 26, 2024, available at <https://www.worldbank.org/en/country/somalia/overview> (last visited Apr. 19, 2024).

³⁴ *Id.*

³⁵ *Id.*

³⁶ *Id.*

³⁷ *Id.*

notice to be engaged in a “full course of study”³⁹ for the duration of the student’s employment authorization, provided that a qualifying undergraduate level F–1 nonimmigrant student remains registered for a minimum of six semester or quarter hours of instruction per academic term, and a qualifying graduate level F–1 nonimmigrant student remains registered for a minimum of three semester or quarter hours of instruction per academic term. See 8 CFR 214.2(f)(5)(v) and (f)(6)(i)(F). Undergraduate F–1 nonimmigrant students enrolled in a term of different duration must register for at least one half of the credit hours normally required under a “full course of study.” See 8 CFR 214.2(f)(6)(i)(B) and (F). DHS will not require such students to apply for reinstatement under 8 CFR 214.2(f)(16) if they are otherwise maintaining F–1 nonimmigrant status.

Will an F–2 dependent (spouse or minor child) of an F–1 nonimmigrant student covered by this notice be eligible for employment authorization?

No. An F–2 spouse or minor child of an F–1 nonimmigrant student is not authorized to work in the United States and, therefore, may not accept employment while in F–2 nonimmigrant status, consistent with 8 CFR 214.2(f)(15)(i).

Will the suspension of the applicability of the standard student employment requirements apply to an individual who receives an initial F–1 visa and makes an initial entry into the United States after the effective date of this notice in the Federal Register?

No. The suspension of the applicability of the standard regulatory requirements only applies to certain F–1 nonimmigrant students who meet the following conditions:

- (1) Are a citizen of Somalia regardless of country of birth (or an individual having no nationality who last habitually resided in Somalia);
- (2) Were lawfully present in the United States on the date of publication of this notice in F–1 nonimmigrant status, under section 101(a)(15)(F)(i) of the INA, 8 U.S.C. 1101(a)(15)(F)(i);
- (3) Are enrolled in an academic institution that is SEVP-certified for enrollment of F–1 nonimmigrant students;
- (4) Are maintaining F–1 nonimmigrant status; and
- (5) Are experiencing severe economic hardship as a direct result of the current crisis in Somalia.

An F–1 nonimmigrant student who does not meet all these requirements is ineligible for the suspension of the applicability of the standard regulatory requirements (even if experiencing severe economic hardship as a direct result of the current crisis in Somalia).

Does this notice apply to a continuing F–1 nonimmigrant student who departs the United States after the effective date of this notice in the Federal Register and who needs to obtain a new F–1 visa before returning to the United States to continue an educational program?

Yes. This notice applies to such an F–1 nonimmigrant student, but only if the DSO has properly notated the student’s SEVIS record, which will then appear on the student’s Form I–20. The normal rules for visa issuance remain applicable to a nonimmigrant who needs to apply for a new F–1 visa to continue an educational program in the United States.

Does this notice apply to elementary school, middle school, and high school students in F–1 status?

Yes. However, this notice does not by itself reduce the required course load for F–1 nonimmigrant students from Somalia enrolled in kindergarten through grade 12 at a private school, or grades 9 through 12 at a public high school. Such students must maintain the minimum number of hours of class attendance per week prescribed by the academic institution for normal progress toward graduation, as required under 8 CFR 214.2(f)(6)(i)(E). The suspension of certain regulatory requirements related to employment through this notice is applicable to all eligible F–1 nonimmigrant students regardless of educational level. Eligible F–1 nonimmigrant students from Somalia enrolled in an elementary school, middle school, or high school may benefit from the suspension of the requirement in 8 CFR 214.2(f)(9)(i) that limits on-campus employment to 20 hours per week while school is in session.

On-Campus Employment Authorization

Will an F–1 nonimmigrant student who receives on-campus employment authorization under this notice be authorized to work more than 20 hours per week while school is in session?

Yes. For an F–1 nonimmigrant student covered in this notice, the Secretary is suspending the applicability of the requirement in 8 CFR 214.2(f)(9)(i) that limits an F–1 nonimmigrant student’s on-campus employment to 20 hours per week while school is in session. An eligible F–1

nonimmigrant student has authorization to work more than 20 hours per week while school is in session if the DSO has entered the following statement in the remarks field of the student’s SEVIS record, which will be reflected on the student’s Form I–20:

Approved for more than 20 hours per week of on-campus employment and reduced course load, under the Special Student Relief authorization from [DSO must insert the beginning date of this notice or the beginning date of the student’s employment, whichever date is later] until [DSO must insert the student’s program end date or the end date of this notice, whichever date comes first].⁴⁰

To obtain on-campus employment authorization, the F–1 nonimmigrant student must demonstrate to the DSO that the employment is necessary to avoid severe economic hardship directly resulting from the current crisis in Somalia. An F–1 nonimmigrant student authorized by the DSO to engage in on-campus employment by means of this notice does not need to file any applications with U.S. Citizenship and Immigration Services (USCIS). The standard rules permitting full-time on-campus employment when school is not in session or during school vacations apply, as described in 8 CFR 214.2(f)(9)(i).

Will an F–1 nonimmigrant student who receives on-campus employment authorization under this notice have authorization to reduce the normal course load and still maintain his or her F–1 nonimmigrant student status?

Yes. DHS will deem an F–1 nonimmigrant student who receives on-campus employment authorization under this notice to be engaged in a “full course of study”⁴¹ for the purpose of maintaining their F–1 nonimmigrant student status for the duration of the on-campus employment, if the student satisfies the minimum course load requirement described in this notice, consistent with 8 CFR 214.2(f)(6)(i)(F). However, the authorization to reduce the normal course load is solely for DHS purposes of determining valid F–1 nonimmigrant student status. Nothing in this notice mandates that school officials allow an F–1 nonimmigrant

⁴⁰ Because the suspension of requirements under this notice applies throughout an academic term during which the suspension is in effect, DHS considers an F–1 nonimmigrant student who engages in a reduced course load or employment (or both) after this notice is effective to be engaging in a “full course of study,” see 8 CFR 214.2(f)(6), and eligible for employment authorization, through the end of any academic term for which such student is matriculated as of March 17, 2026, provided the student satisfies the minimum course load requirements in this notice.

⁴¹ See 8 CFR 214.2(f)(6).

³⁹ See 8 CFR 214.2(f)(6).

student to take a reduced course load if the reduction would not meet the academic institution's minimum course load requirement for continued enrollment.⁴²

Off-Campus Employment Authorization

What regulatory requirements does this notice temporarily suspend relating to off-campus employment?

For an F–1 nonimmigrant student covered by this notice, as provided under 8 CFR 214.2(f)(9)(ii)(A), the Secretary is suspending the following regulatory requirements relating to off-campus employment:

(a) The requirement that a student must have been in F–1 nonimmigrant student status for one full academic year to be eligible for off-campus employment;

(b) The requirement that an F–1 nonimmigrant student must demonstrate that acceptance of employment will not interfere with the student's carrying a full course of study;

(c) The requirement that limits an F–1 nonimmigrant student's employment authorization to no more than 20 hours per week of off-campus employment while the school is in session; and

(d) The requirement that the student demonstrate that employment under 8 CFR 214.2(f)(9)(i) is unavailable or otherwise insufficient to meet the needs that have arisen as a result of the unforeseen circumstances.

Will an F–1 nonimmigrant student who receives off-campus employment authorization under this notice have authorization to reduce the normal course load and still maintain F–1 nonimmigrant status?

Yes. DHS will deem an F–1 nonimmigrant student who receives off-campus employment authorization by means of this notice to be engaged in a "full course of study"⁴³ for the purpose of maintaining F–1 nonimmigrant student status for the duration of the student's employment authorization if the student satisfies the minimum course load requirement described in this notice, consistent with 8 CFR 214.2(f)(6)(i)(F). The authorization for a reduced course load is solely for DHS purposes of determining valid F–1 nonimmigrant student status. Nothing in this notice mandates that school officials allow an F–1 nonimmigrant student to take a reduced course load if

such reduced course load would not meet the school's minimum course load requirement.⁴⁴

How may an eligible F–1 nonimmigrant student obtain employment authorization for off-campus employment with a reduced course load under this notice?

An F–1 nonimmigrant student must file a Form I–765, Application for Employment Authorization, with USCIS to apply for off-campus employment authorization based on severe economic hardship directly resulting from the current crisis in Somalia.⁴⁵ Filing instructions are located at <https://www.uscis.gov/i-765>.

Fee considerations. Submission of a Form I–765 currently requires payment of a \$520 fee. An applicant who is unable to pay the fee may submit a completed Form I–912, Request for Fee Waiver, along with the Form I–765, Application for Employment Authorization. See <https://www.uscis.gov/i-912>. The submission must include an explanation about why USCIS should grant the fee waiver and the reason(s) for the inability to pay, and any evidence to support the reason(s). See 8 CFR 106.2 and 106.3.

Supporting documentation. An F–1 nonimmigrant student seeking off-campus employment authorization due to severe economic hardship must demonstrate the following to their DSO:

(1) This employment is necessary to avoid severe economic hardship; and

(2) The hardship is a direct result of the current crisis in Somalia.

If the DSO agrees that the F–1 nonimmigrant student is entitled to receive such employment authorization, the DSO must recommend application approval to USCIS by entering the following statement in the remarks field of the student's SEVIS record, which will then appear on that student's Form I–20:

Recommended for off-campus employment authorization in excess of 20 hours per week and reduced course load under the Special Student Relief authorization from the date of the USCIS authorization noted on Form I–766 until [DSO must insert the program end date or the end date of this notice, whichever date comes first].⁴⁶

⁴⁴ Minimum course load requirement for enrollment in a school must be established in a publicly available document (e.g., catalog, website, or operating procedure), and it must be a standard applicable to all students (U.S. citizens and foreign students) enrolled at the school.

⁴⁵ See 8 CFR 274a.12(c)(3)(iii).

⁴⁶ Because the suspension of requirements under this notice applies throughout an academic term during which the suspension is in effect, DHS considers an F–1 nonimmigrant student who engages in a reduced course load or employment (or

The F–1 nonimmigrant student must then file the properly endorsed Form I–20 and Form I–765 according to the instructions for the Form I–765. The F–1 nonimmigrant student may begin working off campus only upon receipt of the EAD from USCIS.

DSO recommendation. In making a recommendation that an F–1 nonimmigrant student be approved for Special Student Relief, the DSO certifies that:

(a) The F–1 nonimmigrant student is in good academic standing and is carrying a "full course of study"⁴⁷ at the time of the request for employment authorization;

(b) The F–1 nonimmigrant student is a citizen of Somalia, regardless of country of birth (or an individual having no nationality who last habitually resided in Somalia), and is experiencing severe economic hardship as a direct result of the current crisis in Somalia, as documented on the Form I–20;

(c) The F–1 nonimmigrant student has confirmed that the student will comply with the reduced course load requirements of this notice and register for the duration of the authorized employment for a minimum of six semester or quarter hours of instruction per academic term if at the undergraduate level, or for a minimum of three semester or quarter hours of instruction per academic term if the student is at the graduate level;⁴⁸ and

(d) The off-campus employment is necessary to alleviate severe economic hardship to the individual as a direct result of the current crisis in Somalia.

Processing. To facilitate prompt adjudication of the student's application for off-campus employment authorization under 8 CFR 214.2(f)(9)(ii)(C), the F–1 nonimmigrant student should do both of the following:

(a) Ensure that the application package includes the following documents:

(1) A completed Form I–765 with all applicable supporting evidence;

(2) The required fee or properly documented fee waiver request as defined in 8 CFR 106.2 and 106.3; and

(3) A signed and dated copy of the student's Form I–20 with the appropriate DSO recommendation, as previously described in this notice; and

(b) Send the application in an envelope which is clearly marked on the

both) after this notice is effective to be engaging in a "full course of study," see 8 CFR 214.2(f)(6), and eligible for employment authorization, through the end of any academic term for which such student is matriculated as of March 17, 2026, provided the student satisfies the minimum course load requirements in this notice.

⁴⁷ See 8 CFR 214.2(f)(6).

⁴⁸ 8 CFR 214.2(f)(5)(v).

⁴² Minimum course load requirement for enrollment in a school must be established in a publicly available document (e.g., catalog, website, or operating procedure), and it must be a standard applicable to all students (U.S. citizens and foreign students) enrolled at the school.

⁴³ See 8 CFR 214.2(f)(6).

front of the envelope, bottom right-hand side, with the phrase “SPECIAL STUDENT RELIEF.”⁴⁹ Failure to include this notation may result in significant processing delays.

If USCIS approves the student’s Form I-765, USCIS will send the student a Form I-766 EAD as evidence of employment authorization. The EAD will contain an expiration date that does not exceed the end of the granted temporary relief.

Temporary Protected Status (TPS) Considerations

Can an F-1 nonimmigrant student apply for TPS and for benefits under this notice at the same time?

Yes. An F-1 nonimmigrant student who has not yet applied for TPS or for other relief that reduces the student’s course load per term and permits an increased number of work hours per week, such as Special Student Relief,⁵⁰ under this notice has two options.

Under the first option, the F-1 nonimmigrant student may apply for TPS according to the instructions in the USCIS notice designating Somalia for TPS elsewhere in this issue of the **Federal Register**. All TPS applicants must file a Form I-821, Application for Temporary Protected Status, with the appropriate fee (or request a fee waiver). Although not required to do so, if F-1 nonimmigrant students want to obtain a new TPS-related EAD that is valid through March 17, 2026, and to be eligible for automatic EAD extensions that may be available to certain EADs with an A-12 or C-19 category code, they must file Form I-765 and pay the Form I-765 fee (or request a fee waiver). After receiving the TPS-related EAD, an F-1 nonimmigrant student may request that their DSO make the required entry in SEVIS and issue an updated Form I-20, which notates that the nonimmigrant student has been authorized to carry a reduced course load, as described in this notice. As long as the F-1 nonimmigrant student maintains the minimum course load described in this notice, does not otherwise violate their nonimmigrant status, including as provided under 8 CFR 214.1(g), and maintains TPS, then the student maintains F-1 status and TPS concurrently.

Under the second option, the F-1 nonimmigrant student may apply for an EAD under Special Student Relief by

filing Form I-765 with the location specified in the filing instructions. At the same time, the F-1 nonimmigrant student may file a separate TPS application but must submit the Form I-821 according to the instructions provided in the **Federal Register** notice designating Somalia for TPS. If the F-1 nonimmigrant student has already applied for employment authorization under Special Student Relief, they are not required to submit the Form I-765 as part of the TPS application. However, some nonimmigrant students may wish to obtain a TPS-related EAD in light of certain extensions that may be available to EADs with an A-12 or C-19 category code that are not available to the C-3 category under which Special Student Relief falls. The F-1 nonimmigrant student should check the appropriate box when filling out Form I-821 to indicate whether a TPS-related EAD is being requested. Again, as long as the F-1 nonimmigrant student maintains the minimum course load described in this notice and does not otherwise violate the student’s nonimmigrant status, included as provided under 8 CFR 214.1(g), the nonimmigrant will be able to maintain compliance requirements for F-1 nonimmigrant student status while having TPS.

When a student applies simultaneously for TPS and benefits under this notice, what is the minimum course load requirement while an application for employment authorization is pending?

The F-1 nonimmigrant student must maintain normal course load requirements for a “full course of study”⁵¹ unless or until the nonimmigrant student receives employment authorization under this notice. TPS-related employment authorization, by itself, does not authorize a nonimmigrant student to drop below twelve credit hours, or otherwise applicable minimum requirements (e.g., clock hours for non-traditional academic programs). Once approved for a TPS-related EAD and Special Student Relief employment authorization, as indicated by the DSO’s required entry in SEVIS and issuance of an updated Form I-20, the F-1 nonimmigrant student may drop below twelve credit hours, or otherwise applicable minimum requirements (with a minimum of six semester or quarter hours of instruction per academic term if at the undergraduate level, or for a minimum of three semester or quarter hours of instruction per academic term

if at the graduate level). See 8 CFR 214.2(f)(5)(v), (f)(6), and (f)(9)(i) and (ii).

How does a student who has received a TPS-related EAD then apply for authorization to take a reduced course load under this notice?

There is no further application process with USCIS if a student has been approved for a TPS-related EAD. The F-1 nonimmigrant student must demonstrate and provide documentation to the DSO of the direct economic hardship resulting from the current crisis in Somalia. The DSO will then verify and update the student’s record in SEVIS to enable the F-1 nonimmigrant student with TPS to reduce the course load without any further action or application. No other EAD needs to be issued for the F-1 nonimmigrant student to have employment authorization.

Can a noncitizen who has been granted TPS apply for reinstatement of F-1 nonimmigrant student status after the noncitizen’s F-1 nonimmigrant student status has lapsed?

Yes. Regulations permit certain students who fall out of F-1 nonimmigrant student status to apply for reinstatement. See 8 CFR 214.2(f)(16). This provision may apply to students who worked on a TPS-related EAD or dropped their course load before publication of this notice, and therefore fell out of student status. These students must satisfy the criteria set forth in the F-1 nonimmigrant student status reinstatement regulations.

How long will this notice remain in effect?

This notice grants temporary relief until March 17, 2026,⁵² to eligible F-1 nonimmigrant students. DHS will continue to monitor the situation in Somalia. Should the special provisions authorized by this notice need modification or extension, DHS will announce such changes in the **Federal Register**.

Paperwork Reduction Act (PRA)

An F-1 nonimmigrant student seeking off-campus employment authorization due to severe economic hardship

⁴⁹ Guidance for direct filing addresses can be found here: <https://www.uscis.gov/i-765-addresses> (last visited Apr. 29, 2024).

⁵⁰ See DHS Study in the States, Special Student Relief, available at <https://studyinthestates.dhs.gov/students/special-student-relief> (last visited Feb. 28, 2024).

⁵¹ See 8 CFR 214.2(f)(6).

⁵² Because the suspension of requirements under this notice applies throughout an academic term during which the suspension is in effect, DHS considers an F-1 nonimmigrant student who engages in a reduced course load or employment (or both) after this notice is effective to be engaging in a “full course of study,” see 8 CFR 214.2(f)(6), and eligible for employment authorization, through the end of any academic term for which such student is matriculated as of March 17, 2026, provided the student satisfies the minimum course load requirements in this notice.

resulting from the current crisis in Somalia must demonstrate to the DSO that this employment is necessary to avoid severe economic hardship. A DSO who agrees that a nonimmigrant student should receive such employment authorization must recommend an application approval to USCIS by entering information in the remarks field of the student's SEVIS record. The authority to collect this information is in the SEVIS collection of information currently approved by the Office of Management and Budget (OMB) under OMB Control Number 1653-0038.

This notice also allows an eligible F-1 nonimmigrant student to request employment authorization, work an increased number of hours while the academic institution is in session, and reduce their course load while continuing to maintain F-1 nonimmigrant student status.

To apply for employment authorization, certain F-1 nonimmigrant students must complete and submit a currently approved Form I-765 according to the instructions on the form. OMB has previously approved the collection of information contained on the current Form I-765, consistent with the PRA (OMB Control Number 1615-0040). Although there will be a slight increase in the number of Form I-765 filings because of this notice, the number of filings currently contained in the OMB annual inventory for Form I-765 is sufficient to cover the additional filings. Accordingly, there is no further action required under the PRA.

Alejandro Mayorkas,

Secretary, U.S. Department of Homeland Security.

[FR Doc. 2024-15788 Filed 7-19-24; 8:45 am]

BILLING CODE 9111-CB-P

DEPARTMENT OF HOMELAND SECURITY

U.S. Citizenship and Immigration Services

[CIS No. 2773-24; DHS Docket No. USCIS-2013-0006]

RIN 1615-ZB77

Extension and Redesignation of Somalia for Temporary Protected Status

AGENCY: U.S. Citizenship and Immigration Services (USCIS), Department of Homeland Security (DHS).

ACTION: Notice of Temporary Protected Status (TPS) extension and redesignation.

SUMMARY: Through this notice, the Department of Homeland Security (DHS) announces that the Secretary of Homeland Security (Secretary) is extending the designation of Somalia for Temporary Protected Status (TPS) and redesignating Somalia for TPS for 18 months, beginning on September 18, 2024, and ending on March 17, 2026. This extension and redesignation allows Somali nationals (and individuals having no nationality who last habitually resided in Somalia) who have been continuously residing in the United States since July 12, 2024, and who have been continuously physically present in the United States since September 18, 2024, to apply or re-register for TPS.

DATES: *Extension and Redesignation of Designation of Somalia for TPS* begins on September 18, 2024, and will remain in effect for 18 months. For registration instructions, see the Registration Information section below.

FOR FURTHER INFORMATION CONTACT:

- You may contact Rená Cutlip-Mason, Chief, Humanitarian Affairs Division, Office of Policy and Strategy, U.S. Citizenship and Immigration Services, Department of Homeland Security, by mail at 5900 Capital Gateway Drive, Camp Springs, MD 20746, or by phone at 240-721-3000.

- For more information on TPS, including guidance on the registration process and additional information on eligibility, please visit the USCIS TPS web page at <https://www.uscis.gov/tps>. You can find specific information about Somalia's TPS designation by selecting "Somalia" from the menu on the left side of the TPS web page.

- If you have additional questions about TPS, please visit <https://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 cannot find your answers there, you may also call our USCIS Contact Center at 800-375-5283 (TTY 800-767-1833).

- Applicants seeking information about the status of their individual cases may check Case Status Online, available on the USCIS website at uscis.gov, or visit the USCIS Contact Center at <https://www.uscis.gov/contactcenter>.

- You can also find more information at local USCIS offices after this notice is published.

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-131—Application for Travel Document
Form I-765—Application for Employment Authorization
Form I-797—Notice of Action
Form I-821—Application for Temporary Protected Status
Form I-9—Employment Eligibility Verification
Form I-912—Request for Fee Waiver
Form I-94—Arrival/Departure Record
FR—Federal Register
Government—U.S. Government
IER—U.S. Department of Justice, Civil Rights Division, Immigrant and Employee Rights Section
IJ—Immigration Judge
INA—Immigration and Nationality Act
SAVE—USCIS Systematic Alien Verification for Entitlements Program
Secretary—Secretary of Homeland Security
TPS—Temporary Protected Status
TTY—Text Telephone
USCIS—U.S. Citizenship and Immigration Services
U.S.C.—United States Code

Registration Information

Extension of Designation of Somalia for TPS: The 18-month extension of the designation of Somalia for TPS begins on September 18, 2024, and will remain in effect for 18 months, ending on March 17, 2026. The extension allows existing TPS beneficiaries to retain TPS through March 17, 2026, if they otherwise continue to meet the eligibility requirements for TPS. Existing TPS beneficiaries who wish to extend their status through March 17, 2026, must re-register during the 60-day re-registration period described in this notice.

Re-registration: The 60-day re-registration period for existing beneficiaries runs from July 22, 2024, through September 20, 2024. (*Note:* It is important for re-registrants to timely re-register and apply for new Employment Authorization Documents (EADs) during the re-registration period and not to wait until their EADs expire, as delaying re-registration and the filing of EAD renewal applications could result in gaps in their employment authorization documentation.)

Redesignation of Somalia for TPS: The 18-month redesignation of Somalia for TPS begins on September 18, 2024, and will remain in effect for 18 months, ending on March 17, 2026. The redesignation allows individuals who do not currently have TPS to apply for TPS during the initial registration period described under the first-time registration information in this notice. In addition to demonstrating continuous residence in the United States since July 12, 2024, and meeting other eligibility