

**Paperwork Reduction Act (PRA)**

An F–1 nonimmigrant student seeking off-campus employment authorization due to severe economic hardship resulting from the current humanitarian crisis in the Palestinian Territories 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 No. 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.*

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

[Docket No. ICEB–2024–0004]

RIN 1653–ZA48

**Employment Authorization for Ethiopian F–1 Nonimmigrant Students Experiencing Severe Economic Hardship as a Direct Result of the Current Armed Conflict and the Current Humanitarian Crisis in Ethiopia**

**AGENCY:** U.S. Immigration and Customs Enforcement; Department of Homeland Security.

**ACTION:** Notice.

**SUMMARY:** The Department of Homeland Security is suspending certain regulatory requirements for F–1 nonimmigrant students from Ethiopia who are experiencing severe economic hardship as a direct result of the current armed conflict and the current humanitarian crisis in Ethiopia. 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 is effective June 13, 2024, through December 12, 2025.

**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](mailto: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 Ethiopia regardless of country of birth (or individuals having no nationality who last habitually resided in Ethiopia), 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 armed conflict and the current humanitarian crisis in Ethiopia. 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 December 12, 2022, was effective from December 12, 2022, through June 12, 2024. See 87 FR 76068 (Dec. 12, 2022). Effective with this publication, suspension of the employment limitations is available through December 12, 2025, 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.<sup>1</sup> 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 Ethiopia regardless of country of birth (or an individual having no nationality who last habitually resided in Ethiopia);

(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 armed conflict and the current humanitarian crisis in Ethiopia.

This notice applies to F–1 nonimmigrant students in an approved private school in kindergarten through grade 12, public school grades 9 through 12, and undergraduate and graduate education. An F–1 nonimmigrant student covered by this notice who

<sup>1</sup> 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 December 12, 2025, provided the student satisfies the minimum course load requirements in this notice.

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 Ethiopian F–1 nonimmigrant students experiencing severe economic hardship due to the current armed conflict and the current humanitarian crisis in Ethiopia. Based on its review of country conditions in Ethiopia and input received from the U.S. Department of State (DOS), DHS is taking action to allow eligible F–1 nonimmigrant students from Ethiopia 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.

In November 2020, fighting between the Ethiopian National Defense Forces (ENDF)<sup>2</sup> and the Tigray People's Liberation Front (TPLF)<sup>3</sup> resulted in a protracted conflict in the northern Tigray region, and reports of serious and widespread abuses.<sup>4</sup> Violence spread to neighboring Afar and Amhara regions, resulting in “mass displacement and a worsening of the humanitarian situation” in all three regions.<sup>5</sup> In November 2022, the Ethiopian federal government and the TPLF signed the cessation of hostilities agreement (COHA) with the goal of ensuring “peace and improved access in Northern Ethiopia regions of Afar, Amhara, and Tigray.”<sup>6</sup> However, in

2023, fighting broke out between the ENDF and the Fano militia, a non-state militia in Amhara, and violence elsewhere in Ethiopia has escalated. In addition to the conflict in Ethiopia, the human rights situation in Ethiopia has deteriorated in recent months. The humanitarian situation has also degenerated, partially due to the uptick in armed clashes, as well as other factors including significant food insecurity, disease, and internal displacement.

### Security Concerns

Despite the COHA and improvements in the northern Tigray region, violence has continued, or escalated, in other parts of the country.<sup>7</sup> In the Amhara region, rising insecurity and violence led the Ethiopian government to declare a state of emergency in August 2023.<sup>8</sup> In Oromia in May 2023, clashes between the Ethiopian federal government and Oromo Liberation Army-Shane (OLA-Shane)<sup>9</sup> led “to violence levels comparable to those throughout 2022.”<sup>10</sup> Moreover, in December 2023, ACLED reported that political violence persisted along the regional border between the Oromia and Amhara regions.<sup>11</sup>

### Humanitarian Concerns

Though the COHA was signed in November 2022, Northern Ethiopia has faced increasing demands for humanitarian and protection services.<sup>12</sup>

2023, available at <https://reliefweb.int/report/ethiopia/ethiopia-protection-cluster-national-strategy-2023-2025> (last visited Dec. 6, 2023).

<sup>7</sup> Humanitarian Response Plan Ethiopia, UNOCHA, February 2023, available at <https://humanitarianaction.info/plan/1128/article/ethiopia-hrp-2023#page-title> (last visited Feb. 27, 2024).

<sup>8</sup> UN International Commission of Human Rights Experts on Ethiopia, UN Human Rights Council, October 3, 2023, available at <https://www.ohchr.org/sites/default/files/documents/hrbodies/hrcouncil/chreetiopia/A-HRC-54-CRP-2.pdf> (last visited on Nov. 21, 2023).

<sup>9</sup> In April 2019, OLA-Shane split from the main opposition group from Oromia, the Oromo Liberation Front “due to disagreement over disarming its fighters” as part of the peace agreements between the EPP and OLF. EPO Actor Profiles—OLA-Shane, ACLED, available at <https://epo.acleddata.com/actor-profiles/#1622661802591-0e52a034-00f0> (last visited on Dec. 13, 2023).

<sup>10</sup> Violence Returns to Oromia Despite Attempted Peace Talks, ACLED-Ethiopia Peace Observatory, May 2023, available at <https://epo.acleddata.com/2023/06/22/epo-may-2023-monthly-violence-returns-to-oromia-despite-attempted-peace-talks/> (last visited on Nov. 21, 2023).

<sup>11</sup> EPO Weekly Report, ACLED, December 6, 2023, available at <https://epo.acleddata.com/2023/12/06/epo-weekly-25-november-1-december-2023/> (last visited on Dec. 6, 2023).

<sup>12</sup> Ethiopia Protection Cluster Update, UNHCR, Protection Cluster, November 9, 2023, available at <https://reliefweb.int/report/ethiopia/ethiopia-protection-cluster-update-third-quarter-2023>, (last visited on Dec. 6, 2023).

Rising insecurity also led to increased displacement and protection risks in the Amhara region, and along its regional border with Tigray.<sup>13</sup> In October 2023, the International Commission of Human Rights Experts on Ethiopia (ICHREE) stated that state and non-state armed groups in Ethiopia had committed human rights violations.<sup>14</sup>

In November 2023, the United Nations High Commissioner for Refugees (UNHCR) assessed that “children are increasingly resorting to harmful activities to cope with the situation, including school drop-out, child marriage, sexual exploitation, begging, child labor and theft.”<sup>15</sup> UNHCR further noted that “children living in the conflict zones lack adequate access to school, food, health care and other essential services that meet their specific needs.”<sup>16</sup> In addition, in Benishangul-Gumuz, Oromia, Gambella, and Somali regions, individuals reportedly face increasing protection needs due to inter-communal conflict, conflict between government forces and unidentified armed groups, drought, flooding, and cholera.<sup>17</sup>

In 2023, food insecurity continued to be a major concern in Ethiopia due to multiple challenges, including high malnutrition rates, and recent reports of drought-like conditions.<sup>18</sup> As of September 2023, “over 20 million people [are] in urgent need of food assistance and agriculture support.”<sup>19</sup> This figure represents “an increase of about 150 percent over the last 5

<sup>13</sup> *Id.*

<sup>14</sup> International Commission of Human Rights Experts on Ethiopia, UN Human Rights Council, October 3, 2023, available at <https://www.ohchr.org/sites/default/files/documents/hrbodies/hrcouncil/chreetiopia/A-HRC-54-CRP-2.pdf> (last visited on Nov. 20, 2023).

<sup>15</sup> Ethiopia: Protection Cluster National Strategy 2023–2023, Protection Cluster, UNHCR, November 3, 2023, available at <https://reliefweb.int/report/ethiopia/ethiopia-protection-cluster-national-strategy-2023-2025> (last visited on Dec. 6, 2023).

<sup>16</sup> Concluding observations on the second periodic report of Ethiopia, UN International Covenant on Civil and Political Rights, December 7, 2022, available at <https://www.ecoi.net/en/file/local/2083101/G2258918.pdf> (last visited on Dec. 13, 2023).

<sup>17</sup> Ethiopia Protection Cluster Update, UNHCR, Protection Cluster, November 9, 2023, available at <https://reliefweb.int/report/ethiopia/ethiopia-protection-cluster-update-third-quarter-2023> (last visited on Dec. 6, 2023).

<sup>18</sup> Ethiopia Humanitarian Response Situation, UN Population Fund, November 30, 2023, available at <https://reliefweb.int/report/ethiopia/unfpa-ethiopia-humanitarian-response-situation-report-october-2023>, (last visited on Dec. 6, 2023).

<sup>19</sup> Northern Ethiopia—Public Health Situation Analysis, World Health Organization, September 22, 2023, available at <https://reliefweb.int/report/ethiopia/northern-ethiopia-public-health-situation-analysis-phsa-25-august-2023> (last visited on Dec. 6, 2023).

<sup>2</sup> The Ethiopian National Defense Force is Ethiopia's military comprised of an army and air force. ENDF currently has four regional commands: Northern, Eastern, Western and Southern Commands. Security situation in Tigray region between 1 March 2020–28 February 2021, EASO, March 30, 2021, available at [https://www.ecoi.net/en/file/local/2048047/2021\\_03\\_Q-02\\_EASO\\_COI\\_QUERY\\_Ethiopia\\_Tigray.pdf](https://www.ecoi.net/en/file/local/2048047/2021_03_Q-02_EASO_COI_QUERY_Ethiopia_Tigray.pdf) (last visited on Dec. 13, 2023).

<sup>3</sup> The TPLF was the ruling party of the Tigray regional government, and between 1991 through 2018 was the dominant ruling party in Ethiopia's former coalition government—the Ethiopian People's Democratic Front (EPRDF). Security situation in Tigray region between 1 March 2020–28 February 2021, EASO, March 30, 2021, available at [https://www.ecoi.net/en/file/local/2048047/2021\\_03\\_Q-02\\_EASO\\_COI\\_QUERY\\_Ethiopia\\_Tigray.pdf](https://www.ecoi.net/en/file/local/2048047/2021_03_Q-02_EASO_COI_QUERY_Ethiopia_Tigray.pdf) (last visited on Dec. 13, 2023).

<sup>4</sup> 2020 Country Reports on Human Rights Practices: Ethiopia, U.S. Department of State, March 30, 2021, available at <https://www.state.gov/wp-content/uploads/2021/03/ETHIOPIA-2020-HUMAN-RIGHTS-REPORT.pdf> (last visited on Dec. 13, 2023).

<sup>5</sup> Ethiopia Response to the Tigray Crisis—Situation Report, UN Population Fund, August 15–31, 2021, available at [https://reliefweb.int/sites/reliefweb.int/files/resources/unfpa\\_extsitrep\\_15-31\\_august\\_tigrayresponse.pdf](https://reliefweb.int/sites/reliefweb.int/files/resources/unfpa_extsitrep_15-31_august_tigrayresponse.pdf) (last visited on Dec. 13, 2023).

<sup>6</sup> Ethiopia: Protection Cluster National Strategy 2023–2025, Protection Cluster, UNHCR, Nov. 3,

years.”<sup>20</sup> Additionally, high levels of acute malnutrition of children under five years of age continued in several regions of the country.<sup>21</sup>

#### Human Rights Concerns

The UNHCR reported in January 2024, that, “Access for humanitarian actors remains restricted in locations affected by violence (especially in Amhara, Oromia, parts of Benishangul Gumuz), while the safety and security of the civilian population, including IDPs, is deteriorating.”<sup>22</sup> UNHCR further assessed that, “in conflict-affected-areas of Northern Ethiopia and Oromia, and in zones impacted by recurrent ethnic violence (e.g., along the border between Somali and Afar regions), civilians face indiscriminate attacks by both state forces and non-state armed groups.”<sup>23</sup> There are also increasing reports of violations by security forces, including those involving excessive use of force and extrajudicial killings.<sup>24</sup> The ICHREE further noted that “the Ethiopian Government continues to tolerate and has failed to hold to account Amhara forces, including *fano* militia, who have perpetrated serious violations against Tigrayan women, men and children, in particular in Western Tigray.”<sup>25</sup>

In March 2023, U.S. Secretary of State Antony Blinken stated the following regarding atrocities committed in Tigray, “members of [ENDF], Eritrean Defense Forces (EDF), [TPLF] forces, and Amhara forces committed war crimes during the conflict in northern Ethiopia. Members of ENDF, EDF, and Amhara forces also committed crimes against humanity, including murder, rape and other forms of sexual violence, and persecution.”<sup>26</sup> Secretary Blinken

also stated that members of the Amhara forces committed the crime against humanity of deportation or forcible transfer of people in western Tigray and also committed ethnic cleansing in western Tigray.<sup>27</sup>

#### Economic Concerns

In 2022, Ethiopia’s real GDP growth fell to 5.3 percent from 5.6 percent in 2021.<sup>28</sup> However, Ethiopia’s GDP remained above the average GDP in East Africa.<sup>29</sup> In 2022, inflation in Ethiopia rose significantly to 34 percent from 26.6 percent in the previous year. The rise in inflation and decline in growth is largely attributed to the impacted caused by internal conflict, Russia’s invasion of Ukraine, and drought. The African Development Bank Group stated that, “The fiscal deficit widened to 4.2 percent of GDP in 2022 from 2.8 percent in 2021 due to higher defense spending and weak revenue performance.” Additionally, income per capita in Ethiopia grew by 2.7 percent in 2022, “but internal conflict and drought increased humanitarian support requirements from 15.8 million people in 2021 to 20 million in 2022.”<sup>30</sup> Other potential impacts on Ethiopia’s economic conditions include increased internal conflict, growing numbers of displaced persons, drought, and outbreak of disease.

As of March 19, 2024, 3,620 F–1 nonimmigrant students from Ethiopia are enrolled at SEVP-certified academic institutions in the United States. Given the extent of the current armed conflict and the current humanitarian crisis in Ethiopia, affected students whose primary means of financial support comes from Ethiopia may need to be exempt from the normal student employment requirements to continue their studies in the United States. The current armed conflict and the current humanitarian crisis has made it unfeasible for many students to safely return to Ethiopia 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 an Ethiopian citizen, regardless of country of birth (or an individual having no nationality who last habitually resided in Ethiopia), 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

<sup>20</sup> *Id.*

<sup>21</sup> Ethiopia Acute Food Security, FEWS.NE T, October 2023, available at <https://fews.net/east-africa/ethiopia/food-security-outlook/october2023> (last visited on Dec. 8, 2023).

<sup>22</sup> Protection Cluster Advocacy Messages to address Critical Protection Risks and Violations (January 2024), available at <https://reliefweb.int/report/ethiopia/protection-cluster-advocacy-messages-address-critical-protection-risks-and-violations-january-2024> (last visited Feb. 02, 2024).

<sup>23</sup> Ethiopia: Protection Cluster National Strategy 2023–2023, Protection Cluster, UNHCR, November 3, 2023, available at <https://reliefweb.int/report/ethiopia/ethiopia-protection-cluster-national-strategy-2023-2025> (last visited on Dec. 6, 2023).

<sup>24</sup> *Id.*

<sup>25</sup> International Commission on HR Experts on Ethiopia, UN Human Rights Council, October 3, 2023, available at <https://www.ohchr.org/sites/default/files/documents/hrbodies/hrcouncil/chreethiopia/A-HRC-54-CRP-2.pdf> (last visited on Nov. 20, 2023).

<sup>26</sup> War Crimes, Crimes Against Humanity, and Ethnic Cleansing in Ethiopia, Press Statement from U.S. Secretary of State, March 20, 2023, available at <https://www.state.gov/war-crimes-crimes-against-humanity-and-ethnic-cleansing-in-ethiopia/> (last visited on Dec. 4, 2023).

<sup>27</sup> *Id.*

<sup>28</sup> Ethiopia Economic Outlook, African Development Bank Group, May 24, 2023, available at <https://www.afdb.org/en/countries/east-africa/ethiopia/ethiopia-economic-outlook> (last visited Jan. 5, 2024).

<sup>29</sup> *Id.*

<sup>30</sup> *Id.*

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].<sup>31</sup>

**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 comports with the employment authorization permitted under this notice to be engaged in a "full course of study"<sup>32</sup> 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 under the 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 Ethiopia regardless of country of birth (or an individual having no nationality who last habitually resided in Ethiopia);

(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 armed conflict and the current humanitarian crisis in Ethiopia.

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 armed conflict and the current humanitarian crisis in Ethiopia).

**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 Ethiopia 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 8CFR214.2(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 Ethiopia 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].<sup>33</sup>

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 armed conflict and the current humanitarian

<sup>31</sup> See note 1, *supra*.

<sup>32</sup> See 8 CFR 214.2(f)(6).

<sup>33</sup> See note 1, *supra*.

crisis in Ethiopia. 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”<sup>34</sup> 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 student to take a reduced course load if the reduction would not meet the academic institution’s minimum course load requirement for continued enrollment.<sup>35</sup>

**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”<sup>36</sup> 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.<sup>37</sup>

**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 armed conflict and the current humanitarian crisis in Ethiopia.<sup>38</sup> 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 armed conflict and the current humanitarian crisis in Ethiopia.

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].<sup>39</sup>

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”<sup>40</sup> at the time of the request for employment authorization;

(b) The F–1 nonimmigrant student is a citizen of Ethiopia, regardless of country of birth (or an individual having no nationality who last habitually resided in Ethiopia), and is experiencing severe economic hardship as a direct result of the current armed conflict and the current humanitarian crisis in Ethiopia, 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

<sup>34</sup> *See* 8 CFR 214.2(f)(6).

<sup>35</sup> 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.

<sup>36</sup> *See* 8 CFR 214.2(f)(6).

<sup>37</sup> *See* note 35, *supra*.

<sup>38</sup> *See* 8 CFR 274a.12(c)(3)(iii).

<sup>39</sup> *See* note 1, *supra*.

<sup>40</sup> *See* 8 CFR 214.2(f)(6).

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;<sup>41</sup> and

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

**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 front of the envelope, bottom right-hand side, with the phrase "SPECIAL STUDENT RELIEF."<sup>42</sup> 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,<sup>43</sup> 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 Ethiopia 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 December 12, 2025, 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 Ethiopia 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"<sup>44</sup> 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 armed conflict and the current humanitarian crisis in Ethiopia. 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-

<sup>41</sup> 8 CFR 214.2(f)(5)(v).

<sup>42</sup> Guidance for direct filing addresses can be found here: <https://www.uscis.gov/i-765-addresses>.

<sup>43</sup> See DHS Study in the States, Special Student Relief, <https://studyinthestates.dhs.gov/students/special-student-relief> (last visited Dec. 17, 2023).

<sup>44</sup> See 8 CFR 214.2(f)(6).

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 December 12, 2025,<sup>45</sup> to eligible F-1 nonimmigrant students. DHS will continue to monitor the situation in Ethiopia. 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 resulting from the current armed conflict and the current humanitarian crisis in Ethiopia 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. 2024-07642 Filed 4-12-24; 8:45 am]

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## DEPARTMENT OF HOMELAND SECURITY

### U.S. Citizenship and Immigration Services

[CIS No. 2771-24; DHS Docket No. USCIS-2024-0001; RIN 1615-ZC08]

#### Implementation of Employment Authorization for Individuals Covered by Deferred Enforced Departure for Certain Palestinians

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

**ACTION:** Notice of employment authorization for individuals covered by Deferred Enforced Departure (DED).

**SUMMARY:** On February 14, 2024, President Joseph Biden issued a memorandum to the Secretary of State and the Secretary of Homeland Security (Secretary) determining that it was in the foreign policy interest of the United States to defer for 18 months, the removal of certain Palestinians present in the United States and to provide them with employment authorization documentation. The memorandum directed the Secretary to make provision for immediate allowance of employment authorization for such individuals. This notice provides information about Deferred Enforced Departure (DED) for Palestinians and provides information on how eligible individuals may apply for DED-based Employment Authorization Documents (EADs) with USCIS, as well as for travel authorization.

**DATES:** DED for eligible Palestinian noncitizens covered by this notice began on February 14, 2024, and ends on August 13, 2025.

#### 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 further information on DED, including additional information on eligibility, please visit the USCIS DED

web page at <https://www.uscis.gov/humanitarian/deferred-enforced-departure>. You can find specific information about DED for certain Palestinians by selecting "Individuals Covered by DED—Palestinian Territories" from the menu on the left of the DED web page.

- If you have additional questions about DED, please visit <https://www.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 (TTY 800-767-1833).

- Applicants seeking information about the status of their individual I-765, EAD Application for Employment Authorization, or I-131, Application for Travel Document, cases may check Case Status Online, available on the USCIS website at <https://www.uscis.gov>, or visit the USCIS Contact Center at <https://www.uscis.gov/contactcenter>.

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

#### SUPPLEMENTARY INFORMATION:

##### Definitions

For the purposes of this notice, USCIS intends to cover non-U.S. citizens of any nationality, or without nationality, who are Palestinian. USCIS will evaluate claims for DED employment authorization and advance travel authorization based on authentic documents,<sup>1</sup> regardless of validity period<sup>2</sup> or expiration, indicating the applicant is Palestinian, including, but not limited to:

- a Palestinian Authority Passport;
- a Palestinian Authority Identification Card;
- a Birth Certificate or Birth Extract verified or issued by a recognized governmental authority identifying the holder as having been born in the Palestinian Territories;
- an identification document issued by a third country, the United Nations, its specialized agencies and related organizations, or the International Committee of the Red Cross, indicating the holder is a Palestinian; or

<sup>1</sup> On June 14, 2007, Hamas, designated as a foreign terrorist organization by the Secretary of State in accordance with section 219 of the INA, 8 U.S.C. 1189, took de facto administrative control of Gaza, including issuance of civil documents for the territory. USCIS will not accept identity documents issued by Hamas after June 14, 2007, unless verified by the Palestinian Authority in the West Bank.

<sup>2</sup> The term validity period is used in reference to the length of time a document can be used for purposes of travel or identification prior to the expiration date.

<sup>45</sup> See note 1, *supra*.