

(This is not a toll-free number; comments are not accepted via telephone message.). Please note contact information provided here is solely for questions regarding this notice. It is not for individual case status inquiries. Applicants seeking information about the status of their individual cases can check Case Status Online, available at the USCIS website at <http://www.uscis.gov>, or call the USCIS National Customer Service Center at (800) 375-5283; TTY (800) 767-1833.

SUPPLEMENTARY INFORMATION:

Comments

The information collection notice was previously published in the **Federal Register** on November 23, 2018, at 83 FR 60885, allowing for a 60-day public comment period. USCIS did receive 5 comments in connection with the 60-day notice.

You may access the information collection instrument with instructions, or additional information by visiting the Federal eRulemaking Portal site at: <http://www.regulations.gov> and enter USCIS-2008-0012 in the search box. Written comments and suggestions from the public and affected agencies should address one or more of the following four points:

(1) Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;

(2) Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;

(3) Enhance the quality, utility, and clarity of the information to be collected; and

(4) Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses.

Overview of This Information Collection

(1) *Type of Information Collection Request*: Extension, Without Change, of a Currently Approved Collection.

(2) *Title of the Form/Collection*: Application for Waiver of the Foreign Residence Requirement of Section 212(e) of the Immigration and Nationality Act.

(3) *Agency form number, if any, and the applicable component of the DHS sponsoring the collection*: I-612; USCIS.

(4) *Affected public who will be asked or required to respond, as well as a brief abstract*: *Primary*: Individuals or households. This information collection is necessary and may be submitted only by an alien who believes that compliance with foreign residence requirements would impose exceptional hardship on his or her spouse or child who is a citizen of the United States, or a lawful permanent resident; or that returning to the country of his or her nationality or last permanent residence would subject him or her to persecution on account of race, religion, or political opinion. Certain aliens admitted to the United States as exchange visitors are subject to the foreign residence requirements of section 212(e) of the Immigration and Nationality Act (the Act). Section 212(e) of the Act also provides for a waiver of the foreign residence requirements in certain instances.

(5) *An estimate of the total number of respondents and the amount of time estimated for an average respondent to respond*: The estimated total number of respondents for the information collection I-612 is 7,200 and the estimated hour burden per response is .333 hours.

(6) *An estimate of the total public burden (in hours) associated with the collection*: The total estimated annual hour burden associated with this collection is 2,398 hours.

(7) *An estimate of the total public burden (in cost) associated with the collection*: The estimated total annual cost burden associated with this collection of information is \$882,000.

Dated: April 11, 2019.

Jerry L. Rigdon,

Deputy Chief, Regulatory Coordination Division, Office of Policy and Strategy, U.S. Citizenship and Immigration Services, Department of Homeland Security.

[FR Doc. 2019-07603 Filed 4-16-19; 8:45 am]

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DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. FR-6143-N-01]

SUPPORT for Patients and Communities Act; Establishment of Funding Formula

AGENCY: Office of the Assistant Secretary for Policy Development and Research, HUD.

ACTION: Notice.

SUMMARY: This document establishes the funding formula that would allocate funds “for assistance to States to provide individuals in recovery from a substance use disorder stable, temporary housing for a period of not more than 2 years or until the individual secures permanent housing, whichever is earlier”, as enacted by the SUPPORT for Patients and Communities Act on October 24, 2018. The law requires that the formula be established by the Secretary “not later than 60 days after the date of enactment”. At this time, no funds have been appropriated for this program.

FOR FURTHER INFORMATION CONTACT: For questions on how this formula was developed, contact Todd M. Richardson, General Deputy Assistant Secretary, Office of Policy Development and Research, Department of Housing and Urban Development, 451 Seventh Street SW, Room 8100, Washington, DC 20410-6000; telephone number 202-402-5706, or send an email to Todd.M.Richardson@hud.gov. (These are not toll-free telephone numbers.) A text telephone is available for persons with hearing or speech impairments at 800-877-8339. Additional copies of this notice are available through HUD User at 800-245-2691 for a small fee to cover duplication and mailing costs.

SUPPLEMENTARY INFORMATION:

I. This Notice

Section 8071 of the “Substance Use—Disorder Prevention that Promotes Opioid Recovery and Treatment for Patients and Communities Act” or the “SUPPORT for Patients and Communities Act” (Pub. L. 115-271, approved October 24, 2018) (the Act), the Secretary of HUD must establish a funding formula within 60 days of enactment to allocate whatever funds are appropriated “for assistance to States to provide individuals in recovery from a substance use disorder stable, temporary housing for a period of not more than 2 years or until the individual secures permanent housing, whichever is earlier”. The purpose of this notice is to establish this formula.

II. Data Used To Establish the Formula

The Act has specific criteria that the Secretary must use to establish the formula. Those criteria first limit the number of eligible states¹ to receive funding to just those “States with an age-adjusted rate of drug overdose deaths that is above the national

¹ Section 8071 (g) “includes any State as defined in section 102 of the Housing and Community Development Act of 1974 (42 U.S.C. 5302) and the District of Columbia”.

overdose mortality rate, according to the Centers for Disease Control and Prevention". The national age adjusted overdose mortality rate in 2016 was 19.8 per 100,000 persons. There were 25 states, including the District of Columbia, above the national rate.

Among the eligible states, the Act requires that the formula to be needs based, with states having greater need getting more funding. The Act specifies that need be determined using the following criteria:

- The highest average rates of unemployment based on data provided by the Bureau of Labor Statistics for calendar years 2013 through 2017; with this factor weighted at 15 percent. To calculate this factor, HUD uses the Bureau of Labor Statistics Local Area Unemployment Statistics (LAUS) Annual Average Series data downloaded from <https://www.bls.gov/lau/rdscnp16.htm> on November 28, 2018.
- The lowest average labor force participation rates based on data provided by the Bureau of Labor Statistics for calendar years 2013 through 2017; with this factor weighted at 15%. For purposes of creating a variable that results in a larger number equaling the problem, HUD has calculated the highest average NON-participation in the labor force rate. This is calculated as the non-institutionalized population over age 16 less those employed and looking for work (unemployed). To calculate this factor, HUD uses the Bureau of Labor Statistics Local Area Unemployment Statistics (LAUS) Annual Average Series data downloaded from <https://www.bls.gov/lau/rdscnp16.htm> on November 28, 2018.
- The highest age-adjusted rates of drug overdose deaths based on data from the Centers for Disease Control and Prevention; with this factor weighted at 70 percent. The 2016 rates were downloaded from <https://www.cdc.gov/drugoverdose/data/statedeaths.html> on November 21, 2018.

The statute is specific that the data for the first two factors of the formula be from 2013 through 2017. The statute does not specify the currency of the data to be used for determining the eligible states as well as the third factor, overdose deaths. For this Notice, and for any funds that are appropriated in FY 2019 for allocation by this formula, HUD will use the 2016 overdose death rates that were available within 60 days of the law passing. If funds are appropriated in any year after FY 2019, HUD will redetermine eligible states and recalculate the formula using the most current data on drug overdose

deaths available within 60 days of when funds are appropriated.

III. Formula

For the eligible states, including the District of Columbia, HUD is establishing the formula based on rates of problems rather than on shares of the count of problems. The specific formula is represented by the following equation, where the weight specifies what percent of the funds will be allocated on that specific variable:

$$[0.15 * \text{Average unemployment rate 2013 to 2017 in a state} \\ + 0.15 * \text{Average of the rates of persons outside of the labor force 2013 to 2017 in a state} \\ + 0.70 * \text{Average age-adjusted drug overdose deaths in a state}]$$

Sum of Average unemployment rate 2013 to 2017 in the eligible states

Sum of the averages of rate of persons outside of the labor force 2013 to 2017 in the eligible states

Sum of the averages of age-adjusted drug overdose deaths in the eligible states]

At this time, no funds have been appropriated for this program. If funds are appropriated in FY 2019, the funds would be allocated based on the percentages shown in Table 1. Table 1 shows the percent allocated, in order of highest percent allocated to lowest among the 25 states and the District of Columbia that have an age-adjusted rate of drug overdose deaths that is above the national overdose mortality rate. For example, this allocation would provide 6.47 percent of whatever is allocated to West Virginia and 5.01 percent to the District of Columbia, the two states with the greatest need as measured by percent of problems described above.

TABLE 1—ALLOCATION RESULT OF ESTABLISHED FORMULA

State name	Percent of appropriated funds allocated
West Virginia	6.47
District of Columbia	5.01
Ohio	5.00
Pennsylvania	4.90
New Hampshire	4.68
Kentucky	4.56
Maryland	4.31
Massachusetts	4.30
Rhode Island	4.26
Delaware	4.17
Maine	3.88
Connecticut	3.85
New Mexico	3.84
Michigan	3.67
Tennessee	3.63
Florida	3.56
New Jersey	3.49
Indiana	3.48
Nevada	3.46

TABLE 1—ALLOCATION RESULT OF ESTABLISHED FORMULA—Continued

State name	Percent of appropriated funds allocated
Missouri	3.43
Louisiana	3.42
Arizona	3.28
Oklahoma	3.21
Utah	3.08
Vermont	3.07
Total	100.00

Findings and Certifications

Environmental Impact

This notice involves the establishment of a formula allocation and does not constitute a development decision affecting the physical condition of specific project areas or building sites. Accordingly, under 40 CFR 1508.4 of the regulations of the Council on Environmental Quality and 24 CFR 50.19(c)(6) of HUD's regulations, this notice is categorically excluded from environmental review under the National Environmental Policy Act of 1969 (42 U.S.C. 4321).

Federalism Impact

Executive Order 13132 (entitled "Federalism") prohibits an agency from publishing any policy document that has federalism implications if the document either imposes substantial direct compliance costs on state and local governments and is not required by statute, or the document preempts state law, unless the agency meets the consultation and funding requirements of section 6 of the executive order. This notice establishes a formula as required under the SUPPORT for Patients and Communities Act, for allocating funds to states, subject to appropriations. This notice also details the technical methods used in making said formula. As a result, this notice is not subject to review under the order.

Dated: April 11, 2019.

Todd M. Richardson,
General Deputy Assistant Secretary for Policy Development and Research.

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