

Dated: June 8, 2022.

**Alejandro N. Mayorkas**,  
*Secretary, U.S. Department of Homeland Security.*

Dated: June 8, 2022.

**Antony J. Blinken**,  
*Secretary, U.S. Department of State.*

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## DEPARTMENT OF STATE

### Office of the Secretary

## DEPARTMENT OF HOMELAND SECURITY

### Office of the Secretary

#### Exercise of Authority Under Section 212(d)(3)(B)(i) of the Immigration and Nationality Act

**AGENCY:** Office of the Secretary, DOS; Office of the Secretary, DHS.

**ACTION:** Notice of determination.

Following consultations with the Attorney General, the Secretary of State and the Secretary of Homeland Security have determined that the grounds of inadmissibility at section 212(a)(3)(B) of the Immigration and Nationality Act (INA), 8 U.S.C. 1182(a)(3)(B), bar certain individuals who do not pose a national security or public safety risk from admission to the United States and from obtaining immigration benefits or other status. Accordingly, consistent with prior exercises of the exemption authority, the Secretary of State and the Secretary of Homeland Security hereby conclude, as a matter of discretion in accordance with the authority granted by section 212(d)(3)(B)(i) of the INA, 8 U.S.C. 1182(d)(3)(B)(i), as amended, after considering the foreign policy and national security interests deemed relevant in these consultations, that section 212(a)(3)(B) of the INA, 8 U.S.C. 1182(a)(3)(B), excluding subclause (i)(II), shall not apply with respect to an individual who was employed as a civil servant in Afghanistan at any time from September 27, 1996 to December 22, 2001, or from August 15, 2021, or thereafter, if the individual establishes that they did not voluntarily and knowingly engage in terrorist activity on behalf of the Taliban or another designated terrorist organization, and provided that the individual satisfies the relevant agency authority that the individual:

(a) Is seeking a benefit or protection under the INA and has been determined to be otherwise eligible for the benefit or protection;

(b) Has undergone and passed all relevant background and security checks;

(c) Has fully disclosed, to the best of their knowledge, in all relevant applications and interviews with U.S. government representatives and agents, the nature and circumstances of any activities or associations falling within the scope of section 212(a)(3)(B) of the INA, 8 U.S.C. 1182(a)(3)(B);

(d) Has not participated in, or provided material support for the commission of, a terrorist activity that they knew or reasonably should have known targeted noncombatant persons or U.S. interests;

(e) Is not otherwise inadmissible under section 212(a)(3)(B) of the INA, 8 U.S.C. 1182(a)(3)(B), for which no exemption applies;

(f) Poses no danger to the safety and security of the United States; and

(g) Warrants an exemption from the relevant inadmissibility provision(s) in the totality of the circumstances.

Implementation of this determination will be made by U.S. Citizenship and Immigration Services (USCIS), in consultation with U.S. Immigration and Customs Enforcement (ICE), or by U.S. consular officers, as applicable, who shall ascertain, to their satisfaction, and in their discretion, that the particular applicant meets each of the criteria set forth above.

This exercise of authority supersedes a similar exercise of authority by then Secretary of Homeland Security Jeh Johnson and then Secretary of State John Kerry signed on January 18, 2017, expanding the covered time period of employment as a civil servant in Afghanistan to include the period from "August 15, 2021, or thereafter," in addition to the period from September 27, 1996 to December 22, 2001. This exercise of authority may be revoked as a matter of discretion and without notice at any time with respect to any and all persons subject to it. Any determination made under this exercise of authority as set out above can inform but shall not control a decision regarding any subsequent benefit or protection application, unless such exercise of authority has been revoked.

This exercise of authority shall not be construed to prejudice, in any way, the ability of the U.S. government to commence subsequent criminal or civil proceedings in accordance with U.S. law involving any beneficiary of this exercise of authority (or any other person). This exercise of authority creates no substantive or procedural right or benefit that is legally enforceable by any party against the

United States or its agencies or officers or any other person.

In accordance with section 212(d)(3)(B)(ii) of the INA, 8 U.S.C. 1182(d)(3)(B)(ii), a report on the individuals to whom this exercise of authority is applied, on the basis of case-by-case decisions by the U.S. Department of State or by the U.S. Department of Homeland Security, shall be provided to the specified congressional committees not later than 90 days after the end of the fiscal year.

This determination is based on an assessment related to the national security and foreign policy interests of the United States as they apply to the particular persons described herein and shall not have any application with respect to other persons or to other provisions of U.S. law.

*Authority:* 8 U.S.C. 1182(d)(3)(B)(i).

Dated: June 8, 2022.

**Alejandro N. Mayorkas**,  
*Secretary, U.S. Department of Homeland Security.*

Dated: June 8, 2022.

**Antony J. Blinken**,  
*Secretary, U.S. Department of State.*

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## DEPARTMENT OF THE INTERIOR

### Bureau of Land Management

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#### Notice of Intent To Prepare a Supplemental Environmental Impact Statement for the Colorado River Valley Field Office and Grand Junction Field Office Resource Management Plans, Colorado

**AGENCY:** Bureau of Land Management, Interior.

**ACTION:** Notice of intent.

**SUMMARY:** In compliance with the National Environmental Policy Act of 1969, as amended (NEPA), and the Federal Land Policy and Management Act of 1976, as amended (FLPMA), the Bureau of Land Management (BLM) Colorado River Valley Field Office (CRVFO), Silt, Colorado, and Grand Junction Field Office (GJFO), Grand Junction, Colorado, intend to prepare a supplemental environmental impact statement (EIS) for the CRVFO and GJFO Resource Management Plans (RMPs). This notice announces the beginning of the scoping process to solicit public involvement and identify issues.

**DATES:** This notice initiates the public scoping process for the supplemental

EIS. Comments concerning the scope of analysis, potential alternatives, and identification of relevant issues may be submitted in writing until July 25, 2022. All comments must be received by July 25, 2022. Scoping meetings will be held virtually and will be announced at least 15 days in advance through local media, newspapers and the BLM website at: <https://go.usa.gov/xtrgf>.

**ADDRESSES:** You may submit comments related to this planning effort electronically via the ePlanning website at <https://go.usa.gov/xtrgf>. Comments may also be sent to BLM Upper Colorado River District, Attn: Supplemental EIS, 2518 H Road, Grand Junction, CO 81506. Documents pertinent to this proposal may be examined online at <https://go.usa.gov/xtrgf>.

**FOR FURTHER INFORMATION CONTACT:** Bruce Krickbaum, Project Manager, email [ucrd-seis@blm.gov](mailto:ucrd-seis@blm.gov), telephone 970-240-5399; or at the mailing address shown earlier (see **ADDRESSES**). Persons in the United States who are deaf, deafblind, hard of hearing, or have a speech disability may dial 711 (TTY, TDD, or TeleBraille) to access telecommunications relay services. Individuals outside the United States should use the relay services offered within their country to make international calls to the point-of-contact in the United States.

**SUPPLEMENTARY INFORMATION:** This document provides notice that the BLM CRVFO and GJFO intend to prepare a joint supplemental EIS for their respective RMPs. The planning area is in Garfield, Mesa, Eagle, Pitkin, Routt, Rio Blanco and Montrose counties, Colorado, and encompasses approximately 1.56 million acres of public land and 1.95 million acres of Federal mineral estate.

### Purpose and Need

The purpose of the supplemental EIS is to supplement the EISs completed in 2014 for the CRVFO RMP and 2015 for the GJFO RMP by considering one or more additional alternatives with respect to the lands that are allocated as open or closed to oil and gas leasing in the planning decision areas, and to provide additional analysis of greenhouse gas emissions associated with the fluid mineral management alternatives considered in the final EISs and the supplemental EIS.

The need for this supplemental EIS is to address the issues identified by the court in litigation involving the Colorado River Valley RMP (*Wilderness Workshop v. BLM*, 16-cv-01822), as described in settlement agreements in

that case and a related oil and gas leasing case (*Wilderness Workshop v. BLM*, 18-cv-00987), and to revisit the Grand Junction RMP, as described in BLM's motion for voluntary remand in litigation involving that RMP (*Center for Biological Diversity v. BLM*, 19-cv-02869).

### Preliminary Alternatives

The BLM has identified the following preliminary issues that may arise in the consideration of alternatives with different acreages potentially eligible for oil and gas leasing and is accepting public input during the scoping period consistent with 43 CFR 1610.4-1: environmental consequences of downstream combustion of the oil and gas resources; economic impacts; impacts to affected biological, physical, and heritage resources, resource uses, and special designations; and impacts to recreation. A potential new alternative for each RMP would have no future oil and gas leasing in areas with no-known, low, and moderate fluid mineral potential. Under the potential new alternative, high and very high fluid mineral potential areas would remain open for oil and gas leasing, except for areas that were considered for closure in the conservation alternative (alternative C) from the proposed RMP/final EISs. Apart from oil and gas management planning, this potential alternative would retain existing management as described in the 2015 CRVFO and GJFO RMP Records of Decision and applicable amendments. The supplemental EIS will include an updated analysis of greenhouse gas emissions associated with fluid mineral management planning decisions. The BLM welcomes comments on the potential new alternative as well as suggestions for additional alternatives.

### Planning Criteria

The BLM has identified the following preliminary planning criteria and is accepting public input during the scoping period consistent with 43 CFR 1610.4-2(c):

- The supplemental EIS will comply with NEPA, FLPMA, and other applicable laws, executive orders, regulations, and policy;
- Lands covered in the supplemental EIS will be Federal lands where BLM makes mineral leasing eligibility decisions and split-estate lands with Federal minerals;
- The supplemental EIS will address the issues identified by the court in *Wilderness Workshop v. BLM*, 16-cv-01822, by considering whether lands will be open or closed to Federal fluid mineral leasing (“reasonable

alternatives to oil and gas leasing”) and analyzing the effects that combustion of oil and gas produced in the planning decision area may have on greenhouse gas emissions, as well as related mitigation;

- The scope of analysis will be appropriate to the planning scale and in accordance with Bureau-wide standards and program guidance; and
- The BLM will consider Tribal, State, and local plans that are germane in the development of land use plans for public lands, and specifically, the planning decisions considered in the supplemental EIS, to the extent the plans are consistent with the purposes, policies, and programs of Federal laws and regulations applicable to public lands.

### Summary of Expected Impacts

The supplemental EIS will evaluate impacts from potential oil and gas leasing and future development to the extent they are reasonably foreseeable at the planning stage. Impacts are not known at this time except as described in the 2014 and 2015 final EISs. The analysis in the supplemental EIS may consider potential effects on wildlife, threatened and endangered species habitat, recreation, visual resources, water resources, air quality, cultural resources, special designations, social and economic conditions, fluid minerals, and other resources and uses. The BLM will use an interdisciplinary approach that incorporates the expertise of specialists in the relevant resource fields.

### Schedule for the Decision-Making Process

The BLM will provide additional opportunities for public participation consistent with the NEPA and land use planning processes, including a 90-day comment period on the draft supplemental EIS and a 30-day public protest period and a 60-day Governor's consistency review on the final supplemental EIS. The draft supplemental EIS is anticipated to be available for public review in Spring 2023 and the final supplemental EIS is anticipated to be available for public protest in Winter 2023/2024 with a Record of Decision in Spring 2024.

### Public Scoping Process

The BLM encourages comments concerning the scope of the analysis in the supplemental EIS, the potential new alternative, other potential alternatives, identification of issues for analysis, and any other information relevant to this project. You may submit comments by using one of the methods listed in the

**ADDRESSES** section of this Notice. Public scoping meetings will be conducted virtually to explain project details. Representatives from BLM will be available to answer questions. All comments must be received by the date shown in the **DATES** section.

#### Lead and Cooperating Agencies

The BLM is the lead Federal agency for the supplemental EIS. The BLM has invited the following to participate as cooperating agencies: the seven counties that are entirely or partially in the planning area, municipalities that participated as cooperating agencies during the RMPs/EISs, Colorado Department of Natural Resources, Colorado Parks and Wildlife, Colorado River Water Conservation District, U.S. Fish and Wildlife Service, and U.S. Bureau of Reclamation.

#### Responsible Official

The Colorado State Director is the deciding official for this planning effort.

#### Nature of Decision To Be Made

The nature of the decision to be made will be the State Director's selection of land use planning decisions for managing BLM-administered lands under the principles of multiple use and sustained yield in a manner that best addresses the purpose and need. The decision resulting from this supplemental EIS will specify which areas are allocated as open or closed to oil and gas leasing in the decision area.

#### Additional Information

The BLM will identify, analyze, and consider mitigation to address the reasonably foreseeable impacts to resources from all reasonable alternatives and, in accordance with 40 CFR 1502.14(f), include appropriate mitigation measures not already included in the alternatives. Mitigation may include avoidance, minimization, rectification, reduction, or elimination over time, and compensation; and may be considered at multiple scales, including the landscape scale.

The BLM will utilize and coordinate the NEPA and land use planning processes for this planning effort to help support procedural requirements under the Endangered Species Act (16 U.S.C. 1536) and Section 106 of the National Historic Preservation Act (54 U.S.C. 306108) as provided in 36 CFR 800.2(d)(3), including public involvement requirements of Section 106. The information about historic and cultural resources and threatened and endangered species within the area potentially affected by the proposed plan will assist the BLM in identifying

and evaluating impacts to such resources.

The BLM will consult with Indian Tribes on a government-to-government basis in accordance with Executive Order 13175, BLM Manual section 1780, and other Departmental policies. Tribal concerns, including impacts on Indian trust assets and potential impacts to cultural resources, will be given due consideration. Federal, State, and local agencies, along with Tribes and stakeholders that may be interested in or affected by the supplemental EIS that the BLM is evaluating, are invited to participate in the scoping process and, if eligible, may request or be requested by the BLM to participate in the development of the environmental analysis as a cooperating agency.

Before including your address, phone number, email address, or other personal identifying information in your comment, you should be aware that your entire comment—including your personal identifying information—may be made publicly available at any time. While you can ask us in your comment to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

(Authority: 40 CFR 1501.7 and 43 CFR 1610.2)

**Stephanie Connolly,**

*Acting BLM Colorado State Director.*

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## DEPARTMENT OF THE INTERIOR

### Bureau of Land Management

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#### Notice of Public Meeting, Grand Staircase-Escalante National Monument Advisory Committee, Utah

**AGENCY:** Bureau of Land Management, Interior.

**ACTION:** Notice of public meeting.

**SUMMARY:** In accordance with the Federal Land Policy and Management Act, as amended, the Federal Advisory Committee Act, and the Federal Lands Recreation Enhancement Act, the U.S. Department of the Interior, Bureau of Land Management's (BLM) Grand Staircase-Escalante National Monument Advisory Committee will meet as indicated below.

**DATES:** The Grand Staircase-Escalante National Monument Advisory Committee will hold virtual meetings on July 12, 2022; October 18, 2022; and

December 13, 2022. All meetings will occur from 9 a.m. to 4:30 p.m. Public comments will be received on July 12, 2022 at 3:30 p.m., October 18, 2022 at 2:45 p.m., and on December 13, 2022 at 1:45 p.m. The meetings are open to the public.

**ADDRESSES:** The agenda and meeting access information (including how to log in and participate in virtual meetings) will be announced on the Grand Staircase-Escalante National Monument Advisory Committee web page 15 days before the meeting at <https://go.usa.gov/xuq2U>.

**FOR FURTHER INFORMATION CONTACT:** David Hercher, Paria River District Public Affairs Specialist, 669 S Highway 89A, Kanab, UT 84741, via email with the subject line "GSENM MAC" to [escalante\\_interagency@blm.gov](mailto:escalante_interagency@blm.gov), or by calling the Grand Staircase-Escalante National Monument Office at (435) 644–1200.

#### SUPPLEMENTARY INFORMATION:

Presidential Proclamation 6920, as modified by Presidential Proclamations 9682 and 10286, established the Grand Staircase-Escalante National Monument Advisory Committee to provide advice and information to the Secretary of the Interior through the Director of the BLM to consider for managing the Grand Staircase-Escalante National Monument. The 15-member committee represents a wide range of interests including local and state government, paleontological and archaeological expertise, the conservation community, livestock grazing permittees, Tribal members, developed and dispersed recreation interests, private landowners, local business owners, and the public at large.

Planned agenda items for the July meeting include: administrative business; introduction of the Oct. 8, 2021, Proclamation 10286, as the foundational legal instrument for the management of the Monument; presentation of the interim guidance issued by the BLM Dec. 16, 2021, as providing interim management direction for land managers, while a new Monument management plan is being developed; and the role of the guidance in ongoing management. Additional agenda items include introduction of the National Landscape Conservation System 15-Year Strategy (2010–2025) and how this strategy will apply to Monument management, review of the status of BLM efforts toward preparing and adopting a science plan for the Monument, and a brief update on other ongoing National Environmental Policy Act (NEPA) planning within the Monument. Planned agenda items for the October