

default for failure to respond to the complaint and notice of investigation. An evidentiary hearing was held November 2–13, 1998. Eight respondents participated in the hearing, viz., Achiever Industries Limited, Argus Industries, China Film Equipment, Dynatec International Inc., Jazz Photo Corp., OptiColor Camera, P.S.I. Industries, and Sakar International, Inc. (the participating respondents). On December 4, 1998, the Commission determined not to review an ID granting complainant's oral motion to withdraw a single claim of one patent from the investigation. 63 FR 67918 (December 9, 1998). Ten respondents that had filed responses to the complaint and notice of investigation failed to appear at the hearing, viz., Ad-Tek Specialties Inc., AmerImage, Inc. d/b/a/ Rainbow Products, Boecks Camera LLC, BPS Marketing, E.T. Trading d/b/a Klikit, Penmax, Inc., PhilmEx Photographic Film, T.D.A. Trading Corp., Vantage Sales, Inc., and Vivitar Corp.

On February 24, 1999, the ALJ issued his final ID, finding a violation of section 337 by 26 of 27 named respondents. (Complainant Fuji admitted at closing argument that one named respondent, Opticam Inc, was not violating section 337). He found that Fuji had not carried its burden of proof in showing infringement of three design patents. The ALJ also issued his recommendations on remedy and bonding. He recommended that the Commission issue a general exclusion order directing that disposable cameras that infringe the claims in controversy of the 12 utility patents at issue be excluded from entry into the United States. He also recommended that cease and desist orders be issued directed to the 21 domestic respondents found in violation of section 337. Finally, he recommended a 100 percent bond during the period of Presidential review.

On March 8, 1999, the participating respondents, complainant Fuji, and the Commission investigative attorney (IA) filed petitions for review of the ID. Upon considering the petitions, the Commission, on April 19, 1999, determined to review the following issues: (1) The standard for the burden of proof applied in the ID for establishing repair versus reconstruction of a patented product, (2) the ID's determination that the design patents asserted in this investigation were not infringed, (3) infringement issues insofar as necessary to correct certain clerical errors brought to the Commission's attention by the IA. 64 FR 20324–25 (April 26, 1999).

The Commission received written submissions from the parties that

addressed the form of remedy, if any, that should be ordered, the effect of a remedy on the public interest, and the amount of bond that should be imposed during the 60-day Presidential review period.

Having reviewed the record in this investigation, including the written submissions of the parties, the Commission determined (1) to reverse the ALJ's finding that Fuji failed to carry its burden of proof on the issue of design patent infringement; (2) to correct the standard of the burden of proof on the repair/reconstruction issue to be proof by a preponderance of the evidence; and (3) to correct technical errors in the ID's infringement findings. The Commission further determined that the appropriate form of relief is a general exclusion order prohibiting the unlicensed entry for consumption of lens-fitted film packages that infringe the claims in issue of the 15 patents asserted by Fuji in this investigation. The Commission also determined to issue 20 cease and desist orders directed to domestic respondents Fast Shot, Haichi International, Innovative Trading Company, Labelle Time, Inc., Forcecam, Inc., Argus Industries, Dynatec International Inc., Jazz Photo Corp., OptiColor Camera, P.S.I. Industries, Sakar International, Inc., Ad-Tek Specialties Inc., AmerImage, Inc. d/b/a/ Rainbow Products, Boecks Camera LLC, BPS Marketing, E.T. Trading d/b/a Klikit, PhilmEx Photographic Film, T.D.A. Trading Corp., Vantage Sales, Inc., and Vivitar Corp. Respondent Penmax made a credible showing that it has no remaining inventory of infringing products, and the Commission therefore determined not to issue a cease and desist order against Penmax.

The Commission also determined that the public interest factors enumerated in subsections (d) and (f) of section 337 do not preclude the issuance of the aforementioned general exclusion order and cease and desist orders, and that the bond during the Presidential review period shall be in the amount of 100 percent of the entered value of the articles in question.

Copies of the Commission's orders, the public version of the Commission's opinion in support thereof, the public version of the ID, and all other nonconfidential documents filed in connection with this investigation, are or will be available for inspection during official business hours (8:45 a.m. to 5:15 p.m.) in the Office of the Secretary, U.S. International Trade Commission, 500 E Street SW, Washington, DC 20436, telephone 202–205–2000.

This action is taken under the authority of section 337 of the Tariff Act of 1930, 19 U.S.C. 1337, the Administrative Procedure Act, 5 U.S.C. 551 *et seq.*, and sections 210.45–210.51 of the Commission's Rules of Practice and Procedure, 19 CFR 210.45–210.51.

By order of the Commission.

Issued: June 2, 1999,

Donna R. Koehnke,
Secretary.

[FR Doc. 99–14525 Filed 6–7–99; 8:45 am]

BILLING CODE 7020–02–P

DEPARTMENT OF JUSTICE

Immigration and Naturalization Service

[IND No. 1986–99; AG Order No. 2227–99]

RIN 1115–AE 26

Extension and Redesignation of the Province of Kosovo in the Republic of Serbia in the State of the Federal Republic of Yugoslavia (Serbia-Montenegro) Under Temporary Protected Status

AGENCY: Immigration and Naturalization Service, Justice.

ACTION: Notice.

SUMMARY: On June 9, 1998 the Attorney General designated Kosovo Province in the Republic of Serbia in the State of the Federal Republic of Yugoslavia (Serbia-Montenegro) under the Temporary Protected Status (TPS) program. This designation allowed eligible nationals of Kosovo Province (and aliens having no nationality who last habitually resided in Kosovo Province) who have continuously resided in the United States since that date to apply for TPS through June 8, 1999. This notice extends the TPS designation for Kosovo Province for 12 months (until June 8, 2000) and provides procedures for nationals of Kosovo Province (and aliens having no nationality who last habitually resided in Kosovo Province) with TPS to re-register for the additional 12-month TPS period. This notice also redesignated Kosovo Province under the TPS program, thereby expanding TPS eligibility to include nationals of Kosovo Province (and aliens having no nationality who last habitually resided in Kosovo Province) who have been “continuously present in the United States”) and who have “continuously resided in the United States” since June 18, 1999.

EFFECTIVE DATES:

1. Extension of Designation and Re-Registration

Because the initial grant of TPS expires on June 8, 1999, the extension is effective on June 9, 1999, and lasts until June 8, 2000. Nationals of Kosovo Province (and aliens having no nationality who last habitually resided in Kosovo Province) who already have TPS must re-register for TPS during the period lasting from June 8, 1999, until July 8, 1999.

2. Redesignation

The redesignation of Kosovo Province for TPS is effective June 8, 1999, until June 8, 2000. The registration period for nationals of Kosovo Province for TPS under the redesignation begins on June 8, 1999, and will remain in effect until June 8, 2000.

FOR FURTHER INFORMATION CONTACT: Michael Valverde, Program Analyst, Immigration and Naturalization Service, Room 3040, 425 I Street, NW, Washington, DC 20536, telephone (202) 514-4754.

SUPPLEMENTARY INFORMATION:

What Is the Statutory Authority To Extend the Designation and Redesignate Kosovo Province Under the TPS Program?

Section 244(b)(3)(A) of the Immigration and Nationality Act (the Act) states that at least 60 days before the end of a designation, the Attorney General must review conditions in the foreign state for which the designation is in effect. 8 U.S.C. 1254a(b)(3)(A). Under section 244(b)(3)(C), the Attorney General may extend the initial TPS period based on a determination that the foreign state continues to meet the conditions for designation. 8 U.S.C. 1254a(b)(3)(C). Through such an

extension, however, TPS continues to be available only to aliens who have been continuously physically present in the United States from the effective date of the initial designation, in this case since June 9, 1998.

However, section 244(b)(1) of the Act implicitly permits the Attorney General to make a new TPS designation for a foreign state (or part of a foreign state) that would affect non-covered aliens currently residing in the United States, rather than simply extending a prior TPS designation for previously eligible aliens. 8 U.S.C. 1254a(b)(1). Section 244(c)(1)(A)(i) states that an alien is eligible for TPS if he or she "has been continuously physically present since the effective date of the most recent designation of that state." 8 U.S.C. 1254a(c)(1)(A)(i).

Why Did the Attorney General Decide to Both Extend and Redesignate Kosovo Province Under the TPS Program?

Due to the recent events in Kosovo Province and surrounding areas of the Federal Republic of Yugoslavia, the Attorney General and the Department of State have reexamined conditions in Kosovo Province. A recent Department of State report on conditions in that region found that, "[g]iven the state of open war in Kosovo, the ongoing NATO air strikes in the Federal Republic of Yugoslavia (including Kosovo), and no indication of peaceful resolution, a resident of Kosovo now in the United States could not possibly return to Kosovo without incurring an extremely serious threat to his or her personal safety." Based on these and other findings, the Attorney General has determined that conditions in Kosovo Province have worsened since the initial designation and, as a result, has decided to extend and redesignate Kosovo

Province under the TPS program. This will extend availability of TPS to include eligible nationals of Kosovo Province (and aliens having no nationality who last habitually resided in Kosovo Province) who arrived in the United States after the date of initial designation.

If I Currently Have TPS Through the Kosovo Province TPS Program, Do I Still Need to Re-Register for TPS?

Yes. If you were granted TPS based on the initial designation of Kosovo Province, that status will expire on June 8, 1999. Accordingly, you must re-register for TPS in order to maintain your status through June 8, 2000. With re-registration, you do not need to pay the fifty-dollar (\$50) filing fee for the Form I-821.

If you do not have TPS or have TPS but miss the re-registration period, you can still apply for TPS under the redesignation if you have been continuously physically present and have continuously resided in the United States since June 8, 1999. Under the redesignation you must pay the fifty-dollar (\$50) fee for the Form I-821. See the two sets of registration instructions below for complete filing instructions.

If I Currently Have TPS, How Do I Register for an Extension?

All applicants previously granted TPS under the Kosovo Province program may apply for an extension by filing a Form I-821 (without the fee) during the re-registration period that begins June 8, 1999 and ends July 8, 1999. Additionally, you must file a form I-765. See the chart below to determine whether or not you must submit the one hundred-dollar (\$100) filing fee with the Form I-765.

If	Then
You are applying for employment authorization through June 8, 2000 ...	You must complete and file the Form I-765. Application for Employment Authorization, with the one hundred-dollar (\$100) fee.
You already have employment authorization or do not require employment authorization.	You must complete and file the Form I-765, Application for Employment Authorization, without a fee.
You are applying for employment authorization and are requesting a fee waiver.	You must complete and file Form I-765 and an appropriately documented fee waiver request and the requisite affidavit (and any other information), in accordance with 8 CFR 244.20.

To re-register for TPS, you also must include two identification photographs (1½" x 1½") and supporting evidence, as provided in 8 CFR 244.9 (evidence of identity and nationality, and proof of residence).

If I Do Not Currently Have TPS, How Do I Register?

All applicants filing for TPS under the Kosovo program redesignation must apply by filing Form I-821 accompanied by the fifty-dollar (\$50) fee.

Additionally, you must submit a twenty-five dollar (\$25) fingerprinting fee, as well as Form I-765. See the chart below to determine if you must also submit the one hundred-dollar (\$100) filing fee under Form I-765, and for information on requesting a fee waiver.

If	Then
You are applying for employment authorization through June 8, 2000 ...	You must complete and file the Form I-765, Application for Employment Authorization, with the one hundred-dollar (\$100) fee.
You already have employment authorization or do not require employment authorization.	You must complete and file the Form I-765, Application for Employment Authorization, without a fee.
You are requesting a fee waiver for the \$50 fee for the Form I-821, \$100 fee for the Form I-765, and \$25 fingerprinting fee.	You must complete and file Form I-821 and Form I-765 and an appropriately documented fee waiver request and the requisite affidavit (and any other information), in accordance with 8 CFR 244.20.

To register for TPS, you also must include two identification photographs (1½" × 1½") and supporting evidence, as provided in 8 CFR 244.9 (evidence of identity and nationality, and proof of residence).

When Must I Register for TPS?

Extension of TPS

For nationals of Kosovo Province (and aliens having no nationality who last habitually resided in Kosovo Province) who already have TPS, the re-registration period begins June 8, 1999 and lasts until July 8, 1999. If you have TPS from the original designation but do not file during the re-registration period, you can still file a new application for TPS under the redesignation, but you will need to follow the instructions for applying under the redesignation.

Registration Period Under the Redesignation

The registration period for nationals of Kosovo Province applying for TPS under the redesignation begins June 8, 1999, and will remain in effect until June 8, 2000.

Where Must I File My Application for TPS Under This Extension and Redesignation?

Applicants seeking to register for TPS or to extend their TPS must submit an application and accompanying materials to the Immigration and Naturalization Service (INS) Service Center that has jurisdiction over the applicant's place of residence.

If you live in Connecticut, Delaware, the District of Columbia, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Puerto Rico, Rhode Island, Vermont, Virginia, West Virginia, or in the U.S. Virgin Islands, mail your application to: Vermont Service Center, ATTN: TPS, 75 Lower Welden Street, St. Albans, VT 05479.

If you live in Arizona, California, Guam, Hawaii, or Nevada, mail your application to: California Service Center, ATTN: TPS, 24000 Avila Road, 2nd Floor, Laguna Niguel, CA 92677-8111.

If you live in Alabama, Arkansas, Florida, Georgia, Kentucky, Louisiana, Mississippi, New Mexico, North Carolina, Oklahoma, South Carolina, Tennessee, or Texas, mail your application to: Texas Service Center, PO Box 850997, Mesquite, TX 75185-0997.

If you live elsewhere in the United States, please mail your application to: Nebraska Service Center, PO Box 87821, Lincoln, NE 68501-7821.

What Are the Requirements for Nationals of Kosovo Province to Demonstrate That They Have Been "Continuously Physically Present" and Have "Continuously Resided" in the United States?

All initial applicant for TPS under the Kosovo Province redesignation will have to demonstrate "continuous physical presence" and "continuous residence" in the United States since June 8, 1999.

"Continuously physically present" means actual physical presence in the United States for the entire period specified. However, an alien shall not be considered to have failed to maintain continuous physical presence in the United States by virtue of brief, casual, and innocent absences.

"Continuously resided" means residing in the United States for the entire period. An alien will not be considered to have failed to maintain continuous residence in the United States by reason of a brief, casual, and innocent absence or absence due merely to a brief trip abroad required by emergency or extenuating circumstances outside the control of the alien.

Notice of Extension of Designation and Redesignation of Kosovo Province Under the TPS Program

By the authority vested in me as Attorney General under section 244 of the Act, and as required by subsections 244(b)(3) (A) and (C), and 244(b)(1) of the Act, I find that there exist extraordinary and temporary conditions that prevent aliens who are nationals of Kosovo Province (and aliens having no nationality who last habitually resided in Kosovo Province) from returning Kosovo Province in safety, and that

permitting nationals of Kosovo Province (and aliens having no nationality who last habitually resided in Kosovo Province) to remain temporarily in the United States is not contrary to the national interest. 8 U.S.C. 1254a(b)(3) (A) and (C); 8 U.S.C. 1254a(b)(1). Accordingly, I hereby order as follows:

(1) The designation of Kosovo Province is extended under section 244(b)(3) (A) and (C) of the Act for the 12-month period spanning from June 9, 1999, to June 8, 2000. 8 U.S.C. 1254a(b)(3) (A) and (C). Nationals of Kosovo Province (and aliens having no nationality who last habitually resided in Kosovo Province) who received TPS during the initial designation period may apply for an extension of TPS during the registration period lasting from June 8, 1999 until July 8, 1999.

(2) Kosovo Province is redesignated under section 244(b)(1) of the Act for TPS until June 8, 2000. 8 U.S.C. 1254a(b)(1). Nationals of Kosovo Province (and aliens having no nationality who last habitually resided in Kosovo Province) who have been "continuously physically present" and have "continuously resided" in the United States since June 8, 1999, may apply for TPS within the registration period, which begins June 8, 1999, and ends June 8, 2000.

(3) I estimate that there are no more than 5,000 nationals of Kosovo Province who have been granted TPS and who are eligible for re-registration and no more than 3,000 nationals of Kosovo Province who do not have TPS and are eligible for TPS under this redesignation.

(4) In order to maintain TPS, a national of Kosovo Province (or an alien having no nationality who last habitually resided in Kosovo Province) who currently has TPS must re-register by filing Form I-821, together with Form I-765, within the period beginning June 8, 1999 and ending on July 8, 1999. Late re-registration applications will be allowed pursuant to 8 CFR 244.17(c). There is no fee for a Form I-821 filed as part of the re-registration application. A Form I-765 must be filed with the Form I-821. If the applicant requests employment authorization, he or she must submit

one hundred dollars (\$100) or a properly documented fee waiver request, pursuant to 8 CFR 244.20, with the Form I-765. An applicant who does not request employment authorization must nonetheless file Form I-765 along with Form I-821, but is not required to submit a fee.

(5) A national of Kosovo Province (or an alien having no nationality who last habitually resided in Kosovo Province) filing for TPS under the redesignation must file Form I-821, together with Form I-765, within the period beginning June 8, 1999, and ending on June 8, 2000. A fifty-dollar (\$50) fee must accompany Form I-821. A twenty-five-dollar (\$25) fingerprinting fee must also be submitted. If the applicant requests employment authorization, he or she must submit one hundred dollars (\$100) or a properly documented fee waiver request, pursuant to 8 CFR 244.20, with the Form I-765. An applicant who does not request employment authorization must nonetheless file Form I-765 along with Form I-821, but in such cases no fee will be charged. The applicant can also request a fee waiver for the twenty-five-dollar (\$25) fee.

(6) Pursuant to section 244(b)(3)(A) of the Act, the Attorney General will review, at least 60 days before June 8, 2000, the designation of Kosovo Province under the TPS program to determine whether the conditions for designation continue to be met. 8 U.S.C. 1254a(b)(3)(A). Notice of that determination will be published in the **Federal Register**. If there is an extension of designation, late initial registration for TSP will be allowed only pursuant to the requirements of 8 CFR 244.2(f)(2).

(7) Information concerning the TPS redesignation program for nationals of Kosovo Province (and aliens having no nationality who last habitually resided in Kosovo Province) will be available at local INS offices upon publication of this notice.

Dated: June 2, 1999.

Janet Reno,

Attorney General.

[FR Doc. 99-14507 Filed 6-7-99; 8:45 am]

BILLING CODE 4410-10-M

DEPARTMENT OF LABOR

Office of the Secretary

Submission for OMB Review; Comment Request

June 1, 1999.

The Department of Labor (DOL) has submitted the following public

information collection requests (ICRs) to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act of 1995 (Pub. L. 104-13, 44 U.S.C. Chapter 35). A copy of each individual ICR, with applicable supporting documentation, may be obtained by calling the Department of Labor, Departmental Clearance Officer, Ira Mills ((202) 219-5096 ext. 143) or by E-Mail to Mills-Ira@dol.gov.

Comments should be sent to Office of Information and Regulatory Affairs, Attn: OMB Desk Officer for BLS, DM, ESA, ETA, MSHA, OSHA, PWBA, or VETS, Office of Management and Budget, Room 10235, Washington, DC 20503 ((202) 395-7316), within 30 days from the date of this publication in the **Federal Register**.

The OMB is particularly interested in comments which:

- 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;
- 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;
- enhance the quality, utility, and clarity of the information to be collected; and
- 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.

Agency: Employment Standards Administration.

Title: Rehabilitation Plan and Award.

OMB Number: 1215-0067.

Frequency: On occasion.

Affected Public: Individuals or households; Businesses or other for-profit.

Number of Respondents: 7,000.

Estimated Time Per Respondent: 30 minutes.

Total Burden Hours: 3,500 hours.

Total Annualized Capital/Startup Costs: \$0.

Total Annual Costs (operating/maintaining systems or purchasing services): \$0.

Description: The Rehabilitation Plan and Award is the plan for rehabilitation services submitted to OWCP by the injured worker and the rehabilitation

counselor, and OWCP's Award of Payment.

Ira L. Mills,

Departmental Clearance Officer.

[FR Doc. 99-14464 Filed 6-7-99; 8:45 am]

BILLING CODE 4510-27-M

DEPARTMENT OF LABOR

Office of the Secretary

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- 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.

Agency: Employment Standards Administration.

Title: Report of Changes That May Affect Your Black Lung Benefits.

OMB Number: 1215-0084.