

records without EAP client consent as follows:<sup>1</sup>

1. To appropriate State or local authorities to report, where required under State law, incidents of suspected child, elder or domestic abuse or neglect.

2. To any person or entity to the extent necessary to prevent an imminent crime which directly threatens loss of life or serious bodily injury.

3. To JMD contractors that provide counseling and other services through referrals from the EAP staff to the extent that it is appropriate, relevant, and necessary to enable the contractor to perform his or her counseling, treatment, rehabilitation, and evaluation responsibilities.

4. To any person who is responsible for the care of an EAP client when the EAP client to whom the records pertain is mentally incompetent or under legal disability.

5. To any person or entity to the extent necessary to meet a bona fide medical emergency.

**POLICIES AND PRACTICES FOR STORING RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:**

**STORAGE:**

Information in this system is maintained on paper and computer discs which are stored in locked GSA-approved security containers.

**RETRIEVABILITY:**

Records are indexed and retrieved by identifying number or symbol, cross-indexed to EAP client names.

**SAFEGUARDS:**

Paper records and computer discs are kept in locked GSA-approved security containers, and the computer discs are password protected. Only EAP staff will have access to the records. Records may be reviewed by any EAP staff member as may be needed to provide EAP services. No record may be released by the DOJ EAP staff without prior approval of the DOJ EAP System Manager.

**RETENTION AND DISPOSAL:**

Records are retained for three years after the EAP client ceases contact with the counselor (in accordance with General Records Schedule No. 1, Item No. 26) unless a longer retention period is necessary because of administrative or judicial proceedings. In such cases, the records are retained for six months after the conclusion of the proceedings. Paper records are destroyed by shredding, which must be performed by an EAP staff member. Computer discs are erased, degaussed or physically destroyed by an EAP staff member.

**SYSTEM MANAGER AND ADDRESS:**

DOJ EAP and Worklife Group  
Assistant Director, Justice Management  
Division, U.S. Department of Justice 950  
Pennsylvania Ave. NW, Washington, DC  
20530, (202) 514-1846.

**NOTIFICATION PROCEDURE:**

Some as Record Access Procedures.

**RECORD ACCESS PROCEDURES:**

Make all requests for access in writing to the EAP System Manager identified above. Clearly mark the envelope and letter "Freedom of Information Act/Privacy Act Request." Provide the full name and notarized signature of the individual who is the subject of the record, the dates during which the individual was in counseling, any other information which may assist in identifying and locating the record, and a return address.

**CONTESTING RECORD PROCEDURES:**

Director all requests to contest or amend information to the EAP System Manager identified above. The request should follow the Record Access Procedures, listed above, and should state clearly and concisely the information being contested, the reason for contesting it, and the proposed amendment thereof. Clearly mark the envelope and letter "Freedom of Information Act/Privacy Act Request."

**RECORD SOURCE CATEGORIES:**

Records are generated by EAP personnel, referral counseling and treatment programs or individuals, the EAP client who is the subject of the record, the personnel office and the EAP client's supervisor. In the case of drug abuse counseling, records may also be generated by the staff of the Drug-Free Workplace Program and the Medical Review Officer.

**EXEMPTIONS CLAIMED FOR THIS SYSTEM:**

None.

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**BILLING CODE 4910-CJ-M**

**DEPARTMENT OF JUSTICE**

**Immigration and Naturalization Service**

**[INS No. 2065R-00]**

**RIN 1115-AE26**

**Extension of Re-registration Period and Work Authorization for Hondurans Under Temporary Protected Status Program**

**AGENCY:** Immigration and Naturalization Service, Justice.

**ACTION:** Notice.

**SUMMARY:** This notice extends the re-registration period until July 5, 2000 for those eligible nationals of Honduras (or aliens having no nationality who last habitually resided in Honduras) who may re-register for Temporary Protected Status (TPS) and apply for a new period of employment authorization. On May 11, 2000, through a notice in the **Federal Register** at 65 FR 30438, the Attorney General extended the TPS designation of Honduras for an additional 12-month period, until July 5, 2001. The May 11, 2000 **Federal Register** notice also set the end of the filing period for re-registration at June 12, 2000, which is now being changed to July 5, 2000.

In addition to extending the re-registration period, this notice extends until December 5, 2000 the validity of Employment Authorization Documents (EADs) that were issued to Honduran nationals (or aliens having no nationality who last habitually resided in Honduras) under the initial TPS designation and that are set to expire on July 5, 2000. To be eligible for this automatic extension of employment authorization, an individual must be a national of Honduras (or an alien having no nationality who last habitually resided in Honduras) who previously applied for and received an EAD under the initial January 5, 1999 designation of Honduras for TPS. This automatic extension is limited to EADs bearing an expiration date of July 5, 2000 and the notation:

- "A-12" or "C-19" on the face of the card under "Category" for EADs issued on Form I-766; or,
- "274A.12(A)(12)" or "274A.12(C)(19)" on the face of the card under "Provision of Law" for EADs issued on Form I-688B.

**EFFECTIVE DATES:** The extension of the TPS designation for Honduras is effective July 6, 2000, and will remain in effect until July 5, 2001. The re-registration period began May 11, 2000 and will remain in effect until July 5, 2000. All EADs that were issued to

<sup>1</sup> To the extent that the release of alcohol and drug abuse records is more restricted than other records subject to the Privacy Act, DOJ will follow such restrictions. See 42 U.S.C. 290dd-2; 42 CFR part 2.

Honduran nationals (or aliens having no nationality who last habitually resided in Honduras) under the initial Honduras TPS designation and that are set to expire on July 5, 2000 are automatically extended until December 5, 2000.

**FOR FURTHER INFORMATION CONTACT:** Michael Hardin, Office of Adjudications, Immigration and Naturalization Service, Room 3214, 425 I Street, NW., Washington, DC 20536, telephone (202) 514-4754.

**SUPPLEMENTARY INFORMATION:**

**Why Did the Immigration and Naturalization Service Decide To Extend the Re-registration Period for Hondurans Filing for an Extension of Temporary Protected Status?**

The extreme devastation of Hurricane Mitch prompted the Attorney General to make an unprecedented original 18-month designation under TPS for Honduras. Typically, TPS designations are for 12 months, which is also the time period after which TPS applicants must annually register with the Immigration and Naturalization Service (Service). 8 U.S.C. 1254a(c)(3)(C). This annual registration must take place within 30 days of the anniversary of the initial grant of Temporary Protected Status. 8 CFR 244.17.

The initial 18-month grant of TPS status to Honduras, combined with EADs issued under TPS designations for Honduras stating July 5, 2000 as their expiration date, has caused confusion as to when a Honduran TPS applicant is required to file for a TPS extension. Because of this, the Service is extending the dates for re-registration by this Notice until the last day of the initial Honduras TPS designation, July 5, 2000.

**When Can I Register for an Extension of TPS?**

The re-registration period begins May 11, 2000 and will remain in effect until July 5, 2000. Applications must be physically received, not just postmarked, at the appropriate Service Center by July 5, 2000. For further filing instructions, see the previous notice in the May 11, 2000 **Federal Register**.

**What Forms Must I Send in Order To Register for an Extension of TPS?**

As stated previously, in the May 11, 2000, **Federal Register** notice, in order to re-register under the TPS program, you must file your TPS application, Form I-821 (without fee) and an application for employment authorization, Form I-765. If you want an EAD, you must submit a fee of \$100. If you are not requesting employment authorization, you do not need to submit a fee. Both forms I-821 and I-

765 must be received by the appropriate Service Center by July 5, 2000.

**Why Is the Service Automatically Extending the Expiration Date of EADs From July 5, 2000 to December 5, 2000?**

As stated above, qualified individuals must apply for a new EAD in order to register for and extension of TPS. Conserving both the number of applications that the Service anticipates it will receive and Service processing capabilities given the short timeframe provided by statute for the decision to extend the Attorney General's designation of Honduras under the TPS program, it is likely that many re-registrants will receive their new EAD after the expiration date of their current EAD. Unless an extension on the expiration date of their EAD is provided, re-registrants may experience a gap in employment authorization. Therefore, to afford the Service sufficient processing time and to ensure that re-registrants will be able to maintain their employment authorization until they receive a new EAD in connection with their re-registration for the new period of TPS, the Service, through this notice, is extending the validity of applicable EADs to December 5, 2000.

**Who Is Eligible To Receive an Automatic Extension of Employment Authorization?**

To be eligible for an automatic extension of employment authorization, an individual must be a national of Honduras (or an alien having no nationality who last habitually resided in Honduras) who previously applied for and received an EAD under the initial January 5, 1999 designation of Honduras for TPS. This automatic extension is limited to EADs bearing an expiration date of July 5, 2000 and the notation:

- "A-12" or "C-19" on the face of the card under "Category" for EADs issued on Form I-766; or,
- "274A.12(A)(12)" or "274A.12(C)(19)" on the face of the card under "Provision of Law" for EADs issued on Form I-688B.

**Does a Qualified Individual Have To Apply to the Service for the Automatic Extension to December 5, 2000 of His or Her TPS-related EAD?**

No, the extension of the validity of the previously issued EADs to December 5, 2000 is automatic and there is no fee. However, as discussed below, qualified individuals are encouraged to retain a copy of this **Federal Register** notice for purposes of the employment verification process. Also, qualified individuals

must re-register by July 5, 2000 in order to be eligible for a new EAD that is valid until July 5, 2001.

**What Documents Can a Qualified Individual Show to His or Her Employer as Proof of Employment Authorization and Identity When Completing the Employment Eligibility Verification Form (Form I-9)?**

For completion of the Form I-9 at the time of hire or reverification, qualified individuals who have received an extension of employment authorization by virtue of their **Federal Register** notice can present their employer their TPS-related EAD as proof of valid employment authorization and identity until December 5, 2000. To minimize confusion over this extension at the time of hire or re-verification, qualified individuals may also present to their employer a copy of this **Federal Register** notice regarding the extension of employment authorization to December 5, 2000. In the alternative to presenting a TPS-related EAD, any legally acceptable document or combination of documents listed in List A, List B, or List C of the Form I-9 may be presented as proof of identity and employment eligibility; it is the choice of the employee.

**How Can Employers Determine Which EADs That Have Been Automatically Extended Through December 5, 2000, Are Acceptable for Completion of the Form I-9?**

For purposes of verifying identity and employment eligibility or re-verifying employment eligibility on the Form I-9 until December 5, 2000, employers of TPS Honduran nationals (or aliens having no nationality who last habitually resided in Honduras) whose employment authorization has been automatically extended by this notice must accept an EAD that contains an expiration date of July 5, 2000 and that bears the notation:

- "A-12" or "C-19" on the face of the card under "Category" for EADs issued on Form I-766; or,
- "274A.12(A)(12)" or "274A.12(C)(19)" on the face of the card under "Provision of Law" for EADs issued on Form I-688B.

New EADs or extension stickers showing the December 5, 2000 expiration date will not be issued. Employers should not request proof of Honduran citizenship. Employers presented with an EAD that has been extended by this **Federal Register** notice and that appears to be genuine and to relate to the employee should accept the document as a valid List A document and should not ask for additional I-9

documentation. This action by the Service through this **Federal Register** notice does not affect the right of an employee to present any legally acceptable document as proof of identity and eligibility for employment. Employers are reminded that the laws prohibiting unfair immigration-related employment practices remain in full force. Employers may call the Service's Office of Business Liaison Employer Hotline at 1-800-357-2099 to speak to a Service representative about this Notice. Employers can also call the Office of Special Counsel for Immigration Related Unfair Employment Practices (OSC) Employer Hotline at 1-800-255-8155. Employees or applicants can call the OSC Employee Hotline at 1-800-255-7688 about the automatic extension.

**Does This Notice Affect Any Other Portion of the May 11, 2000 Federal Register Notice Extending TPS Designation for Honduras Until July 5, 2001?**

No. All other TPS requirements contained in the May 11, 2000, **Federal Register** notice at 65 FR 30438 are accurate and remain in effect.

Dated: May 25, 2000.

**Doris Meissner,**

*Commissioner, Immigration and Naturalization Service.*

[FR Doc. 00-14534 Filed 6-8-00; 8:45 am]

BILLING CODE 4410-10-M

**DEPARTMENT OF JUSTICE**

**Immigration and Naturalization Service**

[INS No. 2064R-00]

RIN 1115-AE26

**Extension of Re-Registration Period and Work Authorization for Nicaraguans Under Temporary Protected Status Program**

**AGENCY:** Immigration and Naturalization Service.

**ACTION:** Notice.

**SUMMARY:** This notice extends the re-registration period until July 5, 2000 for those eligible nationals of Nicaragua (or aliens having no nationality who last habitually resided in Nicaragua) who may re-register for Temporary Protected Status (TPS) and apply for a new period of employment authorization. On May 11, 2000, through a notice in the **Federal Register** at 65 FR 30440, the Attorney General extended the TPS designation of Nicaragua for an additional 12-month period, until July 5, 2001. The May 11, 2000 **Federal**

**Register** notice also set the end of the filing period for re-registration at June 12, 2000, which is now being changed to July 5, 2000.

In addition to extending the re-registration period, this notice extends until December 5, 2000 the validity of Employment Authorization Documents (EADs) that were issued to Nicaraguan nationals (or aliens having no nationality who last habitually resided in Nicaragua) under the initial TPS designation and that are set to expire on July 5, 2000. To be eligible for this automatic extension of employment authorization, an individual must be a national of Nicaragua (or an alien having no nationality who last habitually resided in Nicaragua) who previously applied for and received an EAD under the initial January 5, 1999 designation of Nicaragua for TPS. This automatic extension is limited to EADs bearing an expiration date of July 5, 2000 and the notation:

- "A-12" or "C-19" on the face of the card under "Category" for EADs issued on Form I-766; or,
- "274A.12(A)(12)" or "274A.12(C)(19)" on the face of the card under "Provision of Law" for EADs issued on Form I-688B.

**EFFECTIVE DATES:** The extension of the TPS designation for Nicaragua is effective July 6, 2000, and will remain in effect until July 5, 2001. The re-registration period began May 11, 2000 and will remain in effect until July 5, 2000. All EADs that were issued to Nicaraguan nationals (or aliens having no nationality who last habitually resided in Nicaragua) under the initial Nicaragua TPS designation and that are set to expire on July 5, 2000 are automatically extended until December 5, 2000.

**FOR FURTHER INFORMATION CONTACT:**

Michael Hardin, Office of Adjudications, Immigration and Naturalization Service, Room 3214, 425 I Street, NW., Washington, DC 20536, telephone (202) 514-4754.

**SUPPLEMENTARY INFORMATION:**

**Why Did the Immigration and Naturalization Service Decide To Extend the Re-Registration Period for Nicaraguans Filing for an Extension of Temporary Protected Status?**

The extreme devastation of Hurricane Mitch prompted the Attorney General to make an unprecedented original 18-month designation under TPS for Nicaragua. Typically, TPS designations are for 12 months, which is also the time period after which TPS applicants must annually register with the Immigration and Naturalization Service

(Service). 8 U.S.C. 1254a(c)(3)(C). This annual registration must take place within 30 days of the anniversary of the initial grant of Temporary Protected Status. 8 CFR 244.17.

The initial 18-month grant of TPS status to Nicaragua, combined with EADs issued under TPS designations for Nicaragua stating July 5, 2000 as their expiration date, has caused confusion as to when a Nicaraguan TPS applicant is required to file for a TPS extension. Because of this, the Service is extending the dates for re-registration by this Notice until the last day of the initial Nicaragua TPS designation, July 5, 2000.

**When Can I Register for an Extension of TPS?**

The re-registration period begins May 11, 2000 and will remain in effect until July 5, 2000. Applications must be physically received, not just postmarked, at the appropriate Service Center by July 5, 2000. For further filing instructions, see the previous notice in the May 11, 2000 **Federal Register**.

**What Forms Must I Send in Order To Register for an Extension of TPS?**

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