DISPOSING OF RECORDS IN THE SYSTEM:

are erased, degaussed or physically
an EAP staff member. Computer discs
shredding, which must be performed by
Paper records are destroyed by
after the conclusion of the proceedings.

is necessary because of administrative
the counselor (in accordance with
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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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
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

1 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:**

**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 Hondurans. 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(a)(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 Hondurans, combined with EADs issued under TPS designations for Hondurans stating July 5, 2000 as their expiration date, has caused confusion 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 Honduran 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 an 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 and 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 re-verification, 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 documents 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.

**What Are Acceptable for Completion of the Form I–9?**

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
Service. 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, July 5, 2000. Applications must be 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 previously stated 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 an extension of TPS. Considering 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 Nicaragua 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 will receive their new EAD after the expiration date of their current EAD. 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