

United States by reason of a brief, casual, and innocent absence.

### Notice of Extension of Designation and Redesignation of Burundi Under the TPS Program

By the authority vested in me as Attorney General under Section 244 of the Act, and as required by sections 244(b)(3)(A) and (C), and 244 (b) (1) of the Act, I have consulted with the appropriate government agencies concerning the redesignation of Burundi under the TPS program and the extension of that country's current TPS designation. From these consultations, I find the following:

(1) There exists an ongoing armed conflict in Burundi and that a return of aliens who are nationals of Burundi (and aliens having no nationality who last habitually resided in Burundi) would pose a serious threat to their personal safety as a result of the armed conflict in that nation;

(2) There exist extraordinary and temporary conditions in Burundi that prevent aliens who are nationals of Burundi (and aliens having no nationality who last habitually resided in Burundi) from returning to Burundi in safety; and

(3) Permitting nationals of Burundi (and aliens having no nationality who last habitually resided in Burundi) to remain temporarily in the United States is not contrary to the national interest of the United States. 8 U.S.C. 1254a(b)(1) (A) and (C).

Accordingly, I order as follows:

(1) The designation of Burundi is extended under section 244(b)(3)(A) and (C) of the Act for the 12-month period spanning from November 3, 1999, to November 2, 2000. 8 U.S.C. 1254a(b)(3)(A) and (C). Nationals of Burundi (and aliens having no nationality who last habitually resided in Burundi) who received TPS during the initial designation period may apply for an extension of TPS during the registration period lasting from November 9, 1999 until December 9, 1999.

(2) Burundi is redesignated under section 244(b)(1) of the Act for TPS for a twelve-month period until November 2, 2000. 8 U.S.C. 1254a(b)(1). Nationals of Burundi (and aliens having no nationality who last habitually resided in Burundi) who have been "continuously physically present" and have "continuously resided" in the United States since November 9, 1999, may apply for TPS within the registration period, which begins November 9, 1999, and ends November 2, 2000.

(3) I estimate that there are no more than 500 nationals of Burundi who have been granted TPS and who are eligible for re-registration, and no more than 500 nationals of Burundi who do not have TPS and are eligible for TPS under this redesignation.

(4) In order to maintain TPS, a national of Burundi (or an alien having no nationality who last habitually resided in Burundi) who currently has TPS must re-register by filing Form I-821, together with Form I-765, within the period beginning November 9, 1999 and ending on December 9, 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 the fee.

(5) A national of Burundi (or an alien having no nationality who last habitually resided in Burundi) filing for TPS under the redesignation must file Form I-821, together with Form I-765, within the period beginning November 9, 1999, and ending on November 2, 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 is not required to submit the fee. 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 November 2, 2000, the designation of Burundi 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 TPS will be allowed only pursuant to the requirements of 8 CFR 244.2(f)(2).

(7) Information concerning the redesignation of Burundi under the TPS program will be available at local INS offices upon publication of this notice.

Dated: November 2, 1999.

**Janet Reno,**

*Attorney General.*

[FR Doc. 99-29248 Filed 11-8-99; 8:45 am]

BILLING CODE 4410-16-M

## DEPARTMENT OF JUSTICE

### Immigration and Naturalization Service

[INS No. 2024-99; AG Order No. 2273-99]

RIN 1115-AE26

### Extension and Redesignation of Sierra Leone Under the Temporary Protected Status Program

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

**ACTION:** Notice.

**SUMMARY:** On November 4, 1997, the Attorney General designated Sierra Leone under the Temporary Protected Status (TPS) program for a period of twelve months. This initial designation allowed eligible nationals of Sierra Leone (and aliens having no nationality who last habitually resided in Sierra Leone) who had continuously resided in the United States since that date to apply for TPS. This initial designation, which expired November 3, 1998, was extended last year. This notice extends the TPS designation for Sierra Leone for another twelve-month period (until November 2, 2000), and sets forth the procedures necessary for nationals of Sierra Leone (and aliens having no nationality who last habitually resided in Sierra Leone) with TPS to re-register for TPS program. This notice also redesignates Sierra Leone under the TPS program, thereby expanding TPS edibility to include nationals of Sierra Leone (and aliens having no nationality who last habitually resided in Sierra Leone) who have been "continuously present in the United States" and who have "continuously resided in the United States" since November 9, 1999.

**EFFECTIVE DATE:**

### Extension of Designation and Re-Registration

The TPS extension is effective on November 3, 1999, and lasts until November 2, 2000. Nationals of Sierra Leone (and aliens having no nationality who last habitually resided in Sierra Leone) who currently have TPS must re-register for TPS during the period lasting from November 9, 1999, until December 9, 1999.

### Redesignation

The redesignation of Sierra Leone for TPS is effective from November 9, 1999,

until November 2, 2000. The TPS registration period for nationals of Sierra Leone (and aliens who last habitually resided in Sierra Leone) who do not currently have TPS begins November 9, 1999, and will remain in effect until November 2, 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 for the Attorney General To Extend Sierra Leone's TPS Designation 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. 1254(b)(3)(C). Through such an extension, however, TPS continues to be available only to aliens who have been continuously physically present and who have continuously resided in the United States from the effective date of the initial designation, in this case since November 4, 1997.

**What Is the Statutory Authority for the Attorney General To Redesignate Sierra Leone Under the TPS Program?**

Section 244(b)(1) of the Act implicitly permits the Attorney General to

redesignate a foreign state (or any part of such foreign state) under the TPS program such that non-covered aliens residing in the United States could receive TPS benefits, instead of simply extending a foreign state's TPS designation and thereby extending benefits to previously eligible aliens. 8 U.S.C. 1254(b)(1). An alien is eligible for TPS if he or she is otherwise admissible, and "has been continuously physically present since and has continually resided in the United States since the effective date of the most recent designation of that state." 8 U.S.C. 1254(c)(1)(A)(i).

**Why Did the Attorney General Decide To Both Extend and Redesignate Sierra Leone Under the TPS Program?**

On November 4, 1997, the Attorney General designated Sierra Leone under the TPS program. Since that date, the Attorney General and the Department of State have continuously examined conditions in Sierra Leone. A recent Department of State report on conditions in that country found that, "[a]lthough the Lome Accord was signed in early July [1999], Sierra Leone cannot yet be considered at peace. The implementation of the Accord is not going according to plan." The memorandum further states that "[r]ebel forces continue to control much of the interior. According to the [United Nations], nearly one-third (1.5 million) of the country's 4.6 million people have been displaced from their homes, including 500,000 refugees now in neighboring countries." Based on these and other findings, the Attorney General has determined that conditions in Sierra Leone warrant the extension and redesignation of Sierra Leone under the

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

**If I Currently Have TPS Through the Sierra Leone TPS Program, Do I Still Need To Re-Register for TPS?**

Yes. If you were granted TPS based on the initial designation of Sierra Leone, your protected status will expire on November 3, 1999. Accordingly, you must reregister for TPS in order to maintain your status through November 2, 2000. With re-registration, you do not need to pay the fifty-dollar (\$50) filing fee for the Form I-821, Application for Temporary Protected Status. 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 November 9, 1999. See the 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 Sierra Leone program may apply for an extension by filing a Form I-821 (without the fee) during the re-registration period that begins November 9, 1999 and ends December 9, 1999. Additionally, you must file a Form I-765, Application for Employment Authorization. See Chart 1 below to determine whether or not you must submit the one-hundred dollar (\$100) filing fee with the Form I-765.

CHART 1

If	Then
You are applying for employment authorization through November 2, 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 request 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, 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").

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

All applicants filing for TPS under the Sierra Leone redesignation who have not previously been granted TPS must apply by filing Form I-821 and the fifty-dollar (\$50) fee. Additionally, you must

submit Form I-765 and a twenty-five dollar (\$25) fingerprinting fee. See Chart 2 below to determine if you must also submit the one-hundred dollar (\$100) filing fee for Form I-765 and to obtain information on requesting a fee waiver.

CHART 2

If	Then
You already have employment authorization or do not request 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 of the Form I-821, \$100 fee for the Form I-765, and \$25 fingerprinting fee.	You must complete and file Form I-821, Form I-765, and an appropriately documented fee waiver request and the affidavit (and any other information), in accordance with 8 CFR 244.20.

To 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, nationality, and proof of residence).

#### **When Must I Re-Register for TPS Under the Extension?**

For nationals of Sierra Leone (and aliens having no nationality who last habitually resided in Sierra Leone) who currently have TPS, the re-registered period begins November 9, 1999 and lasts until December 9, 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. If you are filing a new application, you will need to follow the instructions for applying under the redesignation.

#### **When Must I Register for TPS Under the Redesignation?**

The registration period for nationals of Sierra Leone applying for TPS under the redesignation begins November 9, 1999, and will remain in effect until November 2, 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) district office that has jurisdiction over the applicant's place of residence.

#### **What Are the Requirements for Nationals of Sierra Leone To Demonstrate That They Have Been "Continuously Physically Present" and Have "Continuously Resided" in the United States?**

All new applicants for TPS under the Sierra Leone redesignation will have to demonstrate "continuous physical presence" and "continuous residence" in the United States since November 9, 1999. "Continuously physically present" means actual physical presence in the United States for the entire period specified. An alien,

however, shall not be considered to have failed to maintain continuous physical presence in the United States by virtue of a brief, casual, and innocent absence. "Continuously resided" means residing in the United States for the entire period specified. 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.

#### **Notice of Extension of Designation and Redesignation of Sierra Leone Under the TPS Program**

By the authority vested in me as Attorney General under section 244 of the Act, and as required by sections 244(b)(3)(A) and (C), and 244(b)(1) of the Act, I have consulted with the appropriate government agencies concerning the redesignation of Sierra Leone under the TPS program and the extension of that country's current designation. From these consultations, I find the following:

(1) There exists an ongoing armed conflict in Sierra Leone and a return of aliens who are nationals of Sierra Leone (and aliens having no nationality who last habitually resided in Sierra Leone) would pose a serious threat to their personal safety as a result of the armed conflict in that nation;

(2) There exist extraordinary and temporary conditions in Sierra Leone that prevent aliens who are nationals of Sierra Leone (and aliens having no nationality who last habitually resided in Sierra Leone) from returning to Sierra Leone in safety; and

(3) Permitting nationals of Sierra Leone (and aliens having no nationality who last habitually resided in Sierra Leone) to remain temporarily in the United States is not contrary to the national interest of the United States. 8 U.S.C. 1254a (b)(1)(A) and (C).

Accordingly, I order as follows:

(1) The designation of Sierra Leone is extended under section 244(b)(3)(A) and (C) of the Act for the 12-month period spanning from November 3, 1999, to November 2, 2000. 8 U.S.C. 1254(b)(3) (A) and (C). Nationals of Sierra Leone (and aliens having no nationality who last habitually resided in Sierra Leone) who received TPS during the initial

designation period may apply for an extension of the TPS during the registration period lasting from November 9, 1999 until December 9, 1999.

(2) Sierra Leone is redesignated under section 244(b)(1) of the Act for TPS for a twelve-month period, until November 2, 2000. 8 U.S.C. 1254a(b)(1). Nationals of Sierra Leone (and aliens having no nationality who last habitually resided in Sierra Leone) who have been "continuously physically present" and have "continuously resided" in the United States since November 9, 1999, may apply for TPS within the registration period, which begins November 9, 1999, and ends November 2, 2000.

(3) I estimate that there are no more than 3,000 nationals of Sierra Leone who have been granted TPS and who are eligible for re-registration and no more than 2,000 nationals of Sierra Leone who do not have TPS and are eligible for TPS under this redesignation.

(4) In order to maintain TPS, a national of Sierra Leone (or an alien having no nationality who last habitually resided in Sierra Leone) who currently has TPS must re-register by filing Form I-821, together with Form I-765, within the period beginning November 9, 1999 and ending on December 9, 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 the fee.

(5) A national of Sierra Leone (or an alien having no nationality who last habitually resided in Sierra Leone) filing for TPS under the redesignation must file Form I-821, together with Form I-765, within the period beginning November 9, 1999, and ending on

November 2, 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 is not required to submit the fee. 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 November 2, 2000, the designation of Sierra Leone 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 TPS will be allowed only pursuant to the requirements of 8 CFR 244.2(f)(2).

(7) Information concerning the redesignation of Sierra Leone under the TPS program will be available at local INS offices upon publication of this notice.

Dated: November 2, 1999.

**Janet Reno,**

*Attorney General.*

[FR Doc. 99-29247 Filed 11-8-99; 8:45 am]

BILLING CODE 4410-10-M

## DEPARTMENT OF JUSTICE

### Immigration and Naturalization Service

[INS No. 2023-99; AG Order No. 2272-99]

RIN 1115-AE26

#### Extension and Redesignation of Sudan Under the Temporary Protected Status Program

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

**ACTION:** Notice.

**SUMMARY:** On November 4, 1997, the Attorney General designated Sudan under the Temporary Protected Status (TPS) program for a period of twelve months. This initial designation allowed eligible nationals of Sudan (and aliens having no nationality who last habitually resided in Sudan) who had continuously resided in the United States since that date to apply for TPS. The initial designation, which expired November 3, 1998, was extended last year. This notice extends the TPS

designation for Sudan for another twelve month period (until November 2, 2000), and sets forth procedures necessary for nationals of Sudan (and aliens having no nationality who last habitually resided in Sudan) with TPS to re-register for the additional twelve-month TPS period. This notice also redesignates Sudan under the TPS program, thereby expanding TPS eligibility to include nationals of Sudan (and aliens having no nationality who last habitually resided in Sudan) who have been "continuously present in the United States" and who have "continuously resided in the United States" since November 9, 1999.

#### EFFECTIVE DATES:

##### Extension of Designation and Re-Registration

The extension of Sudan's TPS designation is effective from November 3, 1999, until November 2, 2000. Nationals of Sudan (and aliens having no nationality who last habitually resided in Sudan) who currently have TPS must re-register for TPS during the period lasting from November 9, 1999, until December 9, 1999.

##### Redesignation

The redesignation of Sudan for TPS is effective from November 9, 1999, until November 2, 2000. The TPS registration period for nationals of Sudan (and aliens who last habitually resided in Sudan) begins on November 9, 1999, and will remain in effect until November 2, 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 for the Attorney General To Extend Sierra Leone's TPS Designation 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. 1254(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. 1254(b)(3)(C). Through such an extension, however, TPS continues to be available only to aliens who have been continuously physically present and

who have continuously resided in the United States from the effective date of the initial designation, in this case since November 4, 1997.

##### What Is the Statutory Authority for the Attorney General To Redesignate Sierra Leone Under the TPS Program?

Section 244(b)(1) of the Act implicitly permits the Attorney General to redesignate a foreign state (or any part of such foreign state) under the TPS program such that non-covered aliens residing in the United States could receive TPS benefits, instead of simply extending a foreign state's TPS designation and thereby extending benefits to previously eligible aliens. 8 U.S.C. 1254(b)(1). An alien is eligible for TPS if he or she is otherwise admissible, and "has been continuously physically present since and has continually resided in the United States since the effective date of the most recent designation of that state." 8 U.S.C. 1254(c)(1)(A)(i).

##### Why Did the Attorney General Decide To Both Extend and Redesignate Sudan Under the TPS Program?

On November 4, 1997, the Attorney General designated Sudan under the TPS program. Since that date, the Attorney General and the Department of State have continuously examined conditions in Sudan. A recent Department of State report on conditions in that country found that, "[i]n Sudan, the long-running civil war continues, causing extensive displacement of populations and human rights abuses directed at the displaced." The report also notes that recent statistics show marked increases in both the number and approval of individual asylum claims and Sudanese refugee resettlement in the United States. The findings that these individual Sudanese will face harm upon return to Sudan supports the need to extend and offer TPS to those Sudanese who have arrived in the United States since November 4, 1997. Based on these and other findings, the Attorney General has determined that conditions in Sudan warrant the extension and redesignation of Sudan under the TPS program. This order will extend the availability of TPS to eligible nationals of Sudan (and aliens having no nationality who last habitually resided in Sudan) who arrived in the United States after the date of initial designation.

##### If I Currently Have TPS Through the Sudan TPS Program, Do I Still Need To Re-Register for TPS?

Yes. If you were granted TPS based on the initial designation of Sudan, your