

controlled substances for hospital in-patients only. This does not include emergency room handling of controlled substances since some of the prescriptions for the patients at issue in this proceeding were issued when they were seen by Respondent in a hospital emergency room. During that year, Respondent shall take a course in the proper handling of controlled substances. The Acting Deputy Administrator finds this necessary since Respondent received the training discussed in this proceeding approximately four years ago. At the conclusion of one year, or upon the submission to the Special Agent in Charge of the DEA Newark Field Division, or his designee, of evidence of completion of the course, whichever is later, Respondent can then handle controlled substances outside of the hospital in-patient setting with the restrictions ordered by the Medical Board. However, since the Medical Board's restrictions on Respondent's prescribing of controlled substances are to be in place for at least one year after he received his DEA registration, they are really of no consequence because Respondent is limited by DEA to only handling controlled substances for hospital in-patients. Therefore, for two years after Respondent is allowed to handle controlled substances outside of the hospital his registration shall be subject to the following conditions:

(1) Respondent shall maintain a log of his prescribing, administering and dispensing of controlled substances and shall make this log available to DEA personnel upon request. At a minimum, the log shall include the name of the patient, the date the controlled substance is prescribed, administered or dispensed, and the name, dosage and quantity of the controlled substance prescribed, administered or dispensed.

(2) Respondent may not prescribe or dispense more than a 14-day supply of a controlled substance at one time to a patient.

(3) Respondent must refer a patient to a pain management specialist for a second opinion prior to completion of 90 days of prescribing or dispensing to the patient.

According, the Acting Deputy Administrator of the Drug Enforcement Administration, pursuant to the authority vested in him by 21 U.S.C. 823 and 824 and 28 CFR 0.100(b) and 0.104, hereby orders that the application for registration submitted by Paul J. Caragine, Jr., M.D., be, and it hereby is granted subject to the above described restrictions. This order is effective no later than October 28, 1998.

Dated: September 21, 1998.

**Donnie R. Marshall,**

*Acting Deputy Administrator.*

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## DEPARTMENT OF JUSTICE

### Immigration and Naturalization Service

[INS No. 1945-98; AG Order No. 2179-98]

RIN 1115-AE 26

#### Extension of Designation of Somalia Under Temporary Protected Status Program

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

**ACTION:** Notice.

**SUMMARY:** This notice extends, until September 17, 1999, the Attorney General's designation of Somalia under the Temporary Protected Status (TPS) program provided for in section 244 of the Immigration and Nationality Act, as amended (Act). Accordingly, eligible aliens who are nationals of Somalia (or who have no nationality and who last habitually resided in Somalia) may re-register for TPS and are eligible for an extension of employment authorization. This re-registration is limited to persons who registered for the initial period of TPS, which ended on September 16, 1992.

**EFFECTIVE DATE:** This extension of designation is effective September 18, 1998, and will remain in effect until September 17, 1999. The re-registration procedures become effective September 28, 1998, and will remain in effect until October 27, 1998.

**FOR FURTHER INFORMATION CONTACT:** George Raftery, Residence and Status Branch, Adjudications, Immigration and Naturalization Service, Room 3214, 425 I Street, NW., Washington, DC 20536, telephone (202) 305-3199.

#### SUPPLEMENTARY INFORMATION:

##### Background

Subsection 308(b)(7) of the Illegal Immigration Reform and Immigrant Responsibility Act, Pub. L. 104-208, dated September 30, 1996, redesignated section 244A of the Act as section 244. Under this section, the Attorney General continues to be authorized to grant TPS to eligible aliens who are nationals of a foreign state designated by the Attorney General (or who have no nationality and last habitually resided in that state). The Attorney General may designate a state upon finding that the state is experiencing ongoing armed conflict, environmental disaster, or certain other

extraordinary and temporary conditions that prevent nationals or residents of the country from returning in safety.

On September 16, 1991, the Attorney General designated Somalia for Temporary Protected Status for a period of 12 months (56 FR 46804). The Attorney General extended the designation of Somalia under the TPS program for additional 12-month periods until September 17, 1998 (62 FR 41421).

Based on a thorough review by the Departments of State and Justice of all available evidence, the Attorney General finds that the ongoing armed conflict in Somalia continues and that, due to such armed conflict, extension of the designation of Somalia for TPS is required.

This notice extends the designation of Somalia under the Temporary Protected Status program for an additional 12 months, from September 18, 1998, to September 17, 1999, in accordance with subsections 244(b)(3)(A) and (C) of the Act. This notice also describes the procedures with which eligible aliens who are nationals of Somalia (or who have no nationality and who last habitually resided in Somalia) must comply in order to re-register for TPS.

In addition to timely re-registrations and late re-registrations authorized by this notice's extension of Somalia's TPS designation, late initial registrations are possible under 8 CFR 244.2(f)(2) for some nationals of Somalia (or aliens having no nationality who last habitually resided in Somalia). Such late initial registrants must have been "continuously physically present" and have "continuously resided" in the United States since September 16, 1991, must have had a valid immigrant or nonimmigrant status during the original registration period or have had an application for such status pending during the original registration period, and must register no later than 30 days from the expiration of such status or the denial of the application for such status.

An application for TPS does not preclude or adversely affect an application for asylum or any other immigration benefit. Any national of Somalia (or alien having no nationality who last habitually resided in Somalia) who is otherwise eligible for TPS and has applied for, or plans to apply for, asylum, but who has not yet been granted asylum or withholding of removal may also apply for TPS.

Nationals of Somalia (or aliens having no nationality who last habitually resided in Somalia) who have been continuously physically present and have continuously resided in the United States since September 16, 1991, may

re-register for TPS within the registration period which begins on September 28, 1998, and ends on October 27, 1998. This notice concerns "extension of TPS designation," not "redesignation of TPS." An extension of TPS designation does not change the eligibility requirements for TPS, including the required dates of continuous residence and continuous physical presence in the United States.

Nationals of Somalia (or aliens having no nationality who last habitually resided in Somalia) may register for TPS by filing an Application for Temporary Protected Status, Form I-821, which requires a filing fee (instructions regarding the payment of fees for re-registration are contained in paragraph 5 of this notice). The Application for Temporary Protected Status, Form I-821, must always be accompanied by an Application for Employment Authorization, Form I-765, which is required for data-gathering purposes. TPS applicants who already have employment authorization, including some asylum applicants, and those who have no need for employment authorization, including minor children, need pay only the I-821 fee, although they must complete and file the I-765. In all other cases, the appropriate filing fee must accompany Form I-765, unless a properly documented fee waiver request under 8 CFR 244.20 is submitted to the Immigration and Naturalization Service.

#### **Notice of Extension of Designation of Somalia Under the Temporary Protected Status Program**

By the authority vested in me as Attorney General under section 244 of the Act (8 U.S.C. 1254), and pursuant to subsections 244(b)(3) (A) and (C) of the Act, I had consultations with the appropriate agencies of the Government concerning whether the conditions under which Somalia was designated for TPS continue to exist. As a result of those consultations, I determine that the conditions for the original designation of Temporary Protected Status for Somalia continue to be met.

Accordingly, it is ordered as follows:

(1) The designation of Somalia under subsection 244(b) of the Act is extended for an additional 12-month period for September 18, 1998, to September 17, 1999.

(2) I estimate that there are approximately 350 nationals of Somalia (and aliens having no nationality who last habitually resided in Somalia) who have been granted Temporary Protected Status and who are eligible for re-registration.

(3) In order to maintain current registration for Temporary Protected Status, a national of Somalia (or an alien having no nationality who last habitually resided in Somalia) who received a grant of TPS during the initial period of designation, from September 16, 1991, to September 16, 1992, must comply with the re-registration requirements contained in 8 CFR 244.17, which are described in pertinent part in paragraphs (4) and (5) of this notice.

(4) A national of Somalia (or an alien having no nationality who last habitually resided in Somalia) who previously has been granted TPS and has re-registered annually must re-register by filing a new Application for Temporary Protected Status, Form I-821, along with an Application for Employment Authorization, Form I-765, within the 30-day period beginning on September 28, 1998, and ending on October 27, 1998, in order to be eligible for Temporary Protected Status during the period from September 18, 1998, until September 17, 1999. Late re-registration may be allowed when good cause is shown for a failure to timely re-register pursuant to 8 CFR 244.17(c).

(5) There is no fee for 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 alien requests employment authorization for the extension period, the fee prescribed in 8 CFR 103.7(b)(1), currently seventy dollars (\$70), or a properly documented fee waiver request pursuant to 8 CFR 244.20, must accompany the Form I-765. An alien 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.

(6) Pursuant to subsection 244(b)(3)(A) of the Act, the Attorney General will review, at least 60 days before September 17, 1999, the designation of Somalia under the TPS program to determine whether the conditions for designation continue to be met. Notice of that determination, including the basis for the determination, will be published in the **Federal Register**.

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

Dated: September 21, 1998.

**Janet Reno,**

*Attorney General.*

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#### **DEPARTMENT OF JUSTICE**

#### **Office of Justice Programs; Bureau of Justice Statistics**

#### **Agency Information Collection Activities: Extension of Currently Approved Collection; Comment Request**

**ACTION:** Notice of Information Collection Under Review; (Reinstatement, with change, of previously approved collection for which approval has expired); National Survey of Indigent Defense Systems.

The Department of Justice, Bureau of Justice Statistics, has submitted the following information collection request for review and clearance in accordance with the Paperwork Reduction Act of 1994. Office of Management and Budget approval is being sought for the information collection listed below. This proposed information collection was previously published in the **Federal Register** on April 16, 1998, allowing for a 60-day public comment period.

The purpose of this notice is to allow an additional 30 days for public comment until October 28, 1998. This process is conducted in accordance with 5 CFR 1320.10.

Written comments and/or suggestions regarding the item(s) contained in this notice, especially regarding the estimated public burden and associated response time, should be directed to the Office of Management and Budget, Office of Information Regulatory Affairs, Attention: Department of Justice Desk Officer, Washington, D.C. 20530.

Additionally, comments may be submitted via facsimile to (202) 395-7285. Comments may also be submitted to Department of Justice (DOJ), Justice Management Division, Information Management and Security Staff, Attention: Department Clearance Officer, Suite 850, 1001 G Street, N.W., Washington, D.C. 20530. Additionally, comments may be submitted by DOJ via facsimile to (202) 514-1590.

Written comments and/or suggestions from the public and affected agencies concerning the proposed collection of information should address one or more of the following four points:

(1) Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including