

digital network is already serving customers in the Los Angeles area and will stretch across California within the next few months. With the investment by MCI, plans are underway to accelerate construction in most major cities.

"Wireless communication is becoming an integral part of our daily lives, and demand is growing rapidly," said Bert C. Roberts, Jr., MCI chairman and CEO, at a press conference in Washington, D.C. "Customers have been asking us to provide a totally portable communications service that meets their needs any time, anywhere. This alliance means that Nextel is the platform on which we will build an integrated wireless strategy, and that we will be able to reach virtually every American who wants wireless service."

The strategic agreement will capitalize on the strengths of four dynamic companies, each a leader in its field. MCI brings world-class marketing assets—name recognition, customer base and distribution channels—as well as the company's intelligent network. Nextel adds licenses with extensive geographical coverage, planned interoperability agreements and proven wireless products and services. Comcast contributes its experience and know-how in operating cable and cellular systems and will support the build-out and operation of Nextel systems. And Motorola will provide its Integrated Radio Service (MIRS) technology platform, as well as subscriber equipment. These combined strengths will enable the companies to provide a wide array of advanced wireless services to consumers, business and government customers over a larger area than any other wireless service competitor.

"This alliance means that everyone else will be playing catch up," said Morgan E. O'Brien, Nextel chairman. "MCI's enormously successful marketing and branding, and large customer base give us the ability to extend beyond our core of business customers to serve virtually anyone who could benefit from wireless communications. We are delivering the first of these advanced wireless services on our all-digital network in L.A., including wireless telephone, two-way paging and dispatch radio."

Under terms of the agreement, MCI will purchase approximately 17 percent of Nextel's stock, which will match Comcast's ownership. The initial purchase, expected to occur in a few months, will consist of 22 million shares of Nextel stock at \$36 per share. MCI has also committed to purchase an additional 15 million shares at an

average cost of \$38 per share over the next three years, for a total investment of more than \$1.3 billion.

The announcement adds one more key component to networkMCI, the company's strategic vision announced in January. When networkMCI was unveiled, MCI highlighted its intent to form alliances with communications and information industry leaders to provide innovative new communications services. It identified wireless personal communications services as an integral part of the networkMCI vision.

Roberts pointed out that the demand for wireless voice communications is expected to grow from 15 million users today to 80–90 million users in the next 10 years. Data, paging and messaging applications will further expand the total wireless market.

The companies said they will provide consumers, business and government customers with MCI-branded services such as mobile calling services, alphanumeric messaging, dispatching and data transmission, all integrated in a single digital phone. The same telephone number will work from anywhere in the United States.

Comcast has been increasing its presence in the telephony business in recent years through its ownership and operation of cellular properties in the Northeastern U.S. and cable/telephone operations in the United Kingdom. As part of the alliance, MCI and Comcast have entered into a shareholders' agreement with equal representation, and together they will own approximately 35 percent of Nextel.

Comcast is proud to have been a catalyst for bringing this alliance together," Brian L. Roberts, president of Comcast, said. "We are delighted that MCI will be joining us as both an operating partner and an investor in Nextel. From the time of our original investment in Nextel just 18 months ago, management's efforts have resulted in a near tripling of the reach of its operations. In addition to marketing under the MCI name, Comcast may market Nextel's under our own brand as well."

Handsets and infrastructure for the new system, both produced by Motorola, provide improved functionality over earlier mobile services, including digital voice, message and data services. Messages can be displayed on phone screens. The phones also can be used as mobile data receivers. Because it will be fully digital, the wireless services will provide crisper voice and data quality than current analog systems.

The new system will use Motorola's powerful new digital communications technology, Motorola Integrated Radio System (MIRS). Motorola Chief Executive Officer Gary L. Tooker said, "The versatility and spectrum efficiency of MIRS will open the door to a whole new world of digital, personal communications services. As it will on other MIRS systems around the world, this technology adds the power of messaging, dispatch and data, to the same handset."

The agreement is subject to appropriate regulatory review.

Certificate of Service

I, Charles H. Helein, attorney at Helein & Waysdorf, P.C. hereby certify that I have this 25th day of October, 1994 caused the foregoing document to be served by hand delivery upon:

Richard Liebeskind, Assistant Chief, Communications and Finance Section, Room 8104, U.S. Department of Justice, Antitrust Division, 555 4th Street, N.W., Washington, D.C. 20001;

and by overnight mail upon the following:

John D. Zeglis, AT&T Corp., 295 North Maple Avenue, Basking Ridge, New Jersey 07920

Douglas I. Brandon, McCaw Cellular Communications, Inc., 1150 Connecticut Avenue, N.W., Washington, D.C. 20036

Charles H. Helein

Certificate of Service

I, Kathy L. Cuff, hereby certify under penalty of perjury that I am not a party to this action, that I am not less than 18 years of age, and that I have on this day caused the Response to Public Comments to the Proposed Final Judgment to be served by mailing a copy, postage prepaid, to:

John D. Zeglis, Mark C. Rosenblum, AT&T Corp., 295 North Maple Avenue, Basking Ridge, NJ 07920

Douglas I. Brandon, McCaw Cellular Communications, Inc., 1150 Connecticut Avenue, N.W., Washington, D.C. 20036

Kathy L. Cuff

July 25, 1995

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Immigration and Naturalization Service

[INS No. 1740-95]

RIN 1115-AC30

Extension of Work Authorization for Salvadorans Under Deferred Enforced Departure (DED); Asylum Application Filing Deadline for Salvadorans Under the American Baptist Churches (ABC) Settlement Agreement

AGENCY: Immigration and Naturalization Service, Justice.

ACTION: Notice.

SUMMARY: The Immigration and Naturalization Service ("the Service") is granting an automatic extension until January 31, 1996, of the validity of any Employment Authorization Document (EAD or work permit) bearing an expiration date of December 31, 1994, and previously issued to a Salvadoran on the basis of Deferred Enforced Departure (DED). The Service is taking this action in order to ensure an ample opportunity for Salvadoran beneficiaries of DED to apply for a new EAD based on a pending asylum application.

Salvadoran nationals currently eligible for benefits under the American Baptist Churches (ABC) settlement agreement must file an asylum application by January 31, 1996, if they do not already have one on file, in order to remain eligible for settlement benefits.

EFFECTIVE DATE: September 27, 1995.

FOR FURTHER INFORMATION CONTACT: Ronald Chirlin, Adjudications Officer, Immigration and Naturalization Service, Examinations Division, 425 I Street, NW., Room 3214, Washington, DC 20536, Telephone (202) 514-5014.

SUPPLEMENTARY INFORMATION:**Background**

The Service announced on December 6, 1994, that it was automatically extending work authorization until September 30, 1995, for Salvadorans covered by the DED program. 59 FR 62751. This extension allowed Salvadorans covered by DED a transitional period to apply for work authorization under other immigration law provisions. Almost all Salvadorans covered by DED are class members of the "ABC" lawsuit, which was settled in 1991. *American Baptist Churches v. Thornburgh*, 760 F.Supp. 796 (N.D. Cal. 1991). Under the ABC settlement, Salvadoran class members are entitled to apply for asylum under the old asylum regulations (promulgated in 1990) and may apply for work authorization based upon a previously

or concurrently filed asylum application.

On July 7, 1995, the Service published Special Filing Instructions for ABC Class Members (Special Filing Instructions), which instruct class members regarding the filing of asylum and employment authorization applications. 60 FR 35424. This Notice clarifies the Special Filing Instruction in two important respects. First, the Special Filing Instructions advised Salvadorans with DED work authorization valid until September 30, 1995, to file a work authorization application as soon as possible in order to receive a new work permit before the old one expires. This Notice extends the validity of work permits issued to Salvadorans under DED to January 31, 1996, and similarly advises Salvadorans with DED work authorization to file their requests for a new work permit as soon as possible.

Second, the Special Filing Instructions urged Salvadoran class members who do not have an asylum application on file to file one as soon as possible to maintain their eligibility for ABC benefits. This Notice advises that the asylum application filing deadline for Salvadoran class members has been set at January 31, 1996. Salvadorans who already have an asylum application on file do not have to file a new one to maintain their ABC eligibility. Salvadorans may file an initial asylum application after this date, but they will not be eligible for ABC benefits.

Automatic Extension of Employment Authorization

In order to ensure an ample opportunity for Salvadorans covered by DED to apply for a new employment authorization document (EAD), the Service is granting an automatic extension until January 31, 1996, of the validity of their EADs. This automatic extension is limited to EAD cards which expire on December 31, 1994, and were previously issued to DED Salvadorans pursuant to 8 CFR 274a.12(a)(11). Affected Salvadorans who need work authorization after January 31, 1996, should file applications for their new EADs as soon as possible in order to ensure continuous employment authorization.

Employers of DED Salvadorans

Employers of DED Salvadorans whose employment authorization is automatically extended may not refuse to accept, for purposes of verifying or reverifying employment eligibility until January 31, 1996, an EAD card, Form I-688B, which:

(1) Bears and expiration date of December 31, 1994, (or bears on its reverse an extension sticker punched for December 1994), and

(2) Contains the notation "274A.12(A)(11)" or "274A.12(A)(12)" on the face of the card under "Provision of Law."

EAD cards or extension stickers showing the automatic January 1996 expiration date will not be issued. Employers should *not* request proof of Salvadoran citizenship or any other document, if an automatically extended EAD card appears genuine and relates to the individual. Employers are reminded that this action does not affect the right of a worker to present any other legally acceptable document as proof of eligibility for employment. Employers are reminded that the laws prohibiting unfair immigration-related employment practices remain in full force.

To complete or update the Form I-9, Employment Eligibility Verification, for an employee who presents an automatically extended EAD card, the employer should include or add the following information under Section 2 (List A) or Section 3C, as appropriate:

- (1) The expiration date of "12/31/94" from the EAD card;
- (2) The last part of the provision of law, "(A)(11)" or "(A)(12)", from the face of the EAD card; and
- (3) "Automatic expiration date 1/31/96".

Obtaining Subsequent Employment Authorization

As previously indicated, almost all Salvadorans covered by DED are class members under the ABC settlement. In order to be eligible for asylum-based work authorization under the settlement, Salvadoran class members must have an asylum application on file or must file a complete Form I-589, Request for Asylum in the United States, with the Form I-765, Application for Employment Authorization. Class members have no waiting period before filing a request for work authorization. ABC class members should refer to the Form M-426, Special Filing Instructions for ABC Class Members, for important information on the procedures for filing their asylum and work authorization applications. The Special Filing Instructions and the Form I-855, ABC Change of Address Form, can be obtained at local district offices or by calling 1-800-755-0777 or 1-800-870-3676 and requesting an "ABC packet." They were also reproduced in the Federal Register on July 7, 1995, at 60 FR 35424.

Salvadorans are not under a deadline to file an application for a new work

permit. However, the Service emphasizes that the adjudication of an employment authorization application and issuance of an EAD may take 60 to 90 days not including the round-trip mailing time. Incomplete applications will be returned causing additional delay. Therefore, Salvadoran class members should file their work authorization applications as soon as possible in order to receive their new work permits before their old ones expire.

ABC Notice 5 and the Asylum Application Filing Deadline for Salvadoran Class Members

On July 31, 1995, the Service mailed an official letter, called ABC Notice 5, to Salvadoran class members who registered for Temporary Protected Status (TPS). ABC Notice 5 establishes an asylum filing deadline. (Notice 5, without the legal services list without the attachments which it references, is reproduced at the end of this Federal Register notice.) Salvadoran ABC class members who have never filed an asylum application, including those who do not receive Notice 5, must do so by January 31, 1996, in order to remain eligible for ABC benefits. Salvadorans who already have an asylum application on file do not have to file a new one to maintain their ABC eligibility. Salvadorans may file an initial asylum application after January 31, 1996, but they will not be eligible for ABC benefits.

As previously indicated, Salvadorans with DED work authorization should not wait until January 31, 1996, to file their applications. In order to avoid a lapse in employment authorization, all necessary applications should be filed with the Service as soon as possible.

Change of Address Reporting Requirement for ABC Class Members

Salvadorans who applied for Temporary Protected Status (TPS) in 1991, but who have not received ABC Notice 5 in the mail, may not have their current address properly on file with the Service. ABC class members must notify the Service of any change of address by filing the Form I-855, ABC Change of Address Form. Class members must mail the ABC Change of Address Form, but no other materials, to the Washington, DC, address shown on the form. Class members who have filed an asylum application with the Service are encouraged to also send a copy of the ABC Change of Address Form to their local asylum office.

Dated: September 21, 1995.

Doris Meissner,
Commissioner, Immigration and Naturalization Service.

Note: The ABC Notice 5 will not appear in the Code of Federal Regulations.

Notice 5

Mailed Notice to Salvadorans Granted TPS When TPS is Over

Date: July 31, 1995.
This Letter Has Important Information About Your Legal Rights. Read It Carefully. Show It to Your Lawyer. If You Have Questions or Need Free Advice, Call an Organization on the Attached List.

The TPS/DED period has ended. Work authorization for Salvadorans under DED is scheduled to expire on September 30, 1995. *If you have never applied for asylum, you must act or the INS can subject you to deportation proceedings.*

Because of the ABC (American Baptist Church) against Thornburgh lawsuit, you can receive a new asylum interview and asylum determination. The ABC case allows you to submit a new asylum application. Asylum is generally for persons who fear returning to their home country because they are afraid of being persecuted in the future, or because they were persecuted in the past.

If you do not have an asylum application on file with the INS or the immigration court, *You Must Send an Asylum Application by January 31, 1996 To Remain Eligible for ABC Benefits.* Mail your asylum application to the appropriate INS Service Center as indicated in the attached Special Filing Instructions For ABC Class Members.

- If you have asylum application on file with the INS or the immigration court, you are NOT required to send a new application, but you can file a new application if you want to.
- If you applied for asylum in the past and your application was denied, you are entitled to a new interview and decision. You have the right to send a new application, but you are not required to.
- You can apply for work authorization if you already have an asylum application on file or if you file a complete asylum application.

What To Do TO Fill Out an Asylum Application (Form I-589)

- You may wish to speak to a lawyer you know or to a legal services agency you trust so that you get it done properly. If you do not have a lawyer, you may call one of the organizations listed on the attached sheet for help.
- For further instructions on how and where to file your asylum application, read the instructions to the asylum application, Form I-589 (Rev. 11-16-94), and the Special Filing Instructions for ABC Class Members (attached).
- An asylum application is not attached. You can obtain a copy of this form at your local INS office, or you can order one by mail by calling 1-800-870-3676 and requesting a Form I-589. The message will ask you to provide your telephone number, but you are not required to do so.

Work Authorization

• You will receive a work permit if you file a complete asylum application or have an application on file, *and*

- Submit the Form I-765 (attached) to the INS, *and*
- Follow the instructions on the forms and the Special Filing Instructions for ABC Class Members (attached).

If You Have Questions or Need FREE Advice, Call an Organization on the Attached List.

[FR Doc. 95-23919 Filed 9-26-95; 8:45 am]

BILLING CODE 4410-01-M

DEPARTMENT OF LABOR

Employment Standards Administration

Proposed Information Collection Request

Submitted for Public Comment and Recommendations; (1) Report of Ventilatory Study; Roentgenographic Interpretation; Medical History and Examination for Coal Mine Workers' Pneumoconiosis; Report of Arterial Blood Gas Study.

(2) Survivors Claim for Benefits Under the Black Lung Benefits Act.

(3) Black Lung Provider Enrollment Form.

ACTION: Notice.

SUMMARY: The Department of Labor, as part of its continuing effort to reduce paperwork and respondent burden conducts a preclearance consultation program to provide the general public and Federal agencies with an opportunity to comment on proposed and/or continuing collections of information in accordance with the Paperwork Reduction Act of 1995 (PRA95) [44 U.S.C. 3506(c) (2)(A)]. This program helps to ensure that requested data can be provided in the desired format, reporting burden is minimized, reporting forms are clearly understood, and the impact of collection requirements on respondents can be properly assessed. Currently, the Employment Standards Administration is soliciting comments concerning the proposed extension collection of several information collections, as listed above, under the Office of Workers' Compensation Programs (OWCP), Division of Coal Mine Workers' Compensation (DCMWC). A copy of the proposed information collection requests can be obtained by contacting the employee listed below in the **ADDRESSEE** section of this notice.

DATES: Written comments must be submitted on or before November 28, 1995. Written comments should address the accuracy of the burden estimates