under section 101(a)(15)(H)(i) or (ii) of the Act is eligible for that classification in order to participate in a medical residency in the United States, and is also eligible for that classification in order to perform any other services as a member of the medical profession, including services primarily involving direct patient care.

(vi) *Nurses.* A petitioner seeking to accord a nurse a classification as a nonimmigrant under section 101 (a)(15)(H)(i) of the Act shall attach to the petition (Form I–129B)-(A) Evidence that the beneficiary has obtained a full and unrestricted license to practice professional nursing in the country where the beneficiary obtained nursing education, or evidence that the education was obtained in the United States or Canada; (B) evidence that the beneficiary has passed the examination given by the Commission on Graduates of Foreign Nursing Schools, Philadelphia, Pa. 19104, or evidence that the beneficiary has obtained a full and unrestricted license to practice professional nursing in the state of intended employment; and (C) a statement by the petitioner certifying that the beneficiary is fully qualified and eligible under the laws governing the place of intended employment to engage in the practice of professional nursing immediately upon admission to the United States, and that under those laws the petitioner is authorized to employ the beneficiary to perform services as a professional nurse. If the laws governing the place where the services will be performed place any limitations on the services to be rendered by the beneficiary, the statement should contain details as to the limitations. The district director shall consider any limitations in determining whether the services which the beneficiary would perform are of the exceptional nature required by the Act.

(vii) *Accompanying aliens.* Managers, trainers, musical accompanists, and other persons determined by the district director to be necessary for successful performance by the beneficiary of a petition approved for classification under section 101(a)(15)(H)(i) of the Act may also be accorded this classification if included in the same or a separate petition. The petitioner must establish that accompanying aliens possess unique qualities, experience, or knowledge of the performance as to render success of the performance dependent upon their participation.

* * * * *

(Sec. 101(a)(41), 101(a)(15)(H) and 214 of the Immigration and Nationality Act, as amended; (8 U.S.C. 1101(a)(41), 1101(a)(15)(H), and 1184))

Dated: January 14, 1983.

Andrew J. Carmichael, Jr.,

Associate Commissioner, Examinations, Immigration and Naturalization Service.

[FR Doc. 83-2825 Filed 2-3-83; 8:45 am]

BILLING CODE 4410-10-M

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8 CFR Parts 214 and 245

Nonimmigrant Classes; Adjustment of Status to That of Persons Admitted for Permanent Residence

AGENCY: Immigration and Naturalization Service, Justice.

ACTION: Final rule.

SUMMARY: This final rule amends the regulations to identify eligibility and provide instructions for adjustment of status to permanent residence under the Virgin Islands Nonimmigrant Alien Adjustment Act of 1982 in order to eliminate the uncertainty and insecurity of aliens who legally entered the Virgin Islands as non-immigrants under the Temporary Alien Labor Program.

EFFECTIVE DATE: February 2, 1983.

FOR FURTHER INFORMATION CONTACT:

For General Information: Stanley J. Kieszkiel, Acting Instructions Officer, Immigration and Naturalization Service, 425 I Street, NW., Washington, D.C. 20536. Telephone: (202) 633–3048.

For Specific Information: Thomas Cook, Immigration Examiner, Joseph D. Cuddihy, Immigration Examiner, 425 I Street, NW., Washington, D.C. 20536. Telephone: (202) 633–5014.

SUPPLEMENTARY INFORMATION: On September 30, 1982, Pub. L. 97–271 (96 Stat. 1157), was enacted. Section 2 of that law amended the Immigration and Nationality Act, 8 U.S.C. 1101 *et seq.*, to allow for the adjustment of status of certain aliens in the U.S. Virgin Islands.

The new 8 CFR 245.5 provides for the adjustment of status of aliens in the U.S. Virgin Islands who had been admitted as H–2 temporary workers and their accompanying spouse and children on or before June 30, 1975. They must have continuously resided in the U.S. Virgin Islands since that date, and must be physically present in the U.S. Virgin Islands at the time of application. 8 CFR 214.2(h)(3)(ii) is amended by adding that H–2 temporary worker visa petitions will not be approved for workers in the Virgin Islands, except petitions for entertainers and athletes for a period not to exceed 45 days. 8 CFR 214.2(h)(11) is amended by adding that the only H–2 extensions of stay that will be considered are those for entertainers and athletes for a maximum stay of 45 days.

Compliance with 5 U.S.C. 553 as to notice of proposed rulemaking and delayed effective date is unnecessary because the amendment is required by statute.

In accordance with 5 U.S.C. 605(b), the Commissioner of Immigration and Naturalization certifies that the rule will not have a significant economic impact on a substantial number of small entities.

This order is not a major rule within the definition of section 1(b) of E.O. 12291.

List of Subjects

8 CFR Part 214

Administrative practice and procedure, Aliens, Employment.

8 CFR Part 245

Aliens, Immigration and Nationality Act.

Accordingly, Chapter I of Title 8 of the Code of Federal Regulations is amended as follows:

PART 214—NONIMMIGRANT CLASSES

1. In § 214.2, paragraphs (h)(3)(ii) and (iii) are redesignated as paragraphs (h)(3)(iii) and (iv) and revised, a new paragraph (h)(3)(ii) is added, and paragraph (h)(11) is revised to read as follows:

§ 214.2 Special requirements for admission, extension, and maintenance of status.

* * * * *

(h) * * *

(3) * * *

(ii) *U.S. Virgin Islands.* After September 29, 1982, vias petitions filed under section 101(a)(15)(H)(ii) of the Act for employment in the U.S. Virgin Islands may be approved only for entertainers or athletes for periods not to exceed 45 days.

(iii) *Multiple beneficiaries.* When the petitioner seeks the services of more than one beneficiary and all the beneficiaries are not included in a single certification, a separate visa petition must be submitted for the beneficiary or beneficiaries covered in each certification.

(iv) *Statement of need.* A statement shall be furnished with the visa petition describing in detail the situation or conditions which make it necessary to bring the alien to the United States, and whether the need is temporary, seasonal, or permanent; if temporary or seasonal, the statement shall indicate

whether the situation or conditions are expected to be recurrent.

* * * * *

(11) *Extension of stay.* An extension of stay may be authorized in increments of not more than 12 months each under the same terms and conditions that apply to an admission, except that an applicant for an individual extension on Form I-539 does not need a new petition to continue previously authorized employment or training. A new petition is required on behalf of an applicant who seeks employment or training other than that previously authorized, and the applicant, if maintaining status, may be granted an extension of stay for the period of validity of the approved petition without a Form I-539. Form I-129B must be used when filing an application for a group extension; however, when Form I-129B is filed solely for that purpose, there is no appeal from a denial. In the case of an alien as defined in section 101(a)(15)(H)(ii) of the Act, the application for extension must be accompanied by a labor certification or a notice that the certification cannot be made; and the alien shall not be granted an extension which would result in an unbroken stay in the United States for more than 3 years. An application for an alien athlete or entertainer, admitted under section 101(a)(15)(H)(ii) of the Act to perform services in the United States Virgin Islands, cannot be approved for extension of stay beyond a total of 45 days.

* * * * *

PART 245—ADJUSTMENT OF STATUS TO THAT OF PERSONS ADMITTED FOR PERMANENT RESIDENCE

§§ 245.5, 245.6, and 245.7 [Redesignated as §§ 245.6, 245.7, and 245.8]

2. Sections 245.5, 245.6, and 245.7 are redesignated as §§ 245.6, 245.7, and 245.8, respectively, and the following new § 245.5 is added to read as follows:

§ 245.5 Adjustment of Status under the Nonimmigrant Alien Adjustment Act of 1982 (Pub. L. 97-271)

(a) *Application.* Each person applying for benefits under the Virgin Islands Nonimmigrant Alien Adjustment Act (Pub. L. 97-271) must file a Form I-485 application with the district director having jurisdiction over the Virgin Islands of the United States. Each applicant must file a separate application with the appropriate fee. No application for benefits under Pub. L. 97-271 may be filed after September 30, 1983.

(b) *Eligibility.* Benefits under Pub. L. 97-271 are limited to aliens who—

(1) Were inspected and admitted to the Virgin Islands of the United States either as nonimmigrant workers under section 101(a)(15)(H)(ii) of the Act or as the spouses or minor children of such workers;

(2) Have resided continuously in the Virgin Islands of the United States since June 30, 1975;

(3) Are physically present in the Virgin Islands of the United States at the time of filing of the applications; and

(4) Are admissible to the United States except under paragraphs (14), (20), (21), (25), and (32) of section 212(a) of the Act.

(Secs. 103, 214, 245 Immigration and Nationality Act, as amended; (8 U.S.C. 1103, 1184, 8 U.S.C. 1255, Sec. 2, 96 Stat. 1157, 8 U.S.C. 1255 note))

Dated: January 7, 1983.

Alan C. Nelson,

Commissioner of Immigration and Naturalization.

[FR Doc. 83-2879 Filed 2-2-83; 8:45 am]

BILLING CODE 4410-10-M

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 82-CEF-6-AD; Amdt. 39-4559]

Airworthiness Directives; Britten-Norman Models BN-2, BN-2A, BN-2A-6, BN-2A-8, BN-2A-9, BN-2A-26, BN-2A-27, BN2A MKIII, BN2A MKIII-2, BN2A MKIII-3 Airplanes

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final Rule.

SUMMARY: This amendment revises Airworthiness Directive (AD) 82-24-06, Amendment 39-4506, applicable to Britten Norman Model BN-2 Series Islander and BN-2A MKIII Series Trislander airplanes which requires inspection and, if necessary, replacement or modification of carburetor air box shutters. It deletes applicability of this AD to Models BN-2A-2, BN-2A-3, BN-2A-20 and BN-2A-21 airplanes because these models have fuel injection engines and are not equipped with carburetor air boxes. This action will relieve a restriction on owners of the airplane models deleted without adversely affecting safety.

EFFECTIVE DATE: February 7, 1983. Compliance: As prescribed in the body of the AD.

ADDRESSES: Information pertaining to this revision is contained in the Rules Docket, Office of the Regional Counsel, FAA, Room 1558, 601 East 12th Street, Kansas City, Missouri 64106.

FOR FURTHER INFORMATION CONTACT: C. Christie, Manager, Aircraft Certification Staff, AEU-100, Europe, Africa and Middle East Office, FAA, c/o American Embassy, Brussels, Belgium, Telephone 513.38.30; or Paul Cormaci, Federal Aviation Administration ACE-109, 601 East 12th Street, Kansas City, Missouri 64106 Telephone (816) 374-6932.

SUPPLEMENTARY INFORMATION: As a result of several reports of air box shutters cracking on Britten-Norman Models BN-2 and BN-2A MKIII series airplanes, the FAA published AD 82-24-06 (Amendment 39-4506) which requires inspection and modification of the carburetor air box shutters. Since publication of this AD, the FAA has determined that it was made applicable to certain models (BN-2A-2, BN-2A-3, BN-2A-20 and BN-2A-21) which have fuel injection engines and are not equipped with carburetor air boxes. This amendment revises the AD by deleting all reference to these model airplanes and has no adverse effect on safety.

Since this amendment is both clarifying and relieving in nature and imposes no additional burden on any person, notice and public procedure hereon are impracticable, and good cause exists for making this amendment effective in less than 30 days.

List of Subjects in 14 CFR Part 39

Aviation safety, Aircraft.

Adoption of the Amendment

Accordingly and pursuant to the authority delegated to me by the Administrator, the applicability statement of AD 82-24-06, Amendment 39-4506, § 39.13 of the Federal Aviation Regulations (14 CFR 39.13) is amended so that it now reads as follows:

Britten-Norman: Applies to Models BN-2, BN-2A, BN-2A-6, BN-2A-8, BN-2A-9, BN-2A-26, BN-2A-27, BN2A MKIII, BN2A MKIII-2, and BN2A MKIII-3 (all serial numbers) airplanes certificated in any category.

This amendment becomes effective February 7, 1983.

Secs. 313(a), 601 and 603 of the Federal Aviation Act of 1958, as amended (49 U.S.C. 1354(a), 1421 and 1423); Sec. 6(c) Department of Transportation Act (49 U.S.C. 1655(a)); Sec. 11.89 of the Federal Aviation Regulations (14 CFR Sec. 11.89).

Note—The FAA has determined that this amendment involves revision of a regulation which is not considered to be major under

Executive Order 12291 or significant under DOT Regulatory Policies and Procedure (44 FR 11034; February 26, 1979) because it has no adverse effect on the economy and reduces a regulatory burden.

Issued in Kansas City, Missouri, on January 21, 1983.

John E. Shaw,

Acting Director, Central Region.

[FR Doc. 83-2926 Filed 2-2-83; 8:45 am]

BILLING CODE 4910-13-M

14 CFR Part 39

[Docket No. 82-CE-26-AD; Amdt. 39-4465]

Airworthiness Directives, Embraer Models EMB-110P1 and EMB-110P2 Airplanes; Correction

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Correction of Final Rule.

SUMMARY: This action corrects Airworthiness Directive (AD) 82-20-02, Amendment 39-4465 (47 FR 42321-42323), applicable to Embraer Models EMB-110P1 and EMB-110P2 airplanes. This correction is necessary since the phrase "equipped with pneumatic deicing systems" was inadvertently omitted from the applicability statement when the AD was issued and published in the **Federal Register.**

EFFECTIVE DATE: February 7, 1983.

FOR FURTHER INFORMATION CONTACT: George Carver, ACE-130A, Atlanta Aircraft Certification Office, FAA, P.O. Box 20636, Atlanta, Georgia 30320; Telephone (404) 763-7781.

SUPPLEMENTARY INFORMATION: Subsequent to the issuance of AD 82-20-02, Amendment 39-4465 (47 FR 42321-42323), applicable to Embraer Models EMB-110P1 and EMB-110P2 airplanes, the FAA ascertained that the phrase "equipped with pneumatic deicing systems" was inadvertently omitted from the applicability statement of the AD when it was published in the Federal Register. Therefore, action is taken herein to make this correction. Since this action is both relieving and clarifying in nature, notice and public procedure thereon are not considered necessary.

List of Subjects in 14 CFR Part 39

Aviation safety, Aircraft.

In FR Doc. 82-CE-26-AD (47 FR 42321-42323) appearing on page 42322 in the Federal Register of September 27, 1982, make the following correction:

Restate the applicability statement to read as follows:

"Embraer: Applies to Models EMB-110P1 and EMB-110P2 (S/Ns 110001 through 110415) airplanes equipped with pneumatic deicing systems certificated in any category.

(Sec. 313(a), 601 amd 603 of the Federal Aviation Act of 1958, as amended (49 U.S.C. 1354(a), 1421 and 1423); Sec. 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c); and Sec. 11.89 of the Federal Aviation Regulations (14 CFR Sec. 11.89)).

Issued in Kansas City, Missouri, on January 21, 1983.

John E. Shaw,

Acting Director, Central Region.

[FR Doc. 83-2930 Filed 2-2-83; 8:45 am]

BILLING CODE 4910-13-M

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

18 CFR Part 271

[Docket No. RM79-76-124 (Louisiana—8); Order No. 277]

High-Cost Gas Produced From Tight Formations; Louisiana

AGENCY: Federal Energy Regulatory Commission.

ACTION: Final rule.

SUMMARY: The Federal Energy Regulatory Commission is authorized by section 107(c)(5) of the Natural Gas Policy Act of 1978 to designate certain types of natural gas as high-cost gas where the Commission determines that the gas is produced under conditions which present extraordinary risks or costs. Under section 107(c)(5), the Commission issued a final regulation designating natural gas produced from tight formations as high-cost gas which may receive an incentive price (18 CFR 271.703). This rule established procedures for jurisdictional agencies to submit to the Commission recommendations of areas for designation as tight formations. This final order adopts the recommendation of the State of Louisiana Office of Conservation that the Gray Sand in the Smackover Formation be designated as a tight formation under § 271.703(d).

EFFECTIVE DATE: This rule is effective January 21, 1983.

FOR FURTHER INFORMATION CONTACT: Steven Ross, (202) 357-8571 or Walter Lawson, (202) 357-8556.

SUPPLEMENTARY INFORMATION:

Issued: January 21, 1983.

In the matter of High-Cost Gas Produced from Tight Formations; Docket No. RM79-76-124 (Louisiana—8), Order No. 277.

The Commission hereby amends § 271.703(d) of its regulations to include the Gray Sand in the Smackover Formation underlying portions of Bienville, Bossier, Claiborne, Lincoln, Ouchita, Union, and Webster Parishes in North Louisiana as a designated tight formation, eligible for incentive pricing under § 271.703. The amendment was proposed in a Notice of Proposed Rulemaking by the Director, Office of Pipeline and Producer Regulation, (OPPR), issued July 23, 1982 (47 FR 32731, July 29, 1982), based on a recommendation by the State of Louisiana Office of Conservation (Louisiana) that the Gray Sand in the Smackover Formation be designated as a tight formation. On August 10, 1982, Louisiana amended its recommendation to include additional acreage in Webster Parish, and an Amended Notice of Proposed Rulemaking reflecting such amendment was issued by the Director, OPPR, on September 3, 1982 (47 FR 39865, September 10, 1982).[1]

Evidence submitted by Louisiana supports the assertion that the Gray Sand in the Smackover Formation meets the guidelines contained in § 271.703(c)(2). The Commission adopts the Louisiana recommendation, as amended.

This amendment shall become effective immediately. The Commission has found that the public interest dictates that new natural gas supplies be developed on an expedited basis, and, therefore, incentive prices should be made available as soon as possible. The need to make incentive prices immediately available establishes good cause to waive the thirty-day publication period.

List of Subjects in 18 CFR Part 271

Natural gas, Incentive price, Tight formations.

(Department of Energy Organization Act, 42 U.S.C. 7101 *et seq.*; Natural Gas Policy Act of 1978, 15 U.S.C. 3301-3432; Administrative Procedure Act, 5 U.S.C. 553)

PART 271—[AMENDED]

In consideration of the foregoing, Part 271 of Subchapter H, Chapter I, *Code of Federal Regulations*, is amended as set forth below, effective January 21, 1983.

By the Commission.

Kenneth F. Plumb,

Secretary.

Section 271.703 is amended by adding new paragraph (d) (117) to read as follows:

[1] Comments were invited on the proposed rule, and one comment supporting the recommendation was received. No party requested a public hearing and no hearing was held.