

ability in the sciences or the arts from filing a petition for sixth preference classification; however, any such petition shall be subject to the requirements of this paragraph and § 204.2(f).

(4) *Interview and decision.* The beneficiary and the petitioner may be required to appear in person before an immigration officer prior to the adjudication of the petition and be interrogated under oath concerning the allegations in the petition. The petitioner shall be notified of the decision and, if the petition is denied, the reasons therefor and of his right to appeal in accordance with the provisions of Part 103 of this chapter. However, no appeal shall lie from a decision denying the petition for lack of a certification by the Secretary of Labor pursuant to section 212(a)(14) of the Act.

2. Paragraph (f) of § 204.2 is amended to read as follows:

§ 204.2 Documents.

(f) *Evidence required to accompany petition for skilled or unskilled labor.* Forms ES-575A or Forms ES-575A and B, as specified in § 204.1(d), properly executed in accordance with the instructions for completion of those forms and accompanied by the documentary evidence specified in the instructions attached to the visa petition, shall be submitted with each visa petition on Form I-140 to accord an alien classification under section 203(a)(6) of the Act. In addition, when the qualifications of an alien are based in whole or in part on attendance at a school, the evidence must include a certified copy of his school record. The record must show the period of attendance, the major field of study, and the certificates, diplomas, or degrees awarded. If the alien's eligibility is based on training or experience, documentary evidence thereof, such as affidavits, must be submitted by the petitioner. Affidavits must be made by the alien's present and former employers or by other persons familiar with the alien's work. Each such affidavit must set forth the name and address of the affiant and state how he acquired his knowledge of the alien's qualifications, state the place where and the dates during which the alien gained his training or experience, and must describe in detail the duties performed by the alien, any tools used, and any supervision received or exercised by the alien. The district director may request the Secretary of Labor or his designated representative to furnish an advisory opinion concerning the beneficiary's qualifications.

§ 204.4 [Amended]

3. The second sentence of § 204.4 *Validity of approved petitions* is amended to read as follows: "The approval of a petition to classify an alien as a preference immigrant under section 203(a)(6) of the Act shall remain valid for a period of 1 year from the date of any individual certification issued by the Secretary of Labor pursuant to section 212(a)(14) of the Act; if a blanket certification pursuant to Schedule A, 29 CFR 60, has been

issued covering the alien's occupation, or the alien is within Schedule C—Precertification List, 29 CFR 60, the approval shall remain valid for a period of 1 year from the date of approval."

PART 212—DOCUMENTARY REQUIREMENTS: NONIMMIGRANTS; WAIVERS; ADMISSION OF CERTAIN INADMISSIBLE ALIENS; PAROLE

§ 212.8 [Amended]

Paragraph (c) *Department of Labor certifications in connection with visa petitions and applications for adjustment of status of § 212.8 Certification requirement of section 212(a)(14)* is deleted.

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

1. Paragraph (e) of § 245.1 is amended to read as follows:

§ 245.1 [Amended]

(e) *Nonpreference aliens.* An applicant who is a nonpreference alien seeking adjustment of status for the purpose of engaging in gainful employment in the United States, and who is not exempted under § 212.8(b) of this chapter from the labor certification requirement of section 212(a)(14) of the Act, is ineligible for the benefits of section 245 of the Act unless an individual labor certification is issued by the Secretary of Labor or his designated representative, or unless the applicant establishes that he is within Schedules A or C—Precertification List, 29 CFR Part 60.

2. Item (2) of the fourth sentence of paragraph (g) *Availability of immigrant visas under section 245 of § 245.1 Eligibility* is amended to read as follows: "(2) the date on which application Form I-485 is filed, if the applicant establishes that the provisions of section 212(a)(14) of the Act do not apply to him or that he is within the Department of Labor's Schedules A or C—Precertification List (29 CFR Part 60);"

3. Paragraph (b) of § 245.2 is amended to read as follows:

§ 245.2 Application.

(b) *Application by nonpreference alien seeking adjustment of status for purpose of engaging in gainful employment—*(1) *Alien whose occupation is included in Schedule A or C—Precertification List, 29 CFR Part 60, or who is a member of the professions or has exceptional ability in the sciences or arts.* An applicant for adjustment of status as a nonpreference alien under section 245 of the Act must submit Forms ES-575A with his application, if he is qualified for and will be engaged in an occupation currently listed in Schedule A or C—Precertification List, 29 CFR Part 60, or if he is a member of the professions or has exceptional ability in the sciences or the arts. The Forms ES-575A must be executed in accordance with the instructions for completion of

that form, and must be accompanied by the evidence of the applicant's qualifications specified in the instructions attached to the application for adjustment of status. The other documents specified in § 245.2(a) must also be submitted in support of the application for adjustment of status. Determination concerning certification under section 212(a)(14) of the Act will be made in accordance with the pertinent provisions of § 204.1(d)(2) of this chapter.

(2) *Other nonpreference aliens who will engage in gainful employment.* If the applicant for adjustment as a nonpreference alien under section 245 of the Act is not a member of a profession, is not a person with exceptional ability in the sciences or the arts, and is unqualified for a category of employment currently listed in Schedule A or C—Precertification List, 29 CFR Part 60, he must submit with his application a certification of the Secretary of Labor issued under section 212(a)(14) of the Act. The applicant's employer or prospective employer may apply for the certification to the local State Employment Service.

PART 248—CHANGE OF NONIMMIGRANT CLASSIFICATION

§ 248.2 [Amended]

Section 248.2 *Application* is amended by deleting the third sentence.

(Sec. 103, 66 Stat. 173; 8 U.S.C. 1103)

This order shall be effective on the date of its publication in the FEDERAL REGISTER. Compliance with the provisions of § 553 of title 5 of the United States Code (80 Stat. 383), as to notice of proposed rule making and delayed effective date is unnecessary in this instance because the amendments to §§ 204.1(d), 204.2(f), 204.4, 212.8(c), 245.1(e), 245.1(g), and 245.2(b) were made to conform to the Department of Labor regulations published 34 F.R. 1018. The amendment to § 248.2 confers a benefit upon persons affected thereby.

Dated: March 12, 1969.

RAYMOND F. FARRELL,
Commissioner of
Immigration and Naturalization.

[F.R. Doc. 69-3177; Filed, Mar. 17, 1969; 8:45 a.m.]

Title 12—BANKS AND BANKING

Chapter II—Federal Reserve System

SUBCHAPTER A—BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM

[Reg. Z]

PART 226—TRUTH IN LENDING

Miscellaneous Amendments

The document adopting a new part entitled "Truth in Lending" (F.R. Doc. 69-548) of Chapter II of Title 12 of the Code of Federal Regulations, published in Part II of the FEDERAL REGISTER on February 11, 1969, is corrected as follows:

- (a) In § 226.2(d) by changing "(d) (4) of § 226.8" to read "(d) (1) of § 226.8";
- (b) In § 226.2(k) by deleting in the first sentence the comma between "which" and "either";
- (c) In § 226.7(b)(3) by deleting "total" and changing "payment," to "payments,";
- (d) In § 226.8(e)(2)(iii) by adding "and" at the end thereof; and
- (e) In § 226.9(b) by deleting the colon before the blank line for the name of the creditor.

Dated at Washington, D.C., the 11th day of March 1969.

By order of the Board of Governors.

[SEAL] ROBERT P. FORRESTAL,
Assistant Secretary.

[F.R. Doc. 69-3228; Filed, Mar. 17, 1969;
8:49 a.m.]

Title 13—BUSINESS CREDIT AND ASSISTANCE

Chapter I—Small Business Administration

[Amdt. 2]

PART 106—LEASE GUARANTEE

Miscellaneous Amendments

Part 106 of Chapter 1 of Title 13 of the Code of Federal Regulations is hereby amended:

1. Section 106.6(g)(1)(i), is revised to read as follows:

(1) Minimizing the risk:

(i) Upon the effective date of the policy of rental insurance, the lessee shall either: (a) Pay an amount not to exceed one quarter of the average minimum guaranteed annual rental required under the lease, which amount shall be held by the Administrator or, in the case of participation, by the participant in an escrow interest-bearing account and shall be available (1) for forfeiture to the guarantor for application on rental charges accruing in any month in which the lessee is in default; or (2) if no default occurs during the term of the lease, for application (with simple interest accrued at the rate of four (4) percent per annum) toward payments of final rental charges under the lease; or (b) The lessor shall agree that one quarter of the average minimum guaranteed annual rental required under the lease shall be borne by the lessor as coinsurance. If, prior to expiration, the lease term is terminated by mutual consent of the lessor and the lessee, the total funds held in escrow with accumulated interest shall be paid to the lessee upon written notice to the escrowee, signed by both the lessor and the lessee, of the termination of the lease and payment by the lessee of all rents due and payable in accordance with the guarantee to the date of termination of the lease.

2. By deleting the word "qualified" in line nine (9) of (b) of § 106.6(g)(1)(ii).

3. By deleting subdivision (VII) of § 106.6(g)(1).

Effective date: March 5, 1969.

HOWARD GREENBERG,
Acting Administrator.

[F.R. Doc. 69-3232; Filed, Mar. 17, 1969;
8:49 a.m.]

Title 14—AERONAUTICS AND SPACE

Chapter I—Federal Aviation Admin- istration, Department of Transpor- tation

[Docket No. 69-EA-16, Amdt. 39-734]

PART 39—AIRWORTHINESS DIRECTIVES

Fairchild Hiller Aircraft

The Federal Aviation Administration is amending § 39.13 of Part 39 by publishing an airworthiness directive which will require an inspection and replacement where necessary of the contacts in the wing flap system motor relay of the Fairchild Hiller F-27 type airplane and eventual rewiring of the flap drive circuit.

There have been reports of instances in which F-27 airplanes incorporating a Cutler Hammer relay in the flap drive circuit have had malfunctions of the wing flap as a result of the flaps being driven off the end of the screw jacks. The cause is attributed to welded contacts in the flap system motor relay. Since this condition is likely to exist or develop in other airplanes of the same type design, this airworthiness directive is being issued.

Since a situation exists that requires expeditious adoption of this regulation, it is found that notice and public procedure herein are impracticable and good cause exists for making this amendment effective in less than 30 days.

In consideration of the foregoing and pursuant to the authority delegated to me by the Administrator, 14 CFR 11.85 [31 F.R. 13697], § 39.13 of Part 39 of the Federal Aviation Regulations is amended by adding the following new airworthiness directive.

FAIRCHILD. Applies to Type F-27 Airplanes Serial Numbers 1 through 124 inclusive. Incorporating Cutler Hammer P/N 6046 H46 Relay in Flap Control System.

Compliance required as follows:

To prevent hazards associated with flap drive system failure whereby the flaps are driven off the drive screw jacks, accomplish the following:

(a) Within the next 200 hours time in service after the effective date of this AD, and thereafter at 200 hour intervals from the date of the last inspection, open cover of wing flap system motor relay and visually inspect all contacts. Any finding of contact pitting, or discoloration of contacts requires replacement of the relay with an unused part. The inspection may be terminated upon completion of the requirement of paragraph (b) of this AD.

(b) Within the next 500 hours time in service after the effective date of the AD,

unless already accomplished, rewire the flap drive circuit in accordance with Fairchild Hiller F-27 Service Bulletin F-27-27-67 dated February 1, 1969, for F-27 aircraft, or later revisions approved by the Chief, Engineering and Manufacturing Branch, FAA Eastern Region, or perform an equivalent modification approved by the Chief, Engineering and Manufacturing Branch, FAA Eastern Region.

(c) Upon request with substantiating data submitted through an FAA Maintenance Inspector, compliance time may be increased by the Chief, Engineering and Manufacturing Branch, FAA Eastern Region.

This amendment is effective March 26, 1969.

(Secs. 313(a), 601, 603, Federal Aviation Act of 1958; 49 U.S.C. 1354(a), 1421, 1423; sec. 6(c), DOT Act; 49 U.S.C. 1655(c))

Issued in Jamaica, N.Y. on March 10, 1969.

R. M. BROWN,
Acting Director, Eastern Region.

[F.R. Doc. 69-3182; Filed, Mar. 17, 1969;
8:45 a.m.]

[Docket No. 69-EA-21, Amdt. 39-735]

PART 39—AIRWORTHINESS DIRECTIVES

General Electric Aircraft Engines

The Federal Aviation Administration is amending § 39.13 of Part 39 of the Federal Aviation Regulations so as to require an inspection and replacement where necessary of first stop turbine discs of the General Electric J85 type aircraft engine.

A recent noncontained failure of a stage one turbine disc in a General Electric J85 engine in military service has been found to be the result of cracking originating at an undersized radius—.0002 instead of 0.015 minimum—on the forward face of the disc. Since the same disc is used in the civil version of the J85, the CJ610, as well as the turbo fan CF700, an immediate inspection of all discs to check for the proper radius is required. As this condition can exist in other engines of the same type design an airworthiness directive is being issued.

Since a situation exists that requires immediate adoption of this regulation, it is found that notice and public procedure herein are impracticable and good cause exists for making this amendment effective in less than 30 days.

In consideration of the foregoing and pursuant to the authority delegated to me by the Administrator, 14 CFR 11.85 [31 F.R. 13697], § 39.13 of Part 39 of the Federal Aviation Regulations is amended by adding the following new airworthiness directive:

GENERAL ELECTRIC. Applies to Models CJ610-1, -4, -5, -6, and J85-GE-17B Turbojet and CF700-2C Turbofan Engines.

Compliance required as indicated.

(a) Unless already accomplished, inspect in accordance with the following schedule first stage turbine discs P/N 634E583 and 841B690 for a minimum radius of 0.015 inch in the rabbet at the outer rotating air seal location using the procedure outlined in General Electric Alert Service Bulletin No. CJ610 A72-76 or CF700 A72-73 or later FAA-approved revision or equivalent inspection approved by the Chief, Engineering and