invoices of fur products to show the true animal name of fur used; failing to disclose in invoicing and in newspaper advertising when fur was artificially colored and to use the term "natural" to describe furs which were not bleached or dyed; advertising "½ Price and Less—fur stoles, Mink, Fox, Squirrel, $98 up" when such offer was not bona fide and there were no products in respondents' establishment for sale at $98, and representing falsely through such statements as "Consolidation Sale", that they consolidated the advertised fur products with products from other sources; failing to maintain adequate records as a basis for pricing claims; and failing in other respects to comply with requirements of the Act.

The order to cease and desist, including further order requiring report of compliance therewith, is as follows:

It is ordered, That respondents Jacqueline's, Inc., a corporation, and its officers, and Harry X. Bergman, Eva Bergman and Shirley H. Engleman, individually and as officers of said corporation, and respondents' representatives, agents and employees, directly or through any corporate or other device, in connection with the introduction into commerce, or the sale, advertising or offering for sale in commerce, or the transportation or distribution in commerce, of any fur product; or in connection with the sale, advertising, offering for sale, transportation or distribution, of any fur product which is made in whole or in part of fur which has been shipped and received in commerce, as the terms "commerce", "fur" and "fur product" are defined in the Fur Products Labeling Act, do forthwith cease and desist from:

A. Falsely or deceptively invoicing fur products by:

1. Failing to furnish invoices as the term "invoice" is defined in the Fur Products Labeling Act showing in words and figures plainly legible all the information required to be disclosed in each of the subsections of section 5(b)(1) of the Fur Products Labeling Act.

2. Failing to set forth the term "Natural" as part of the information required to be disclosed on invoices under the Fur Products Labeling Act and rules and regulations promulgated thereunder to describe fur products which are not pointed, bleached, dyed, tip-dyed or otherwise artificially colored.

3. Failing to set forth on invoices the item number or mark assigned to fur products.

B. Falsely or deceptively advertising fur products through the use of any advertisement, representation, public announcement or notice, which is intended to aid, promote or assist, directly or indirectly, in the sale, or offering for sale of any fur product and which:

1. Fails to set forth in words and figures plainly legible all the information required to be disclosed by each of the subsections of section 5(a) of the Fur Products Labeling Act.

2. Represents that said fur products are offered for sale when such offer is not a bona fide offer to sell the merchandise, so and as, offered.

3. Represents directly or by implication that fur products offered for sale are consolidated with fur products from other sources when such fur products are not consolidated with fur products from other sources.

4. Fails to set forth the term "natural" as part of the information required to be disclosed in advertisements under the Fur Products Labeling Act and the rules and regulations promulgated thereunder to describe fur products which are not pointed, bleached, dyed, tip-dyed or otherwise artificially colored.

C. Making claims and representations of the types covered by subsections (a), (b), (c) and (d) of Rule 44 of the rules and regulations promulgated under the Fur Products Labeling Act unless there are maintained by respondents full and adequate records disclosing the facts upon which such claims and representations are based.

It is further ordered, That the respondents herein shall, within sixty (60) days after service upon them of this order, file with the Commission a report in writing setting forth in detail the manner and form in which they have complied with this order.

Issued: July 31, 1964.

By the Commission.

[SEAL] JOSEPH W. SHEA, *Secretary.*

[F.R. Doc. 64-8494; Filed, Aug. 20, 1964; 8:48 a.m.]

[Docket No. C-800]

PART 13—PROHIBITED TRADE PRACTICES

J. C. Winter & Co., Inc., et al.

Subpart—Advertising falsely or misleadingly: § 13.30 *Composition of goods;* § 13.235 *Source or origin:* 13.235-60 Place: 13.235-60(a) Domestic products as imported. Subpart—Furnishing means and instrumentalities of misrepresentation or deception: § 13.1055 *Furnishing means and instrumentalities of misrepresentation or deception.* Subpart—Using misleading name—Goods: § 13.2280 *Composition;* § 13.2345 *Source or origin:* 13.2345-65 Place: 13.2345-65 (a) Domestic product as imported.

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended; 15 U.S.C. 45) [Cease and desist order, J. C. Winter & Co., Inc., et al., Red Lion, Pa., Docket C-800, Aug. 3, 1964]

In the Matter of J. C. Winters & Inc., a Corporation, and Amelia C. Winter and W. H. Matthews, Individually and as Officers of said Corporation, and as former Officers of G. W. Van Slyke & Horton, Inc., a Dissolved Corporation, and R. C. Jacobs, an Individual Doing Business as G. W. Van Slyke & Horton, and as a Former Officer of Said G. W. Van Slyke & Horton, Inc.

Consent order requiring distributors of cigars to wholesale and retail dealers for resale, with headquarters in Red Lion, Pa., to cease representing falsely, by use of the brand names "Havana Blunts", "Winters Havana Special" and "Blended with Havana" and other descriptive matter that their cigars were made entirely from or contained a substantial amount of tobacco grown in Cuba.

The order to cease and desist, including further order requiring report of compliance therewith, is as follows:

It is ordered, That respondents J. C. Winter & Co., Inc., a corporation, and Amelia C. Winter and W. H. Matthews, individually and as officers of said corporation, and as former officers of G. W. Van Slyke & Horton, Inc., a dissolved corporation, and respondents' agents, representatives and employees, directly or through any corporate or other device, in connection with the offering for sale, sale or distribution of cigars or any other products, in commerce as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

1. Using the term "Havana," or any other term or terms indicative of tobacco grown on the island of Cuba, either alone or in conjunction with any other terms, to describe, designate or in any way refer to cigars not made entirely from tobacco grown on the island of Cuba; except that cigars containing a substantial amount of tobacco grown on the island of Cuba may be described, designated, or referred to as "blended with Havana," or by any term of similar import or meaning, provided that the words "blended with," or other qualifying words or words, are set out in immediate connection or conjunction with the word "Havana," or other term indicative of tobacco grown on the island of Cuba, in letters of equal size and conspicuousness.

2. Placing in the hands of distributors, wholesalers, dealers and retailers, and others, means and instrumentalities by and through which they may deceive and mislead the purchasing public concerning any merchandise in the respects set out above.

It is further ordered, That respondent R. C. Jacobs, an individual doing business as G. W. Van Slyke & Horton, and as a former officer of G. W. Van Slyke & Horton, Inc., a dissolved corporation, and respondent's agents, representatives and employees, directly or through any corporate or other device, in connection with the offering for sale, sale or distribution of cigars or any other products, in commerce as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

1. Using the term "Havana," or any other term or terms indicative of tobacco grown on the island of Cuba, either alone or in conjunction with any other terms, to describe, designate or in any way refer to cigars not made entirely from tobacco grown on the island of Cuba; except that cigars containing a substantial amount of tobacco grown on the island of Cuba may be described, designated, or referred to as "blended with Havana," or by any term of similar import or meaning, provided that the words "blended with," or other qualifying word or words, are set out in immediate connection or conjunction with the word "Havana," or other term in-

dicative of tobacco grown on the island of Cuba, in letters of equal size and conspicuousness.

2. Placing in the hands of distributors, wholesalers, dealers and retailers, and others, means and instrumentalities by and through which they may deceive and mislead the purchasing public concerning any merchandise in the respects set out above.

It is further ordered, That the respondents herein shall, within sixty (60) days after service upon them of this order, file with the Commission a report in writing setting forth in detail the manner and form in which they have complied with this order.

Issued: August 3, 1964.

By the Commission.

[SEAL] JOSEPH W. SHEA, *Secretary.*

[F.R. Doc. 64-8495; Filed, Aug. 20, 1964; 8:48 a.m.]

Title 8—ALIENS AND NATIONALITY

Chapter I—Immigration and Naturalization Service, Department of Justice

MISCELLANEOUS AMENDMENTS TO CHAPTER

The following amendments to Chapter I of Title 8 of the Code of Federal Regulations are hereby prescribed:

PART 103—POWERS AND DUTIES OF SERVICE OFFICERS

1. Paragraph (e) of § 103.1 is amended by adding the following new subparagraph (3) and redesignating the existing subparagraphs (3) to (18), inclusive, as (4) to (19), inclusive, and amending redesignated subparagraph (9). Subparagraphs (3) and (9) are to read as follows:

§ 103.1 Delegation of authority.

* * * * *

(e) *Regional commissioners.* The activities of the Service within their respective regional areas, including the following appellate jurisdiction specified in this chapter:

* * * * *

(3) Decisions on requests for revalidation of certain petitions, as provided in § 206.1(c) of this chapter;

* * * * *

(9) Decisions on petitions for temporary workers or trainees, as provided in § 214.2 of this chapter.

* * * * *

2. Section 103.2 is amended to read as follows:

§ 103.2 Applications and petitions.

(a) *General.* Every application or petition submitted on a form prescribed by this chapter shall be executed and filed in accordance with the instructions contained on the form, such instructions being hereby incorporated into the particular section of the regulations requiring its submission. A parent, guardian, or other adult having a legitimate interest in a person who is under 14 years of age may file on such a person's behalf, and a guardian of a mentally incompetent person may file on such a person's behalf. Any required oath may be administered by an immigration officer or person generally authorized to administer oaths. Applications or petitions received in any Service office shall be stamped to show the time and date of their actual receipt and shall be regarded as filed when so stamped unless returned because they are improperly executed.

(b) *Evidence—(1) Requirements.* Each application or petition shall be accompanied by the documents required by the particular section of the regulations under which submitted. All accompanying documents must be submitted in the original and will not be returned unless accompanied by a copy. A copy unaccompanied by the original will be accepted only if the accuracy of the copy has been certified by an immigration or consular officer who has examined the original. A foreign document must be accompanied by an English translation. The translator must certify that he is competent to translate, and that the translation is accurate. The translator's certification must be notarized. If any required documents are unavailable, church or school records, or other evidence pertinent to the facts in issue, may be submitted. If such documents are unavailable, affidavits may be submitted. The Service may require proof of unsuccessful efforts to obtain documents claimed to be unavailable. The Service may also require the submission of additional evidence, including blood tests, may require the taking of testimony, and may direct the making of any necessary investigation. Any allegations made in addition to, or in substitution for, those originally made shall be made under oath and filed in the same manner as the original application or petition or noted on the original application or petition and acknowledged under oath thereon.

(2) *Inspection of evidence.* An applicant or petitioner shall be permitted to inspect the record of proceeding which constitutes the basis for the decision, except as hereinafter provided. If the decision will be adverse to the applicant or petitioner on the basis of derogatory evidence considered by the Service, he shall be advised thereof and offered an opportunity to rebut it and present evidence in his behalf before decision thereon, except that classified evidence or confidentially furnished evidence shall not be made available to him. Any explanation, rebuttal, or evidence presented by or in behalf of the applicant or petitioner shall be included in the record of proceeding. In exercising discretionary powers to consider an application or petition, the district director or the officer in charge, in cases in which he is authorized to make the decision, may consider and base his decision upon evidence not made available for inspection by the applicant or petitioner, provided the regional commissioner, in his discretion, has concluded that such evidence is classified under Executive Order No. 10501 of November 5, 1953 (18 F.R. 7049, November 10, 1953), as amended, by Executive Order Nos. 10816 of May 7, 1959 (24 F.R. 3777, May 12, 1959), 10901 of January 9, 1961 (26 F.R. 217, January 12, 1961), 10964 of September 20, 1961 (26 F.R. 8932, September 22, 1961), and 10985 of January 12, 1962 (27 F.R. 439, January 16, 1962), or was confidentially furnished to the Service, and that its disclosure would be prejudicial to the public interest, safety, or security.

3. Paragraph (c) of § 103.6 is amended to read as follows:

§ 103.6 Immigration bonds.

* * * * *

(c) *Violation of conditions; cancellation.* When the status of a nonimmigrant who has violated the conditions of his admission has been adjusted as the the result of administrative or legislative action to that of a permanent resident retroactively to a date prior to the violation, any outstanding bond posted for maintenance of his status and departure from the United States shall be cancelled. If such an application for adjustment of status is made by a nomimmigrant while he is in lawful temporary status, the bond shall be cancelled if his status is adjusted to that of a lawful permanent resident or he voluntarily departs within any period granted to him. As used in this paragraph, the term "lawful temporary status" means that there must not have been any break in the approval of the alien's stay and all the time he is in the United States, from the date of admission to the date of departure or adjustment, must have had uninterrupted Service approval in the form of regular extensions of stay or dates set by which departure is to occur, or a combination of both. The district director having jurisdiction over the place where any immigration bond is retained shall finally determine whether a bond shall be declared breached or cancelled, and shall notify the obligors in writing on Form I-391 or Form I-323 of his decision.

PART 204—PETITION FOR IMMIGRANT STATUS AS A HIGHLY SKILLED PERSON OR AS A MINISTER

4. Part 204 is amended to read as follows:

Sec.
204.1 Petition.
204.2 Services needed urgently; clearance order.
204.3 Documents.
204.4 First-preference petition validity.
204.5 Changed employment prior to entry.

AUTHORITY: The provisions of this Part 204 issued under sec. 103, 66 Stat. 173; 8 U.S.C. 1103. Interpret or apply secs. 101, 203, 204, 66 Stat. 166, 178, 179, as amended; 8 U.S.C. 1101, 1153, 1154.

§ 204.1 Petition.

The petition required by section 204 of the Act shall be filed on a separate Form I-140 for each beneficiary and shall be accompanied by a fee of $10. The petition shall be filed in the office of the Service having jurisdiction over the place where the alien's services are to be per-

formed. Every first-preference petitioner shall be interviewed by an immigration officer prior to the adjudication of the petition. The petitioner shall be notified of the decision and, if the petition is denied, of the reasons therefor and of his right to appeal in accordance with the provisions of Part 103 of this chapter.

§ 204.2 Services needed urgently; clearance order.

In order for the services of an alien to be considered as needed urgently within the meaning of section 203(a)(1) of the Act, it must be established that there is an immediate need for the services of the alien and qualified persons are not available in the United States to perform such services. A United States Employment Service clearance order concerning nonavailability of qualified persons shall be attached to every submitted first-preference petition unless the petitioner has been informed by the office having jurisdiction over the place where the beneficiary's services are to be performed that a clearance order for the beneficiary's occupation is not required. A single clearance order for a specified number of first-preference petitions may be used to support the identical number of such petitions filed by the same petitioner in behalf of beneficiaries who will do the work described in the clearance order.

§ 204.3 Documents.

(a) *First-preference quota immigrants.* A petition to accord an alien a first-preference classification must be accompanied by documentary evidence of his qualifications. If the alien's eligibility is based in whole or in part on high education or attendance at a technical or vocational school, a certified copy of his school record must be submitted by the petitioner. The record must show the period of attendance, major field of study, and degrees or diplomas awarded. If the alien's eligibility is based on technical training, specialized experience, or exceptional ability, documentary evidence thereof, such as affidavits or published material must be submitted by the petitioner. Affidavits must be made by the alien's present and former employers, or by recognized experts 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 experience, and must describe in detail the duties performed by the alien, any tools used, and any supervision received or exercised by the alien. When any material published by or about the alien is submitted, it must be accompanied by information as to date, place and title of publication.

(b) *Nonquota ministers.* A petition to accord an alien a nonquota classification as a minister under section 101(a)(27)(F)(i) of the Act must be accompanied by a statement or statements on official ecclesiastical stationery regarding his ordination or other authorization to act as a minister which shall set forth the name of each religious denomination or sect, the periods of his service, and the addresses at which he served during the two years immediately prior to the filing of the petition.

§ 204.4 First-preference petition validity.

If an individual clearance order from the United States Employment Service is required to be submitted, the period of the first-preference petition's validity shall not exceed one year from the endorsement date placed on the clearance order by the Washington office of that Service. When an individual clearance order is not required, the period of validity of the first-preference petition shall not exceed one year from the date of the petition's approval.

§ 204.5 Changed employment prior to entry.

When a first-preference or a nonquota-minister beneficiary of an approved petition who is outside the United States intends to accept, or has accepted, employment in the United States other than with the petitioner, absent an approved petition filed by the intended or actual employer, formal revocation proceedings shall be instituted under § 206.3 of this chapter unless the original petitioner, after being appropriately informed, files a written withdrawal of his petition.

PART 206—REVOCATION OF APPROVAL OF PETITIONS

5. Paragraph (c) of § 206.1 is amended to read as follows:

§ 206.1 Automatic revocation.

* * * * *

(c) *Revalidation.* Any petition approved under section 204 or 205 of the Act, which was automatically revoked by failure to obtain a visa within the prescribed period of time, may be revalidated by a district director retroactively as of the date of the initial approval. A petitioner may request revalidation of such petition. Before the petition may be revalidated, the beneficiary's current eligibility must be established. The petitioner shall be notified of the decision on his request for revalidation and if revalidation is not granted, of the reasons therefor, and shall have 15 days after the mailing of the notification of decision within which to appeal as provided in Part 3 of this chapter if the petition was filed under § 205.1 of this chapter, or as provided in Part 103 of this chapter if the petition was filed under §§ 204.1 or 205.2 of this chapter. When a visa petition has been approved, and subsequently a new petition by the same petitioner is approved in behalf of the same beneficiary, the latter approval shall be regarded as a revalidation of the original petition.

* * * * *

PART 214—NONIMMIGRANT CLASSES

6. Paragraph (a) of § 214.1 is amended to read as follows:

§ 214.1 Requirements for admission, extension, and maintenance of status.

(a) *General.* Every nonimmigrant alien applicant for admission or extension of stay in the United States shall establish that he is admissible to the United States or that a ground of inadmissability has been waived under section 212(d)(3) of the Act; present a passport, valid for the period set forth in section 212(a)(26) of the Act, except as otherwise provided in this chapter, and, upon admission, a valid visa, except when either or both documents have been waived; agree that he will abide by all the terms and conditions of his admission or extension, and that he will depart at the expiration of the period of his admission or extension or on abandonment of his authorized nonimmigrant status; and post a bond on Form I–352 in the sum of not less than $500 if required by the district director, special inquiry officer, or the Board of Immigration Appeals at the time of admission or extension, to insure the maintenance of the alien's nonimmigrant status and his departure from the United States. A nonimmigrant other than one in the classes defined in (1) section 101(a)(15)(A)(i) or (ii) or (G)(i), (ii), (iii), or (iv) of the Act (members of which classes are not required to obtain extensions of stay if they continue to be so recognized by the Secretary of State as members of such classes); (2) section 101(a)(15)(C) or (D) of the Act (members of which classes are ineligible for extensions of stay); (3) section 101(a)(15)(J) of the Act, or (4) Title V of the Agricultural Act of 1949, as amended, and whose period of admission has not expired, shall apply on Form I–539 and may be granted or denied, without appeal, an extension of his period of temporary admission by an officer in charge of a suboffice or a district director. A separate application must be executed and submitted for each alien seeking an extension of the period of temporary admission even though part of a single family unit, except that children under the age of 14, regardless of whether they accompanied a parent to the United States, and regardless of whether included in the passport of the parent, may be included in the application of the parent without any additional fee and may be granted the same extension as the parent.

* * * * *

7. Paragraphs (a), (b), (e), (g), (h), (i), (j), and (k) of § 214.2 are amended and paragraph (l) is added to § 214.2. Paragraph (c) of § 214.2 is amended by adding subparagraph (3) at the end thereof. These amendments read as follows:

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

The general requirements in § 214.1 are modified for the following nonimmigrant classes:

(a) *Foreign government officials.* The determination by a consular officer prior to admission and the recognition by the Secretary of State subsequent to admission shall prima facie establish the classification of a nonimmigrant defined in section 101(a)(15)(A) of the Act. An alien who has a nonimmigrant status under section 101(a)(15)(A)(i) or (ii) of the Act shall be admitted for the duration of the period for which he continues

to be recognized by the Secretary of State as being entitled to such status. An alien who has a nonimmigrant status under section 101(a)(15)(A)(iii) of the Act shall be admitted for an initial period not exceeding one year, and may be granted extensions of temporary stay in increments of not more than one year. An application for extension of temporary stay by an alien who has a nonimmigrant status under section 101(a)(15)(A)(iii) shall be accompanied by a written statement from the official by whom the applicant is employed describing the current and intended employment of the applicant.

(b) *Visitors.* The classification of visitors in the Act has been subdivided for visa, admission, and extension purposes into visitors for business (B–1) and visitors for pleasure (B–2). A B–1 or B–2 visitor may be admitted for an initial period of not more than six months and may be granted extensions of temporary stay in increments of not more than six months, except that the B–2 spouse or child of an alien who has a status under section 101(a)(15)(H) of the Act may be admitted for an initial period of not more than one year and may be granted extensions of temporary stay in increments of not more than one year.

(c) *Transits.* * * *

(3) Others. The period of admission of an alien admitted under section 101(a)(15)(C) of the Act shall not exceed 29 days.

* * * * *

(e) *Traders and investors.* The initial period of admission of an alien who has a nonimmigrant status under section 101(a)(15)(E) of the Act shall not exceed one year, and such a nonimmigrant may be granted extensions of temporary stay in increments of not more than one year. An alien admitted to the United States under section 3(6) of the Immigration Act of 1924 shall annually on the anniversary date of his original admission, submit Form I–126, for which no fee is required, to the district director having jurisdiction over his residence, and shall not be required to submit Form I–539. A trader or investor and his spouse or child who accompanied or followed to join him, who acquired nonimmigrant status on or after December 24, 1952, under section 101(a)(15)(E)(i) or (ii) of the Act shall apply for an extension of the period of temporary admission on Form I–539, and such trader or investor shall submit together therewith Form I–126, properly executed by him, with such additional documents as are required by that form.

* * * * *

(g) *Representatives to international organizations.* The determination by a consular officer prior to admission and the recognition by the Secretary of State subsequent to admission shall prima facie establish the classification of a nonimmigrant defined in section 101(a)(15)(G) of the Act. The initial period of admission and extensions of stay of an alien defined in section 101(a)(15)(G)(v) of the Act may be authorized in increments not to exceed one year each. Every other alien defined in section 101(a)(15)(G) of the Act shall be admitted for such period of time as he continues to be so recognized by the Secretary of State.

(h) *Temporary employees*—(1) *Petitions.* An alien defined in section 101(a)(15)(H) of the Act must be the beneficiary of an approved visa petition filed on Form I–129B. The petition with supporting documents shall be filed by the petitioner with the district director having administrative jurisdiction over the place in the United States where the beneficiary will perform services or receive training. More than one beneficiary may be included in a petition if they will be performing the same type of service or will be receiving the same type of training, will be applying for visas at the same consulate, and will be performing services or receiving training in the same immigration district. The petitioner need not be a United States resident. The petitioner shall be notified of the decision and, if the petition is denied, of the reasons therefor and of his right to appeal in accordance with the provisions of Part 103 of this chapter. An approved petition shall not be valid for more than six months within which to apply for admission to the United States.

(2) *Supporting evidence*—(i) *Petition for alien of distinguished merit and ability.* A petition to accord classification under section 101(a)(15)(H)(i) of the Act shall be supported by a complete and detailed description of the high education, technical training, specialized experience, or exceptional ability of the alien, and the manner in which such qualifications were acquired. When the alien's eligibility is based in whole or in part on high education or attendance at a technical or vocational school, a certified copy of his school record must be submitted to show the period of attendance, major field of study, and degrees or diplomas awarded. If the alien's eligibility is based on technical training, specialized experience, or exceptional ability, documentary evidence thereof, such as affidavits or published material must be submitted. Affidavits must be made by the alien's present and former employers or by recognized experts in the field of the alien's work. Each 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 experience, and must describe in detail the duties performed by the alien, any tools used, and any supervision received or exercised by the alien. Published material submitted must be accompanied by information as to the date, place, and title of publication. When a petition is approved for classification of an athlete or an athletic team or troupe under section 101(a)(15)(H)(i), the same classification may be accorded to the manager, trainers, and other persons determined to be necessary to the performance of the athlete or the operations of the team or troupe.

(ii) *Petition for alien to perform other temporary service or labor.* There shall be submitted a clearance order from the United States Employment Service concerning the availability of like labor in the United States which shall state that its policies have been observed. The clearance card issued by the Employment Service of the Territory of Guam will be accepted in lieu of that issued by the United States Employment Service in connection with a petition for employment of laborers in Guam. A statement shall be furnished 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, whether it is expected to be recurrent.

(iii) *Petition for alien industrial trainee.* In addition to purely industrial establishments an individual, organization, firm or other trainer may petition for industrial trainees on Form I–129B for the purpose of giving instruction or training in agriculture, commerce, finance, government, transportation, and the professions. The source of any remuneration received by an industrial trainee and whether or not any benefit will accrue to the petitioner are not material, but an industrial trainee shall not be permitted to engage in productive employment if such employment will displace a United States resident. A hospital approved by the American Medical Association for either an internship or residency program may petition to classify as an industrial trainee a medical student who will engage in summer employment as an extern. There shall be attached to each petition for an industrial trainee a statement describing the type of training to be given, the position or duties for which the beneficiary is to be trained, and whether such training can be obtained outside the United States. There shall be included an explanation as to the need for the trainee to be trained in the United States.

(3) *Admission and extension.* The authorized maximum period of admission of the beneficiary is unrelated to the petition's validity and is governed by the period of established need. The initial period of admission and extensions of stay may be authorized in increments of not more than 12 months each. An alien defined in section 101(a)(15)(H)(ii) of the Act shall not be granted an extension which would result in an unbroken stay in the United States of more than 3 years. Applicants for individual extensions on Form I–539 shall not require a new petition but Form I–129B shall be used when filing an application for a group extension. A beneficiary who holds a valid section 101(a)(15)(H) visa or does not require one and is reentering the United States to resume services for or training by the petitioner, after a sojourn in Canada, may be readmitted for the balance of his initial admission or extension of stay as reflected by his Form I–94, notwithstanding that the validity of the visa petition may have expired.

(4) *Special classes.* The services of an entertainer beneficiary shall be restricted to the activity, area, and employer specified in the approved petition.

Any engagement not specified in the original petition shall require a new petition. A new petition shall also be required if the entertainer's services are engaged by a new employer or by a new agent or are to be performed in another area, except that a new petition will not be required for the appearance of an alien performer on a bona fide charity show without compensation, provided he is already in the United States pursuant to an approved visa petition. When a petition is filed by an agent for variety entertainers without setting forth a complete listing of the subcontracts, appearances, or identities of the entertainers, such information may be furnished to the Service office in which the petition was filed by the agent as subsequent arrangements are perfected without submitting a new petition in each instance. A separate petition and fee shall be required for each group of variety entertainers comprising a separate and distinct act.

(i) *Representatives of information media.* The admission of an alien of the class defined in section 101(a)(15)(I) of the Act constitutes an agreement by the alien not to change the information medium or his employer until he obtains permission to do so from the district director having jurisdiction over his residence. The initial period of admission and extensions of stay of such aliens may be authorized in increments not to exceed one year each.

(j) *Exchange aliens.* As used in this chapter the term "exchange alien" means a nonimmigrant alien who was admitted to the United States under section 101(a)(15)(J) of the Act or acquired such status after admission, or who acquired exchange-visitor status under the United States Information and Educational Exchange Act of 1948, as amended. An exchange alien coming to the United States as a participant in a program designated pursuant to section 101(a)(15)(J) of the Act and his accompanying spouse and minor children shall not be eligible for admission unless the participant presents completely executed Form DSP–66. The spouse and minor children following to join the participant shall not be eligible for admission unless they present a copy of the current Form DSP–66 issued to the participant by his program sponsor properly endorsed by the program sponsor to indicate the date of expiration of the participant's authorized stay in the United States as shown on his Form I–94. The initial period of admission and extensions of stay of an exchange alien, spouse, and minor child may be authorized in increments of not more than 12 months each and shall be limited to the period specified in the Form DSP–66 issued to the principal alien. Applications for extension of stay by an exchange alien shall be made on a current Form DSP–66. The exchange alien may also apply for an extension of stay for his spouse and child by furnishing their names, dates and places of birth, and nationality as an attachment to Form DSP–66, together with their passports and Forms I–94. Form DSP–66 presented by an exchange alien returning from a temporary absence may be retained by such alien and used for any number of reentries during the balance of his previously authorized stay. When applying for an extension of stay, a spouse or child of a participant in a designated exchange program shall be classified under section 101(a)(15)(J) of the Act unless the spouse or child is applying for an extension of stay for a purpose other than to accompany the participant. A spouse or child accompanying a participant shall not be eligible for an extension of stay unless the participant is eligible for an extension of stay. The formal filing with the Service of an application for a waiver of the two-year foreign-residence requirement under § 212.7(c) of this chapter terminates the nonimmigrant status of the exchange alien and his accompanying spouse and child who have been accorded status under section 101(a)(15)(J) of the Act as the accompanying spouse and child of such alien. The accompanying spouse of a participant in a designated exchange program may be granted permission to accept employment in the United States but only if such employment is necessary for the support of the accompanying spouse and accompanying minor children. If the income to be derived from such employment is needed for the support of the participant, employment shall not be authorized. The application for permission to accept employment shall be made to the district director having jurisdiction over the place where the participant is sojourning temporarily and need not be made in writing.

(k) *Mexican agricultural workers.* An alien, native and citizen of Mexico, bona fide resident of that country for the preceding year, shall, upon fingerprinting on Form AR–4 be issued a Form I–100C and admitted for agricultural employment at a port of entry (reception center) provided the immigration officer is satisfied that the alien will, and the alien agrees to, abide by the following conditions: That he will engage only in employment specified in Title V of the Agricultural Act of 1949, as amended, the Migrant Labor Agreement of 1951, as amended, and the contract of employment approved by the Secretary of Labor; that he will depart upon the expiration of the period for which he was admitted; and that he will carry with him at all times during his authorized stay in the United States the Form I–100C issued to him at the time of admission or extension and surrender it at the port of entry through which he departs to Mexico, except that such form may be retained by an agricultural worker, still maintaining status, returning temporarily to Mexico, provided a furlough letter is presented, signed by his employer and endorsed by a representative of the United States Employment Service and Mexican consul when the furlough exceeds 15 days or is during the last 15 or 30 days respectively of a contract less than or exceeding six weeks. Pursuant to the authority contained in section 212(d)(3) of the Act, the bar to admissibility contained in paragraph (16) or (17) of section 212(a) of the Act is hereby waived for an alien who establishes that he is otherwise admissible as an agricultural worker except for his previous removal or deportation because of entry without inspection or lack of required documents. An alien deported or granted voluntary departure within a year preceding his application for admission as a Mexican agricultural worker shall not be readmitted in that status. The period of admission of a Mexican agricultural worker shall not be less than four weeks nor more than six months.

(l) *NATO aliens.* The period of admission and extensions of stay of an alien classified as NATO–5 or 6 or NATO–7 who is employed by an alien classified as NATO–5 or 6 by 22 CFR 41.12 may be authorized in increments not to exceed one year. All other aliens of the NATO class in 22 CFR 41.12 including an alien classified at NATO–7 who is employed by a NATO–1, 2, 3, or 4, shall be admitted for such period of time as they continue to be entitled to the status prescribed by 22 CFR 41.70.

§ 214.4 [Revoked]

8. Section 214.4 *Petitions for temporary workers* is revoked.

PART 264—REGISTRATION AND FINGERPRINTING OF ALIENS IN THE UNITED STATES

10. Paragarph (c) of § 264.1 is amended to read as follows:

§ 264.1 Registration and fingerprinting.

* * * * *

(c) *Replacement of registration.* Any alien whose evidence of registration has been lost, mutilated, or destroyed, shall immediately apply for new evidence thereof. Except for nonimmigrant crewmen who shall apply on Form I–174, and nonimmigrant agricultural workers, including aliens embraced within the provisions of § 214.2(k) of this chapter, who shall apply on Form I–102, such application shall be made on Form I–90. Any alien lawfully admitted for permanent residence whose name has been legally changed after registration may also apply on Form I–90, provided appropriate documentary evidence of such change is submitted. Each applicant who files Form I–90, except a child under 14 years of age, shall appear in person before an immigration officer prior to the adjudication of his application and be interrogated under oath concerning his eligibility for issuance of Form I–151 as evidence of his registration. If the applicant is outside the United States, such interrogation may be conducted by an immigration officer or a consular officer. Evidence of registration surrendered by a lawful permament resident alien on other than Form I–151 will be replaced with Form I–151 without fee or application. No appeal shall lie from the decision of the district director denying the application. When an alien establishes that Form I–151 was not received by him and the form has not been returned to the issuing office, a new Form I–151 shall be issued without requiring the submission of an application or fee. An alien lawfully admitted for permanent residence who is outside the United States shall submit

his application for a new Form I–151 in person to the appropriate Service officer or consular officer abroad. The decision on such application shall be made by the district director having jurisdiction over the alien's place of residence in the United States. Form I–151, if issued, will be fowarded to the appropriate Service officer or consular officer abroad for delivery.

* * * * *

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

This order shall become effective on the date of its publication in the FEDERAL REGISTER. Compliance with the provisions of section 4 of the Administrative Procedure Act (60 Stat. 238; 5 U.S.C. 1003) as to notice of proposed rule making and delayed effective date is unnecessary in this instance because the rules prescribed by the order relate to agency procedure.

Dated: August 14, 1964.

RAYMOND F. FARRELL,
Commissioner of Immigration and Naturalization.

[F.R. Doc. 64–8497; Filed, Aug. 20, 1964; 8:48 a.m.]

Title 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission

PART 410—EMPLOYEE DEVELOPMENT

Acceptance of Contributions, Awards, and Payments From Non-Government Organizations

Section 410.702 is amended to make clear that contributions, awards, and payments can be accepted not only from the tax-exempt, nonprofit organizations identified in section 19(a) of the Government Employees Training Act but also from any other organization otherwise excepted from the prohibitions in 18 U.S.C. 209. Effective upon publication in the FEDERAL REGISTER, § 410.702 is amended as set out below.

§ 410.702 Authority of departments to authorize acceptance.

The head of a department or a representative designated by him for this purpose under § 410.703 may authorize in writing an employee of his department to accept a contribution or award (in cash or in kind) incident to training in non-Government facilities or to accept payment (in cash or in kind) of travel, subsistence, and other expenses incident to attendance at meetings if the contribution, award, or payment is made either by an organization determined by the Secretary of the Treasury to be an organization described in section 501(c)(3) of the Internal Revenue Code of 1954 which is exempt from taxation under section 501(a) of that code, or by an organization to which the prohibitions in 18 U.S.C. 209 do not apply, and if, in the judgment of the head of the department or his designated representative, the following two conditions are met:

(a) The contribution, award, or payment is not a reward for services to the organization prior to the training or meeting; and

(b) Acceptance of the contribution, award, or payment:

(1) Would not reflect unfavorably on the ability of the employee to carry out his official duties in a fair and objective manner;

(2) Would not compromise the honesty and integrity of Government programs or of Government employees and their official actions or decisions;

(3) Would be compatible with the Code of Ethics for Government Service expressed in House Concurrent Resolution 175, 85th Congress, 2d Session; and

(4) Would otherwise be proper and ethical for the employee concerned under the circumstances in his particular case.

(Sec. 6, 72 Stat. 329; 5 U.S.C. 2305; E.O. 10800, 24 F.R. 447, 3 CFR, 1959 Supp.)

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] MARY V. WENZEL,
Executive Assistant to the Commissioners.

[F.R. Doc. 64–8496; Filed, Aug. 20, 1964; 8:48 a.m.]

Title 28—JUDICIAL ADMINISTRATION

Chapter I—Department of Justice

[Order No. 320–64]

PART 44—EMPLOYEE-MANAGEMENT COOPERATION IN THE DEPARTMENT OF JUSTICE

Miscellaneous Amendments

Amendments to the Department of Justice regulations (Order No. 293–63) relating to employee-management cooperation permitting exclusive recognition of employee organizations by all units of the Department except the Federal Bureau of Investigation.

By virtue of the authority vested in me by Section 161 of the Revised Statutes, section 2 of Reorganization Plan No. 2 of 1950 (64 Stat. 1261), and Executive Order No. 10988, Part 44 of Title 28 of the Code of Federal Regulations is hereby amended as follows:

1. Section 44.2 is amended to read as follows:

§ 44.2 Scope.

This part is applicable to all employees of the Department of Justice (including United States Attorneys and United States Marshals and their staffs) except employees of the Federal Bureau of Investigation. As to employees of the Federal Bureau of Investigation, I hereby determine that such employees are employed in offices, bureaus, and activities primarily performing intelligence, investigative, or security functions, and that the provisions of this part from which such employees are excepted cannot be applied to them in a manner consistent with national security requirements and considerations.

2. Section 44.7(a) is amended to read as follows:

§ 44.7 General principles applicable to recognition of employee organizations.

(a) Recognition may be informal, formal, or exclusive, as provided in this subpart.

* * * * *

3. Section 44.5(d) is amended to read as follows:

§ 44.5 Existing rights unaffected.

* * * * *

(d) Modify or supersede existing grievance procedures, and policies established by Part 46 of this chapter (Order No. 304–63), except to the extent, if any, expressly provided in an agreement entered into pursuant to § 44.14.

The amendments made by this order shall be effective on the date of the publication of this order in the FEDERAL REGISTER.

(R.S. 161; sec. 2, Reorg. Plan No. 2 of 1950; E.O. 10988, 3 CFR 1962 Supp.)

Dated: August 13, 1964.

ROBERT F. KENNEDY,
Attorney General.

[F.R. Doc. 64–8546; Filed, Aug. 20, 1964; 8:48 a.m.]

Title 14—AERONAUTICS AND SPACE

Chapter I—Federal Aviation Agency

SUBCHAPTER E—AIRSPACE [NEW]

[Airspace Docket No. 64–CE–39]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS [NEW]

Alteration of Control Zone

The purpose of these amendments to Part 71 [New] of the Federal Aviation Regulations is to provide for seasonal changes in the effective times of part-time control zones in the Central Region. The variations will be minor and infrequent and advance notice will be given to the public by the use of special notices in the Airman's Guide before the effective date of any such changes.

Since this amendment is minor in nature and imposes no additional burden on any person, notice and public procedure hereon are not necessary and the amendment may be made effective less than thirty days after publication.

In consideration of the foregoing, Part 71 [New] of the Federal Aviation Regulations is amended as hereinafter set forth.

In § 71.171 (29 F.R. 1101), the following control zone time designations are