

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

\* \* \* \* \*

(i) *Employment in a health care occupation.* Except as provided in 8 CFR 212.15(n), any alien described in 8 CFR 212.15(a) who is coming to the United States to perform labor in a health care occupation described in 8 CFR 212.15(c) must obtain a certificate from a credentialing organization described in 8 CFR 212.15(e). The certificate or certified statement must be presented to the Department of Homeland Security (DHS) in accordance with 8 CFR 212.15(d). In the alternative, an eligible alien seeking admission as a nurse may obtain a certified statement as provided in 8 CFR 212.15(h).

(j) Extension of stay or change of status for health care worker. In the case of any alien admitted temporarily as a nonimmigrant under section 212(d)(3) of the Act and 8 CFR 212.15(n) for the primary purpose of the providing labor in a health care occupation described in 8 CFR 212.15(c), a petition to extend the period of the alien's authorized stay or to change the alien's status shall be denied if:

(1) The petitioner or applicant fails to submit the certification required by 8 CFR 212.15(a) with the petition or application to extend the alien's stay or change the alien's status; or

(2) The petition or application to extend the alien's stay or change the alien's status does include the certification required by 8 CFR 212.15(a), but the alien obtained the certification more than 1 year after the date of the alien's admission under section 212(d)(3) of the Act and 8 CFR 212.15(n). While the DHS may admit, extend the period of authorize stay, or change the status of a nonimmigrant health care worker for a period of 1 year if the alien does not have certification on or before July 26, 2004, the alien will not be eligible for a subsequent admission, change of status, or extension of stay as a health care worker if the alien has not obtained the requisite certification 1 year after the initial date of admission, change of status, or extension of stay as a health care worker.

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

■ 7. The authority citation for part 245 continues to read as follows:

**Authority:** 8 U.S.C. 1101 and note, 1103, 1182, 1255; sec. 202, Pub. L. 105–100, 111 Stat. 2160, 2193; sec. 902, Pub. L. 105–277, 112 Stat. 2681, 8 CFR part 2.

**§ 245.14 [Removed and Reserved]**

■ 8. Section 245.14 is removed and reserved.

**PART 248—CHANGE OF NONIMMIGRANT CLASSIFICATION**

■ 9. The authority citation for part 248 continues to read as follows:

**Authority:** 8 U.S.C. 1101, 1103, 1184, 1258; 8 CFR part 2.

■ 11. Section 248.3 is amended by adding a new paragraph (i) to read as follows:

**§ 248.3 Application.**

\* \* \* \* \*

(i) *Change of nonimmigrant status to perform labor in a health care occupation.* A request for a change of nonimmigrant status filed by, or on behalf of, an alien seeking to perform labor in a health care occupation as provided in 8 CFR 212.15(c), must be accompanied by a certificate as described in 8 CFR 212.15(f), or if the alien is eligible, a certified statement as described in 8 CFR 212.15(h). See 8 CFR 214.1(j) for a special rule concerning applications for change of status for aliens admitted temporarily under section 212(d)(3) of the Act and 8 CFR 212.15(n).

**PART 299—IMMIGRATION FORMS**

■ 10. The authority citation for part 299 continues to read as follows:

**Authority:** 8 U.S.C. 1101, 1103; 8 CFR part 2.

■ 13. Section 299.1 is amended in the table by adding “Form I–905” to the list of prescribed forms in proper alpha/numeric sequence, to read as follows:

**§ 299.1 Prescribed forms.**

\* \* \* \* \*

Form No.	Edition date	Title
* * *	* * *	* * *
I–905 .....	04–15–02	Application for Authorization to Issue Certification for Health Care Workers.
* * *	* * *	* * *

■ 14. Section 299.5 is amended in the table by:

■ a. Adding the Form “I–905” in proper alpha/numeric sequence; and by

■ b. Adding the entry “Certificates for Health Care Benefits” at the end of the table.

The additions read as follows:

**§ 299.5 Display of control numbers.**

\* \* \* \* \*

INS form No.	INS form title	Currently assigned OMB control No.
* * *	* * *	* * *
I–905 .....	Application for Authorization to Issue Certification for Health Care Workers.	1115–0238
* * *	* * *	* * *
	Certificates for Health Care Benefits.	1115–0226

Dated: July 17, 2003.

**Tom Ridge,**

*Secretary, Department of Homeland Security.*

[FR Doc. 03–18710 Filed 7–24–03; 8:45 am]

**BILLING CODE 4410–10–P**

**DEPARTMENT OF TRANSPORTATION****Federal Aviation Administration****14 CFR Part 71**

[Docket No. FAA–2003–15299; Airspace Docket No. 03–AWP–9]

**Modification of Class E Airspace; Window Rock, AZ; Correction**

**AGENCY:** Federal Aviation Administration (FAA), DOT.

**ACTION:** Direct final rule; request for comments; correction.

**SUMMARY:** This action corrects a rule that was published in the **Federal Register** on June 19, 2003, (68 FR 36743; FR Doc. 03–15526). It corrects an error in the legal description of the 1,200 Class E airspace for Window Rock, AZ.

**DATES:** The direct final rule is effective at 0901 UTC on September 4, 2003. Comments for inclusion in the Rules Docket must be received on or before July 25, 2003.

**FOR FURTHER INFORMATION CONTACT:** Jeri Carson, Air Traffic Division, Airspace Branch, AWP–520, Western-Pacific Region, Federal Aviation Administration, 15000 Aviation Boulevard, Lawndale, California 90261, telephone (310) 725–6611.

**SUPPLEMENTARY INFORMATION:** The FAA published FR Document 03–15526 in the **Federal Register** on June 19, 2003, (68 FR 36743) to modify Class E airspace at Window Rock, AZ. The paragraph pertaining to the legal description of the 1,200' Class E airspace was described incorrectly. The following information corrects the

airspace legal description for Window Rock, AZ.

#### **§ 71.1 [Corrected]**

■ On page 36744, column 2, beginning with the 2nd line from the top, change to read: That airspace extending upward from 1,200 feet above the surface bounded by a line beginning at Lat. 36°04'00" N, Long. 109°27'00" W; to Lat. 36°07'00" N, Long. 109°23'00" W; to Lat. 35°54'00" N, Long. 109°03'00"; thence along Lat. 35°54'00" N to the western edge of V-421 and thence southwest along the western edge of V-421 to Lat. 35°13'15" N, Long. 109°06'02" W; to Lat. 35°20'25" N, Long. 109°10'42" W; to Lat. 35°08'00" N, Long. 109°25'00" W; to Lat. 35°08'00" N, Long. 109°30'00" W; thence north along Long. 109°30'00" W to the southern edge of V-95; thence northeast along the southern edge of V-95 to Lat. 35°54'54" N, Long. 109°13'10" W; to the point of beginning.

Issued in Los Angeles, California, July 16, 2003.

**Stephen Lloyd,**

*Acting Assistant Manager, Air Traffic Division, Western-Pacific Region.*

[FR Doc. 03-18919 Filed 7-24-03; 8:45 am]

**BILLING CODE 4910-13-M**

## **DEPARTMENT OF COMMERCE**

### **National Oceanic and Atmospheric Administration**

#### **15 CFR Part 922**

[Docket No. 030613151-3151-01]

#### **Florida Keys National Marine Sanctuary; Establishment of Temporary No-Entry Zone in the White Bank Dry Rocks Area; Correction**

**AGENCY:** National Ocean Service (NOS), National Marine Sanctuary Program.

**ACTION:** Temporary rule; correction.

**SUMMARY:** This document corrects coordinates published on July 1, 2003 for a no-entry zone in the Florida Keys National Marine Sanctuary. The no-entry zone was established by a temporary rule and became effective June 26, 2003 until August 25, 2003. That temporary rule created two no-entry zones in the vicinity of White Bank Dry Rocks off of Key Largo to prevent the inadvertent spread by swimmers and snorkelers of infectious agents associated with diseased corals in the two zones. Each no-entry zone is approximately 0.25 square miles in size. This document corrects the coordinates of White Bank South Patch that were incorrectly described in the temporary published on July 1, 2003.

**DATES:** Effective July 24, 2003 until August 25, 2003.

#### **FOR FURTHER INFORMATION CONTACT:**

Billy D. Causey, Superintendent, Florida Keys National Marine Sanctuary, (FKNMS), Post Office Box 500368, Marathon, Florida 33050, (305) 743-2467.

#### **SUPPLEMENTARY INFORMATION:**

##### **Need for Correction**

The temporary rule establishing no-entry zones at White Bank North Patch and White Bank South Patch, off of Key Largo in the Florida Keys National Marine Sanctuary (68 FR 39005; July 1, 2003), contained errors in the coordinates for White Bank South Patch. The correct coordinates are:

- White Bank South Patch—
- (1) 25 degrees 02.414 seconds N 80 degrees 22.425 seconds W;
- (2) 25 degrees 02.446 seconds N 80 degrees 22.267 seconds W;
- (3) 25 degrees 02.314 seconds N 80 degrees 22.278 seconds W;
- (4) 25 degrees 02.336 seconds N 80 degrees 22.408 seconds W.

##### **Classification**

Under 5 U.S.C. 553(b)(B), the Assistant Administrator of the National Ocean Service, NOAA, for good cause, finds that providing prior notice and public procedure thereon with respect to this correction is impracticable and contrary to the public interest. Recent evidence has come to light of an outbreak of infectious coral disease in areas of White Bank Dry Rocks near Key Largo. It is possible that humans entering the waters of the affected areas could inadvertently carry infectious agents to healthy coral reef areas. Infected corals are also most subject to stress from human activities. This action is intended to limit the innocent spread of infectious agents to healthy coral and to reduce stress to corals within the infected areas. As such, further damage to the infected corals as well as to healthy corals outside of the close areas would occur if the prohibition implemented by this rule is delayed to provide prior notice and opportunity for public comment.

Likewise, under 5 U.S.C. 553(d)(3), the Assistant Administrator of the National Ocean Service, NOAA, finds good cause to waive the 30-day delay in effective date for this correction. First, if the correction is delayed for 30 days, significant damage to the living coral resources could result. Further, 30 days are not necessary to give notification to visitors who might use the area in the future to move to other nearby sites. The U.S. Coast Guard will give immediate

notification to vessels to stay out of the no-entry zones. Notification will be made by the U.S. Coast Guard via notice to mariners, Sanctuary radio announcements, press releases, press conferences, and with assistance by the U.S. Coast Guard and Sanctuary staff on the water within the area. This correction is effective upon filing at the Office of the **Federal Register**.

Dated: July 19, 2003.

**Jamison S. Hawkins,**

*Deputy Assistant Administrator for Ocean Services and Coastal Zone Management.*

[FR Doc. 03-18933 Filed 7-24-03; 8:45 am]

**BILLING CODE 3510-NK-M**

## **OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE**

### **15 CFR Part 2016**

**RIN 0350-AA06**

#### **Establishment of a Petition Process To Review Eligibility of Countries for the Benefits of the Andean Trade Preference Act, as Amended by the Andean Trade Promotion and Drug Eradication Act**

**AGENCY:** Office of the United States Trade Representative.

**ACTION:** Final rule.

**SUMMARY:** This final rule provides for the establishment of a petition process to review the eligibility of countries for the benefits of the Andean Trade Preference Act, as amended by the Andean Trade Promotion and Drug Eradication Act.

**DATES:** This final rule is effective on July 25, 2003.

#### **FOR FURTHER INFORMATION CONTACT:**

Bennett M. Harman, Office of the Americas, Office of the United States Trade Representative at (202) 395-5190.

**SUPPLEMENTARY INFORMATION:** The Trade Act of 2002 (Pub. L. 107-210) (Trade Act) includes the "Andean Trade Promotion and Drug Eradication Act" (ATPDEA), which contains provision on enhanced trade benefits for eligible Andean countries. The ATPDEA renews and amends the Andean Trade Preference Act (ATPA) (19 U.S.C. 3201 *et seq.*) Section 3103(d) of the ATPDEA requires the President to promulgate regulations regarding the review of eligibility of articles and countries for the benefits of the ATPA, consistent with section 203(e) of the ATPA, as amended by the ATPDEA, not later than 180 days after the date of enactment of the Trade Act of 2002. The Trade Act was enacted on August 6, 2002. In Executive Order 13277 of November 19,