

(4) If the alien was not in valid H-1A nonimmigrant status on October 11, 1996, evidence that the alien was within the United States on October 11, 1996. For purposes of this provision, an alien will be deemed to have been within the United States on October 11, 1996, who, although not physically present in the United States on that date, was subsequently admitted to the United States in H-1A classification pursuant to an unexpired H-1A visa.

\* \* \* \* \*

#### § 214.2 [Amended]

3. In § 214.2, newly redesignated paragraph (h)(9)(iii)(B)(2)(ii) is amended in the second sentence by revising the phrase "Chief of the Administrative Appeals Unit, Central Office" to read: "Director, Administrative Appeals Office, Headquarters".

Dated: February 28, 1997.

Doris Meissner,

*Commissioner, Immigration and Naturalization Service.*

[FR Doc. 97-5660 Filed 3-6-97; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 71

[Airspace Docket No. 96-ANE-44]

#### Removal of Class D and E Airspace; South Weymouth, MA

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

**ACTION:** Direct final rule; confirmation of effective date.

**SUMMARY:** This action removes the Class D and Class E airspace areas at South Weymouth, MA due to the closure of the South Weymouth Naval Air Station (KNZW).

**EFFECTIVE DATE:** This rule was effective 0901 UTC, January 30, 1997.

**FOR FURTHER INFORMATION CONTACT:** Raymond Duda, Operations Branch, ANE-530.3, Federal Aviation Administration, 12 New England Executive Park, Burlington, MA 01803-5299; telephone (617) 238-7533; fax (617) 238-7596.

**SUPPLEMENTARY INFORMATION:** The FAA published this direct final with a request for comments in the Federal Register on December 19, 1996 (61 FR 66908). The FAA uses the direct final rulemaking procedure for a non-controversial rule where the FAA believes that there will be no adverse public comment. This direct final rule

advised the public that no adverse comments were anticipated, and that unless a written adverse comment, or a written notice of intent to submit such an adverse comment, were received within the comment period, the regulation would become effective on January 30. No adverse comments were received, and thus this notice confirms that this final rule became effective on that date.

Issued in Burlington, MA, on February 28, 1997.

David J. Hurley,

*Manager, Air Traffic Division, New England Region.*

[FR Doc. 97-5716 Filed 3-6-97; 8:45 am]

BILLING CODE 4910-13-M

#### 14 CFR Part 71

[Airspace Docket No. 96-ANE-46]

#### Amendment to Class E Airspace; Springfield/Chicopee, MA

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

**ACTION:** Direct final rule; confirmation of effective date.

**SUMMARY:** This action modifies the Class E airspace at Springfield/Chicopee, MA by removing the Class E airspace extending upward from the surface, effective during the times when the Airport Traffic Control Tower (ATCT) is not operating. This action results from the elimination of continuous weather reporting at Westover ARB/Metropolitan Airport (KCEF).

**EFFECTIVE DATE:** This rule was effective 0901 UTC, January 30, 1997.

**FOR FURTHER INFORMATION CONTACT:** Sandra V. Bogosian, Operations Branch, ANE-530.4, Federal Aviation Administration, 12 New England Executive Park, Burlington, MA 01803-5299; telephone (617) 238-7534; fax (617) 238-7596.

**SUPPLEMENTARY INFORMATION:** The FAA published this direct final with a request for comments in the Federal Register on December 19, 1996 (61 FR 66911). The FAA uses the direct final rulemaking procedure for a non-controversial rule where the FAA believes that there will be no adverse public comment. This direct final rule advised the public that no adverse comments were anticipated, and that unless a written adverse comment, or a written notice of intent to submit such an adverse comment, were received within the comment period, the regulation would become effective on January 30. No adverse comments were received, and thus this notice confirms

that this final rule became effective on that date.

Issued in Burlington, MA, on February 28, 1997.

David J. Hurley,

*Manager, Air Traffic Division, New England Region.*

[FR Doc. 97-5714 Filed 3-6-97; 8:45 am]

BILLING CODE 4910-13-M

#### 14 CFR Part 71

[Airspace Docket No. 97-ANE-11]

#### Amendment to Class E Airspace; Nashua, NH, Newport, RI, Mansfield, MA, Providence, RI, and Taunton, MA

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

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

**SUMMARY:** This action modifies the Class E airspace at Nashua, HN, Newport, RI, Mansfield, MA, Providence, RI, and Taunton, MA by removing from their descriptions references to Class E airspace areas removed by previous actions. This action is necessary to keep the descriptions of controlled airspace areas operationally current.

**DATES:** Effective 0901 UTC, May 22, 1997.

Comments for inclusion in the Rules Docket must be received on or before April 7, 1997.

**ADDRESSES:** Send comments on the rule to: Manager, Operations Branch, ANE-530, Federal Aviation Administration, Docket No. 97-ANE-11, 12 New England Executive Park, Burlington, MA 01803-5299; telephone (617) 238-7530; fax (617) 238-7596.

The official docket file may be examined in the Office of the Assistant Chief Counsel, New England Region, ANE-7, Room 401, 12 New England Executive Park, Burlington, MA 01803-5299; telephone (617) 238-7050; fax (617) 238-7055.

An informal docket may also be examined during normal business hours in the Air Traffic Division, Room 408, by contacting the Manager, Operations Branch at the first address listed above.

**FOR FURTHER INFORMATION CONTACT:** Raymond Duda, Operations Branch, ANE-530.3, Federal Aviation Administration, 12 New England Executive Park, Burlington, MA 01803-5299; telephone (617) 238-7533; fax (617) 238-7596.

**SUPPLEMENTARY INFORMATION:** On February 16, 1996, the FAA published final rule that removed the Class E airspace at Moore Army Airfield, Fort