countervailing evidence to INS, according to 8 C.F.R. 214.2(h)(6)(IV)(E), that qualified persons in the U.S. are not available, that wages and working conditions of U.S. workers will not be adversely affected, and the Department of Labor's employment policies were observed.

VIII. Validity of Temporary Labor Certifications

A. A temporary labor certification is valid only for the number of aliens, the occupation, the area of employment, the specific activity, the period of time, and the employer specified in the certification.

B. A temporary labor certification is limited to one employer's specific job opportunity; it may not be transferred from one employer to another.

IX. Applications Requiring Special Processing

A. Aerospace Engineers

If the temporary labor certification application is for an aerospace engineer, the SESA shall:

1. Take a job order on all aerospace engineer certification requests.

- 2. Require the employer to advertise in a newspaper or appropriate engineering publication. Advertisements shall describe wages, terms, and conditions of employment, and shall not identify the employer, but shall direct applicants to send resumes to the local Job Service for referral to the employer. Results of ads must be documented. Advertising copy should include the elements specified in section IV. D. above, and indicate the same wages, education, working conditions, and location of work as that in the application for alien employment and on the order taken by the SESA.
- 3. Require employers to offer laid-off engineers reemployment before applying for labor certification.
- 4. Ensure that all applications for alien employment certification from contract engineering firms identify the user aerospace companies and specify where the aliens will work.
- 5. Ensure that a copy of the alien's proposed contract accompanies all contract engineering firm certification requests.
- 6. Place into interstate clearance all alien certification job orders for aerospace engineers and related occupations.
- 7. Process the application according to parts II, III, and IV of these procedures, as appropriate.

B. Construction Workers

1. General

Unions representing construction workers in the same or substantially equivalent job classification as those for which labor certification is requested shall be contacted to determine availability of U.S. workers when SESAs receive requests for 10 or more workers in the same occupation for the same employer at any one time or within a 6-month period.

The Human Resources Development Institute (HRDI) is the employment and training arm of the AFL–CIO; it serves as a centralized liaison between the Department of Labor and individual unions in providing labor market information in skilled trades in order to make an informed labor certification determination.

2. Procedures

- a. The SESA should process the application according to parts II, III and IV of these procedures.
- b. The SESA shall advise the employer to obtain, from the union local, a letter describing the availability of qualified U.S. workers for the position offered to the alien.
- c. Before making a determination, certifying officers should contact, by fax or telephone, the Executive Director, Human Resources Development, 815–16th Street, NW., Washington, DC 20006, and send the following information for each application:
- Name and address of company requesting certification;
 - (2) Location of work site:
- (3) Local number and name of the union, if known;
- (4) Dates of any prior certifications requested by company;
 - (5) Total number of aliens requested;
 - (6) Duration of employment of aliens;
- (7) Job classification, special qualifications and wage offered:
- (8) Assistance offered to aliens (subsistence housing, other); and
 - (9) Reasons for requesting alien labor.
- d. If HRDI knows of available U.S. workers, they will provide this information to the certifying officer, along with the name of the appropriate local for the employer to contact. If no response is received within 5 days of the request, a determination will be made on information in the file.

C. Boilermakers

1. General

On occasion, boilermakers must be brought into the U.S. on an emergency basis. Such emergencies are generally precipitated by unscheduled outages in utility, petrochemical and paper industries. Because of special considerations involved with boilermakers when there is an emergency situation, it was decided that the most efficient and effective way to process applications for boilermakers in emergency situations would be to centralize their handling in the National Office.

2. Procedures

- a. Labor certifications for boilermakers in emergency situations are to be sent directly to National Office for processing. The address is: U.S. Department of Labor, Employment and Training Administration, Division of Foreign Labor, Certifications, 200 Constitution Avenue, N.W., Room N–4456, Washington, D.C. 20210.
- b. Labor certification applications for boilermakers during nonemergency situations should be processed according to parts II, III, and IV of these procedures.

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BILLING CODE 4510-30-M

Notice of Attestations Filed by Facilities Using Nonimmigrant Aliens as Registered Nurses

AGENCY: Employment and Training Administration, Labor.

ACTION: Notice.

SUMMARY: The Department of Labor (DOL) is publishing, for public information, a list of the following health care facilities that have submitted attestations (Form ETA 9029 and explanatory statements) to one of four Regional Offices of DOL (Boston, Chicago, Dallas and Seattle) for the purpose of employing nonimmigrant alien nurses. A decision has been made on these organizations' attestations and they are on file with DOL.

ADDRESSES: Anyone interested in inspecting or reviewing the employer's attestation may do so at the employer's place of business.

Attestations and short supporting explanatory statements are also available for inspection in the U.S. Employment Service, Employment and Training Administration, Department of Labor, Room N–4456, 200 Constitution Avenue NW., Washington, D.C. 20210.

Any complaints regarding a particular attestation or a facility's activities under that attestation, shall be filed with a local office of the Wage and Hour Division of the Employment Standards Administration, Department of Labor. The address of such offices are found in many local telephone directories, or may be obtained by writing to the Wage and Hour Division, Employment Standards Administration, Department of Labor, Room S–3502, 200 Constitution Avenue NW., Washington, D.C. 20210.

FOR FURTHER INFORMATION CONTACT:

Regarding the Attestation Process: Chief, Division of Foreign Labor Certifications, U.S. Employment Service. Telephone: 202–219–5263 (this is not a toll-free number).

Regarding the Complaint Process: Questions regarding the complaint process for the H–1A nurse attestation program will be made to the Chief, Farm Labor Program, Wage and Hour Division. Telephone: 202–219–7605 (this is not a toll-free number).

SUPPLEMENTARY INFORMATION: The Immigration and Nationality Act requires that a health care facility seeking to use nonimmigrant aliens as registered nurses first attest to the Department of Labor (DOL) that it is taking significant steps to develop, recruit and retain United States (U.S.) workers in the nursing profession. The law also requires that these foreign