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DEPARTMENT OF JUSTICE

Executive Office for Immigration Review

8 CFR Parts 1001, 1003, 1292

[Docket No. EOIR 160F; A.G. Order No. 3028-2008]

RIN 1125 AA59

Professional Conduct for Practitioners—Rules and Procedures, and Representation and Appearances

AGENCY: Executive Office for Immigration Review, Justice.

ACTION: Correction to final rule.

SUMMARY: This document contains a correction to the final rule published Thursday, December 18, 2008 at 73 FR 76914, relating to the rules and procedures that govern the standards of representation and professional conduct for practitioners who appear before the Executive Office for Immigration Review (EOIR).

DATES: *Effective Date:* January 5, 2009.

FOR FURTHER INFORMATION CONTACT: John N. Blum, Acting General Counsel, Executive Office for Immigration Review, Suite 2600, 5107 Leesburg Pike, Falls Church, Virginia 22041, telephone number (703) 305-0470 (not a toll free call).

SUPPLEMENTARY INFORMATION: The final rule that is the subject of these corrections amends Department of Justice regulations by amending the rules and procedures for imposing disciplinary sanctions against practitioners who engage in criminal, unethical, or unprofessional conduct, or in frivolous behavior in proceedings before EOIR. The final rule increases the number of grounds for discipline and improves the clarity and uniformity of the existing rules while incorporating miscellaneous technical and procedural changes.

Need for Correction

As published, the final rule contains a typographical error that may cause confusion and therefore is in need of clarification. The instruction for 8 CFR 1003.103 says in part that the first sentence of paragraph (a)(1) is revised. However the entire paragraph is revised. The first sentence is revised to reflect the technical correction in terminology from “the Office of the General Counsel of EOIR” to “the EOIR disciplinary counsel,” and to allow for immediate suspension of a practitioner who resigns from the highest court of any State, possession, territory, or Commonwealth of the United States, or the District of Columbia, or any Federal court, while a disciplinary investigation is pending. The paragraph is further revised to incorporate the technical correction in terminology from “the Office of the General Counsel of the Service” to “DHS.”

Correction

For the reasons stated above, in the FR Doc. E8-30027, beginning on page 76914 in the **Federal Register** of Thursday, December 18, 2008, the following correction is made:

§ 1003.103 [Corrected]

On page 76923, in the third column, instruction 7a. is corrected to read as follows:

- 7. Amend § 1003.103 by:
 - a. Revising paragraph (a)(1);
- * * * * *

Dated: December 30, 2008.

Rosemary Hart,

Federal Register Liaison.

[FR Doc. E8-31302 Filed 1-2-09; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 11

[Docket No. FAA-199-6622; Amendment No. 11-55]

RIN 2120-AG95

Clarification for Submitting Petitions for Rulemaking or Exemption

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule; technical amendment.

SUMMARY: The Federal Aviation Administration (FAA) is making minor technical changes to the requirements for submitting a petition for rulemaking or exemption. In a final rule published in the **Federal Register** on December 5, 2007, the FAA inadvertently did not make conforming amendments to plain language requirements in the structure and content of the final rule. This technical amendment restructures or reorders the filing of petitions and incorporates a reference for additional filing guidance and instructions using the Federal Docket Management System (FDMS). These changes ensure general rulemaking procedures are clear, written in plain language, and better inform the public of administrative practices.

DATES: *Effective Dates:* This rule is effective January 5, 2009.

FOR FURTHER INFORMATION CONTACT:

Katrina Holiday, Office of Rulemaking, ARM-202, Federal Aviation Administration, 800 Independence Avenue, SW., Washington, DC 20591; telephone: (202-267-9680); facsimile: (202-267-5075); e-mail: katrina.holiday@faa.gov.

SUPPLEMENTARY INFORMATION: The FAA published in the **Federal Register** on December 5, 2007 (72 FR 68474) a document that amended the regulations for submitting petitions for rulemaking or exemption. This technical amendment—

(1) Incorporates a reference to available guidance and instructions that may ease the use of FDMS. This guidance is accessible via the Internet at <http://www.regulations.gov>, and additional instructions for petitions for rulemaking or exemption are also accessible via the Internet at <http://www.faa.gov/regulations>.

(2) Amends 14 CFR 11.63(a) and (b) by reordering these paragraphs by order of importance to address in paragraph (a) general submissions of petitions for rulemaking or exemption, and paragraph (b) specific petitions for rulemaking or exemption for relief from part 139 of this chapter.

Because these actions are merely administrative in nature, the FAA finds that notice and public procedure under 5 U.S.C. 553(b) is unnecessary. For the same reason, the FAA finds that good cause exists under 5 U.S.C. 553(d) for