

PART 242—PROCEEDINGS TO DETERMINE DEPORTABILITY OF ALIENS IN THE UNITED STATES: APPREHENSION, CUSTODY, HEARING, AND APPEAL

1. The authority citation for part 242 continues to read as follows:

Authority: 8 U.S.C. 1103, 1182, 1186a, 1251, 1252, 1252 note, 1252a, 1252b, 1254, 1362; 8 CFR part 2.

2. Section 242.1, paragraph (a) is revised to read as follows:

§ 242.1 Order to show cause and notice of hearing.

(a) *Commencement.* Every proceeding to determine the deportability of an alien in the United States is commenced by the filing of an order to show cause with the Office of the Immigration Judge, except for an alien who has been admitted to the United States under the provisions of section 217 of the Act and Part 217 of this chapter other than such an alien who has applied for asylum in the United States. In the proceeding, the alien shall be known as the respondent. Orders to show cause may be issued by:

- (1) District directors (except foreign);
- (2) Deputy district directors (except foreign);
- (3) Assistant district directors for investigations;
- (4) Deputy assistant district directors for investigations;
- (5) Assistant district directors for deportation;
- (6) Deputy assistant district directors for deportation;
- (7) Assistant district directors for examinations;
- (8) Deputy assistant district directors for examinations;
- (9) Officers in charge (except foreign);
- (10) Assistant officers in charge (except foreign);
- (11) Chief patrol agents;
- (12) Deputy chief patrol agents;
- (13) Associate chief patrol agents;
- (14) Assistant chief patrol agents;
- (15) Patrol agents in charge;
- (16) The Assistant Commissioner, Investigations;
- (17) Service center directors;
- (18) Supervisory asylum officers; or
- (19) Institutional Hearing Program Directors.

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3. In § 242.2, paragraph (c)(1) (i) through (xvii) is revised to read as follows:

§ 242.2 Apprehension, custody, and detention.

* * * * *

(c) * * *

(1) * * *

(i) District directors (except foreign);

- (ii) Deputy district directors (except foreign);
- (iii) Assistant district directors for investigations;
- (iv) Deputy assistant district directors for investigations;
- (v) Assistant district directors for deportation;
- (vi) Deputy assistant district directors for deportation;
- (vii) Assistant district directors for examinations;
- (viii) Deputy assistant district directors for examinations;
- (ix) Officers in charge (except foreign);
- (x) Assistant officers in charge (except foreign);
- (xi) Chief patrol agents;
- (xii) Deputy chief patrol agents;
- (xiii) Associate chief patrol agents;
- (xiv) Assistant chief patrol agents;
- (xv) Patrol agents in charge;
- (xvi) The Assistant Commissioner, Investigations; or
- (xvii) Institutional Hearing Program Directors.

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Dated: February 22, 1996.

Doris Meissner,

Commissioner, Immigration and Naturalization Service.

[FR Doc. 96-5176 Filed 3-5-96; 8:45 am]

BILLING CODE 4410-10-M

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Airspace Docket No. 96-ASO-1]

Removal of Class D and E2 Airspace; Lawrenceville, GA

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule, withdrawal.

SUMMARY: This action withdraws the final rule published in the Federal Register on January 23, 1996, with an effective date of April 25, 1996. The rule revoked the Class D and E2 airspace at Lawrenceville, GA. The planned opening of a non-federal control tower at the Lawrenceville/Gwinnett County-Briscoe Field Airport was delayed indefinitely due to construction problems. Therefore, the Class D and E2 airspace was not necessary, and action was undertaken to remove this airspace. However, the Gwinnett County Airport Authority has been able to secure a temporary tower until the permanent tower can be completed. Therefore, the Class D and E2 airspace will be necessary, and action to revoke this airspace is being withdrawn.

DATES: The withdrawal is effective March 6, 1996.

FOR FURTHER INFORMATION CONTACT:

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SUPPLEMENTARY INFORMATION:

History

Class D and E2 airspace at Lawrenceville, GA, was established to support the planned opening of a non-federal control tower at the Lawrenceville/Gwinnett County-Briscoe Field Airport. Due to construction problems, the opening was delayed indefinitely. Therefore, on January 23, 1996, the FAA published a final rule stating that, since the Class D and E2 airspace was not necessary, the Class D and E2 airspace in the vicinity of the Lawrenceville/Gwinnett County-Briscoe Field Airport was being revoked (61 FR 1705). However, the Gwinnett County Airport Authority has been able to secure a temporary control tower until the permanent control tower can be completed. As a result, the Class D and E2 airspace will be necessary. Therefore, the action to revoke the Class D and E2 airspace at Lawrenceville, GA, is being withdrawn.

Conclusion

In consideration of the action taken to provide the Lawrenceville/Gwinnett County-Briscoe Field Airport with a temporary control tower until the permanent tower is completed, action to revoke the airspace is unnecessary.

List of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (Air).

Withdrawal of Final Rule

Accordingly, pursuant to the authority delegated to me, Airspace Docket No. 96-ASO-1, as published in the Federal Register on January 23, 1996 (61 FR 1705), is hereby withdrawn.

Authority: 49 U.S.C. 106(g); 40103, 40113, 40120; E.O. 10854, 24 FR 9565, 3 CFR, 1959-1963 Comp., p. 389; 14 CFR 11.69.

Issued in College Park, Georgia, on February 21, 1996.

Benny L. McGlamery,

Acting Manager, Air Traffic Division, Southern Region.

[FR Doc. 96-5125 Filed 3-5-96; 8:45 am]

BILLING CODE 4910-13-M