

Municipal Airport, IA. The establishment of RNAV (GPS) IAPs to RWYs 8, 14, 26, 32 and amendments to existing NDB IAPs to RWY 14 and 26 requires the modification of the Class E airspace area beginning at 700 feet AGL (E5). The area is expanded from a 6.6-mile radius to a 6.9-mile radius of the airport. The northwest extension is reduced from 2.6 miles each side to 2.5 miles each side of the 310° bearing from the Keokuk NDB. The area is expanded to within 2.5 miles each side of the 099° bearing from the Keokuk NDB extending from the 6.9-mile radius to 7 miles east of the airport. This modification brings the legal description of the Keokuk Municipal Airport, IA Class E5 airspace area into compliance with FAA Orders 7400.2F and 8260.19C. Class E airspace area extending upward from 700 feet or more above the surface of the earth are published in Paragraph 6005 of FAA Order 7400.9N, Airspace Designations and Reporting Points, dated September 1, 2005, and effective September 16, 2005, which is incorporated by reference in 14 CFR 71.1. The Class E airspace designations listed in this document would be published subsequently in the Order.

#### The Direct Final Rule Procedure

The FAA anticipates that this regulation will not result in adverse or negative comment and, therefore, is issuing it as a direct final rule. Previous actions of this nature have not been controversial and have not resulted in adverse comments or objections. Unless a written adverse or negative comment or a written notice of intent to submit an adverse or negative comment is received within the comment period, the regulation will become effective on the date specified above. After the close of the comment period, the FAA will publish a document in the **Federal Register** indicating that no adverse or negative comments were received and confirming the date on which the final rule will become effective. If the FAA does receive, within the comment period, an adverse or negative comment, or written notice of intent to submit such a comment, a document withdrawing the direct final rule will be published in the **Federal Register**, and a notice of proposed rulemaking may be published with a new comment period.

#### Comments Invited

Interested parties are invited to participate in this rulemaking by submitting such written data, views, or arguments, as they may desire. Comments that provide the factual basis supporting the views and suggestions presented are particularly helpful in

developing reasoned regulatory decisions on the proposal. Comments are specifically invited on the overall regulatory, aeronautical, economic, environmental, and energy-related aspects of the proposal. Communications should identify both docket numbers and be submitted in triplicate to the address listed above. Commenters wishing the FAA to acknowledge receipt of their comments on this notice must submit with those comments a self-addressed, stamped postcard on which the following statement is made: "Comments to Docket No. FAA-2006-25009/Airspace Docket No. 06-ACE-7." The postcard will be date/time stamped and returned to the commenter.

#### Agency Findings

The regulations adopted herein will not have a substantial direct effect on the States, on the relationship between the national Government and the States, or on the distribution of power and responsibilities among the various levels of government. Therefore, it is determined that this final rule does not have federalism implications under Executive Order 13132.

The FAA has determined that this regulation is noncontroversial and unlikely to result in adverse or negative comments. For the reasons discussed in the preamble, I certify that this regulation (1) is not a "significant regulatory action" under Executive Order 12866; (2) is not a "significant rule" under Department of Transportation (DOT) Regulatory Policies and Procedures (44 FR 11034, February 26, 1979); and (3) if promulgated, will not have a significant economic impact, positive or negative, on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

This rulemaking is promulgated under the authority described in Subtitle VII, Part A, Subpart I, Section 40103. Under that section, the FAA is charged with prescribing regulations to assign the use of the airspace necessary to ensure the safety of aircraft and the efficient use of airspace. This regulation is within the scope of that authority since it contains aircraft executing instrument approach procedures to Keokuk Municipal Airport, IA.

#### List of Subjects 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (air).

#### Adoption of the Amendment

■ Accordingly, the Federal Aviation Administration amends 14 CFR part 71 as follows:

#### PART 71—DESIGNATION OF CLASS A, CLASS B, CLASS C, CLASS D, AND CLASS E AIRSPACE AREAS; AIRWAYS; ROUTES; AND REPORTING POINTS

■ 1. The authority citation for part 71 continues to read as follows:

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

#### § 71.1 [Amended]

■ 2. The incorporation by reference in 14 CFR 71.1 of Federal Aviation Administration Order 7400.9N, dated September 1, 2005, and effective September 16, 2005, is amended as follows:

*Paragraph 6005 Class E airspace areas extending upward from 700 feet or more above the surface of the earth.*

\* \* \* \* \*

#### ACE IA E5 Keokuk, IA

Keokuk Municipal Airport, IA  
(Lat. 40°27'36" N., long 91°25'43" W.)

Keokuk NDB  
(Lat. 40°27'53" N., long 91°26'01" W.)

The airspace extending upward from 700 feet above the surface within a 6.9-mile radius of Keokuk Municipal Airport and within 2.5 miles each side of the 310° bearing from the Keokuk NDB extending from the 6.9-mile radius to 7 miles northwest of the airport and within 2.5 miles each side of the 099° bearing from the Keokuk NDB extending from the 6.9-mile radius to 7 miles east of the airport.

\* \* \* \* \*

Issued in Kansas City, MO, on June 13, 2006.

**Donna R. McCord,**

*Acting Area Director, Western Flight Services Operations.*

[FR Doc. 06-5673 Filed 6-23-06; 8:45 am]

**BILLING CODE 4910-13-M**

#### DEPARTMENT OF TRANSPORTATION

#### Federal Aviation Administration

#### 14 CFR Part 71

[Docket No. FAA-2006-25007; Airspace Docket No. 06-ACE-5]

#### Modification of Class E Airspace; Scottsbluff, Western Nebraska Regional Airport/William B. Heilig Field, NE

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

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

**SUMMARY:** This action amends Title 14 Code of Federal Regulations, part 71 (14

CFR part 71) by revising Class E airspace areas at Scottsbluff, Western Nebraska Regional Airport/William B. Heilig Field, NE. The establishment of a Localizer/Distance Measuring Equipment (LOC/DME) Instrument Approach Procedure (IAP) to Runway (RWY) 12 requires the modification of the Class E airspace area beginning at 700 feet above ground level (AGL). This airspace area and the legal description are modified to conform to the criteria in the FAA Orders.

**DATES:** This direct final rule is effective on 0901 UTC, September 28, 2006. Comments for inclusion in the Rules Docket must be received on or before August 1, 2006.

**ADDRESSES:** Send comments on this proposal to the Docket Management System, U.S. Department of Transportation, Room Plaza 401, 400 Seventh Street, SW., Washington, DC 20590-0001. You must identify the docket number FAA-2006-25007/Airspace Docket No. 06-ACE-5, at the beginning of your comments. You may also submit comments on the Internet at <http://dms.dot.gov>. You may review the public docket containing the proposal, any comments received, and any final disposition in person in the Dockets Office between 9 a.m. to 5 p.m., Monday through Friday, except Federal holidays. The Docket Office (telephone 1-800-647-5527) is on the plaza level of the Department of Transportation NASSIF Building at the above address.

**FOR FURTHER INFORMATION CONTACT:** Brenda Mumper, Air Traffic Division, Airspace Branch, ACE-520A, DOT Regional Headquarters Building, Federal Aviation Administration, 901 Locust, Kansas City, MO 64106; telephone: (816) 329-2524.

**SUPPLEMENTARY INFORMATION:** This amendment to 14 CFR 71 modifies the Class E airspace area extending upward from 700 feet AGL (E5) at Scottsbluff, Western Nebraska Regional Airport/William B. Heilig Field, NE. The establishment of a Localizer/Distance Measuring Equipment (LOC/DME) Instrument Approach Procedure (IAP) to Runway (RWY) 12 requires the modification by replacing the reference to the Gering Non-Directional Beacon (NDB) with the following: Within 3.1 miles each side of the 316° bearing from the airport extending from the 7.8-mile radius of the airport to 10.4 miles northwest of the airport. This modification brings the legal description of the Scottsbluff, Western Nebraska Regional Airport/William B. Heilig Field, NE Class E5 airspace area into compliance with FAA Orders 7400.2F and 8260.19C. Class E airspace areas

extending upward from 700 feet or more above the surface of the earth are published in Paragraph 6005 of FAA Order 7400.9N, Airspace Designations and Reporting Points, dated September 1, 2005, and effective September 16, 2005, which is incorporated by reference in 14 CFR 71.1. The Class E airspace designations listed in this document would be published subsequently in the Order.

#### The Direct Final Rule Procedure

The FAA anticipates that this regulation will not result in adverse or negative comment and, therefore, is issuing it as a direct final rule. Previous actions of this nature have not been controversial and have not resulted in adverse comments or objections. Unless a written adverse or negative comment or a written notice of intent to submit an adverse or negative comment is received within the comment period, the regulation will become effective on the date specified above. After the close of the comment period, the FAA will publish a document in the **Federal Register** indicating that no adverse or negative comments were received and confirming the date on which the final rule will become effective. If the FAA does receive, within the comment period, an adverse or negative comment, or written notice of intent to submit such a comment, a document withdrawing the direct final rule will be published in the **Federal Register**, and a notice of proposed rulemaking may be published with a new comment period.

#### Comments Invited

Interested parties are invited to participate in this rulemaking by submitting such written data, views, or arguments, as they may desire. Comments that provide the factual basis supporting the views and suggestions presented are particularly helpful in developing reasoned regulatory decisions on the proposal. Comments are specifically invited on the overall regulatory, aeronautical, economic, environmental, and energy-related aspects of the proposal. Communications should identify both docket numbers and be submitted in triplicate to the address listed above. Commenters wishing the FAA to acknowledge receipt of their comments on this notice must submit with those comments a self-addressed, stamped postcard on which the following statement is made: "Comments to Docket No. FAA-2006-25007/Airspace Docket No. 06-ACE-5." The postcard will be date/time stamped and returned to the commenter.

#### Agency Findings

The regulations adopted herein will not have a substantial direct effect on the States, on the relationship between the national Government and the States, or on the distribution of power and responsibilities among the various levels of government. Therefore, it is determined that this final rule does not have federalism implications under Executive Order 13132.

The FAA has determined that this regulation is noncontroversial and unlikely to result in adverse or negative comments. For the reasons discussed in the preamble, I certify that this regulation (1) is not a "significant regulatory action" under Executive Order 12866; (2) is not a "significant rule" under Department of Transportation (DOT) Regulatory Policies and Procedures (44 FR 11034, February 26, 1979); and (3) if promulgated, will not have a significant economic impact, positive or negative, on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

The rulemaking is promulgated under the authority described in Subtitle VII, Part A, Subpart I, Section 40103. Under that section, the FAA is charged with prescribing regulations to assign the use of the airspace necessary to ensure the safety of aircraft and the efficient use of airspace. This regulation is within the scope of that authority since it contains aircraft executing instrument approach procedures to Scottsbluff, Western Nebraska Regional Airport/William B. Heilig Field, NE.

#### List of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (air).

#### Adoption of the Amendment

■ Accordingly, the Federal Aviation Administration amends 14 CFR part 71 as follows:

#### **PART 71—DESIGNATION OF CLASS A, CLASS B, CLASS C, CLASS D, AND CLASS E AIRSPACE AREAS; AIRWAYS; ROUTES; AND REPORTING POINTS**

■ 1. The authority citation for part 71 continues to read as follows:

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

#### **§ 71.1 [Amended]**

■ 2. The incorporation by reference in 14 CFR 71.1 of the Federal Aviation Administration Order 7400.9N, dated September 1, 2005, and effective

September 16, 2005, is amended as follows:

*Paragraph 6005 Class E airspace areas extending upward from 700 feet or more above the surface of the earth.*

\* \* \* \* \*

**ACE NE E5 Scottsbluff, NE**

Scottsbluff, Western Nebraska Regional Airport/William B. Heilig Field, NE  
(Lat. 41°52'27" N., long. 103°35'44" W.)  
Scottsbluff VORTAC  
(Lat. 41°53'39" N., long. 103°28'55" W.)

That airspace extending upward from 700 feet above the surface within a 7.8 radius of Western Nebraska Regional Airport/William B. Heilig Field and within 2.5 miles each side of the Scottsbluff VORTAC 078° radial extending from the 7.8-mile radius of the airport to 7 miles east of VORTAC and within 2.5 miles each side of the VORTAC 256° radial extending from the 7.8-mile radius of the airport to 17.2 miles west of VORTAC and within 3.1 miles each side of the 316° bearing from the airport extending from the 7.8-mile radius of the airport to 10.4 miles northwest of the airport.

\* \* \* \* \*

Issued in Kansas City, MO on June 13, 2006.

**Donna R. McCord,**

*Acting Area Director, Western Flight Services Operations.*

[FR Doc. 06-5671 Filed 6-23-06; 8:45 am]

**BILLING CODE 4910-13-M**

**DEPARTMENT OF JUSTICE**

**28 CFR Part 0**

[Docket No. OAG 111; AG Order No. 2825-2006]

**Office of the Attorney General;  
Establishment of the Office of the  
Federal Detention Trustee**

**AGENCY:** Department of Justice.

**ACTION:** Final rule.

**SUMMARY:** This rule amends the Department of Justice (the Department) organizational regulations to reflect the establishment within the Department of Justice of the Office of the Federal Detention Trustee (OFDT), and to set forth the general authorities of the Detention Trustee.

**DATES:** This rule is effective June 26, 2006.

**FOR FURTHER INFORMATION CONTACT:**

Katherine A. Day, General Counsel, Office of the Federal Detention Trustee, U.S. Department of Justice, 4601 N. Fairfax Drive, 9th Floor, Washington, DC 20530; Telephone (202) 353-4601; FAX (202) 353-4611.

**SUPPLEMENTARY INFORMATION:** The Office of the Federal Detention Trustee (OFDT)

was established in September 2001, pursuant to Public Law 106-553, app. B, 114 Stat. 2762A-52 (2000), to centralize the management of the detention function relating to Federal prisoners in non-Federal institutions or otherwise in the custody of the United States Marshals Service (USMS) and aliens in the custody of the Immigration and Naturalization Service (INS), in order to better manage and plan for needed detention resources without unnecessary duplication of effort. In accordance with the 21st Century Department of Justice Appropriations Authorization Act (Pub. L. 107-273, Div. A, Title II, section 201(a), Nov. 2, 2002, 116 Stat. 1770), codified at 28 U.S.C. 530C, the Congressional mandate for the management of the detention function by OFDT was made permanent. This rule adds the OFDT to Department organizational regulations and sets forth the general authorities of the Detention Trustee.

Although OFDT's originating statute (Pub. L. 106-553, app. B, 114 Stat. 2762A-52 (2000) and authorizing statute (Pub. L. 107-273, Div. A, Title II, Section 201(a)) provided OFDT with authority over immigration detainees in INS custody, these statutes were enacted prior to the Homeland Security Act, Public Law 107-296, Section 441, which transferred the duties of the INS to the Department of Homeland Security (DHS). Accordingly, this rule omits the language in our originating and authorizing statutes regarding INS detainees.

Notwithstanding the transfer of the former INS to DHS, the October 2003 Conference Report on the Fiscal Year 2004 appropriations nevertheless directed the Justice Department "to develop Memoranda of Understanding with the Department of Homeland Security and other appropriate Federal agencies regarding the continued integration of fingerprint systems, automated booking capabilities, detention bed space needs, and transportation of prisoners." H.R. Rep. No. 108-401, 108th Cong., 1st Sess., 516 (2003). On January 28, 2004, OFDT entered into an interagency agreement with U.S. Immigration and Customs Enforcement (ICE) to allow ICE "to obtain the specific services of the OFDT as a provider of procurement and contract/agreement management support for the ICE nonfederal detention program," particularly as regards ICE requirements for detention space.

Beginning in 2003 with the Consolidated Appropriations Resolution, 2003 (Pub. L. 108-7, Div. B, Title I, Feb. 20, 2003, 117 Stat. 51), and continuing with each appropriations act

since 2003 (Consolidated Appropriations Act, 2004, Public Law 108-199, Div. B, Title I, Jan. 23, 2004, 118 Stat. 47; Consolidated Appropriations Act, 2005, Pub. L. 108-447, Div. B, Title I, Dec. 8, 2004, 118 Stat. 2854; Science, State, Justice, Commerce, and Related Agencies Appropriations Act, 2006, Pub. L. 109-108, Title I, Nov. 22, 2005, 119 Stat. 2291), Congress has charged OFDT with the responsibility for managing the Justice Prisoner and Alien Transportation System (JPATS). Accordingly, this rule adds a provision regarding OFDT's management of JPATS.

The rule is a rule of agency organization, procedure, and practice and is limited to matters of agency management and personnel. Accordingly: (1) This rule is exempt from the notice requirement of 5 U.S.C. 553(b) and is made effective upon issuance; (2) the Department certifies under 5 U.S.C. 605(b) that this rule will not have a significant economic impact on a substantial number of small entities and further that no Regulatory Flexibility Analysis was required to be prepared for this final rule since the Department was not required to publish a general notice of proposed rulemaking; (3) this action is not a "regulation" or "rule" as defined by section 3(d)(3) of Executive Order 12866 ("Regulatory Planning and Review") and, therefore, this action has not been reviewed by the Office of Management and Budget.

This rule will not have substantial direct effects on the States, on the relationship between the national government and the States, or on distribution of power and responsibilities among the various levels of government. Therefore, in accordance with Executive Order 13132 ("Federalism"), it is determined that this rule does not have sufficient federalism implications to warrant the preparation of a Federalism Assessment. This regulation meets the applicable standards set forth in sections 3(a) and 3(b)(2) of Executive Order 12988 ("Civil Justice Reform"). This rule will not result in the expenditure by State, local, and tribal governments, in the aggregate, or by the private sector, of \$100,000,000 or more in any one year, and it will not significantly or uniquely affect small governments. Therefore, no actions were deemed necessary under the provisions of the Unfunded Mandates Reform Act of 1995. This action pertains to agency management, personnel, and organization and does not substantially affect the rights or obligations of non-agency parties and, accordingly, is not