

Sec. 35;  
 Sec. 36, W $\frac{1}{2}$ NE $\frac{1}{4}$ , NW $\frac{1}{4}$ , N $\frac{1}{2}$ SW $\frac{1}{4}$ , and  
 NW $\frac{1}{4}$ SE $\frac{1}{4}$ .  
 T. 6 S., R. 80 W.,  
 Sec. 3, lots 5 to 10, inclusive;  
 Sec. 4, lots 5 to 12, inclusive, and S $\frac{1}{2}$ N $\frac{1}{2}$ ;  
 Sec. 5, lots, 5, 6, 11, and 12, and S $\frac{1}{2}$ NE $\frac{1}{4}$ .

The area described aggregates approximately 4,870 acres in Eagle County.

2. The withdrawal made by this order does not alter the applicability of those public land laws governing the use of National Forest System lands under lease, license, or permit, or governing the disposal of their mineral or vegetative resources other than under the mining laws.

3. This withdrawal will expire July 5, 2009, unless, as a result of a review conducted before the expiration date pursuant to Section 204(f) of the Federal Land and Policy and Management Act of 1976, 43 U.S.C. 1714(f) (1988), the Secretary determines that the withdrawal shall be extended.

Dated: February 16, 1995.

**Bob Armstrong,**

*Assistant Secretary of the Interior.*

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**43-CFR Public Land Order 7118**

[CO-932-1430-01; COC-016678; COC-024153]

**Revocation of Public Land Order Nos. 1278, 2018, and 2602; Colorado**

**AGENCY:** Bureau of Land Management, Interior.

**ACTION:** Public Land Order.

**SUMMARY:** This order revokes three public land orders, which withdrew lands for the National Park Service. The lands were later transferred to the Forest Service by special legislation for management, and the National Park Service withdrawals are no longer appropriate. This order affects approximately 9,970 acres of lands within the Arapaho National Recreation Area. The Forest Service has requested this action to allow for better management of the Recreation Area.

**EFFECTIVE DATE:** March 31, 1995.

**FOR FURTHER INFORMATION CONTACT:** Doris E. Chelius, BLM, Colorado State Office, 2850 Youngfield Street, Lakewood, Colorado 80215-7076, 303-239-3706.

By virtue of the authority vested in the Secretary of the Interior by Section 204 of the Federal Land Policy and Management Act of 1976, 43 U.S.C. 1714 (1988), it is ordered as follows:

1. Public Land Order Nos. 1278, 2018, and 2602, which withdrew lands for the

National Park Service for the Shadow Mountain Recreation Area, are hereby revoked in their entirety.

This revocation will affect lands located in the Arapaho National Recreation Area, Arapaho National Forest, Sixth Principal Meridian, in Tps. 2 and 3 N., Rs. 75 and 76 W.

The areas described aggregate approximately 9,970 acres of land and reserved minerals in Grand County.

2. At 9:00 a.m. on March 31, 1995 the lands described in the public land orders listed in paragraph 1 will be open to such forms of disposition as may by law be made within the Arapaho National Recreation Area.

Dated: February 16, 1995.

**Bob Armstrong,**

*Assistant Secretary of the Interior.*

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**DEPARTMENT OF TRANSPORTATION**

**Office of the Secretary**

**49 CFR Part 1**

[OST Docket No 1; Amdt. 1-266]

**Organization and Delegation of Powers and Duties Delegation to the Assistant Secretary for Aviation and International Affairs**

**AGENCY:** Office of the Secretary, DOT.

**ACTION:** Final rule.

**SUMMARY:** This rule delegates to the Assistant Secretary for Aviation and International Affairs the Secretary of Transportation's authority under the Federal Aviation Administration Authorization Act of 1994, concerning the resolution of airport fee disputes between airport owners or operators and air carriers. The rule is necessary to reflect the delegation in the Code of Federal Regulations.

**EFFECTIVE DATE:** February 22, 1995.

**FOR FURTHER INFORMATION CONTACT:** Steven B. Farbman, Office of the Assistant General Counsel for Regulation and Enforcement (202) 366-9306, United States Department of Transportation, 400 7th Street SW, Washington, DC 20590.

**SUPPLEMENTARY INFORMATION:** Section 113 of the Federal Aviation Administration Authorization Act of 1994 (Act) pertains to the resolution of airport-air carrier disputes concerning the imposition of airport fees.

Procedural regulations under which these disputes are to be resolved and a policy statement regarding airport rates and charges, both required by section

113(b), were published in the **Federal Register** on February 3, 1995 (60 FR 6905-6930).

Section 113(a) of the Act requires the Secretary of Transportation to issue a determination as to whether a fee imposed upon one or more air carriers by the owner or operator of an airport is reasonable if the Secretary receives: (a) a written request for a determination from the owner or operator; or (b) a written complaint from an affected air carrier within 60 days after the carrier receives written notice of the establishment or increase of the fee. Section 113(c) of the Act contains deadlines for certain decisions that the Secretary must make after an air carrier has filed a written complaint. Section 113(d) concerns the payment of fee increases by the complainant to the airport under protest; it also requires an airport to obtain and provide to the Secretary a letter of credit, surety bond, or other suitable credit facility in order to assure the timely repayment, with interest, of amounts in dispute determined not to be reasonable by the Secretary. That section also provides a guarantee of air carrier access to airport facilities pending the Secretary's issuance of a final order. This rule delegates the Secretary's authority under section 113 of the Act to the Assistant Secretary for Aviation and International Affairs.

Since this rule relates to departmental management, organization, procedure, and practice, notice and public comment are unnecessary. For the same reason, good cause exists for not publishing this rule at least 30 days before its effective date, as is ordinarily required by 5 U.S.C. 553(d). Therefore, this rule is effective February 22, 1995.

**List of Subjects in 49 CFR Part 1**

Authority delegations (Government agencies), Organizations and functions (Government agencies).

**PART 1—[AMENDED]**

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

**Authority:** 49 U.S.C. 322; Pub. L. 101-552, 28 U.S.C. 2672, 31 U.S.C. 3711(a)(2).

2. Section 1.56a is amended by adding a new paragraph (i) to read as follows:

**§ 1.56a Delegation to the Assistant Secretary for Aviation and International Affairs.**

\* \* \* \* \*

(i) Carry out the functions of the Secretary pertaining to a determination of whether a fee imposed upon one or more air carriers by the owner or