

## DEPARTMENT OF TRANSPORTATION

## Surface Transportation Board

[STB Finance Docket No. 34072]

**Southwestern Railroad Company, Inc.—Acquisition, Lease, and Operation Exemption—The Burlington Northern and Santa Fe Railway Company**

Southwestern Railroad Company, Inc. (SWRR), a Class III rail carrier, has filed a verified notice of exemption under 49 CFR 1150.41 to acquire and operate approximately 5.7 miles of rail line and to lease and operate approximately 54 miles of rail line owned by The Burlington Northern and Santa Fe Railway Company. The line being acquired is located between milepost 5+3763 feet, near Peruhill, NM, and milepost 0.0, at Deming, NM. The line being leased is located between milepost 1134, at Deming, and milepost 1080, at Rincon, NM.<sup>1</sup>

The transaction was expected to be consummated on or shortly after September 7, 2001, the effective date of the exemption.

If the verified notice contains false or misleading information, the exemption is void *ab initio*. Petitions to revoke the exemption under 49 U.S.C. 10502(d) may be filed at any time. The filing of a petition to revoke will not automatically stay the transaction.

An original and 10 copies of all pleadings, referring to STB Finance Docket No. 34072, must be filed with the Surface Transportation Board, Office of the Secretary, Case Control Unit, 1925 K Street, NW., Washington, DC 20423–0001. In addition, one copy of each pleading must be served on Karl Morell, Ball Janik, LLP, 1455 F Street, NW., Suite 225, Washington, DC 20005.

Board decisions and notices are available on our website at [www.stb.dot.gov](http://www.stb.dot.gov).

Decided: September 14, 2001.

By the Board, David M. Konschnik,  
Director, Office of Proceedings.

**Vernon A. Williams,**

Secretary.

[FR Doc. 01–23499 Filed 9–20–01; 8:45 am]

BILLING CODE 4915–00–M

## DEPARTMENT OF THE TREASURY

## Customs Service

**Fees for Customs Services at User Fee Airports**

AGENCY: Customs Service, Treasury.

ACTION: General notice.

**SUMMARY:** This document advises the public of an increase in the fees charged by Customs to user fee airports for providing Customs services at these designated facilities. The fees are based on the actual costs incurred by Customs in purchasing equipment and providing training and one Customs inspector on a full-time basis, and, thus, merely represent reimbursement to Customs for services rendered. The fees to be increased are the initial fee charged for a user fee airport's first year after it signs a Memorandum of Agreement with Customs to become a user fee airport, and the annual fee subsequently charged user fee airports.

**EFFECTIVE DATE:** The new fees will be effective October 1, 2001, and will be reflected in quarterly, user fee airport billings issued on or after that date.

**FOR FURTHER INFORMATION CONTACT:** Cynthia Sargent, Budget Division, Office of Finance, (202) 927–0609.

**SUPPLEMENTARY INFORMATION****Background**

Section 236 of the Trade and Tariff Act of 1984 (Pub. L. 98–573, 98 Stat. 2992) (codified at 19 U.S.C. 58b), as amended, authorizes the Secretary of the Treasury to make Customs services available at certain specified airports and at any other airport, seaport, or other facility designated by the Secretary pursuant to specified criteria, and to charge a fee for providing such services. (The list of user fee airports is found at § 122.15 of the Customs Regulations (19 CFR 122.15).) The fee that is charged is in an amount equal to the expenses incurred by the Secretary in providing Customs services at the designated facility, which includes purchasing equipment and providing training and inspectional services, i.e., the salary and expenses of individuals employed by the Secretary to provide the Customs services, and, thus, merely represents reimbursement to Customs for services rendered. The fees being raised are the initial fee charged a user fee airport after it signs a Memorandum of Agreement with Customs so that it can begin operations (currently set at \$117,600), and the annual fee subsequently charged so that user fee airports can continue to offer Customs services at their facilities (currently set

at \$84,500). The notice announcing the current user fee rates was published in the **Federal Register** on September 13, 2000 (65 FR 55327). The user fees charged a user fee airport are typically set forth in a Memorandum of Agreement between the user fee facility and Customs. While the amount of these fees are agreed to be at flat rates, they are periodically adjusted, as costs and circumstances change.

**Adjustment of User Fee Airport Fees**

Customs has determined that, in order for the user fee charged to actually reimburse Customs for expenses incurred in providing requested services, the initial fee must be increased from \$117,600 to \$118,000, and the recurring annual fee subsequently charged must be increased from \$84,500 to \$88,500. The new fees will be effective October 1, 2001, and will be reflected in quarterly, user fee airport billings issued on or after that date.

Dated: September 17, 2001.

**Wayne Hamilton,**

Assistant Commissioner, Office of Finance.

[FR Doc. 01–23579 Filed 9–20–01; 8:45 am]

BILLING CODE 4820–02–P

## DEPARTMENT OF THE TREASURY

## Customs Service

[T.D. 01–67; Customs Delegation Order No. 01–006]

**Customs Succession and Performance of Essential Functions in the Event of a National Security Emergency**

AGENCY: U.S. Customs Service, Department of the Treasury.

ACTION: Delegation order.

**SUMMARY:** This document sets forth Customs Delegation Order No. 01–006, signed by the Acting Commissioner of Customs on August 7, 2001, providing the order of succession of officers of the Customs Service to act as Commissioner of Customs in the event of a national emergency and delegating to various field officers the authority to perform essential functions in the event of a national security emergency.

**EFFECTIVE DATE:** August 7, 2001.

**SUPPLEMENTARY INFORMATION:****Background**

On August 7, 2001, Acting Commissioner of Customs Charles W. Winwood issued Customs Delegation Order Number 01–006, effective on that date, entitled “Customs Succession and Performance of Essential Functions in

<sup>1</sup> SWRR certifies that its projected revenues as a result of this transaction will not result in its becoming a Class II or Class I rail carrier, and further certifies that its projected annual revenues will not exceed \$5 million.