

provided or guaranteed by RUS or RTB (or when obtained through a lien accommodation or subordination approved by RUS or RTB).

The Executive Order requires all Federal agencies to ensure that any new building which is leased for federal users or purchased or constructed with federal assistance is designed and constructed in accordance with appropriate seismic design standards. Those standards must be equivalent to or exceed the seismic safety levels in the National Earthquake Hazards Reduction Program (NEHRP) recommended provisions for the development of seismic regulations for new buildings. The Executive Order charges the Interagency Committee on Seismic Safety in Construction (ICSSC) with recommending appropriate and cost-effective seismic design, construction standards and practices.

The ICSSC has identified several model codes and standards that provide an acceptable level of seismic safety. The existing regulation in this subpart is revised to identify new model codes or standards which are equivalent to the 1994 NEHRP Recommended Provisions for the Development of Seismic Regulations for New Buildings.

A proposed rule was published May 26, 2000, at 65 FR 34125, with the comment period ending July 25, 2000. No comments were received in response to the proposed rule.

#### List of Subjects in 7 CFR Part 1792

Buildings and facilities, Electric power, Grant programs, Loan programs, Reporting and recordkeeping requirements, Rural area, Seismic safety, Telephone.

For reasons contained in the preamble, chapter XVII of title 7 of the Code of Federal Regulations is amended to read as follows:

#### PART 1792—COMPLIANCE WITH OTHER FEDERAL STATUTES, REGULATIONS, AND EXECUTIVE ORDERS

1. The authority citation for this part is revised to read as follows:

**Authority:** 7 U.S.C. 901 *et seq.*, 1921 *et seq.*, 6941 *et seq.*, and 42 U.S.C. 7701 *et seq.*

#### Subpart C—Seismic Safety

2. Section 1792.101 is amended by revising paragraph (b) and removing paragraphs (c), (d), and (e), to read as follows:

##### § 1792.101 General.

\* \* \* \* \*

(b) This subpart identifies acceptable seismic standards which must be

employed in new building construction funded by loans, grants, or guarantees made by the Rural Utilities Service (RUS) or the Rural Telephone Bank (RTB) (or through lien accommodations or subordinations approved by RUS or RTB).

3. Section 1792.102 is amended by revising the definitions for “RUS” and “Seismic,” removing “REA,” and adding the definition of “Model Code” to read as follows:

##### § 1792.102 Definitions.

\* \* \* \* \*

**Model Code**—A building code developed for the adoption of local or state authorities or to be used as the basis of a local or state building code.

\* \* \* \* \*

**RUS**—Rural Utilities Service, and for the purposes of this subpart, shall include the Rural Telephone Bank. For the purposes of RTB borrowers, as used in this subpart, RUS means RTB and Administrator means Governor.

**Seismic**—Related to or caused by earthquakes.

\* \* \* \* \*

4. Sections 1792.103 and 1792.104 are revised to read as follows:

##### § 1792.103 Seismic design and construction standards for new buildings.

(a) In the design and construction of federally assisted buildings, the borrowers and grant recipients must utilize the seismic provisions of the most recent edition of those standards and practices that are substantially equivalent to or exceed the seismic safety level in the most recent or immediately preceding edition of the NEHRP Recommended Provisions for the Development of Seismic Regulation for New Buildings.

(b) Each of the following model codes or standards has been found to provide a level of seismic safety substantially equivalent to that provided by the use of the 1994 NEHRP Recommended Provisions and appropriate for federally assisted new building construction:

(1) 1997 International Conference of Building Officials (ICBO) Uniform Building Code. Copies are available from ICBO, Austin Regional Office, 9300 Jollyville Road, Suite 101, Austin, Texas 78759-7455.

(2) 1995 American Society of Civil Engineers (ASCE) 7, *Minimum Design Loads for Buildings and Other Structures*. Copies are available from ASCE, 345 East 47th Street, New York, New York 10017-2398.

(c) The NEHRP Recommended Provisions for the Development of Seismic Regulations for New Buildings is available from the Office of

Earthquakes and Natural Hazards, Federal Emergency Management Agency, 500 C Street, SW., Washington, DC 20472.

##### § 1792.104 Seismic acknowledgments.

For each applicable building, borrowers and grant recipients must provide RUS a written acknowledgment from a registered architect or engineer responsible for the design stating that seismic provisions pursuant to § 1792.103(b) will be used in the design of the building. This acknowledgement will include the identification and date of the model code or standard that is used for the seismic design of the building project and the seismic factor for the building location.

Dated: December 1, 2000.

**Jill Long Thompson,**

*Under Secretary, Rural Development.*

[FR Doc. 00-31296 Filed 12-7-00; 8:45 am]

BILLING CODE 3410-15-P

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

#### 18 CFR Part 11

[Docket No. RM86-2-000]

#### Update of the Federal Energy Regulatory Commission's Fees Schedule for Annual Charges for the Use of Government Lands

November 28, 2000.

**AGENCY:** Federal Energy Regulatory Commission.

**ACTION:** Final rule; update of Federal land use fees.

**SUMMARY:** On May 8, 1987, the Commission issued its final rule amending Part 11 of its regulations (Order No. 469, 52 FR 18201 (May 14, 1987)). The final rule revised the billing procedures for annual charges for administering Part I of the Federal Power Act, the billing procedures for charges for Federal dam and land use, and the methodology for assessing Federal land use charges.

In accordance with the Commission's regulations, the Commission by its designee, the Executive Director, is updating its schedule of fees for the use of government lands. The yearly update is based on the most recent schedule of fees for the use of linear rights-of-way prepared by the United States Forest Service. Since the next fiscal year will cover the period from October 1, 2000, through September 30, 2001, the fees in

this notice will become effective October 1, 2000. The fees will apply to fiscal year 2001 annual charges for the use of government lands.

The Commission has concluded, with the concurrence of the Administrator of the Office of Information and Regulatory Affairs of OMB that this rule is not a "major rule" as defined in section 351 of the Small Business Regulatory Enforcement Fairness Act of 1996, 5 U.S.C 804(2).

**EFFECTIVE DATE:** October 1, 2000.

**FOR FURTHER INFORMATION CONTACT:** Fannie Kingsberry, Financial Services Division, Office of the Executive Director, Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426, (202) 219-2885.

**SUPPLEMENTARY INFORMATION:**

**Document Availability**

In addition to publishing the full text of this document in the **Federal Register**, the Commission provides all interested persons an opportunity to view and/or print the contents of this document via the Internet through FERC's Home Page (<http://www.ferc.fed.us>) and in FERC's Public Reference Room during normal business hours (8:30 a.m. to 5:00 p.m. Eastern

time) at 888 First Street, NE., Room 2A, Washington, DC 20426.

From FERC's Home Page on the Internet, this information is available in both the Commission Issuance Posting System (CIPS) and the Records and Information Management System (RIMS).

- CIPS provides access to the texts of formal documents issued by the Commission since November 14, 1994.

- CIPS can be accessed using the CIPS link or the Energy Information Online icon. The full text of this document is available on CIPS in ASCII and WordPerfect 8.0 format for viewing, printing, and/or downloading.

- RIMS contains images of documents submitted to and issued by the Commission after November 16, 1981. Documents from November 1995 to the present can be viewed and printed from FERC's Home Page using the RIMS link or the Energy Information Online icon. Descriptions of documents back to November 16, 1981, are also available from RIMS-on-the-Web; requests for copies of these and other older documents should be submitted to the Public Reference Room.

User assistance is available for RIMS, CIPS, and the Website during normal

business hours from our Help line at (202) 208-2222 (E-Mail to [WebMaster@ferc.fed.us](mailto:WebMaster@ferc.fed.us)) or the Public Reference at (202) 208-1371 (E-Mail to [public.referenceroom@ferc.fed.us](mailto:public.referenceroom@ferc.fed.us)).

During normal business hours, documents can also be viewed and/or printed in FERC's Public Reference Room, where RIMS, CIPS, and the FERC Website are available. User assistance is also available.

**List of Subjects in 18 CFR Part 11**

Electric power, Reporting and recordkeeping requirements.

**Thomas R. Herlihy,**

*Executive Director and Chief Financial Officer.*

Accordingly, the Commission, effective October 1, 2000, amends Part 11 of Chapter I, Title 18 of the Code of Federal Regulations, as follows.

**PART 11—[AMENDED]**

1. The authority citation for Part 11 continues to read as follows:

**Authority:** 16 U.S.C. 791a-825r; 42 U.S.C. 7101-7352.

2. In Part 11, Appendix A is revised to read as follows:

**Appendix A To Part 11—Fee Schedule for FY 2001**

STATE	COUNTY	RATE PER ACRE
ALABAMA .....	ALL COUNTIES .....	\$25.35
ARKANSAS .....	ALL COUNTIES .....	19.02
ARIZONA .....	APACHE .....	6.32
	COCHISE	
	GILA	
	GRAHAM	
	LA PAZ	
	MOHAVE	
	NAVAJO	
	PIMA	
	YAVAPAI	
	YUMA	
	COCONINO NORTH OF COLORADO RIVER	
	COCONINO SOUTH OF COLORADO RIVER .....	25.35
	GREENLEE	
	MARICOPA	
	PINAL	
	SANTA CRUZ	
CALIFORNIA .....	IMPERIAL .....	12.68
	INYO	
	LASSEN	
	MODOC	
	RIVERSIDE	
	SAN BERNARDINO	
	SISKIYOU .....	19.02
	ALAMEDA .....	31.69
	ALPINE	
	AMADOR	
	BUTTE	
	CALAVERAS	
	COLUSA	
	CONTRA COSTA	
	DEL NORTE	
	EL DORADO	

STATE	COUNTY	RATE PER ACRE	
	FRESNO		
	GLENN		
	HUMBOLDT		
	KERN		
	KINGS		
	LAKE		
	MADERA		
	MARIPOSA		
	MENDICINO		
	MERCED		
	MONO		
	NAPA		
	NEVADA		
	PLACER		
	PLUMAS		
	SACRAMENTO		
	SAN BENITO		
	SAN JOAQUIN		
	SANTA CLARA		
	SHASTA		
	SIERRA		
	SOLANO		
	SONOMA		
	STANISLAUS		
	SUTTER		
	TEHAMA		
	TRINITY		
	TULARE KINGS		
	TUOLUMNE		
	YOLO		
	YUBA		
	LOS ANGELES .....		38.05
	MARIN		
	MONTEREY		
ORANGE			
SAN DIEGO			
SAN FRANCISCO			
SAN LUIS OBISPO			
SAN MATEO			
SANTA BARBARA			
COLORADO .....	ADAMS .....	6.32	
	ARAPAHOE		
	BENT		
	CHEYENNE		
	CROWLEY		
	ELBERT		
	EL PASO		
	HUERFANO		
	KIOWA		
	KIT CARSON		
	LINCOLN		
	LOGAN		
	MOFFAT		
	MONTEZUMA		
	MORGAN		
	PUEBLO		
	SEDFEWICK		
	WASHINGTON		
	WELD		
	YUMA		
	BACA .....	12.68	
	DOLORES		
	GARFIELD		
	LAS ANIMAS		
	MESA		
	MONTROSE		
	OTERO		
	PROWERS		
	RIO BLANCO		
	ROUTT		
	SAN MIGUEL		
	ALAMOSA .....	25.35	
	ARCHULETA		

STATE	COUNTY	RATE PER ACRE
	BOULDER	
	CHAFFEE	
	CLEAR CREEK	
	CONEJOS	
	COSTILLA	
	CUSTER	
	DENVER	
	DELTA	
	DOUGLAS	
	EAGLE	
	FREMONT	
	GILPIN	
	GRAND	
	GUNNISON	
	HINSDALE	
	JACKSON	
	JEFFERSON	
	LAKE	
	LA PLATA	
	LARIMER	
	MINERAL	
	OURAY	
	PARK	
	PITKIN	
	RIO GRANDE	
	SAGUACHE	
	SAN JUAN	
	SUMMIT	
	TELLER	
CONNECTICUT .....	ALL COUNTIES .....	6.32
FLORIDA .....	BAKER .....	38.05
	BAY	
	BRADFORD	
	CALHOUN	
	CLAY	
	COLUMBIA	
	DIXIE	
	DUVAL	
	ESCAMBIA	
	FRANKLIN	
	GADSDEN	
	GILCHRIST	
	GULF	
	HAMILTON	
	HOLMES	
	JACKSON	
	JEFFERSON	
	LAFAYETTE	
	LEON	
	LIBERTY	
	MADISON	
	NASSAU	
	OKALOOSA	
	SANTA ROSA	
	SUWANNEE	
	TAYLOR	
	UNION	
	WAKULLA	
	WALTON	
	WASHINGTON	
GEORGIA .....	ALL OTHERS COUNTIES .....	63.38
	ALL COUNTIES .....	38.05
IDAHO .....	CASSIA .....	6.32
	GOODING	
	JEROME	
	LINCOLN	
	MINIDOKA	
	ONEIDA	
	OWYHEE	
	POWER	
	TWIN FALLS .....	19.02
	ADA	
	ADAMS	

STATE	COUNTY	RATE PER ACRE
	BANNOCK	
	BEAR LAKE	
	BENEWAH	
	BINGHAM	
	BLAINE	
	BOISE	
	BONNER	
	BONNEVILLE	
	BOUNDARY	
	BUTTE	
	CAMAS	
	CANYON	
	CARIBOU	
	CLARK	
	CLEARWATER	
	CUSTER	
	ELMORE	
	FRANKLIN	
	FREMONT	
	GEM	
	IDAHO	
	JEFFERSON	
	KOOTENAI	
	LATAH	
	LEMHI	
	LEWIS	
	MADISON	
	NEZ PERCE	
	PAYETTE	
	SHOSHONE	
	TETON	
	VALLEY	
	WASHINGTON	
ILLINOIS .....	ALL COUNTIES .....	19.02
INDIANA .....	ALL COUNTIES .....	31.69
KANSAS .....	MORTON .....	12.68
	ALL OTHER COUNTIES .....	6.32
KENTUCKY .....	ALL COUNTIES .....	19.02
LOUISIANA .....	ALL COUNTIES .....	38.05
MAINE .....	ALL COUNTIES .....	19.02
MICHIGAN .....	ALGER .....	19.02
	BARAGA	
	CHIPPEWA	
	DELTA	
	DICKINSON	
	GOGEBIC	
	HOUGHTON	
	IRON	
	KEWEENAW	
	LUCE	
	MACKING	
	MARQUETTE	
	MENOMINEE	
	ONTONAGON	
	SCHOOLCRAFT	
	ALL OTHER COUNTIES .....	25.35
MINNESOTA .....	ALL COUNTIES .....	19.02
MISSISSIPPI .....	ALL COUNTIES .....	25.35
MISSOURI .....	ALL COUNTIES .....	19.02
MONTANA .....	BIG HORN .....	6.32
	BLAINE	
	CARTER	
	CASCADE	
	CHOUTEAU	
	CUSTER	
	DANIELS	
	MECONE	
	MEAGHER	
	DAWSON .....	6.32
	FALLON	
	FERGUS	
	GARFIELD	
	GLACIER	

STATE	COUNTY	RATE PER ACRE
	GOLDEN VALLEY	
	HILL	
	JUDITH BASIN	
	LIBERTY	
	MUSSELSHELL	
	PETROLEUM	
	PHILLIPS	
	PONDERA	
	POWER RIVER	
	PRAIRIE	
	RICHLAND	
	ROOSEVELT	
	ROSEBUD	
	SHERIDAN	
	TETON	
	TOOLE	
	TREASURE	
	VALLEY	
	WHEATLAND	
	WIBAUX	
	YELLOWSTONE	
	BEAVERHEAD .....	19.02
	BROADWATER	
	CARBON	
	DEER LODGE	
	FLATHEAD	
	GALLATIN	
	GRANITE	
	JEFFERSON	
	LAKE	
	LEWIS & CLARK	
	LINCOLN	
	MADISON	
	MINERAL	
	MISSOULA	
	PARK	
	POWELL	
	RAVALLI	
	SANDERS	
	SILVER BOW	
	STILLWATER	
	SWEET GRASS	
NEBRASKA .....	ALL COUNTIES .....	6.32
NEVADA .....	CHURCHILL .....	3.16
	CLARK	
	ELKO	
	ESMERALDA	
	EUREKA	
	HUMBOLDT	
	LANDER	
	LINCOLN	
	LYON	
	MINERAL	
	NYE	
	PERSHING	
	WASHOE	
	WHITE PINE	
	CARSON CITY .....	31.69
	DOUGLAS	
	STORY	
NEW HAMPSHIRE .....	ALL COUNTIES .....	19.02
NEW MEXICO .....	CHAVES .....	6.32
	CURRY	
	DE BACA	
	DONA ANA	
	EDDY	
	GRANT	
	GUADALUPE	
	HARDING	
	HIDALGO	
	LEA	
	LUNA	
	MCKINLEY	

STATE	COUNTY	RATE PER ACRE
	OTERO	
	QUAY	
	ROOSEVELT	
	SAN JUAN	
	SOCORRO	
	TORRENCE .....	12.68
	RIO ARRIBA	
	SANDOUAL	
	UNION	
	BERNALILLO .....	25.35
	CATRON	
	CIBOLA	
	COLFAX	
	LINCOLN	
	LOS ALAMOS	
	MORA	
	SAN MIGUEL	
	SANTA FE	
	SIERRA	
	TAOS	
	VALENCIA	
NEW YORK .....	ALL COUNTIES .....	25.35
NORTH CAROLINA .....	ALL COUNTIES .....	38.05
NORTH DAKOTA .....	ALL COUNTIES .....	6.32
OHIO .....	ALL COUNTIES .....	25.35
OKLAHOMA .....	BEAVER .....	12.68
	CIMARRON	
	ROGER MILLS	
	TEXAS	
	LE FLORE .....	19.02
	MC CURTAIN	
	ALL OTHER COUNTIES .....	6.32
PENNSYLVANIA .....	ALL COUNTIES .....	25.35
OREGON .....	HARNEY LAKE .....	6.32
	MALHEUR	
	BAKER .....	12.68
	CROOK	
	DESCHUTES	
	GILLAM	
	GRANT	
	JEFFERSON	
	KLAMATH	
	MORROW	
	SHERMAN	
	UMATILLA	
	UNION	
	WALLOWA	
	WASCO	
	WHEELER	
	COOS .....	19.02
	CURRY	
	DOUGLAS	
	JACKSON	
	JOSEPHINE	
	BENTON .....	25.35
	CLACKAMAS	
	CLATSOP	
	COLUMBIA	
	HOOD RIVER	
	LANE	
	LINCOLN	
	LINN	
	MARION	
	MULTNOMAH	
	POLK	
	TILLAMOOK	
	WASHINGTON	
	YAMHILL	
PENNSYLVANIA .....	ALL COUNTIES .....	25.35
PUERTO RICO .....	ALL .....	38.05
SOUTH DAKOTA .....	BUTTE .....	19.02
	CUSTER	
	FALL RIVER	

STATE	COUNTY	RATE PER ACRE
	LAWRENCE	
	MEAD	
	PENNINGTON	
	ALL OTHER COUNTIES .....	6.32
SOUTH CAROLINA .....	ALL COUNTIES .....	38.05
TENNESSEE .....	ALL COUNTIES .....	25.35
TEXAS .....	CULBERSON .....	6.32
	EL PASO	
	HUDSPETH	
	ALL OTHER COUNTIES .....	38.05
UTAH .....	BEAVER .....	6.32
	BOX ELDER	
	CARBON	
	DUCHESNE	
	EMERY	
	GARFIELD	
	GRAND	
	IRON	
	JUAB	
	KANE	
	MILLARD	
	SAN JUAN	
	TOOELE	
	UINTAH	
	WAYNE	
	WASHINGTON .....	12.68
	CACHE .....	19.02
	DAGGETT	
	DAVIS	
	MORGAN	
	PIUTE	
	RICH	
	SALT LAKE	
	SANPETE	
	SEVIER	
	SUMMIT	
	UTAH	
	WASATCH	
	WEBER	
VERMONT .....	ALL COUNTIES .....	25.35
VIRGINIA .....	ALL COUNTIES .....	25.35
WASHINGTON .....	ADAMS .....	12.68
	ASOTIN	
	BENTON	
	CHELAN	
	COLUMBIA	
	DOUGLAS	
	FRANKLIN	
	GARFIELD .....	12.68
	GRANT	
	KITTITAS	
	KLICKITAT	
	LINCOLN	
	OKANOGAN	
	SPOKANE	
	WALLA WALLA	
	WHITMAN	
	YAKIMA	
	FERRY .....	19.02
	PEND OREILLE	
	STEVENS	
	CLALLAM .....	25.35
	CLARK	
	COWLITZ	
	GRAYS HARBOR	
	ISLAND	
	JEFFERSON	
	KING	
	KITSAP	
	LEWIS	
	MASON	
	PACIFIC	
	PIERCE	



STATE	COUNTY	RATE PER ACRE
	SAN JUAN SKAGIT SKAMANIA SNOHOMISH THURSTON WAHAKIUM WHATCOM	
WEST VIRGINIA .....	ALL COUNTIES .....	25.35
WISCONSIN .....	ALL COUNTIES .....	19.02
WYOMING .....	ALBANY .....	6.32
	CAMPBELL CARBON CONVERSE GOSHEN HOT SPRINGS JOHNSON LARAMIE LINCOLN NATRONA NIOBRARA PLATTE SHERIDAN SWEETWATER FREMONT SUBLETTE UINTA WASHAKIE .....	
	BIG HORN CROOK PARK TETON WESTON	19.02
ALL OTHER ZONES .....	.....	6.35

[FR Doc. 00-31277 Filed 12-7-00; 8:45 am]  
BILLING CODE 6717-01-M

**DEPARTMENT OF HEALTH AND HUMAN SERVICES**

**Food and Drug Administration**

**21 CFR Parts 510, 514, and 558**

[Docket No. 99N-1591]

**Animal Drug Availability Act; Veterinary Feed Directive**

**AGENCY:** Food and Drug Administration, HHS.

**ACTION:** Final rule.

**SUMMARY:** The Food and Drug Administration (FDA) is amending the new animal drug regulations to implement the veterinary feed directive (VFD) drugs section of the Animal Drug Availability Act of 1996 (ADAA). A VFD drug is intended for use in animal feed. Its use is permitted only under the professional supervision of a licensed veterinarian in the course of the veterinarian's professional practice. This new regulation states the requirements for distribution and use of a VFD drug and animal feed containing a VFD drug.

**DATES:** This rule is effective January 8, 2001.

**FOR FURTHER INFORMATION CONTACT:** George Graber, Center for Veterinary Medicine (HFV-220), Food and Drug Administration, 7500 Standish Pl., Rockville, MD 20855, 301-827-6651, e-mail: ggraber@cvm.fda.gov.

**SUPPLEMENTARY INFORMATION:**

**I. Background**

In the **Federal Register** of July 2, 1999 (64 FR 35966), FDA proposed regulations to establish the requirements relating to distribution and use of VFD drugs and animal feeds containing VFD drugs. We provided 90 days for comment on the proposed rule.

Prior to 1996, we had only two options for regulating the distribution of animal drugs: (1) Over-the-counter (OTC), and (2) prescription. However, we determined that certain new animal drugs, vital to animal health, should be approved for use in animal feed, only if these medicated feeds were administered under a veterinarian's order and professional supervision. For example, veterinarians are needed to control the use of certain antimicrobials. This control is critical to reducing unnecessary use of such drugs in animals and to slowing or preventing

any potential for the development of bacterial resistance to antimicrobial drugs. Safety concerns relating to difficulty of diagnosis of disease conditions, high toxicity, or other reasons may also dictate that the use of a medicated feed be limited to use by order and under the supervision of a licensed veterinarian.

Regulation of animal drugs for use in medicated feeds under traditional prescription systems has proven unworkable. The prescription legend invokes the application of State pharmacy laws. As a practical matter, the application of State pharmacy laws to medicated feeds would burden State pharmacy boards and impose costs on animal feed manufacturers to such an extent that it would be impractical to make these critically needed new animal drugs available for animal therapy.

After considerable deliberation with, and support from, the Coalition for Animal Health, an organization that represents major sectors of animal agriculture, and with support from State regulatory agencies, Congress enacted legislation in 1996 that amended the Federal Food, Drug, and Cosmetic Act (the act) in ways intended to facilitate the approval and marketing of new