

Administrative Services, Office of Administration, U.S. Nuclear Regulatory Commission, Washington, DC 20555.

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(5 U.S.C. 552(a))

Dated at Rockville, Maryland, this 21st day of January 1999.

For the Nuclear Regulatory Commission.

**Ashok C. Thadani,**

*Director, Office of Nuclear Regulatory Research.*

[FR Doc. 99-3201 Filed 2-9-99; 8:45 am]

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## NUCLEAR REGULATORY COMMISSION

### Regulatory Guides; Withdrawal

The Nuclear Regulatory Commission is withdrawing Regulatory Guide 10.10, "Guide for the Preparation of Applications for Radiation Safety Evaluation and Registration of Devices Containing Byproduct Material" (issued March 1987), and Regulatory Guide 10.11, "Guide for the Preparation of Applications for Radiation Safety Evaluation and Registration of Sealed Sources Containing Byproduct Material" (issued June 1987).

The information in Regulatory Guides 10.10 and 10.11 has been updated and incorporated into Volume 3 of NUREG-1556, "Consolidated Guidance About Materials Licenses; Applications for Sealed Source and Device Evaluation and Registration," which was issued in July 1998. Since there is no longer a need for Regulatory Guides 10.10 and 10.11, they have been withdrawn. However, the withdrawal of Regulatory Guides 10.10 and 10.11 does not alter any prior or existing licensing commitments based on their use.

Comments and suggestions in connection with both guides currently being developed and published guides

are encouraged at any time. Written comments may be submitted to the Rules and Directives Branch, Division of Administrative Services, Office of Administration, U.S. Nuclear Regulatory Commission, Washington, DC 20555.

(5 U.S.C. 552(a))

Dated at Rockville, Maryland, this 22nd day of January, 1999.

For the Nuclear Regulatory Commission.

**Ashok C. Thadani,**

*Director, Office of Nuclear Regulatory Research.*

[FR Doc. 99-3202 Filed 2-9-99; 8:45 am]

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## OFFICE OF MANAGEMENT AND BUDGET

### Budget Rescissions and Deferrals

#### The White House

*Washington*

February 1, 1999.

Dear Mr. Speaker: In accordance with the Congressional Budget and Impoundment Control Act of 1974, I herewith report three rescissions of budget authority, totaling \$35 million; one new deferral of \$185 million of budget authority; and, two revised deferrals of budget authority, totaling \$1.5 billion.

The proposed rescissions affect the programs of the Department of Interior, Unanticipated Needs for Natural Disasters, and International Assistance Programs. The proposed deferrals affect programs of the Department of State and International Assistance Programs.

Sincerely,

William J. Clinton.

The Honorable J. Dennis Hastert  
Speaker of the House of Representatives  
Washington, D.C. 20515

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Sincerely,

William J. Clinton.

The Honorable Albert Gore, Jr.  
President of the Senate  
Washington, D.C. 20510

Rescission Proposal No. R99-1

### Proposed Rescission of Budget Authority

#### Report Pursuant to Section 1012 of P.L. 93-344

*Agency:* Department of Interior.

*Bureau:* Bureau of Land Management.

*Account:* Management of Lands and Resources (14X1109).

*New budget authority:* \$616,311,000

*Other budgetary resources:* \$25,531,000

*Total budgetary resources:* \$641,842,000

*Amount proposed for rescission:*  
\$6,800,000

*Proposed appropriations language:* Of the funds made available under this heading in Public Law 105-83, \$6,800,000 are rescinded.

*Justification:* The Automated Lands and Minerals Record System (ALMRS) provides for the development and bureau-wide implementation of the Automated Land and Mineral Record System. The proposal would rescind \$6.8 million of funds appropriated in FY 1998 for ALMRS that exceed current requirements.

*Estimated programmatic effect:* As a result of the proposed rescission, net Federal outlays will decrease, as specified below.

#### EFFECT ON OUTLAYS

[In thousands of dollars]

Fiscal year:	
1999 .....	- 5,304
2000 .....	- 1,224
2001 .....	- 272
2002 .....	.....
2004 .....	.....
Total .....	- 6,800

Rescission Proposal No. R99-2

### Proposed Rescission of Budget Authority

#### Report Pursuant to Section 1012 of P.L. 93-344

*Agency:* Executive Office of the President.

*Bureau:* Unanticipated Needs.

*Account:* Unanticipated Needs for Natural Disasters (11X0033).

*New budget authority:* \_\_\_\_\_

*Other budgetary resources:* \$15,845,375

*Total budgetary resources:* \$15,845,375

*Amount proposed for rescission:*  
\$10,000,000

*Proposed appropriations language:* From amounts made available in the Fiscal Year 1990 Dire Emergency Supplemental to Meet the Needs of Natural Disasters of National Significance (P.L. 101-130), \$10,000,000 are rescinded.

**Justification:** The proposal would rescind \$10 million of funds appropriated in FY 1990 to meet the needs of natural disasters of national significance. All of the funds were transferred to Departments and agencies to carry out necessary activities. Following completion of those activities, excess funds were transferred back to this account. These funds are no longer needed.

This account enables the President to meet unanticipated needs in furtherance of the national interest, security, or defense.

*Estimated programmatic effect:* None.

Rescission Proposal No. R99-3

### **Proposed Rescission of Budget Authority**

#### **Report Pursuant to Section 1012 of P.L. 93-344**

*Agency:* International Assistance Programs.

*Bureau:* International Security Assistance.

*Account:* Foreign Military Financing Loan Program Account (11X1085).

*New budget authority:* \$20,000,000.

*Other budgetary resources:* \_\_\_\_\_

*Total budgetary resources:* \$20,000,000.

*Amount proposed for rescission:*  
\$18,240,000.

**Proposed appropriations language:** Of the funds made available under this heading in Public Law 104-208, \$18,240,000 are rescinded.

**Justification:** The proposal would rescind \$18.2 million of obligated balances of foreign military financing loan program subsidy that was made available in FY 1997. These funds were obligated, but no loans were signed, and none are expected to be signed. Therefore, these funds are no longer needed.

As required by the Federal Credit Reform Act of 1990, this account records the subsidy costs associated with the direct loans obligated and loan guarantees for foreign military financing committed in FY 1992 and beyond. The foreign military financing credit program provides loans that finance sales of defense articles, defense services, and design and construction services to foreign countries and international organizations. The subsidy amounts are estimated on a present value basis.

*Estimated programmatic effect:* As a result of the proposed rescission, net Federal outlays will decrease, as specified below.

#### **EFFECT ON OUTLAYS** [in thousands of dollars]

Fiscal year:	
1999 .....	- 18,240
2000 .....	.....
2001 .....	.....
2002 .....	.....
2004 .....	.....
Total .....	- 18,240

Deferral No. D99-1A

### **Supplemental Report**

#### **Report Pursuant to Section 1013 of P.L. 93-344**

This report updates Deferral No. 99-1, which was transmitted to Congress on October 22, 1998.

This revision increases by \$17,723,722 the previous deferral of \$82,857,659 in the United States Emergency Refugee and Migration Assistance Fund, Department of State, resulting in a total deferral of \$100,581,381. This increase results from the deferral of new budget authority for FY 1999, which will be withheld until the President determines assistance to be furnished and designates refugees to be assisted, and a correction to the estimated balances carried forward from FY 1998 to FY 1999.

Deferral No. D99-1A

### **Deferral of Budget Authority**

#### **Report Pursuant to Section 1013 of P.L. 93-344**

*Agency:* Department of State.

*Bureau:* Other.

*Account:* United States emergency refugee and migration assistance fund <sup>1</sup> (11X0400).

*New budget authority:* \*\$30,000,000

*Other budgetary resources:* \*83,108,288

*Total budgetary resources:* \*113,108,288

*Amount deferred for entire year:*  
\*100,581,381

**Justification:** This deferral withholds funds available for emergency refugee and migration assistance for which no determination has been made by the President to provide assistance as required by Executive Order No. 11922. Funds will be released as the President determines assistance to be furnished and designates refugees to be assisted by the Fund. This deferral action is taken under the provisions of the Antideficiency Act (31 U.S.C. 1512).

Section 501(a) of the Foreign Relations Authorization Act of 1976 (Public Law 94-141) and section

<sup>1</sup> This account was the subject of a similar deferral in FY 1998 (D98-7).

\* Revised from previous report.

414(b)(1) of the Refugee Act of 1980 (Public Law 96-212) amended section 2(c) of the Migration and Refugee Assistance Act of 1962 (22 U.S.C. 2601) by authorizing a fund to enable the President to provide emergency assistance for unexpected urgent refugee and migration needs.

Executive Order No. 11922 of June 16, 1976, allocated all funds appropriated to the President for emergency refugee and migration assistance to the Secretary of State, but reserved for the President the determination of assistance to be furnished and the designation of refugees to be assisted by the Fund.

*Estimated programmatic effect:* None.

Deferral No. D99-2A

### **Supplemental Report**

#### **Report Pursuant to Section 1013 of P.L. 93-344**

This report updates Deferral No. 99-2, which was transmitted to Congress on October 22, 1998.

This revision increases by \$1,310,376,294 the previous deferral of \$84,777,327 in the Economic Support Fund, International Assistance Programs, resulting in a total deferral of \$1,395,153,621. This increase results from the deferral of new budget authority for FY 1999, which will be withheld pending the development of country-specific plans that assure aid is provided in an efficient manner, and a correction to the estimated balances carried forward from FY 1998 to FY 1999.

Deferral No. D99-2A

### **Deferral of Budget Authority**

#### **Report Pursuant to Section 1013 of P.L. 93-344**

*Agency:* International Assistance Programs.

*Bureau:* International Security Assistance.

*Account:* Economic support fund <sup>1</sup> (72X1037, 728/91037, \*729/01037).<sup>2</sup>

*New budget authority:* \*\$2,436,600,000

*Other budgetary resources:*

\*\$220,961,461

*Total budgetary resources:*

\*\$2,657,561,461

*Amount deferred for entire year:*

<sup>2</sup> \*\$1,395,153,621

<sup>1</sup> This account was the subject of a similar deferral in FY 1998 (D98-1).

<sup>2</sup> The amounts deferred by account are:

72X1037	\$30,771,075
*728/91037	54,013,546
*729/01037	1,310,369,000
*Total	1,395,153,621

Subsequent releases have reduced the amount deferred to \$1,357,427,050.

\* Revised from previous report.

*Justification:* This deferral withholds funds available for international assistance pending the development of country-specific plans that assure that aid is provided in an efficient manner. Funds also are reserved for unanticipated program needs. This action is taken pursuant to the Antideficiency Act (31 U.S.C. 1512).

The President is authorized by the Foreign Assistance Act of 1961, as amended, to furnish assistance to countries and organizations, on such terms and conditions as he may determine, in order to promote economic or political stability. Section 531(b) of the Act makes the Secretary of State, in cooperation with the Administrator of the Agency for International Development, responsible for policy decisions and justifications for economic support programs, including whether there will be an economic support program for a country and the amount of the program for each country. This deferral of funds for the Economic Support Fund has no effect on the availability of funds for the International Fund for Ireland.

*Estimated programmatic effect:* None.

Deferral No. D99-3

#### Deferral of Budget Authority

#### Report Pursuant to Section 1013 of P.L. 93-344

*Agency:* International Assistance Programs.

*Bureau:* Agency for International Development.

*Account:* International disaster assistance <sup>1</sup> (72X1035).

*New budget authority:* \$200,000,000.

*Other budgetary resources:* \$14,000,000.

*Total budgetary resources:* \$214,000,000.

*Amount deferred for entire year:*

<sup>2</sup> \$185,000,000

*Justification:* The International disaster assistance account allows the President to respond to humanitarian disaster relief efforts throughout the world.

These funds have been deferred pending the development of country-specific plans to ensure that aid is provided in an efficient manner to those most in need. This deferral action is taken under the provisions of the Antideficiency Act (31 U.S.C. 1512).

*Estimated programmatic effect:* None.

[FR Doc. 99-3185 Filed 2-9-99; 8:45 am]

BILLING CODE 3110-01-P

## SECURITIES AND EXCHANGE COMMISSION

[Investment Company Act Release No. 23679; 812-11056]

### The Charles Schwab Family of Funds, et al.; Notice of Application

February 4, 1999.

**AGENCY:** Securities and Exchange Commission (SEC).

**ACTION:** Notice of an application for an order pursuant to section 17(d) of the Investment Company Act of 1940 ("Act") and rule 17d-1 under the Act.

#### SUMMARY OF THE APPLICATION:

Applicants request an order to permit certain registered management investment companies to deposit their uninvested cash balances, cash held for investment purposes, and cash collateral from securities lending transactions into one or more joint accounts to be used to enter into short-term investments.

**APPLICANTS:** The Charles Schwab Family of Funds ("Family of Funds"), Schwab Investments ("Investments"), Schwab Capital Trust ("Capital Trust"), and Schwab Annuity Portfolios ("Annuity Portfolios") (each a "Trust" and collectively, the "Trusts"); and Charles Schwab Investment Management, Inc. ("Investment Manager").

**FILING DATES:** The application was filed on March 9, 1998 and was amended on October 16, 1998 and February 1, 1999.

**HEARING OR NOTIFICATION OF HEARING:** An order granting the application will be issued unless the SEC orders a hearing. Interested persons may request a hearing by writing to the SEC's Secretary and serving Applicant with a copy of the request, personally or by mail. Hearing requests should be received by the SEC by 5:30 p.m. on March 1, 1999 and should be accompanied by proof of service on Applicant in the form of an affidavit or, for lawyers, a certificate of service. Hearing requests should state the nature of the writer's interest, the reason for the request, and the issues contested. Persons may request notification by writing to the SEC's Secretary.

**ADDRESSES:** Secretary, SEC, 450 Fifth Street, NW., Washington, DC. 20549. Applicants, Attn: Koji Felton, 101 Montgomery Street, San Francisco, CA 94104.

**FOR FURTHER INFORMATION CONTACT:** Rachel H. Graham, Senior Counsel, at (202) 942-0583, or Christine Y. Greenlees, Branch Chief, at (202) 942-0564 (Division of Investment Management, Office of Investment Company Regulation).

**SUPPLEMENTARY INFORMATION:** The following is a summary of the application. The complete application may be obtained for a fee from the SEC's Public Reference Branch, 450 Fifth Street, NW., Washington, DC 20549 (telephone (202) 942-8090).

#### Applicants' Representations

1. The Trusts are open-end management investment companies registered under the Act. Each Trust currently offers multiple series (each a "Fund" and, collectively, the "Funds"). The assets of the Funds are held by two bank custodians, neither of which is an affiliated person of any of the Funds or of the Investment Manager.

2. The Investment Manager is registered under the Investment Advisers Act of 1940 and serves as investment adviser for each of the Funds. The Investment Manager is a wholly-owned subsidiary of the Charles Schwab Corporation.

3. Applicants request that any relief granted pursuant to the application also apply to (i) future series of the Trusts and (ii) all other registered management investment companies for which the Investment Manager (or a person controlling, controlled by, or under common control with the Investment Manager) may now or in the future act as investment adviser (collectively, the "Future Funds").<sup>1</sup>

4. At the end of each trading day, each Fund has, or may have, uninvested cash balances representing proceeds from sales of portfolio securities and/or cash awaiting investment ("Cash Balances"). The Cash Balance of each Fund is invested by the Investment Manager in short-term investments authorized by the Fund's investment policies. Currently, the Investment Manager must make these investments separately on behalf of each Fund. Applicants assert that these separate purchases result in certain inefficiencies, a limitation on the return that some or all of the Funds could otherwise achieve, and higher costs.

5. Several of the Funds are authorized to engage in securities lending transactions, for which the Funds' custodians may serve as lending agent. In connection with these transactions, the Funds may receive collateral in the form of either cash ("Cash Collateral") or certain securities. When Cash Collateral is received, it is expected to be invested in a manner consistent with (i) the Fund's investment objectives and

<sup>1</sup> This account was the subject of a similar deferral in FY 1998 (D98-6).

<sup>2</sup> Subsequent releases have reduced the amount deferred to \$92,000,000.

<sup>1</sup> Each Fund that currently intends to rely on the requested order is named as an applicant. Any Future Fund that relies on the requested relief will do so only in compliance with the terms and conditions of the application.