

conditions materially different from any exemptions granted in the order requested in this Application, then the Fund and/or Participating Insurance Companies, as appropriate, shall take such steps as may be necessary to comply with Rules 6e-2 and 6e-3(T), or Rule 6e-3, as such rules are applicable.

11. The Participants, at least annually, will submit to the Board such reports, materials, or data as a Board reasonably may request so that the trustees of the Board may fully carry out the obligations imposed upon the Board by the conditions contained in this Application. Such reports, materials, and data will be submitted more frequently if deemed appropriate by the Board. The obligations of the Participants to provide these reports, materials, and data to the Board, when it so reasonably requests, will be a contractual obligation of all Participants under their agreements governing participation in the Portfolios.

12. All reports of potential or existing conflicts received by the Board, and all Board action with regard to determining the existence of a conflict, notifying Participants of a conflict, and determining whether any proposed action adequately remedies a conflict, will be properly recorded in the minutes of the Board or other appropriate records, and such minutes or other records shall be made available to the Commission upon request.

13. The Fund will not accept a purchase order from a Qualified Plan if such purchase would make the Qualified Plan shareholder an owner of 10 percent or more of the assets of such Portfolio unless such Qualified Plan executes an agreement with the Fund governing participation in such Portfolio that includes the conditions set forth herein to the extent applicable. A Qualified Plan or Qualified Plan participant will execute an application containing an acknowledgment of this condition at the time of its initial purchase of shares of any Portfolio.

For the Commission, by the Division of Investment Management, pursuant to delegated authority.

Margaret H. McFarland,

Deputy Secretary.

[FR Doc. 02-4053 Filed 2-19-02; 8:45 am]

BILLING CODE 8010-01-P

SECURITIES AND EXCHANGE COMMISSION

Eagle Building Technologies, Inc. File No. 500-1; Order of Suspension of Trading

February 15, 2002.

It appears to the Securities and Exchange Commission that there is a lack of current and accurate information concerning the securities of Eagle Building Technologies, Inc. ("Eagle Building"), because of questions regarding the accuracy of assertions by Eagle Building, and by others, in documents sent to and statements made to market makers of the stock of Eagle Building, other broker-dealers, and investors concerning, among other things: (1) The company's foreign operations and (2) post-September 11 security measures marketed by Eagle Building, including an airport baggage security system, mail sterilization technology, and money laundering detection software.

The Commission is of the opinion that the public interest and the protection of investors require a suspension of trading in the securities of the above-listed company.

Therefore, it is ordered, pursuant to Section 12(k) of the Securities Exchange Act of 1934, that trading in the above-listed company is suspended for the period from 9:30 a.m. EST, February 15, 2002, through 11:59 p.m. EST, on March 1, 2002.

By the Commission.

Jonathan G. Katz,

Secretary.

[FR Doc. 02-4146 Filed 2-15-02; 4:08 pm]

BILLING CODE 8010-01-M

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-45430; File No. SR-DTC-2002-01]

Self-Regulatory Organizations; The Depository Trust Company; Notice of Filing and Immediate Effectiveness of Proposed Rule Change Relating to Dutch Issues in the Direct Registration System and to a Modification to the Surety Bond That is Part of the Direct Registration System

February 11, 2002.

Pursuant to section 19(b)(1) of the Securities Exchange Act of 1934 ("Act"),¹ notice is hereby given that on January 18, 2002, The Depository Trust Company ("DTC") filed with the Securities and Exchange Commission

("Commission") the proposed rule change as described in Items I, II, and III below, which items have been prepared primarily by DTC. The Commission is publishing this notice to solicit comments on the proposed rule change from interested parties.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

The proposed rule change provides (i) an interpretation of a rule relating to Dutch issues in the Profile Modification System ("Profile") feature of the Direct Registration System ("DRS") facility and (ii) increases the limits of the surety bond that is part of the Profile Surety Program ("PSP").²

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, DTC included statements concerning the purpose of and basis for the proposed rule change and discussed any comments it received on the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. DTC has prepared summaries, set forth in sections (A), (B) and (C) below, of the most significant aspects of these statements.³

(A) Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

The purpose of the proposed rule change is to (i) provide an interpretation with respect to Dutch issues in DRS and (ii) increase the limits of the surety bond that is part of PSP.

(1) Dutch Issues

DTC established a deadline of December 14, 2001, as the date by which all securities issues eligible for DRS would have to be eligible for processing through Profile.⁴ Counsel for a transfer agent for securities of certain Dutch issuers has informed DTC, however, that in order for a transfer of registration of Dutch securities to be

² For a description of DRS, including Profile and PSP, refer to Securities Exchange Act Release Nos. 35038 (December 1, 1994), 59 FR 63652; 37931 (November 7, 1996), 61 FR 58600; 41862 (September 10, 1999), 64 FR 51162; 42366 (January 28, 2000), 65 FR 5714; 42704 (April 19, 2000), 65 FR 24242; 43586 (November 17, 2000), 65 FR 70745; 44696 (August 14, 2001), 66 FR 43939; and 45232 (January 3, 2002), 67 FR 1254.

³ The Commission has modified the text of the summaries prepared by DTC.

⁴ See Securities Exchange Act Release Nos. 44696 (August 14, 2001), 66 FR 43939 [File No. SR-DTC-2001-07] and 45232 (January 3, 2002), 67 FR 1254 (File No. SR-DTC-2001-18).

¹ 15 U.S.C. 78s(b)(1).