

preclude a majority vote, the insurer may be required, at the Fund's election, to withdraw its Separate Account's investment in the Fund, and no charge or penalty will be imposed as a result of such withdrawal. The responsibility to take remedial action in the event of a Board determination of a material irreconcilable conflict and to bear the cost of such remedial action shall be a contractual obligation of all Participating Parties under their agreements governing participation in the Funds, and these responsibilities will be carried out with a view only to the interests of the contract owners and participants in Qualified Plans, as applicable.

5. For the purposes of Condition 4, a majority of the disinterested members of the relevant Board shall determine whether or not any proposed action adequately remedies any material irreconcilable conflict, but in no event will the Fund or the Manager be required to establish a new funding medium for any Variable Contract or Qualified Plan. No participating insurance company shall be required by Condition 4 to establish a new funding medium for any Variable Contract if an offer to do so has been declined by vote of a majority of contract owners materially and adversely affected by the irreconcilable material conflict.

6. A Board's determination of the existence of a material irreconcilable conflict and its implications shall be made known promptly in writing to the Manager and all Participating Parties.

7. As to Variable Contracts issued by Separate Accounts, participating insurance companies will provide pass-through voting privileges to all participants so long as and to the extent that the Commission continues to interpret the 1940 Act to require pass-through voting privileges for Variable Contract owners. As to Variable Contracts issued by unregistered separate accounts, pass-through voting privileges will be extended to participants to the extent granted by the issuing insurance company.

Participating insurance companies will be responsible for assuring that each of their registered Separate Accounts participating in a Fund calculate voting privileges as instructed by a Fund with the objective that each such participating insurance company calculate voting privileges in a manner consistent with that of other participating insurance companies. The obligation to calculate voting privileges in a manner consistent with all other Separate Accounts investing in a Fund will be a contractual obligation of all participating insurance companies

under their agreements governing participation in a Fund. Each participating insurance company will vote shares held by Separate Accounts for which it has not received voting instructions, as well as shares attributable to it, in the same proportion as it votes shares for which it has received voting instructions.

8. Each Fund will comply with all provisions of the 1940 Act requiring voting by shareholders (which, for these purposes, shall be the persons having a voting interest in the shares of a Fund), and in particular the Funds will either provide for annual meetings (except insofar as the Commission may interpret Section 16 not to require such meetings) or, if annual meetings are not held, comply with Section 16(c) of the 1940 Act (although the Fund is not one of the trusts described in Section 16(c) of the 1940 Act) as well as with Sections 16(a) and, if and when applicable, 16(b). Further, the Funds will act in accordance with the Commission's interpretation of the requirements of Section 16(a) with respect to periodic elections of Trustees or Directors and with whatever rules the Commission may promulgate with respect thereto.

9. The Funds will notify all participating insurance companies that prospectus disclosure regarding potential risks of mixed and shared funding may be appropriate. Each Fund shall disclose in its registration statement that: (a) Shares of such Fund are offered to insurance company separate accounts offered by various participating insurance companies which fund both variable annuity and variable life insurance contracts, and to Qualified Plans; (b) due to the differences of tax treatment or other considerations, the interests of various contract owners participating in the Fund and the interests of Qualified Plans investing in the Fund may conflict; and (c) the Board will monitor for any material conflicts and determine what action, if any, should be taken in response to a conflict.

10. No less than annually, the Participating Parties and/or the Manager shall submit to the Boards such reports, materials, or data as each Board may reasonably request so that the Boards may carry out fully the obligations imposed upon them by the conditions contained in the application. Such reports, materials, and data shall be submitted more frequently if deemed appropriate by the relevant Board. The obligations of the Participating Parties to provide these reports, materials, and data to a Board shall be a contractual obligation of all Participating Parties

under the agreements governing their participation in the Funds.

11. All reports received by a Board of potential or existing conflicts, and all Board action with regard to determining the existence of a conflict, notifying the Manager or Participating Parties 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. Such minutes or other records shall be made available to the Commission upon request.

12. If and to the extent Rule 6e-2 and Rule 6e-3(T) are amended, or Rule 6e-3 is adopted, to provide exemptive relief from any provision of the 1940 Act or the rules thereunder with respect to mixed or shared funding on terms and conditions materially different from any exemptions granted in the order requested in the application, then the Funds and/or the Participating Parties, as appropriate, shall take such steps as may be necessary to comply with Rule 6e-2 and Rule 6e-3(T), as amended, and Rule 6e-3, as adopted, to the extent such rules are applicable.

13. In the event that a Qualified Plan should ever become an owner of 10% or more of the assets of a Fund, such Qualified Plan will execute a fund participation agreement with such Fund. A Qualified Plan will execute an application containing an acknowledgement of this condition at the time of its initial purchase of shares of the Fund.

## Conclusion

For the reasons summarized above, Applicants represent that the exemptions requested are necessary and appropriate in the public interest and consistent with the protection of investors and the purposes fairly intended by the policy and provisions of the 1940 Act.

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

**Jonathan G. Katz,**  
Secretary.

[FR Doc. 98-875 Filed 1-13-98; 8:45 am]

BILLING CODE 8010-01-M

## SECURITIES AND EXCHANGE COMMISSION

[File No. 500-1]

### Struthers Industries, Inc.; Order of Suspension of Trading

January 9, 1998.

It appears to the Securities and Exchange Commission that there is a

lack of current and accurate information concerning the securities of Struthers Industries, Inc. ("Struthers") because of questions regarding the accuracy of statements, and material omissions, concerning, among other things, (1) the value of certain broadcast licenses in which Struthers claims to have an ownership interest, (2) the presence of or potential for a recapitalization which will enable Struthers to pursue its business plan, and (3) the resignation of Struthers' auditors.

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, January 9, 1998 through 11:59 p.m. EST, on January 23, 1998.

By the Commission.

**Jonathan G. Katz,**  
Secretary.

[FR Doc. 98-874 Filed 1-9-98; 3:51 pm]

BILLING CODE 8010-01-M

## OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE

### Correction: Thresholds for Implementation of Trade Agreements Act

**AGENCY:** Office of the United States Trade Representative.

**ACTION:** Adjustment of Thresholds for Implementation of Trade Agreements Act.

**SUMMARY:** The Office of the United States Trade Representative published a notice in the **Federal Register** on December 31, 1997 (62 FR 68347) announcing U.S. dollar thresholds for application of Title III of the Trade Agreements Act of 1979 (19 U.S.C. 2511 *et seq.*) as required by Executive Order 12260. Title III of the Trade Agreements Act of 1979 (19 U.S.C. 2511 *et seq.*) implements U.S. obligations under the World Trade Organization (WTO) Agreement on Government Procurement and Chapter 10 of the North American Free Trade Agreement (NAFTA). These obligations apply to procurements valued at or above specified U.S. dollar thresholds.

The notice published on December 31, 1997 contained incorrect information with respect to the thresholds for Chapter 10 of the NAFTA. Therefore, this notice provides

the correct thresholds for Chapter 10 of the NAFTA. In addition, the thresholds for the WTO Agreement on Government Procurement, as published in the previous notice on December 31, 1997, are reproduced below for ease of reference.

The U.S. Trade Representative has determined that, effective January 1, 1998, the thresholds are as follows:

#### 1. WTO Agreement on Government Procurement

A. Central Government Entities Covered by the WTO Agreement on Government Procurement (as listed in United States Annex 1 of the Agreement):

- Procurements of goods and services—\$186,000
- Procurements of construction services—\$7,143,000

B. Sub-Central Government Entities Covered by the WTO Agreement on Government Procurement (as listed in United States Annex 2 of the Agreement):

- Procurement of goods and services—\$507,000
- Procurement of construction services—\$7,143,000

C. All Other Government Entities Covered by the WTO Agreement on Government Procurement (as listed in United States Annex 3 of the Agreement):

- Procurement of goods and services—\$571,000
- Procurement of construction Services—\$7,143,000

#### 2. Chapter 10 of the NAFTA

A. Federal Government Entities (as listed in the United States Schedule to Annex 1001.1a-1 of the NAFTA):

- Procurements of goods and services—\$53,150
- Procurements of construction services—\$6,909,500

B. Government Enterprises (as listed in the United States Schedule to Annex 1001.1a-2 of the NAFTA):

- Procurements of goods and services—\$265,750
- Procurement of construction services—\$8,504,000

**FOR FURTHER INFORMATION CONTACT:** Rebecca Reese, Office of WTO Affairs (202-395-3063), Office of the United States Trade Representative, 600 Seventeenth Street, NW, Washington, D.C. 20508.

**Frederick L. Montgomery,**  
Chairman, Trade Policy Staff Committee.  
[FR Doc. 98-807 Filed 1-13-98; 8:45 am]

BILLING CODE 3190-01-M

## OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE

### Trade Policy Staff Committee (TPSC); Request for Comments Concerning Compliance With Telecommunications Trade Agreements; Correction

**AGENCY:** Office of the United States Trade Representative.

**ACTION:** Notice; correction.

**SUMMARY:** The United States Trade Representative published a document in the **Federal Register** of January 8, 1998, concerning request for comments on compliance with telecommunications agreements. The document contained incorrect dates.

**FOR FURTHER INFORMATION CONTACT:** Jonathan McHale, 202-395-5656.

#### Correction

In the **Federal Register** issue of January 8, 1998, in FR Doc. 98-206, on page 1139, in the third column, correct the last sentence in the "Summary" caption to read:

The USTR will conclude the review on March 31, 1998.

In the same column, correct the "Dates" caption to read:

**DATES:** Submissions must be received on or before February 6, 1998 with respect to telecommunications trade agreements with Japan, Canada, Mexico, Korea, and Taiwan, and on or before February 16, 1998 with respect to the WTO Basic Telecommunications Agreement.

Dated: January 8, 1998.

**Donald W. Eiss,**  
Assistant United States Trade Representative,  
Industry.

[FR Doc. 98-924 Filed 1-13-98; 8:45 am]

BILLING CODE 3190-01-M

## DEPARTMENT OF TRANSPORTATION

### Office of the Secretary

#### Reports, Forms and Recordkeeping Requirements Agency Information Collection Activity Under OMB Review

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

**ACTION:** Notice and request for comments.

**SUMMARY:** In compliance with the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*), this notice announces that the Information Collection (ICR) abstracted below has been forwarded to the Office of Management and Budget (OMB) for review and comment. The ICR describes the nature of the information collection and its expected burden. The Federal