

values and their corresponding quantities, and then we multiplied the total value by the total quantity. After making the appropriate correction, we divided the total value of below-acquisition-cost sales by the total value of all sales, as we did in the *Preliminary Determination*, to arrive at the ratio of the below-acquisition-cost-sales value to the value of all sales to the United States. See the *Analysis Memorandum for the Amended Preliminary Determination (Amended Preliminary Memo)* on file in room B-099 of the Commerce Department.

As a result of the correction of these ministerial errors, we have determined that Ta Chen sold subject merchandise at a loss because Ta Chen's prices were, after the deduction of all costs incurred in selling the merchandise in the United States, lower than its costs of acquisition from YUSCO, an unaffiliated producer during the POI. See *Amended Preliminary Memo*.

In accordance with the methodology we used in *Mitsui Remand Determination*, we determined whether a substantial portion of Ta Chen's U.S. sales were below acquisition costs by comparing the total value of stainless steel plate sold below acquisition cost to the total value of all stainless steel plate sales made by Ta Chen during the POI. We first identified sales below acquisition cost by comparing Ta Chen's resale price for stainless steel plate sold during the POI to its acquisition cost for this merchandise. We used YUSCO's invoice price to Ta Chen as the acquisition cost. We based the U.S. resale prices on Ta Chen's sales to unaffiliated customers in the United States. From that starting price we deducted discounts, movement expenses (freight, insurance, U.S. duties, and brokerage and handling fees), and the actual selling expenses incurred by Ta Chen (commissions, warehousing charges, bank charges, and indirect selling expenses), where applicable. We then compared that price, after deductions, to the acquisition cost.

Based on these amended findings, we preliminarily determine that Ta Chen made a substantial portion of its sales below acquisition cost, because 34.7 percent of Ta Chen's resales to the United States were at prices below its acquisition cost. As a result of this finding, we have examined whether Ta Chen's U.S. prices were substantially below its acquisition costs from YUSCO to determine whether Ta Chen engaged in middleman dumping during the POI.

As we stated in the *Preliminary Determination*, Congress has left to the Department the discretion to devise a

methodology which would accurately capture middleman dumping. See S. Rep. No. 249, 96th Cong., 1st Sess. at 94 (1979). We have considered the methodology used in *Fuel Ethanol*, and have concluded that, given the facts before us for this amended preliminary determination, the methodology described below is the appropriate one for purposes of this amended preliminary determination. To determine the magnitude of the losses incurred by Ta Chen in selling YUSCO's subject merchandise to the United States during the POI, we divided the amount of losses by the total sales value of all sales. By "amount of losses" we mean the sum of the cost less the adjusted sales price of each below-acquisition-cost sale, multiplied by the respective quantity of each sale. By "total sales value" we mean the sum of the sales price of each sale (whether or not below acquisition cost) multiplied by its respective quantity. Based upon this calculation, we have determined that Ta Chen's losses on U.S. sales of subject merchandise during the POI are 3.00 percent, which we deem to be substantial. Therefore, we preliminarily find that Ta Chen engaged in middleman dumping during the POI.

Where a producer sells through an unaffiliated trading company and has knowledge of the ultimate destination of its merchandise, we normally focus only on the producer's sales to determine the margin of dumping. However, as we stated in our *Preliminary Determination*, very infrequently, a producer may sell to an unaffiliated trading company which, in turn, sells the producer's merchandise at prices below the trading company's acquisition costs, thereby engaging in middleman dumping. Where we find middleman dumping in an investigation, as here, we must calculate a cash deposit rate that reflects that middleman dumping. Additionally, any dumping which occurs from the producer to the trading company must be included in the margin calculation to capture the full amount of the dumping. Therefore, we have assigned a cash deposit rate of 3.08 percent to sales produced by YUSCO and sold to the United States through Ta Chen. This reflects YUSCO's margin on U.S. sales to Ta Chen as well as Ta Chen's losses on sales to the United States.

#### Amended Preliminary Determination

As a result of our corrections of ministerial errors, we have determined the following amended weighted-average dumping margins apply.

Manufacturer/exporter	Margin percentage
YUSCO/Ta Chen .....	3.08
All Others .....	3.08

#### Suspension of Liquidation

In accordance with section 733(d) of the Act, we are directing the Customs Service to suspend liquidation of all imports of subject merchandise that are entered, or withdrawn from warehouse, for consumption on or after the date of publication of this notice in the **Federal Register**. We will instruct the Customs Service to require a cash deposit or the posting of a bond equal to the weighted-average amount by which the normal value exceeds the U.S. price, as indicated in the chart above. These suspension-of-liquidation instructions will remain in effect until further notice.

This amended preliminary determination and notice are in accordance with section 703(d)(2) of the Act (19 CFR 351.224).

Dated: November 27, 1998.

**Richard W. Moreland,**  
Acting Assistant Secretary for Import Administration.

[FR Doc. 98-32212 Filed 12-2-98; 8:45 am]

BILLING CODE 3510-DS-P

#### DEPARTMENT OF DEFENSE

##### Department of the Navy

##### Notice of Intent to Grant Exclusive Patent License; Photonics Components International L.L.C.

**AGENCY:** Department of the Navy, DOD.

**ACTION:** Notice.

**SUMMARY:** The Department of the Navy hereby gives notice of a prospective license to Photonics Components International L.L.C. to the Government owned invention described in U.S. Patent 4,763,272 entitled "AUTOMATED AND COMPUTER CONTROLLED PRECISION METHOD OF FUSED ELONGATED OPTICAL FIBER COUPLER FABRICATION", U.S. Patent 5,121,453 entitled "POLARIZATION INDEPENDENT NARROW CHANNEL WAVELENGTH DIVISION MULTIPLEXING FIBER COUPLER AND METHOD FOR PRODUCING SAME", and U.S. Patent 5,652,819 entitled "METHOD FOR TUNING FIBER OPTIC COUPLERS AND MULTIPLEXERS."

**DATES:** Anyone wishing to object to the grant of this license must file written objections along with supporting evidence, if any, not later than February 1, 1999.

**ADDRESSES:** Written objections are to be filed with the Office of Patent Counsel, Space and Naval Warfare Systems Center, D0012, 53510 Silvergate Ave., Rm 103, San Diego, CA 92152-5765.

**FOR FURTHER INFORMATION CONTACT:** Mr. Harvey Fendelman, Patent Counsel, Space and Naval Warfare Systems Center, Code D0012, 53510 Silvergate Ave., Rm 103, San Diego, CA 92152-5765, telephone (619) 553-3001.

**Authority:** 35 U.S.C. 207, 37 CFR Part 404.

Dated: November 24, 1998.

**Ralph W. Corey,**

*Commander, Judge Advocate General's Corps, U.S. Navy, Federal Register Liaison Officer.*

[FR Doc. 98-32201 Filed 12-2-98; 8:45 am]

BILLING CODE 3810-FF-U

## DEPARTMENT OF EDUCATION

### Notice of Proposed Information Collection Requests

**AGENCY:** Department of Education.

**SUMMARY:** The Leader, Information Management Group, Office of the Chief Financial and Chief Information Officer, invites comments on the proposed information collection requests as required by the Paperwork Reduction Act of 1995.

**DATES:** Interested persons are invited to submit comments on or before February 1, 1999.

**ADDRESSES:** Written comments and requests for copies of the proposed information collection requests should be addressed to Patrick J. Sherrill, Department of Education, 600 Independence Avenue, S.W., Room 5624, Regional Office Building 3, Washington, D.C. 20202-4651, or should be electronically mailed to the internet address [Pat.Sherrill@ed.gov](mailto:Pat.Sherrill@ed.gov), or should be faxed to 202-708-9346.

**FOR FURTHER INFORMATION CONTACT:** Patrick J. Sherrill (202) 708-8196. Individuals who use a telecommunications device for the deaf (TDD) may call the Federal Information Relay Service (FIRS) at 1-800-877-8339 between 8 a.m. and 8 p.m., Eastern time, Monday through Friday.

**SUPPLEMENTARY INFORMATION:** Section 3506 of the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35) requires that the Office of Management and Budget (OMB) provide interested Federal agencies and the public an early opportunity to comment on information collection requests. OMB may amend or waive the requirement for public consultation to the extent that public

participation in the approval process would defeat the purpose of the information collection, violate State or Federal law, or substantially interfere with any agency's ability to perform its statutory obligations. The Leader, Information Management Group, Office of the Chief Financial and Chief Information Officer, publishes that notice containing proposed information collection requests prior to submission of these requests to OMB. Each proposed information collection, grouped by office, contains the following: (1) Type of review requested, e.g. new, revision, extension, existing or reinstatement; (2) Title; (3) Summary of the collection; (4) Description of the need for, and proposed use of, the information; (5) Respondents and frequency of collection; and (6) Reporting and/or Recordkeeping burden. OMB invites public comment at the address specified above. Copies of the requests are available from Patrick J. Sherrill at the address specified above.

The Department of Education is especially interested in public comment addressing the following issues: (1) is this collection necessary to the proper functions of the Department; (2) will this information be processed and used in a timely manner; (3) is the estimate of burden accurate; (4) how might the Department enhance the quality, utility, and clarity of the information to be collected; and (5) how might the Department minimize the burden of this collection on the respondents, including through the use of information technology.

Dated: November 30, 1998.

**Kent H. Hannaman,**

*Leader, Information Management Group, Office of the Chief Financial and Chief Information Officer.*

### Office of Elementary and Secondary Education

*Type of Review:* Reinstatement.

*Title:* Reporting Requirements for the Education Flexibility Partnership Demonstration Program.

*Frequency:* Annually.

*Affected Public:* State, local or Tribal Gov't, SEAs or LEAs.

*Reporting and Recordkeeping Hour Burden:*

Responses: 12.

Burden Hours: 20.

*Abstract:* Section 311(e)(6) of the Goals 2000: Educate America Act requires states participating in the Education Flexibility Partnership Demonstration Program to annually report to the Secretary on the

monitoring of waivers it grants through this program.

### Office of Educational Research and Improvement

*Type of Review:* Reinstatement.

*Title:* National Postsecondary Student Aid Study: 2000 (NPSAS: 2000).

*Frequency:* On occasion.

*Affected Public:* Individuals or households; Business or other for-profit; Not-for-profit institutions.

*Reporting and Recordkeeping Hour Burden:*

Responses: 1,650.

Burden Hours: 1,100.

*Abstract:* The NPSAS is a comprehensive study that examines how students and their families pay for postsecondary education. It includes nationally representative samples of undergraduates, graduates, and first-professional students; students attending public and private less-than-2-year institutions, community colleges, 4-year colleges, and major universities. Students who receive financial aid as well as those who do not receive financial aid participate in NPSAS. Comprehensive student interviews and administrative records, with exceptional detail concerning student financial aid, are available for academic years 1986-87, 1989-90, 1992-93, and 1995-96.

### Office of Educational Research and Improvement

*Type of Review:* Reinstatement.

*Title:* National Education. Longitudinal Study: 1988-2000.

*Frequency:* On occasion.

*Affected Public:* Individuals or households.

*Reporting and Recordkeeping Hour Burden:*

Responses: 457.

Burden Hours: 214.

*Abstract:* The National Education Longitudinal Study: 1988-2000 (NELS: 88/2000) is designed to provide data about critical transitions experienced by students as they progress through high school and into postsecondary institutions or the work force. NELS:88/2000, the fourth follow-up to this longitudinal data collection initiated with the 8th grade class of 1988, will provide important information about young adults' experiences after high school, including postsecondary education and training, labor force participation, and family formation.

[FR Doc. 98-32191 Filed 12-2-98; 8:45 am]

BILLING CODE 4000-01-P