

Based on our analysis of the respondent's reported selling functions and sales channels, we conclude that the respondent's home-market sales to various classes of customers which purchase both bulk and bagged cement constitute one level of trade. We found that, with some minor exceptions, CEMEX and GCCC performed the same selling functions to varying degrees in similar channels of distribution. We also concluded that the variations in selling functions were not substantial when all selling expenses were considered as a whole. See the memorandum entitled *Gray Portland Cement and Clinker from Mexico: Level-of-Trade Analysis for the Tenth Administrative Review*, dated August 30, 2001.

Furthermore, the respondent's home-market sales occur at a different and more advanced stage of distribution than its sales to the United States. For example, the CEMEX U.S. level of trade does not include activities such as market research, after-sales service/warranties, advertising, and packing whereas the home-market level of trade includes these activities. Similarly, the GCCC U.S. level of trade does not include activities such as market research, technical advice, advertising, customer approval, solicitation of orders, computer/legal/accounting/business systems, sales promotion, sales forecasting, strategic and economic planning, personnel training/exchange, and procurement and sourcing services whereas the home-market level of trade includes these activities.

As a result of our level-of-trade analysis, we could not match U.S. sales at either of the two U.S. levels of trade to sales at the same level of trade in the home market because there are no home-market sales at the same level of trade. Moreover, we determined that the level of trade of the home-market sales is more advanced than the levels of the U.S. sales. In addition, because we found only one home-market level of trade, we could not determine a level-of-trade adjustment based on the collapsed entity's home-market sales of merchandise under review. Therefore, we have determined that the data available do not provide an appropriate basis on which to calculate a level-of-trade adjustment. Thus, we made a CEP-offset adjustment in accordance with section 773(a)(7)(B) of the Act for the respondent's CEP sales. In accordance with section 773(a)(7) of the Act, we calculated the CEP offset as the lesser of the following: (1) The indirect selling expenses on the home-market sale, or (2) the indirect selling expenses deducted from the starting price in

calculating CEP. See the Level-of-Trade Analysis memorandum.

### Currency Conversion

Pursuant to section 773A(a) of the Act, we made currency conversions into U.S. dollars based on the exchange rates in effect on the dates of U.S. sales as certified by the Federal Reserve Bank.

### Preliminary Results of Review

As a result of our review, we preliminarily determine the dumping margin for the collapsed parties, CEMEX and GCCC, for the period August 1, 1999, through July 31, 2000, to be 48.53 percent.

We will disclose calculations performed in connection with these preliminary results to parties within five days of the date of publication of this notice. See 19 CFR 351.224(b). Interested parties may request a hearing within 30 days of publication of this notice. A hearing, if requested, will be held at the main Commerce Department building three days after submission of rebuttal briefs.

Issues raised in hearings will be limited to those raised in the respective case and rebuttal briefs. Case briefs from interested parties may be filed no later than 30 days after publication of this notice. Rebuttal briefs, limited to the issues raised in case briefs, may be submitted no later than five days after the deadline for filing case briefs.

Parties who submit case or rebuttal briefs in this proceeding are requested to submit with each argument (1) a statement of the issue, and (2) a brief summary of the argument with an electronic version included.

Upon completion of this review, the Department will determine, and the Customs Service shall assess, antidumping duties on all appropriate entries. We have calculated importer-specific assessment rates based on the entered value for subject merchandise sold during the period of review. The Department will issue appropriate appraisal instructions directly to the Customs Service upon completion of this review.

Furthermore, the following deposit requirements will be effective for all shipments of the subject merchandise entered, or withdrawn from warehouse, for consumption on or after the publication date of the final results of review, as provided by section 751(a)(1) of the Act: (1) The cash deposit rate for the respondent will be the rate determined in the final results of review; (2) for previously reviewed or investigated companies not mentioned above, the cash-deposit rate will continue to be the company-specific rate

published for the most recent period; (3) if the exporter is not a firm covered in this review, a prior review, or in the original less-than-fair-value (LTFV) investigation, but the manufacturer is, the cash-deposit rate will be the rate established for the most recent period for the manufacturer of the merchandise; and (4) the cash-deposit rate for all other manufacturers or exporters will be 61.35 percent, the all-others rate from the LTFV investigation. These deposit requirements, when imposed, shall remain in effect until publication of the final results of the next administrative review.

This notice also serves as a preliminary reminder to importers of their responsibility under 19 CFR 351.402(f) to file a certificate regarding the reimbursement of antidumping duties prior to liquidation of the relevant entries during this review period. Failure to comply with this requirement could result in the Secretary's presumption that reimbursement of antidumping duties occurred and the subsequent assessment of double dumping duties. We are issuing and publishing this notice in accordance with sections 751(a)(1) and 777(i)(1) of the Act.

Dated: August 31, 2001.

**Bernard T. Carreau,**

*Acting Assistant Secretary for Import Administration.*

[FR Doc. 01-23031 Filed 9-12-01; 8:45 am]

BILLING CODE 3510-DS-P

## INTERNATIONAL TRADE COMMISSION

[Investigation 332-433]

### NAFTA: Probable Economic Effect of Accelerated Tariff Elimination

**AGENCY:** International Trade Commission.

**ACTION:** Institution of investigation.

**EFFECTIVE DATE:** September 10, 2001.

**SUMMARY:** Following receipt of a request from the United States Trade Representative (USTR) on August 30, 2001, the Commission instituted Investigation No. 332-433, NAFTA: Probable Economic Effect of Accelerated Tariff Elimination, under section 332(g) of the Tariff Act of 1930 (19 U.S.C. 1332(g)) to provide advice to the President and the USTR with respect to each article listed in an attachment to the USTR letter as to the probable economic effect of the elimination of the U.S. tariff under the North American Free Trade Agreement (NAFTA) on domestic industries producing like or

directly competitive articles, workers in these industries, and on consumers of the affected goods. All of the listed articles are footwear products. The USTR asked that the Commission provide its advice no later than October 12, 2001.

**FOR FURTHER INFORMATION CONTACT:** For general information, contact Laura Rodriguez (202-205-3499; [lrodriguez@usitc.gov](mailto:lrodriguez@usitc.gov)), of the Office of Industries; for information on legal aspects, contact William Gearhart (202-205-3091; [wgearhart@usitc.gov](mailto:wgearhart@usitc.gov)) of the Office of the General Counsel. The media should contact Margaret O'Laughlin, Public Affairs Officer (202-205-1819). Hearing impaired individuals may obtain information on this matter by contacting the Commission's TDD terminal on 202-205-1810. Persons with mobility impairments who will need special assistance in gaining access to the Commission should contact the Office of the Secretary at 202-205-2000. General information about the Commission may be obtained by accessing its Internet server (<http://www.usitc.gov>).

### Background

The letter from the USTR stated that the United States and Mexico have agreed to enter into consultations to consider acceleration of the elimination of tariffs on certain articles. Section 201(b)(1) of the North American Free Trade Agreement Implementation Act (the "Act") authorizes the President, subject to the consultation and layover requirements of section 103(a) of the Act, to proclaim such modifications as the United States may agree to with Mexico or Canada regarding the staging of any duty treatment set forth in Annex 302.2 of the NAFTA. One of the requirements set out in section 103(a) of the Act is that the President obtain advice regarding the proposed action from the Commission. The USTR requested advice with respect to NAFTA-qualifying articles from Mexico entered under the following subheadings of the Harmonized Tariff Schedule of the United States: 6402.3090, 6404.1120, 6404.1950, 6404.2040, 6406.1045, 6402.9160, 6404.1915, 6404.1960, 6404.2060, 6402.9170, 6404.1925, 6404.1970, 6406.1005, 6402.9960, 6404.1930, 6404.1980, 6406.1010, 6402.9970, 6404.1935, 6404.2020, 6406.1020.

### Written Submissions

The Commission will not hold a public hearing in connection with the advice provided under this investigation. However, interested

parties are invited to submit written statements (original and 14 copies) concerning the matters to be addressed by the Commission in its report on this investigation. Commercial or financial information that a submitter desires the Commission to treat as confidential must be submitted on separate sheets of paper, each clearly marked "Confidential Business Information" at the top. All submissions requesting confidential treatment must conform with the requirements of § 201.6 of the Commission's Rules of Practice and Procedure (19 CFR 201.6). The Commission's rules do not authorize filing of submissions by facsimile or electronic means. All written submissions, except for confidential business information, will be made 2 available for inspection by interested persons in the Office of the Secretary to the Commission. Written statements relating to the Commission's report should be submitted at the earliest practical date and should be received no later than the close of business on September 28, 2001. All submissions should be addressed to the Secretary, United States International Trade Commission, 500 E Street, SW, Washington, DC 20436.

Issued: September 10, 2001.

By order of the Commission.

**Donna R. Koehnke,**  
*Secretary.*

[FR Doc. 01-23030 Filed 9-12-01; 8:45 am]

BILLING CODE 7020-02-P

## DEPARTMENT OF DEFENSE

### Department of the Navy

#### Notice of Intent To Grant Exclusive Patent License; Codeon Corporation

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

**ACTION:** Notice.

**SUMMARY:** The Department of the Navy hereby gives notice of its intent to grant to Codeon Corporation, a revocable, non-assignable, exclusive license to practice in the United States and certain foreign countries, the Government-owned inventions described in U.S. Patent No. 5,195,163 (Navy Case No. 73,281) issued March 16, 1993, entitled "Fabrication and Phase Tuning of an Optical Waveguide Device," and U.S. Patent No. 5,259,061 (Navy Case No. 75,085) issued November 2, 1993, entitled "Fabrication and Phase Tuning of an Optical Waveguide Device."

**DATES:** Anyone wishing to object to the granting of these licenses must file written objections along with

supporting evidence, if any, not later than November 13, 2001.

**ADDRESSES:** Written objections are to be filed with the Naval Research Laboratory, Code 1004, 4555 Overlook Avenue, SW., Washington, DC 20375-5320.

**FOR FURTHER INFORMATION CONTACT:** Catherine M. Cotell, Ph.D., Head, Technology Transfer Office, NRL Code 1004, 4555 Overlook Avenue, SW., Washington, DC 20375-5320, telephone (202) 767-7230.

(Authority: 35 U.S.C. 207, 37 CFR part 404.)

Dated: August 30, 2001.

**Robert E. Vincent II,**  
*Lieutenant Commander, Judge Advocate General's Corps, U.S. Navy, Federal Register Liaison Officer.*

[FR Doc. 01-23025 Filed 9-12-01; 8:45 am]

BILLING CODE 3810-FF-P

## DEPARTMENT OF EDUCATION

### Student Financial Assistance; Federal Family Education Loan Program

**AGENCY:** Department of Education.

**ACTION:** Notice of interest rates for the Federal Family Education Loan Program for the period July 1, 2001, through June 30, 2002.

**SUMMARY:** The Chief Operating Officer for the Office of Student Financial Assistance announces the interest rates for variable-rate loans made under the Federal Family Education Loan (FFEL) Program for the period July 1, 2001, through June 30, 2002.

**FOR FURTHER INFORMATION CONTACT:** Brian Smith, Program Specialist. Mailing address: Program Development Division, Student Financial Assistance, U.S. Department of Education, Room 3045, ROB-3, 400 Maryland Avenue, SW, Washington, DC 20202-5345. Telephone: (202) 708-8242. Individuals who use a telecommunications device for the deaf (TDD) may call the Federal Information Relay Service (FIRS) at 1-800-877-8339.

Individuals with disabilities may obtain this document in an alternative format (e.g., Braille, large print, audiotape, or computer diskette) on request to the contact person listed in the preceding paragraph.

### SUPPLEMENTARY INFORMATION:

#### General

Under title IV, part B of the Higher Education Act of 1965, as amended, (HEA), 20 U.S.C. Section 1071, *et seq.*, most loans made to student and parent borrowers under the FFEL Program have variable interest rates.