

person had an interest at the time of his/her conviction.<sup>3</sup>

BIS has received notice of Nirala's conviction for violating the Espionage Act, and has provided notice and an opportunity for Nirala to make a written submission to BIS, as provided in Section 766.25 of the Regulations. BIS has received a submission from Nirala.

Based upon my review of the record, including Nirala's submission and the facts available to BIS, and my consultations with BIS's Office of Export Enforcement, including its Director, I have decided to deny Nirala's export privileges under the Regulations for a period of 10 years from the date of Nirala's conviction. I have also decided to revoke all BIS-issued licenses in which Nirala had an interest at the time of his conviction.

Accordingly, it is hereby *ordered*:

*First*, from the date of this Order until March 13, 2027, Mohan L. Nirala, with a last known address of 8005 Moss Bank Drive, Laurel, MD 20724, and when acting for or on his behalf, his successors, assigns, employees, agents or representatives ("the Denied Person"), may not, directly or indirectly, participate in any way in any transaction involving any commodity, software or technology (hereinafter collectively referred to as "item") exported or to be exported from the United States that is subject to the Regulations, including, but not limited to:

A. Applying for, obtaining, or using any license, license exception, or export control document;

B. Carrying on negotiations concerning, or ordering, buying, receiving, using, selling, delivering, storing, disposing of, forwarding, transporting, financing, or otherwise servicing in any way, any transaction involving any item exported or to be exported from the United States that is subject to the Regulations, or engaging in any other activity subject to the Regulations; or

C. Benefitting in any way from any transaction involving any item exported or to be exported from the United States that is subject to the Regulations, or from any other activity subject to the Regulations.

*Second*, no person may, directly or indirectly, do any of the following:

A. Export or reexport to or on behalf of the Denied Person any item subject to the Regulations;

B. Take any action that facilitates the acquisition or attempted acquisition by the Denied Person of the ownership, possession, or control of any item

subject to the Regulations that has been or will be exported from the United States, including financing or other support activities related to a transaction whereby the Denied Person acquires or attempts to acquire such ownership, possession or control;

C. Take any action to acquire from or to facilitate the acquisition or attempted acquisition from the Denied Person of any item subject to the Regulations that has been exported from the United States;

D. Obtain from the Denied Person in the United States any item subject to the Regulations with knowledge or reason to know that the item will be, or is intended to be, exported from the United States; or

E. Engage in any transaction to service any item subject to the Regulations that has been or will be exported from the United States and which is owned, possessed or controlled by the Denied Person, or service any item, of whatever origin, that is owned, possessed or controlled by the Denied Person if such service involves the use of any item subject to the Regulations that has been or will be exported from the United States. For purposes of this paragraph, servicing means installation, maintenance, repair, modification or testing.

*Third*, after notice and opportunity for comment as provided in Section 766.23 of the Regulations, any other person, firm, corporation, or business organization related to Nirala by ownership, control, position of responsibility, affiliation, or other connection in the conduct of trade or business may also be made subject to the provisions of this Order in order to prevent evasion of this Order.

*Fourth*, in accordance with Part 756 of the Regulations, Nirala may file an appeal of this Order with the Under Secretary of Commerce for Industry and Security. The appeal must be filed within 45 days from the date of this Order and must comply with the provisions of Part 756 of the Regulations.

*Fifth*, a copy of this Order shall be delivered to Nirala and shall be published in the **Federal Register**.

*Sixth*, this Order is effective immediately and shall remain in effect until March 13, 2027.

Issued this 25th day of March, 2019.

**Karen H. Nies-Vogel**,

*Director, Office of Exporter Services.*

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-570-092]

#### Mattresses From the People's Republic of China: Postponement of Preliminary Determination in the Less-Than-Fair-Value Investigation

**AGENCY:** Enforcement and Compliance, International Trade Administration, Department of Commerce.

**DATES:** Applicable April 1, 2019.

**FOR FURTHER INFORMATION CONTACT:** Lilit Astvatsatrian at (202) 482-6412 or Stephen Bailey at (202) 482-0193, AD/CVD Operations, Office IV, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230.

#### SUPPLEMENTARY INFORMATION:

##### Background

On October 17, 2018, the Department of Commerce (Commerce) initiated a less-than-fair-value (LTFV) investigation of imports of mattresses from the People's Republic of China.<sup>1</sup> Currently, the preliminary determination is due no later than April 8, 2019.

Commerce exercised its discretion to toll all deadlines affected by the partial federal government closure from December 22, 2018, through the resumption of operations on January 29, 2019.<sup>2</sup> If the new deadline falls on a non-business day, in accordance with Commerce's practice, the deadline will become the next business day. Accordingly, the revised deadline for the preliminary determination of this investigation became April 8, 2019.

##### Postponement of Preliminary Determination

Section 733(b)(1)(A) of the Tariff Act of 1930, as amended (the Act), requires Commerce to issue the preliminary determination in an LTFV investigation within 140 days after the date on which Commerce initiated the investigation. However, section 733(c)(1) of the Act permits Commerce to postpone the preliminary determination until no later than 190 days after the date on which

<sup>1</sup> See *Mattresses from the People's Republic of China: Initiation of Less-Than-Fair-Value Investigation*, 83 FR 52386 (October 17, 2018) (*Initiation Notice*).

<sup>2</sup> See memorandum to the Record from Gary Taverman, Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations, performing the non-exclusive functions and duties of the Assistant Secretary for Enforcement and Compliance, "Deadlines Affected by the Partial Shutdown of the Federal Government," dated January 28, 2019. All deadlines in this segment of the proceeding have been extended by 40 days.

<sup>3</sup> See notes 1 and 2, *supra*.

Commerce initiated the investigation if: (A) The petitioner makes a timely request for a postponement; or (B) Commerce concludes that the parties concerned are cooperating, and determines that the investigation is extraordinarily complicated and that additional time is necessary to make a preliminary determination. Under 19 CFR 351.205(e), the petitioner must submit a request for postponement 25 days or more before the scheduled date of the preliminary determination and must state the reasons for the request. Commerce will grant the request unless it finds compelling reasons to deny the request.

On March 7, 2019, the petitioners<sup>3</sup> in the mattresses LTFV investigation submitted a timely request that Commerce postpone the preliminary determination in the investigation to the maximum extent permitted under the statute.<sup>4</sup> The petitioners requested the postponement to provide Commerce, and the petitioners, time to review questionnaire responses and identify deficiencies within those responses, and to provide time for Commerce to issue, and receive responses to, supplemental questionnaires prior to the preliminary determination.<sup>5</sup>

For the reasons stated above, and because there are no compelling reasons to deny the request, Commerce, in accordance with section 733(c)(1)(A) of

the Act, is postponing the deadline for the preliminary determination in the mattresses LTFV investigation by 50 days (*i.e.*, until 190 days after the date on which this investigation was initiated, plus 40 days for tolling). As a result, Commerce will issue its preliminary determination in the mattress LTFV investigation no later than May 28, 2019. In accordance with section 735(a)(1) of the Act and 19 CFR 351.210(b)(1), the deadline for the final determination in this investigation will continue to be 75 days after the date of the preliminary determination, unless postponed at a later date.

This notice is issued and published pursuant to section 733(c)(2) of the Act and 19 CFR 351.205(f)(1).

Dated: March 27, 2019.

**Gary Taverman,**

*Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations, performing the non-exclusive functions and duties of the Assistant Secretary for Enforcement and Compliance.*

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**DEPARTMENT OF COMMERCE**

**International Trade Administration**

**Antidumping or Countervailing Duty Order, Finding, or Suspended Investigation; Advance Notification of Sunset Review**

**AGENCY:** Enforcement and Compliance, International Trade Administration, Department of Commerce.

**Background**

Every five years, pursuant to the Tariff Act of 1930, as amended (the Act), the Department of Commerce (Commerce) and the International Trade Commission automatically initiate and conduct reviews to determine whether revocation of a countervailing or antidumping duty order or termination of an investigation suspended under section 704 or 734 of the Act would be likely to lead to continuation or recurrence of dumping or a countervailable subsidy (as the case may be) and of material injury.

**Upcoming Sunset Reviews for May 2019**

Pursuant to section 751(c) of the Act, the following Sunset Reviews are scheduled for initiation in May 2019 and will appear in that month's *Notice of Initiation of Five-Year Sunset Reviews* (Sunset Review).

	Department contact
<b>Antidumping Duty Proceedings</b>	
Light-Walled Rectangular Pipe and Tube from China (A-570-914) (2nd Review) .....	Jacqueline Arrowsmith (202) 482-5255.
Prestressed Concrete Steel Rail Tie Wire from China (A-570-990) (1st Review) .....	Joshua Poole (202) 482-1293.
Small Diameter Graphic Electrodes from China (A-570-929) (2nd Review) .....	Joshua Poole (202) 482-1293.
Light-Walled Rectangular Pipe and Tube from Mexico (A-201-836) (2nd Review) .....	Jacqueline Arrowsmith (202) 482-5255.
Prestressed Concrete Steel Rail Tie Wire from Mexico (A-201-843) (1st Review) .....	Joshua Poole (202) 482-1293.
Light-Walled Rectangular Pipe and Tube from South Korea (A-580-859) (2nd Review) .....	Jacqueline Arrowsmith (202) 482-5255.
Light-Walled Rectangular Pipe and Tube from Turkey (A-489-815) (2nd Review) .....	Jacqueline Arrowsmith (202) 482-5255.
<b>Countervailing Duty Proceedings</b>	
Light-Walled Rectangular Pipe and Tube from China (C-570-915) (2nd Review) .....	Joshua Poole (202) 482-1293.
<b>Suspended Investigations</b>	
No Sunset Reviews of suspended investigations are scheduled for initiation in May 2019.	

Commerce's procedures for the conduct of Sunset Reviews are set forth in 19 CFR 351.218. The *Notice of Initiation of Five-Year (Sunset) Review* provides further information regarding what is required of all parties to participate in Sunset Review.

Pursuant to 19 CFR 351.103(c), Commerce will maintain and make available a service list for these proceedings. To facilitate the timely preparation of the service list(s), it is requested that those seeking recognition as interested parties to a proceeding contact Commerce in writing within 10

days of the publication of the Notice of Initiation.

Please note that if Commerce receives a Notice of Intent to Participate from a member of the domestic industry within 15 days of the date of initiation, the review will continue.

<sup>3</sup> The petitioner is the Corsicana Mattress Company, Elite Comfort Solutions, Future Foam Inc., FXI, Inc., Innocor, Inc., Kolcraft Enterprises Inc., Leggett & Platt, Incorporated, Serta Simmons

Bedding, LLC, and Tempur Sealy International, Inc. (collectively, the petitioners).

<sup>4</sup> See Letter from the petitioners, "Mattresses from the People's Republic of China: Petitioners' Request

to Postpone the Antidumping Investigation Preliminary Determination," dated March 7, 2019.

<sup>5</sup> *Id.*