All filers using the portal should use the name of the person or entity submitting the comments as the name of their files, in accordance with the instructions below. Anyone submitting business confidential information should clearly identify the business confidential portion at the time of submission, file a statement justifying nondisclosure and referring to the specific legal authority claimed, and provide a non-confidential version of the submission. For comments submitted electronically containing business confidential information, the file name of the business confidential version should begin with the characters ''BC.'' Any page containing business confidential information must be clearly marked ''BUSINESS CONFIDENTIAL'' on the top of that page. The corresponding non-confidential version of those comments must be clearly marked ''PUBLIC.'' The file name of the non-confidential version should begin with the character ''P.'' Any submissions with file names that do not begin with either a ''BC'' or a ''P'' will be assumed to be public and will be made publicly available at: *https://www.regulations.gov.* Commenters submitting business confidential information are encouraged to scan a hard copy of the non-confidential version to create an image of the file, rather than submitting a digital copy with redactions applied, to avoid inadvertent redaction errors which could enable the public to read business confidential information.

FOR FURTHER INFORMATION CONTACT: For technical questions, contact Joseph A. Cristofaro, Director, Sensors, Aerospace and Marine Division, Office of National Security Controls, Bureau of Industry and Security, U.S. Department of Commerce, at 202–482–2440 or by email: *Joseph.Cristofaro@bis.doc.gov.* For general questions, contact Regulatory Policy Division, Office of Exporter Services, Bureau of Industry and Security, U.S. Department of Commerce at 202–482–2440 or by email: *RPD2@bis.doc.gov.*

SUPPLEMENTARY INFORMATION:

Background

On October 23, 2024, BIS published in the **Federal Register** the interim final rule, ''Export Administration Regulations: Revisions to Space-Related Export Controls'' (RIN 0694–AJ87) (89 FR 84770), which makes changes to controls for spacecraft and related items under the Export Administration Regulations (EAR). This IFR reduces license requirements on less sensitive items to reflect the close relations with certain countries to better facilitate space collaboration and makes refinements and clarifications to existing controls. These changes will better enable a globally competitive U.S. space industrial base while continuing to protect U.S. national security and foreign policy interests.

In response to requests from the regulated community, the Department of Commerce is extending the comment period for this rule (RIN 0694–AJ87) by 30 days.

Matthew S. Borman,

Principal Deputy Assistant Secretary for Strategic Trade and Technology Security.

[FR Doc. 2024–26886 Filed 11–15–24; 4:15 pm]

BILLING CODE 3510–33–P

SECURITIES AND EXCHANGE COMMISSION

17 CFR Part 275

[Release No. IA–6773; File No. S7–03–22]

Private Fund Advisers; Documentation of Registered Investment Adviser Compliance Reviews

AGENCY: Securities and Exchange Commission.

ACTION: Final rule; technical amendments.

SUMMARY: The Securities and Exchange Commission (''Commission'') is adopting technical amendments to various rules under the Investment Advisers Act of 1940 (''Advisers Act'') to reflect a Federal court's vacatur of new rules and rule amendments that the Commission adopted on August 23, 2023. The Commission adopted new rules designed to protect investors who directly or indirectly invest in private funds, corresponding amendments to the Advisers Act books and records rule to facilitate compliance with the new rules and assist examination staff, and additional amendments to the Advisers Act compliance rule to better enable staff to conduct examinations (together, the ''Private Fund Adviser Rules''). The court's vacatur of the Private Fund Adviser Rules was effective as of June 5, 2024, and had the legal effect of: vacating the new rules and the reservation of a rule number in the Code of Federal Regulations (''CFR''); as well as vacating the amendments to the existing books and records and compliance rules such that those vacated amendments are no longer in effect. These technical amendments revise the CFR to reflect the court's vacatur of the Private Fund Adviser Rules.

DATES: Effective November 19, 2024; however, the Federal court issued its vacatur of the rule amendments June 5, 2024.

FOR FURTHER INFORMATION CONTACT: John Cavanagh, Senior Counsel; Robert Holowka, Branch Chief; Jennifer Porter, Assistant Director, Investment Adviser Regulation Office, Division of Investment Management at (202) 551–6787 or *IMOCC@sec.gov;* U.S. Securities and Exchange Commission, 100 F Street NE, Washington, DC 20549.

SUPPLEMENTARY INFORMATION: The Commission is adopting technical amendments to the following rules: 17 CFR 275.206(4)–9, 17 CFR 275.206(4)–10, 17 CFR 275.211(h)(1)–1, 17 CFR 275.211(h)(1)-2, 17 CFR 275.211(h)(2)–1, 17 CFR 275.211(h)(2)–2, 17 CFR 275.211(h)(2)–3, 17 CFR 275.204–2, and 17 CFR 275.206(4)–7 under the Advisers Act.

I. Background

On August 23, 2023, the Commission adopted the Private Fund Adviser Rules, which, through its constituent parts, would have protected investors who directly or indirectly invest in private funds and better enabled staff to conduct examinations. The Private Fund Adviser Rules became effective on November 13, 2023.[1] On June 5, 2024, the U.S. Court of Appeals for the Fifth Circuit vacated the Private Fund Adviser Rules.[2] The court's vacatur of the Private Fund Adviser Rules was effective as of June 5, 2024, and had the legal effect of (i) vacating the new rules and the reservation of rule 206(4)–9 and (ii) vacating the amendments to the existing books and records rule 204–2 and compliance rule 206(4)–7 such that those vacated amendments are no longer in effect. These technical amendments reflect the vacatur in the CFR by rescinding the Private Fund Adviser Rules.

II. Procedural and Other Matters

The Administrative Procedure Act (''APA'') generally requires an agency to publish notice of a rulemaking in the **Federal Register** and provide an opportunity for public comment. This requirement does not apply, however, if the agency ''for good cause finds . . . that notice and public procedure are impracticable, unnecessary, or contrary to the public interest.'' [3]

[1] *Private Fund Advisers; Documentation of Registered Investment Adviser Compliance Reviews,* Release No. IA–6383 (Aug. 23, 2023) [88 FR 63206 (Sept. 14, 2023)].

[2] *National Association of Private Fund Managers* v. *SEC,* No. 23–60471 (5th Cir. 2024).

[3] 5 U.S.C. 553(b)(B).

The technical amendments do not impose any new substantive regulatory requirements on any person and merely reflect the vacatur of the Private Fund Adviser Rules. For these reasons, for good cause, the Commission finds that notice and public comment are unnecessary.[4]

For similar reasons, although the APA generally requires publication of a rule at least 30 days before its effective date, the Commission finds there is good cause for the amendments to take effect on [INSERT DATE OF PUBLICATION IN THE **FEDERAL REGISTER**].[5]

Pursuant to the Congressional Review Act, the Office of Information and Regulatory Affairs has designated these amendments as not a ''major rule,'' as defined by 5 U.S.C. 804(2).

List of Subjects in 17 CFR Part 275

Administrative practice and procedure, Reporting and recordkeeping requirements, Securities.

Text of Amendments

For the reasons set forth in the preamble, title 17, chapter II of the Code of Federal Regulations is amended as follows:

PART 275—RULES AND REGULATIONS, INVESTMENT ADVISERS ACT OF 1940

■ 1. The authority citation for part 275 continues to read in part as follows:

Authority: 15 U.S.C. 80b–2(a)(11)(G), 80b–2(a)(11)(H), 80b–2(a)(17), 80b–3, 80b–4, 80b–4a, 80b–6(4), 80b–6a, 80b–11, 1681w(a)(1), 6801–6809, and 6825, unless otherwise noted.

* * * * *

Section 275.204–2 is also issued under 15 U.S.C. 80b–6.

* * * * *

§ 275.204–2 [Amended]

■ 2. Amend § 275.204–2 by:
■ a. Removing the ''; and'' at the end of paragraph (a)(7)(iv)(B) and adding a period in its place;
■ b. Removing paragraph (a)(7)(v); and
■ c. Removing and reserving paragraphs (a)(20) through (24).

* * * * *

§ 275.206(4)–9, § 275.206(4)–10 [Removed]

■ 3. Remove §§ 275.206(4)–9 and 275.206(4)–10.

* * * * *

§ 275.206(4)–7 [Amended]

■ 4. Amend § 275.206(4)–7 by revising paragraph (b) to read as follows:

* * * * *

(b) *Annual review.* Review, no less frequently than annually, the adequacy of the policies and procedures established pursuant to this section and the effectiveness of their implementation; and

* * * * *

§ 275.211(h)(1)–1 through § 275.211(h)(2)–3 [Removed]

■ 5. Remove §§ 275.211(h)(1)–1, 275.211(h)(1)–2, 275.211(h)(2)–1, 275.211(h)(2)–2, and 275.211(h)(2)–3.

Dated: November 8, 2024.

Sherry R. Haywood,

Assistant Secretary.

[FR Doc. 2024–26524 Filed 11–18–24; 8:45 am]

BILLING CODE 8011–01–P

[4] This finding also satisfies the requirements of 5 U.S.C. 808(2), allowing the amendments to become effective notwithstanding the requirement of 5 U.S.C. 801 (if a Federal agency finds that notice and public comment are impractical, unnecessary or contrary to the public interest, a rule shall take effect at such time as the Federal agency promulgating the rule determines). The amendments also do not require analysis under the Regulatory Flexibility Act. *See* 5 U.S.C. 604(a) (requiring a final regulatory flexibility analysis only for rules required by the APA or other law to undergo notice and comment).

[5] *See* 5 U.S.C. 553(d)(3).

DEPARTMENT OF JUSTICE

Drug Enforcement Administration

21 CFR Part 1307

[Docket No. DEA–407]

RIN 1117–AB40, 1117–AB78, and 1117–ZA06

DEPARTMENT OF HEALTH AND HUMAN SERVICES

42 CFR Part 12

Third Temporary Extension of COVID–19 Telemedicine Flexibilities for Prescription of Controlled Medications

AGENCY: Drug Enforcement Administration, Department of Justice; Substance Abuse and Mental Health Services Administration, Department of Health and Human Services.

ACTION: Temporary rule.

SUMMARY: The Drug Enforcement Administration (DEA) in concert with the Department of Health and Human Services (HHS) is issuing a third extension of telemedicine flexibilities for the prescribing of controlled medications, through December 31, 2025.

DATES: This rule is effective January 1, 2025, through December 31, 2025.

FOR FURTHER INFORMATION CONTACT: Heather E. Achbach, Diversion Control Division, Drug Enforcement Administration; Mailing Address: 8701 Morrissette Drive, Springfield, VA 22152, Telephone: (571) 776–3882.

SUPPLEMENTARY INFORMATION:

I. Background

Overview

Under the Ryan Haight Online Pharmacy Consumer Protection Act of 2008 (the Ryan Haight Act), a prescribing practitioner—subject to certain exceptions—may prescribe controlled medications to a patient only after conducting an in-person evaluation of that patient. In response to the COVID–19 Public Health Emergency (COVID–19 PHE), as declared by the Secretary (the Secretary) of the Department of Health and Human Services (HHS) on January 31, 2020, pursuant to the authority under section 319 of the Public Health Service Act (42 U.S.C. 247), the Drug Enforcement Administration (DEA) granted temporary exceptions to the Ryan Haight Act and DEA's implementing regulations under 21 U.S.C. 802(54)(D).

In order to prevent lapses in care, these exceptions allowed for the prescribing of controlled medications via telemedicine encounters even when the prescribing practitioner had not conducted an in-person medical evaluation of the patient. These telemedicine flexibilities authorized practitioners to prescribe schedule II–V controlled medications via audio-video telemedicine encounters, including schedule III–V narcotic controlled medications approved by the Food and Drug Administration (FDA) for maintenance and withdrawal management treatment of opioid use disorder via audio-only telemedicine encounters, provided that such prescriptions otherwise comply with the requirements outlined in DEA guidance documents, DEA regulations, and applicable Federal and State law. DEA granted those temporary exceptions to the Ryan Haight Act and DEA's implementing regulations via two letters published in March 2020:

- A March 25, 2020 ''Dear Registrant'' letter signed by William T. McDermott, DEA's then-Assistant Administrator, Diversion Control Division (the McDermott Letter);[1] and
- A March 31, 2020 ''Dear Registrant'' letter signed by Thomas W. Prevoznik, DEA's then-Deputy Assistant

[1] William T. McDermott, DEA Dear Registrant letter, Drug Enforcement Administration (March 25, 2020), *https://www.deadiversion.usdoj.gov/GDP/(DEA-DC-018)(DEA067)%20DEA%20state%20reciprocity%20(final)(Signed).pdf.*