

The Commission disagrees with the premise of these arguments. The proposed rule change, as modified by Amendment No. 1, does not relate to a product regulated under the 1940 Act, nor does it relate to the same underlying holdings as the Bitcoin Futures ETFs. The Commission considers the proposed rule change on its own merits and under the standards applicable to it. Namely, with respect to this proposed rule change, the Commission must apply the standards as provided by Section 6(b)(5) of the Exchange Act, which it has applied in connection with its orders considering previous proposals to list bitcoin-based commodity trusts and bitcoin-based trust issued receipts.<sup>185</sup>

Comment letters also address the general nature and uses of bitcoin<sup>186</sup> and the state of regulation of bitcoin markets.<sup>187</sup> Ultimately, however, additional discussion of these topics is unnecessary, as they do not bear on the basis for the Commission's decision to disapprove the proposal.

#### IV. Conclusion

For the reasons set forth above, the Commission does not find, pursuant to Section 19(b)(2) of the Exchange Act, that the proposed rule change, as modified by Amendment No. 1, is consistent with the requirements of the Exchange Act and the rules and regulations thereunder applicable to a national securities exchange, and in particular, with Section 6(b)(5) of the Exchange Act.

It is therefore ordered, pursuant to Section 19(b)(2) of the Exchange Act, that proposed rule change SR–ChoeBZX–2021–051, as modified by Amendment No. 1, be, and hereby is, disapproved.

By the Commission.

**J. Matthew DeLesDernier,**  
*Assistant Secretary.*

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Bitcoin Futures ETF. *See id.* at 73365. However, as noted above, *see supra* note 162, even if these assertions are true, the Commission must consider any potential investor protections of the proposal in the broader context of whether the proposal meets each of the applicable requirements of the Exchange Act. The Exchange has not met such requirements.

<sup>185</sup> *See supra* note 12. *See also* VanEck Order, 86 FR at 64552; Skybridge Order, 87 FR at 3881 n.177.

<sup>186</sup> *See* letter from Sam Ahn, dated August 25, 2021 (“Ahn Letter”).

<sup>187</sup> *See* Ahn Letter.

#### DEPARTMENT OF STATE

[Public Notice: 11705]

##### Determination With Respect to Assistance to Afghanistan Consistent With the Trafficking Victims Protection Act of 2000

Consistent with section 110 of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7107) (the “Act”) and Presidential Memorandum dated December 21, 2021, I hereby determine:

- That a partial waiver of the restriction described in section 110(d)(1)(A)(i) of the Act with respect to Afghanistan to allow for Economic Support Fund and Global Health Programs assistance would promote the purposes of the Act or is otherwise in the national interest of the United States; and
- That providing the assistance described in section 110(d)(1)(B) of the Act to Afghanistan would promote the purposes of the Act or is otherwise in the national interest of the United States.

This determination, along with the accompanying certification required by section 110(e) of the Act, and the Memorandum of Justification, on which I have relied, shall be transmitted to Congress, and the determination shall be published in the **Federal Register**.

Dated: March 24, 2022.

**Antony J. Blinken,**  
*Secretary of State.*

[FR Doc. 2022–07305 Filed 4–5–22; 8:45 am]

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#### DEPARTMENT OF STATE

[Public Notice: 11666]

##### List of Participating Countries and Entities in the Kimberley Process Certification Scheme, Known as “Participants” for the Purposes of the Clean Diamond Trade Act of 2003

**AGENCY:** Bureau of Economic and Business Affairs.

**ACTION:** Notice.

**SUMMARY:** The Department of State is updating the list of Participants eligible for trade in rough diamonds under the Act, and their respective Importing and Exporting Authorities, revising the previously published list of January 8, 2021, to reflect the addition of the Kyrgyz Republic, Mozambique, and Qatar as Participants.

**DATES:** This notice is effective on April 6, 2022.

**FOR FURTHER INFORMATION CONTACT:** George Cajati, Bureau of Economic and

Business Affairs, Department of State, (202) 647–2856.

**SUPPLEMENTARY INFORMATION:** Section 4 of the Clean Diamond Trade Act of 2003, Public Law 108–19 (the “Act”) requires the President to prohibit the importation into, or the exportation from, the United States of any rough diamond, from whatever source, that has not been controlled through the Kimberley Process Certification Scheme (KPCS). Under Section 3(2) of the Act, “controlled through the Kimberley Process Certification Scheme” means an importation from the territory of a Participant or exportation to the territory of a Participant of rough diamonds that is either (i) carried out in accordance with the KPCS, as set forth in regulations promulgated by the President, or (ii) controlled under a system determined by the President to meet substantially the standards, practices, and procedures of the KPCS. The referenced regulations are contained at 31 CFR part 592 (“Rough Diamond Control Regulations”) (68 FR 45777, August 4, 2003).

Section 6(b) of the Act requires the President to publish in the **Federal Register** a list of all Participants, and all Importing and Exporting Authorities of Participants, and to update the list as necessary. Section 2 of E.O. 13312 of July 29, 2003 delegates this function to the Secretary of State. Section 3(7) of the Act defines “Participant” as a state, customs territory, or regional economic integration organization identified by the Secretary of State. Section 3(3) of the Act defines “Exporting Authority” as one or more entities designated by a Participant from whose territory a shipment of rough diamonds is being exported as having the authority to validate a Kimberley Process Certificate. Section 3(4) of the Act defines “Importing Authority” as one or more entities designated by a Participant into whose territory a shipment of rough diamonds is imported as having the authority to enforce the laws and regulations of the Participant regarding imports, including the verification of the Kimberley Process Certificate accompanying the shipment.

##### List of Participants

Pursuant to Sections 3 and 6 of the Act, Section 2 of E.O. 13312, Department of State Delegations of Authority No. 245–1 (February 13, 2009), and No. 376 (October 31, 2011), I hereby identify the following entities as Participants under section 6(b) of the Act. Included in this List are the Importing and Exporting Authorities for Participants, as required by Section 6(b)

of the Act. This List is published solely for the purpose of implementing the mandates cited above and does not reflect or prejudice any other regulation or prohibition that may apply with respect to trading, doing business, or engaging in any other transaction with any of the listed countries or entities. This list revises the previously published list of January 8, 2021 to reflect the addition of the Kyrgyz Republic, Mozambique, and Qatar as Participants.

Angola—Ministry of Mineral Resources and Petroleum, Ministry of Trade.  
 Armenia—Ministry of Economic Development and Investment.  
 Australia—Department of Industry, Innovation and Science (Exporting Authority), Department of Home Affairs (Importing Authority).  
 Bangladesh—Export Promotion Bureau.  
 Belarus—Ministry of Finance—Precious Metals and Gemstones Department.  
 Botswana—Ministry of Minerals, Green Technology and Energy Security—Diamond Hub.  
 Brazil—Ministry of Mines and Energy—Secretariat of Geology, Mining and Mineral Processing—National Mining Agency.  
 Cambodia—Ministry of Commerce.  
 Cameroon—Ministry of Mines—National Permanent Secretariat for the Kimberley Process.  
 Canada—Ministry of Natural Resources Canada.  
 Central African Republic—Ministry of Mines, Energy and Hydraulics.  
 China—General Administration of China Customs; in the Hong Kong Special Administrative Region: Trade and Industry Department (Exporting Authority), Customs and Exercise Department (Importing Authority).  
 Congo, Democratic Republic of the—Ministry of Mines—The Center of Expertise, Evaluation and Certification of Precious and Semiprecious Mineral Substances.  
 Congo, Republic of the—Ministry of Mines and Geology—Bureau of Expertise, Evaluation and Certification of Precious Mineral Substances.  
 Cote D'Ivoire (Ivory Coast)—General Directorate of Customs.  
 Eswatini—Office of the Commissioner of Mines.  
 European Union—European Commission—Foreign Policy Instruments; in Belgium: Federal Public Service of Economy; in the Czech Republic: General Directorate of Customs; in Germany: Main Customs Office (Exporting Authority), General Directorate for Management VI (Importing Authority); in Italy:

Customs and Monopolies Agency, Anti-Fraud Office; in Ireland: the Kimberley Process and Responsible Minerals Authority—Exploration and Mining Division—Department of Communications, Climate Action and Environment; in Portugal: Tributary and Customs Authority—Licensing Services Directorate; in Romania: National Authority for Consumer Protection—General Department for Precious Metals, Precious Stones and the Kimberley Process.  
 Gabon—Permanent Center for the Kimberley Process  
 Ghana—Ministry of Lands and Natural Resources—Precious Minerals Marketing Company Limited.  
 Guinea—Ministry of Mines and Geology.  
 Guyana—Guyana Geology and Mines Commission.  
 India—The Gem and Jewellery Export Promotion Council.  
 Indonesia—Ministry of Trade—Director General for Foreign Trade.  
 Israel—Ministry of Economy and Industry—Office of the Diamond Controller.  
 Japan—Ministry of Economy, Trade and Industry—Agency for Natural Resources and Energy Trade and Economic Cooperation Bureau.  
 Kazakhstan—Ministry for Investments and Development—Committee for Technical Regulation and Metrology.  
 Korea, Republic of (South Korea)—Ministry of Trade, Industry and Energy.  
 Kyrgyz Republic—Ministry of Economy and Finance.  
 Laos—Ministry of Industry and Commerce—Department of Import and Export.  
 Lebanon—Ministry of Economy and Trade.  
 Lesotho—Ministry of Mining—Department of Mines—Diamond Control Office.  
 Liberia—Ministry of Lands, Mines and Energy.  
 Malaysia—Royal Malaysian Customs Department.  
 Mali—Ministry of Mines—Office of Expertise, Evaluation and Certification of Rough Diamonds.  
 Mauritius—Ministry of Industry, Commerce and Consumer Protection—Trade Division.  
 Mexico—Ministry of Economy—Directorate-General for International Trade in Goods.  
 Mozambique—Ministry of Mineral Resources and Energy.  
 Namibia—Ministry of Mines and Energy—Directorate of Diamond Affairs.  
 New Zealand—New Zealand Customs Service.

Norway—Norwegian Customs Service.  
 Panama—National Customs Authority.  
 Qatar—Qatar Free Zones.  
 Russia—Ministry of Finance.  
 Sierra Leone—National Minerals Agency, National Revenue Authority.  
 Singapore—Ministry of Trade and Industry, Singapore Customs.  
 South Africa—South African Diamond and Precious Metals Regulator.  
 Sri Lanka—National Gem and Jewellery Authority.  
 Switzerland—State Secretariat for Economic Affairs.  
 Taipei—Ministry of Economic Affairs—Bureau of Foreign Trade—Import/Export Administration Division.  
 Tanzania—Ministry of Energy and Minerals—Commissioner for Minerals.  
 Thailand—Ministry of Commerce—Department of Foreign Trade.  
 Togo—Ministry of Mines and Energy—Head Office of Mines and Geology.  
 Turkey—Borsa Istanbul Precious Metals and Diamond Market.  
 Ukraine—Ministry of Finance—State Gemmological Centre of Ukraine.  
 United Arab Emirates—Dubai Multi Commodities Center Authority—U.A.E. Kimberley Process Office in the Dubai Airport Free Zone.  
 United Kingdom—Foreign, Commonwealth & Development Office—Government Diamond Office  
 United States of America—United States Census Bureau (Exporting Authority), United States Customs and Border Protection (Importing Authority).  
 Venezuela—Central Bank of Venezuela (Exporting Authority), National Customs and Tax Administration Integrated Service (Importing Authority).  
 Vietnam—Ministry of Industry and Trade—Import Export Management Divisions in Hanoi and Ho Chi Minh City.  
 Zimbabwe—Minerals Marketing Corporation of Zimbabwe (Exporting Authority), Zimbabwe Revenue Authority (Importing Authority).

#### **Ramin Toloui,**

*Assistant Secretary, Bureau of Economic and Business Affairs, Department of State.*

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## **DEPARTMENT OF STATE**

**[Public Notice: 11704]**

### **Designation of Katibat al Tawhid wal Jihad as a Specially Designated Global Terrorist**

Acting under the authority of and in accordance with section 1(a)(ii)(A) of