

“retaliation and bogus practices” (such as frivolous lawsuits, “endless medical records requests,” “refund demands,” and “denials”), steering patients to agencies that they own, and ultimately eliminating independent providers from the market.

Another commenter, the CEO of a healthcare consulting firm, similarly alleges that the merger will “deepen [UnitedHealth’s] chokehold” on U.S. healthcare, allowing it to steer patients to its own agencies, deny or delay approvals to competing home health providers, and pay independent home health providers far below cost while overpaying its subsidiaries.<sup>22</sup> This commenter asserts that after UnitedHealth acquired LHC, “independent agencies were driven out by reimbursement discrimination and arbitrary denials” and that patients suffered as a result. The commenter also notes that UnitedHealth is under investigation for alleged overpayments to its Medicare Advantage business.

The United States did not allege any harm related to vertical theories—that is, harm to home health or hospice competition by virtue of Amedisys being acquired by an insurer—in its Complaint. Vertical concerns therefore are outside the scope of the Tunney Act proceeding. *See U.S. Airways*, 38 F. Supp. 3d at 76 (“[T]he Court’s role under the [Tunney Act] is limited to reviewing the remedy in relationship to the violations that the United States has alleged in its Complaint.”) (internal citation omitted).<sup>23</sup>

#### F. Comment Relating to Pennant’s Benefit Structure

One commenter raises concerns about the transfer of employees from Amedisys and LHC to Pennant.<sup>24</sup> While acknowledging that the divestiture has the potential to be successful, the commenter notes several aspects of Pennant’s benefits packages that are allegedly noncompetitive and asserts that, without “meaningful long-term improvements, Pennant will face a mass exodus of skilled staff.”<sup>25</sup>

The divestiture to Pennant is intended to preserve competition, including

competition for labor, in the local markets in which Pennant is acquiring assets. After a thorough vetting of the divestiture buyers, the United States concluded that Pennant would likely have the incentive to compete in the areas in which it is acquiring divestiture assets. As the commenter acknowledges, Pennant will harm its own business if it fails to offer competitive wages, benefits, and working conditions. By establishing Pennant as an independent competitor in the local labor markets in which it acquired home health or hospice agencies, the remedy in the proposed Final Judgment gives Pennant the incentive to compete for home health and hospice nurses.

#### V. Conclusion

After careful consideration of the public comments, the United States continues to believe the proposed Final Judgment provides an effective and appropriate remedy for the antitrust violations alleged in the Complaint and is therefore in the public interest. The United States will move this Court to enter the proposed Final Judgment after this response is published in the **Federal Register** and the public comments are published in the manner approved by the Court (see Dkt. 243), as required by 15 U.S.C. 16(d).

Dated: November 14, 2025

Respectfully submitted,

/s/ David M. Stoltzfus

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**BILLING CODE 4410-11-P**

#### DEPARTMENT OF LABOR

##### Agency Information Collection Activities; Submission for OMB Review; Comment Request; Weekly Claims and Extended Benefits Data and Weekly Initial and Continued Weeks Claimed

**ACTION:** Notice of availability; request for comments.

**SUMMARY:** The Department of Labor (DOL) is submitting this Employment and Training Administration (ETA)-sponsored information collection request (ICR) to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act of 1995

(PRA). Public comments on the ICR are invited.

**DATES:** The OMB will consider all written comments that the agency receives on or before December 19, 2025.

**ADDRESSES:** Written comments and recommendations for the proposed information collection should be sent within 30 days of publication of this notice to [www.reginfo.gov/public/do/PRAMain](http://www.reginfo.gov/public/do/PRAMain). Find this particular information collection by selecting “Currently under 30-day Review—Open for Public Comments” or by using the search function.

**FOR FURTHER INFORMATION CONTACT:** Michael Howell by telephone at 202-693-6782, or by email at [DOL\\_PRA\\_PUBLIC@dol.gov](mailto:DOL_PRA_PUBLIC@dol.gov).

**SUPPLEMENTARY INFORMATION:** This data collection is necessary for the determination of the beginning, continuance, or termination of an Extended Benefit (EB) period in any State, which determine the EB trigger rate. Also, data on initial and continued claims are used to help determine economic indicators. This information collection request is associated with the Final Rule amending 20 CFR 615, Extended Benefits, by implementing the Total Unemployment Rate (TUR) indicator, an optional calculation methodology for triggering on Extended Benefits, in regulations. The Final Rule deletes paragraphs (c) and (d) under the regulatory requirements at § 615.15, pertaining to records and reports State agencies must submit. The reporting instructions for the proper and timely submission of data are provided in ET Handbook No. 401, which governs Unemployment Compensation required reporting. For additional substantive information about this ICR, see the related notice published in the **Federal Register** on March 11, 2025 (90 FR 11751).

*Comments are invited on:* (1) whether the collection of information is necessary for the proper performance of the functions of the Department, including whether the information will have practical utility; (2) the accuracy of the agency’s estimates of the burden and cost of the collection of information, including the validity of the methodology and assumptions used; (3) ways to enhance the quality, utility and clarity of the information collection; and (4) ways to minimize the burden of the collection of information on those who are to respond, including the use of automated collection techniques or other forms of information technology.

This information collection is subject to the PRA. A Federal agency generally

<sup>22</sup> TC-003 at 1.

<sup>23</sup> The CEO of the competing home health provider also asserts that “[b]ased on antitrust expert John Mark Newman’s analysis, the probability of all 164 divestitures succeeding perfectly is a mere 0.0027%.” TC-001 at 1. The CEO of the healthcare consulting firm similarly claims that the odds of all 164 divestitures succeeding without harm is 0.0027%. TC-003 at 1. Neither commenter, however, supplies any information that would allow the United States to assess or respond to this assertion.

<sup>24</sup> TC-159.

<sup>25</sup> TC-159 at 1-2.

cannot conduct or sponsor a collection of information, and the public is generally not required to respond to an information collection, unless the OMB approves it and displays a currently valid OMB Control Number. In addition, notwithstanding any other provisions of law, no person shall generally be subject to penalty for failing to comply with a collection of information that does not display a valid OMB Control Number. See 5 CFR 1320.5(a) and 1320.6.

DOL seeks PRA authorization for this information collection for three (3) years. OMB authorization for an ICR cannot be for more than three (3) years without renewal. The DOL notes that information collection requirements submitted to the OMB for existing ICRs receive a month-to-month extension while they undergo review.

*Agency:* DOL-ETA.

*Title of Collection:* Weekly Claims and Extended Benefits Data and Weekly Initial and Continued Weeks Claimed.

*OMB Control Number:* 1205-0028.

*Affected Public:* State, Local and Tribal Government.

*Total Estimated Number of Respondents:* 53.

*Total Estimated Number of Responses:* 5,512.

*Total Estimated Annual Time Burden:* 3,675 hours.

*Total Estimated Annual Other Costs Burden:* \$0.

(Authority: 44 U.S.C. 3507(a)(1)(D))

**Michael Howell,**

*Senior Paperwork Reduction Act Analyst.*

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**BILLING CODE 4510-FN-P**

**LEGAL SERVICES CORPORATION**

**Pro Bono Innovation Fund; Process for Submitting Pre-Applications for 2025 Grants**

**AGENCY:** Legal Services Corporation.

**ACTION:** Notice.

**SUMMARY:** The Legal Services Corporation (LSC) issues this Notice describing the conditions for submitting a Pre-Application for 2025 Pro Bono Innovation Fund grants.

**DATES:** Pre-applications must be submitted by 11:59 p.m. EST on Friday, January 10, 2025.

**ADDRESSES:** Letters of Intent must be submitted electronically at <http://lscgrants.lsc.gov>.

**FOR FURTHER INFORMATION CONTACT:** Katherine Harris, Special Grant Program Coordinator, Office of Program Performance, Legal Services

Corporation, 1825 I Street NW, Suite 800, Washington, DC 20006; (202) 295-1572 or [harrisk@lsc.gov](mailto:harrisk@lsc.gov).

**SUPPLEMENTARY INFORMATION:**

**I. Introduction**

Since 2014, Congress has provided an annual appropriation to LSC “for a Pro Bono Innovation Fund.” See, e.g., Consolidated Appropriations Act, 2017, Public Law 115-31, 131 Stat. 135 (2017). LSC requested these funds for grants to “develop, test, and replicate innovative pro bono efforts that can enable LSC grantees to expand clients’ access to high-quality legal assistance.” LSC Budget Request, Fiscal Year 2014 at 26 (2013). The grants must involve innovations that are either “new ideas” or “new applications of existing best practices.” *Id.* Each grant would “either serve as a model for other legal services providers to follow or effectively replicate a prior innovation.” *Id.* The Senate Appropriations Committee explained that these funds “will support innovative projects that promote and enhance pro bono initiatives throughout the Nation,” and the House Appropriations Committee directed LSC “to increase the involvement of private attorneys in the delivery of legal services to [LSC-eligible] clients.” Senate Report 114-239 at 123 (2016), House Report 113-448 at 85 (2014).

Since its inception, the Pro Bono Innovation Fund (PBIF) has advanced LSC’s goal of increasing the quantity and quality of legal services by funding efforts that more efficiently and effectively involve pro bono volunteers in serving the critical unmet legal needs of LSC-eligible clients. PBIF has three funding categories that are described in further detail below: Project, Sustainability, and Project Incubation Grants. In addition, PBIF is offering Grantee Engagement Scholarships to select FY26 Applicants.

**II. Funding Opportunities Information**

**A. Eligible Applicants**

To be eligible for PBIF grants, Applicants must be current grantees of LSC Basic Field-General, Basic Field-Migrant, or Basic Field-Native American Grants. To be eligible for a Sustainability Grant, Applicants must also have a 2024 PBIF Project Grant. To be eligible for a Project Incubation Grant, an organization must have never received PBIF funding, have not received a PBIF Grant since 2019, or have applied unsuccessfully for a PBIF Grant in 2025. Organizations eligible to apply for a Project Incubation Grant will receive a direct email from LSC confirming their eligibility.

**B. PBIF Purpose and Key Goals**

PBIF Grants develop, test, and replicate innovative pro bono efforts that can enable LSC grantees to use pro bono volunteers to serve more significant numbers of low-income clients and improve the quality and effectiveness of the services provided. The key goals of the PBIF are to:

1. Address gaps in the delivery of legal services to low-income people;
2. Engage more lawyers and other volunteers in pro bono service;
3. Develop, test, and replicate innovative pro bono efforts.

**C. Funding Categories**

**1. Project Grants**

Project Grants aim to leverage volunteers to provide client-centered legal assistance in areas of critical need. Consistent with the key goals of PBIF, Applicants are encouraged to focus on engaging volunteers to increase free civil legal aid for Americans with low incomes by proposing new, replicable ideas.

Applicants are strongly encouraged to research previous PBIF projects to replicate and improve them. LSC is particularly interested in applications that replicate projects previously funded with “Sustainability” Grants.

Project Grants can have either an 18 or 24-month term.

**2. Sustainability Grants**

Sustainability Grants are available to current PBIF grantees who received a 2024 Project Grant. Sustainability Grants provide the most promising and replicable PBIF projects with an additional 24 months of funding, enabling grantees to leverage new sources of revenue for the project and collect meaningful data to demonstrate its results and outcomes to clients and volunteers. Applicants for Sustainability Grants are asked to propose an ambitious strategy to reduce reliance on PBIF funding during the Sustainability Grant term.

Sustainability Grants have a 24-month term.

**3. Project Incubation Grants**

Project Incubation Grants provide funds for organizations to improve an existing pro bono opportunity using pro bono best practices and PBIF guidance provided through a structured program and other resources. Project Incubation Grants have a 24-month term.

Applicants who apply for, but do not receive, a Project Incubation Grant in FY26 can receive a PBIF Grantee Engagement Scholarship. Grantee Engagement Scholarships provide