

TABLE 1—SUMMARY OF HMS EXEMPTED FISHING PERMITS ISSUED IN 2020 AND 2021, OTHER THAN SHARK RESEARCH FISHERY PERMITS—Continued

Permit type	Species	2021			2022	
		Permits issued	Authorized fish (numbers) <sup>1</sup>	Fish kept/discarded dead (numbers)	Permits issued	Authorized fish (numbers) <sup>1</sup>
Display .....	Shark .....	1	1,010	306	0	0
	HMS .....	1	55	0	2	82
	Shark .....	5	287	23	4	270
Total .....	.....	20	2,122	342	26	2,122
LOA .....	Shark .....	18	<sup>1</sup> N/A	246	17	<sup>1</sup> N/A

**Note:** “HMS” refers to multiple species being collected under a given permit type.

<sup>1</sup> Some shark EFPs, SRPs, and LOAs were issued for the purposes of tagging and the opportunistic sampling of sharks or other HMS and were not expected to result in large amounts of mortality, thus no limits on sampling were set. Some mortality may occur throughout 2022, and will be accounted for under the 60-metric ton shark research and display quota.

<sup>2</sup> These permits are issued to commercial fishermen and the number of species retained are governed by commercial retention limits.

Final decisions on the issuance of any EFPs, SRPs, display permits, and shark research fishery permits will depend on the submission of all required information about the proposed activities, NMFS’ review of public comments received on this notice, an applicant’s reporting history on past permits, if vessels or applicants were issued any prior violations of marine resource laws administered by NOAA, consistency with relevant National Environmental Policy Act documents, and any consultations with appropriate Regional Fishery Management Councils, states, or Federal agencies. NMFS does not anticipate any significant environmental impacts from the issuance of these EFPs, consistent with the assessment of such activities within the environmental impacts analyses in existing HMS actions, including the 1999 FMP, the 2006 Consolidated HMS FMP and its amendments, Amendment 2 to the Consolidated HMS FMP, the Environmental Assessment for the 2012 Swordfish Specifications, the Environmental Assessment for the 2022 Final Bluefin Tuna Quota and Atlantic Tuna Fisheries Management Measures, and the 2022 Zero Atlantic Shortfin Mako Shark Retention Limit Final Rule.

*Authority:* 16 U.S.C. 971 *et seq.* and 16 U.S.C. 1801 *et seq.*

Dated: October 20, 2022.

**Jennifer M. Wallace,**

*Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service.*

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

**RIN 0648–BI58**

#### Reopening of Comment Period on a Supplemental Draft Environmental Impact Statement Regarding the Makah Tribe’s Request To Hunt Eastern North Pacific Gray Whales

**AGENCY:** National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

**ACTION:** Notice; reopening of public comment period.

**SUMMARY:** NMFS announces the reopening of the public comment period for seven days on the Supplemental Draft Environmental Impact Statement on the Makah Tribe Request to Hunt Gray Whales. We announced a 45-day comment period to end on August 15, 2022, and on August 16, 2022, we announced an extension of the public comment period by 60 days to October 14, 2022. Comments previously submitted need not be resubmitted.

**DATES:** The comment period for the notice published at 87 FR 39804 on July 5, 2022, which was extended at 87 FR 50319 on August 16, 2022, is reopened. Comments must be received during the reopened public comment period from October 28, 2022 until November 3, 2022.

**ADDRESSES:** You may submit comments, identified by NOAA–NMFS–2012–0104–0456, by any of the following methods:

*Electronic Submissions:* Submit all electronic public comments via the Federal eRulemaking Portal <http://www.regulations.gov>.

*Email:* Submit electronic public comments via the following NMFS

email address: [makah2022sdeis.wcr@noaa.gov](mailto:makah2022sdeis.wcr@noaa.gov).

*Mail:* Submit written comments to: Grace Ferrara, NMFS West Coast Region, 7600 Sand Point Way NE, Seattle, WA 98115.

*Instructions:* All comments received are a part of the public record and will generally be posted to <http://www.regulations.gov> without change. All Personal Identifying Information (for example, name, address, etc.) voluntarily submitted by the commenter may be publicly accessible. Do not submit Confidential Business Information or otherwise sensitive or protected information.

NMFS will accept anonymous comments (enter N/A in the required fields, if you wish to remain anonymous). You may submit attachments to electronic comments in Microsoft Word, Excel, WordPerfect, or Adobe PDF file formats only.

**FOR FURTHER INFORMATION CONTACT:** Grace Ferrara, NMFS Northwest Region, (206) 526–6172, [makah2022sdeis.wcr@noaa.gov](mailto:makah2022sdeis.wcr@noaa.gov).

**SUPPLEMENTARY INFORMATION:** On July 1, 2022, NMFS issued a Supplemental Draft Environmental Impact Statement (SDEIS) regarding the Makah Tribe’s request to resume ceremonial and subsistence harvest of eastern North Pacific gray whales and announced a 45-day comment period on the SDEIS. During the comment period, we received a request to extend the public comment period and agreed to extend the public comment period by 60 days, to close on October 14, 2022. On October 6, 2022, we received a second request to extend the public comment period. While that request was received too late to allow for an extension notice, we are now reopening the comment period for an additional 7 days, from

October 28, 2022 through November 3, 2022.

The SDEIS is available in electronic form on the internet at the following address: <https://www.fisheries.noaa.gov/west-coast/marine-mammal-protection/makah-tribal-whale-hunt>. In addition, copies of the SDEIS are available on CD by contacting Grace Ferrara (see **FOR FURTHER INFORMATION CONTACT**).

Dated: October 19, 2022.

**Kimberly Damon-Randall,**

*Director, Office of Protected Resources,  
National Marine Fisheries Service.*

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**BILLING CODE 3510-22-P**

## COMMODITY FUTURES TRADING COMMISSION

### Agency Information Collection Activities Under OMB Review

**AGENCY:** Commodity Futures Trading Commission.

**ACTION:** Notice.

**SUMMARY:** In compliance with the Paperwork Reduction Act of 1995 (“PRA”), this notice announces that the Information Collection Request (“ICR”) abstracted below has been forwarded to the Office of Information and Regulatory Affairs (“OIRA”) of the Office of Management and Budget (“OMB”) for review and comment. The ICR describes the nature of the information collection and its expected costs and burden.

**DATES:** Comments must be submitted on or before November 25, 2022.

**ADDRESSES:** Written comments and recommendations for the proposed information collection should be submitted within 30 days of this notice’s publication to OIRA, at <https://www.reginfo.gov/public/do/PRAMain>. Please find this particular information collection by selecting “Currently under 30-day Review—Open for Public Comments” or by using the website’s search function. Comments can be entered electronically by clicking on the “comment” button next to the information collection on the “OIRA Information Collections Under Review” page, or the “View ICR—Agency Submission” page. A copy of the supporting statement for the collection of information discussed herein may be obtained by visiting <https://www.reginfo.gov/public/do/PRAMain>.

In addition to the submission of comments to <https://Reginfo.gov> as indicated above, a copy of all comments submitted to OIRA may also be submitted to the Commodity Futures Trading Commission (the

“Commission” or “CFTC”) by clicking on the “Submit Comment” box next to the descriptive entry for OMB Control No. 3038–0111, at <https://comments.cftc.gov/FederalRegister/PublicInfo.aspx>.

Or by either of the following methods:

- **Mail:** Christopher Kirkpatrick, Secretary of the Commission, Commodity Futures Trading Commission, Three Lafayette Centre, 1155 21st Street NW, Washington, DC 20581.

- **Hand Delivery/Courier:** Same as Mail above.

All comments must be submitted in English, or if not, accompanied by an English translation. Comments submitted to the Commission should include only information that you wish to make available publicly. If you wish the Commission to consider information that you believe is exempt from disclosure under the Freedom of Information Act, a petition for confidential treatment of the exempt information may be submitted according to the procedures established in § 145.9 of the Commission’s Regulations.<sup>1</sup> The Commission reserves the right, but shall have no obligation, to review, pre-screen, filter, redact, refuse or remove any or all of your submission from <https://www.cftc.gov> that it may deem to be inappropriate for publication, such as obscene language. All submissions that have been redacted or removed that contain comments on the merits of the ICR will be retained in the public comment file and will be considered as required under the Administrative Procedure Act and other applicable laws, and may be accessible under the Freedom of Information Act.

**FOR FURTHER INFORMATION CONTACT:** Dina Moussa, Attorney Advisor, Market Participants Division, Commodity Futures Trading Commission, (202) 418–5696 or [dmoussa@cftc.gov](mailto:dmoussa@cftc.gov), and refer to OMB Control No. 3038–0111.

#### SUPPLEMENTARY INFORMATION:

**Title:** Margin Requirements for Uncleared Swaps for Swap Dealers and Major Swap Participants—Cross-Border Application of the Margin Requirements (OMB Control No. 3038–0111). This is a request for an extension of a currently approved information collection.

**Abstract:** Section 731 of the Dodd-Frank Wall Street Reform and Consumer Protection Act,<sup>2</sup> amended the Commodity Exchange Act (“CEA”), 7 U.S.C. 1 *et seq.*, to add, as Section 4s(e) thereof, provisions concerning the setting of initial and variation margin

requirements for swap dealers (“SDs”) and major swap participants (“MSPs”).<sup>3</sup> Each SD and MSP for which there is a Prudential Regulator, as defined in Section 1a(39) of the CEA,<sup>4</sup> must meet margin requirements established by the applicable Prudential Regulator, and each SD and MSP for which there is no Prudential Regulator (“Covered Swap Entities” or “CSEs”) must comply with the Commission’s Regulations governing margin on all swaps that are not centrally cleared.

With regard to the cross-border application of the Commission’s margin rules, Section 2(i)<sup>5</sup> of the CEA provides the Commission with express authority over activities outside the United States relating to swaps when certain conditions are met. Section 2(i) of the CEA provides that the provisions of the CEA relating to swaps that were enacted by the Wall Street Transparency and Accountability Act of 2010 (including any rule prescribed or regulation promulgated under that Act), shall not apply to activities outside the United States unless those activities (1) have a direct and significant connection with activities in, or effect on, commerce of the United States or (2) contravene such rules or regulations as the Commission may prescribe or promulgate as are necessary or appropriate to prevent the evasion of any provision of the CEA that was enacted by the Wall Street Transparency and Accountability Act of 2010.

On May 31, 2016, the Commission published the Commission’s Margin Requirements for Uncleared Swaps for Swap Dealers and Major Swap Participants—Cross-Border Application of the Margin Requirements (“Final Rule”) addressing the cross-border application of its margin requirements for uncleared swaps applicable to CSEs.<sup>6</sup> The Final Rule contains a collection of information under Commission Regulation 23.160(c) regarding requests for comparability determinations, and information collections regarding non-netting jurisdictions,<sup>7</sup> and non-segregation jurisdictions.<sup>8</sup>

<sup>3</sup> 7 U.S.C. 6s(e).

<sup>4</sup> 7 U.S.C. 1a(39).

<sup>5</sup> 7 U.S.C. 2(i).

<sup>6</sup> 81 FR 34818 (May 31, 2016).

<sup>7</sup> As used in the adopting release, a “non-netting jurisdiction” is a jurisdiction in which a CSE cannot conclude, with a well-founded basis, that the netting agreement with a counterparty in that foreign jurisdiction meets the definition of an “eligible master netting agreement” set forth in Commission Regulation 23.151, and as described in Section II.B.5.b of the adopting release.

<sup>8</sup> As used in the adopting release, a “non-segregation jurisdiction” is a jurisdiction where

<sup>1</sup> 17 CFR 145.9.

<sup>2</sup> Public Law 111–023, 124 Stat. 1376 (2010).