

# Proposed Rules

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This section of the FEDERAL REGISTER contains notices to the public of the proposed issuance of rules and regulations. The purpose of these notices is to give interested persons an opportunity to participate in the rule making prior to the adoption of the final rules.

## DEPARTMENT OF AGRICULTURE

### Agricultural Marketing Service

#### 7 CFR Part 51

[Doc. No. AMS–SC–21–0039, SC–21–327]

#### Revising U.S. Grade Standards for Pecans in the Shell and Shelled Pecans; Extension of Comment Period

**AGENCY:** Agricultural Marketing Service, Department of Agriculture (USDA).

**ACTION:** Notice; extension of comment period.

**SUMMARY:** Notice is hereby given that Agricultural Marketing Service (AMS) is extending the comment period for the proposed rule published in the **Federal Register** on June 1, 2022 by 30 days. The proposed rule invited comments on proposed revisions to U.S. Standards for Grades of Pecans in the Shell and U.S. Standards for Grades of Shelled Pecans.

**DATES:** Comments must be received by September 7, 2022.

**ADDRESSES:** Interested persons are invited to submit written comments to the USDA, Specialty Crops Inspection Division, 100 Riverside Parkway, Suite 101, Fredericksburg, VA 22406; via fax to (540) 361–1199; or, at <https://www.regulations.gov>. Comments should reference the date and page number of this issue of the **Federal Register**. Comments will be posted without change, including any personal information provided. All comments received within the comment period will become part of the public record maintained by the Agency and will be made available to the public via <https://www.regulations.gov>. Comments will be made available for public inspection at the above address during regular business hours or can be viewed at: <https://www.regulations.gov>.

**FOR FURTHER INFORMATION CONTACT:** Olivia Banks at the address above, or by phone (540) 361–1120; fax (540) 361–1199; or email [Olivia.Banks@usda.gov](mailto:Olivia.Banks@usda.gov). Copies of the proposed U.S Standards for Grades for Pecans in the Shell and

U.S. Standards for Grades of Shelled Pecans are available at <https://www.regulations.gov>. Copies of the current standards are available at <https://www.ams.usda.gov/nuts>.

**SUPPLEMENTARY INFORMATION:** The proposed rule was published in the **Federal Register** of June 1, 2022, (87 FR 33064) inviting comments on proposed revisions to U.S. Standards for Grades of Pecans in the Shell and U.S. Standards for Grades of Shelled Pecans. The public was invited to review and comment on the proposed rule, which was to be accompanied by copies of the proposed standards, on <https://www.regulations.gov>. On June 28, 2022, AMS noted that the proposed U.S. Standards for Grades of Pecans in the Shell and the U.S. Standards for Grades of Shelled Pecans failed to upload to <https://www.regulations.gov> and the supporting documents were uploaded to <https://www.regulations.gov> on that date. To provide all interested persons a full 60-day comment period to view copies of the proposed standards and facilitate review of the proposed rule, AMS has extended the public comment period by 30 days to September 7, 2022. The 60-day comment period for the proposed rule published in the **Federal Register** on June 1, 2022 (87 FR 33064) ended on August 1, 2022.

**Authority:** 7 U.S.C. 1621–1627.

**Erin Morris,**

*Associate Administrator, Agricultural Marketing Service.*

[FR Doc. 2022–16873 Filed 8–5–22; 8:45 am]

**BILLING CODE 3410–02–P**

## DEPARTMENT OF AGRICULTURE

### Agricultural Marketing Service

#### 9 CFR Part 201

[Doc. No. AMS–FTPP–21–0044]

RIN 0581–AE03

#### Transparency in Poultry Grower Contracting and Tournaments

**AGENCY:** Agricultural Marketing Service, Department of Agriculture (USDA).

**ACTION:** Proposed rule; extension of comment period.

**SUMMARY:** The Agricultural Marketing Service is extending the comment period for our proposed rule that would

revise the regulations under the Packers and Stockyards Act, 1921 to promote transparency in poultry production contracting. This action will allow interested persons additional time to prepare and submit comments.

**DATES:** The comment period for the proposed rule published on June 8, 2022 (at 87 FR 34980) is extended. We will consider all comments received on or before August 23, 2022.

**ADDRESSES:** Comments can be submitted by either of the following methods:

- **Federal eRulemaking Portal:** Go to <https://www.regulations.gov>. Enter AMS–FTPP–21–0044 in the Search field. Select the Documents tab, then select the Comment button in the list of documents.

- **Postal Mail/Commercial Delivery:** Send your comment to Docket No. AMS–FTPP–21–0044, S. Brett Offutt, Chief Legal Officer, Packers and Stockyards Division, USDA, AMS, FTTPP; Room 2097–S, Mail Stop 3601, 1400 Independence Ave. SW, Washington, DC 20250–3601.

**FOR FURTHER INFORMATION CONTACT:** S. Brett Offutt, Chief Legal Officer/Policy Advisor, Packers and Stockyards Division, USDA AMS Fair Trade Practices Program, 1400 Independence Ave. SW, Washington, DC 20250; Phone: (202) 690–4355; or email: [s.brett.offutt@usda.gov](mailto:s.brett.offutt@usda.gov).

**SUPPLEMENTARY INFORMATION:** On June 8, 2022 (87 FR 34980), AMS published in the **Federal Register** a proposal to revise the regulations under the Packers and Stockyards Act (7 U.S.C. 181 *et seq.*) at 9 CFR part 201. Under the proposal, live poultry dealers would be required to make certain disclosures to poultry growers and prospective poultry growers in connection with poultry growing arrangements and to specify additional terms in poultry growing contracts. Further, live poultry dealers would be required to provide certain information to poultry growers in tournament pay systems—at the time of flock placement and at the time of settlement—about integrator-controlled inputs related to the poultry flocks growers receive for growout.

Comments on the proposed rule were required to be received on or before August 8, 2022. We are extending the comment period on Docket No. AMS–FTPP–21–0044 for an additional 15 days. This will allow interested persons additional time to prepare and submit

comments. Comments must be submitted on or before August 23, 2022.

**Erin Morris,**

*Associate Administrator, Agricultural Marketing Service.*

[FR Doc. 2022–16871 Filed 8–5–22; 8:45 am]

**BILLING CODE P**

## COMMODITY FUTURES TRADING COMMISSION

### 17 CFR Chapter I

#### Notice of Proposed Order and Request for Comment on an Application for a Capital Comparability Determination From the Financial Services Agency of Japan

**AGENCY:** Commodity Futures Trading Commission.

**ACTION:** Proposed order and request for comment.

**SUMMARY:** The Commodity Futures Trading Commission is soliciting public comment on an application submitted by the Financial Services Agency of Japan requesting that the Commission determine that registered swap dealers organized and domiciled in Japan that are subject to, and comply with, certain capital and financial reporting requirements in Japan may comply with certain capital and financial reporting requirements under the Commodity Exchange Act via compliance with corresponding capital and financial reporting requirements of Japan. The Commission also is soliciting public comment on a proposed order providing for the conditional availability of substituted compliance in connection with the application.

**DATES:** Comments must be received on or before October 7, 2022.

**ADDRESSES:** You may submit comments, identified by “Japan Swap Dealer Capital Comparability Determination”, by any of the following methods:

*CFTC Comments Portal:* <https://comments.cftc.gov>. Select the “Submit Comments” link for this proposed order and follow the instructions on the Public Comment Form.

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

*Hand Delivery/Courier:* Follow the same instructions as for Mail, above.

Please submit your comments using only one of these methods. To avoid possible delays with mail or in-person deliveries, submissions through the CFTC Comments Portal are encouraged.

All comments must be submitted in English, or if not, accompanied by an English translation. Comments will be posted as received to <https://comments.cftc.gov>. You should submit 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 (“FOIA”), a petition for confidential treatment of the exempt information may be submitted according to the procedures established in Regulation 145.9.<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://comments.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 proposed determination and order 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 FOIA.

**FOR FURTHER INFORMATION CONTACT:**

Amanda L. Olear, Director, 202–418–5283, [aolear@cftc.gov](mailto:aolear@cftc.gov); Thomas Smith, Deputy Director, 202–418–5495, [tsmith@cftc.gov](mailto:tsmith@cftc.gov); Rafael Martinez, Associate Director, 202–418–5462, [rmartinez@cftc.gov](mailto:rmartinez@cftc.gov); Joshua Beale, Associate Director, 202–418–5446, [jbeale@cftc.gov](mailto:jbeale@cftc.gov); Warren Gorlick, Associate Director, 202–418–5195, [wgorlick@cftc.gov](mailto:wgorlick@cftc.gov); Jennifer C.P. Bauer, Special Counsel, 202–418–5472, [jbauer@cftc.gov](mailto:jbauer@cftc.gov); Carmen Moncada-Terry, Special Counsel, 202–418–5795, [cmoncadaterry@cftc.gov](mailto:cmoncadaterry@cftc.gov); Liliya Bozhanova, Special Counsel, 202–418–6232, [lbozhanova@cftc.gov](mailto:lbozhanova@cftc.gov); Joo Hong, Risk Analyst, 202–418–6221, [jhong@cftc.gov](mailto:jhong@cftc.gov); Justin McPhee, Risk Analyst, 202–418–6223, [jmchpee@cftc.gov](mailto:jmchpee@cftc.gov), Market Participants Division; Commodity Futures Trading Commission, Three Lafayette Centre, 1155 21st Street NW, Washington, DC 20581.

**SUPPLEMENTARY INFORMATION:** The Commodity Futures Trading Commission (“Commission” or “CFTC”) is soliciting public comment on an application submitted by the Financial Services Agency of Japan (“FSA”), dated September 30, 2021

<sup>1</sup> 17 CFR 145.9. Commission regulations referred to in this release are found at 17 CFR chapter I, and are accessible on the Commission’s website at <https://www.cftc.gov/LawRegulation/CommodityExchangeAct/index.htm>.

(“FSA Application”), requesting that the Commission determine that registered nonbank<sup>2</sup> swap dealers (“SDs”) organized and domiciled in Japan (“Japanese nonbank SDs”) may satisfy certain capital and financial reporting requirements under the Commodity Exchange Act (“CEA”) <sup>3</sup> by being subject to and complying with comparable capital and financial reporting requirements under Japanese laws and regulations.<sup>4</sup> The Commission also is soliciting public comment on a proposed Commission Comparability Determination order that would allow Japanese nonbank SDs, subject to certain conditions, to comply with certain CFTC SD capital and financial reporting requirements in the manner as set forth in the proposed order.

### I. Introduction

#### A. Regulatory Background—CFTC Capital, Margin, and Financial Reporting Requirements for Swap Dealers and Major Swap Participants

Section 4s(e) of the CEA <sup>5</sup> directs the Commission and “prudential regulators” <sup>6</sup> to impose capital requirements on SDs and major swap participants (“MSPs”) registered with the Commission. Section 4s(e) of the CEA also directs the Commission and prudential regulators to adopt regulations imposing initial and variation margin requirements on swaps entered into by SDs and MSPs that are not cleared by a registered derivatives clearing organization (“uncleared swaps”).

Section 4s(e) applies a bifurcated approach with respect to the above Congressional directives, requiring each SD and MSP that is subject to the regulation of a prudential regulator (“bank SD” and “bank MSP,” respectively) to meet the minimum capital requirements and uncleared swaps margin requirements adopted by the applicable prudential regulator, and requiring each SD and MSP that is not

<sup>2</sup> As discussed in Section I.A. below, the Commission has capital jurisdiction over registered SDs that are not subject to the regulation of a U.S. banking regulator (*i.e.*, nonbank SDs).

<sup>3</sup> 7 U.S.C. 1 *et seq.* The CEA may be accessed through the Commission’s website, [www.cftc.gov](http://www.cftc.gov).

<sup>4</sup> See Letter from Yuji Yamashita, Deputy Commissioner for International Affairs, Financial Services Agency of Japan, dated September 30, 2021. The FSA Application is available on the Commission’s website at: <https://www.cftc.gov/LawRegulation/DoddFrankAct/CDSCP/index.htm>.

<sup>5</sup> 7 U.S.C. 6s(e).

<sup>6</sup> The term “prudential regulators” is defined in the CEA to mean the Board of Governors of the Federal Reserve System (“Federal Reserve Board”); the Office of the Comptroller of the Currency; the Federal Deposit Insurance Corporation; the Farm Credit Administration; and the Federal Housing Finance Agency. See 7 U.S.C. 1a(39).