

# Union Calendar No. 75

113TH CONGRESS  
1ST SESSION

# H. R. 742

**[Report No. 113–106, Parts I and II]**

To amend the Securities Exchange Act of 1934 and the Commodity Exchange Act to repeal the indemnification requirements for regulatory authorities to obtain access to swap data required to be provided by swaps entities under such Acts.

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## IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 15, 2013

Mr. CRAWFORD (for himself, Ms. MOORE, Mr. SEAN PATRICK MALONEY of New York, and Mr. HUIZENGA of Michigan) introduced the following bill; which was referred to the Committee on Agriculture, and in addition to the Committee on Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

JUNE 12, 2013

Additional sponsors: Mr. CONAWAY, Mr. DAVID SCOTT of Georgia, Mr. VARGAS, Mr. KIND, Mr. MURPHY of Florida, Mr. COURTNEY, Mr. DEUTCH, Mr. GIBSON, Mr. HINOJOSA, and Mr. HASTINGS of Florida

JUNE 12, 2013

Reported from the Committee on Agriculture

JUNE 12, 2013

Reported from the Committee on Financial Services; committed to the Committee of the Whole House on the State of the Union and ordered to be printed

# **A BILL**

To amend the Securities Exchange Act of 1934 and the Commodity Exchange Act to repeal the indemnification requirements for regulatory authorities to obtain access to swap data required to be provided by swaps entities under such Acts.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Swap Data Repository  
5 and Clearinghouse Indemnification Correction Act of  
6 2013”.

7 **SEC. 2. REPEAL OF INDEMNIFICATION REQUIREMENTS.**

8 (a) DERIVATIVES CLEARING ORGANIZATIONS.—Sec-  
9 tion 5b(k)(5) of the Commodity Exchange Act (7 U.S.C.  
10 7a–1(k)(5)) is amended to read as follows:

11 “(5) CONFIDENTIALITY AGREEMENT.—Before  
12 the Commission may share information with any en-  
13 tity described in paragraph (4), the Commission  
14 shall receive a written agreement from each entity  
15 stating that the entity shall abide by the confiden-  
16 tiality requirements described in section 8 relating to  
17 the information on swap transactions that is pro-  
18 vided.”.

19 (b) SWAP DATA REPOSITORIES.—Section 21(d) of  
20 the Commodity Exchange Act (7 U.S.C. 24a(d)) is amend-  
21 ed to read as follows:

22 “(d) CONFIDENTIALITY AGREEMENT.—Before the  
23 swap data repository may share information with any enti-  
24 ty described in subsection (c)(7), the swap data repository  
25 shall receive a written agreement from each entity stating

1 that the entity shall abide by the confidentiality require-  
2 ments described in section 8 relating to the information  
3 on swap transactions that is provided.”.

4 (c) SECURITY-BASED SWAP DATA REPOSITORIES.—  
5 Section 13(n)(5)(H) of the Securities Exchange Act of  
6 1934 (15 U.S.C. 78m(n)(5)(H)) is amended to read as  
7 follows:

8 “(H) CONFIDENTIALITY AGREEMENT.—  
9 Before the security-based swap data repository  
10 may share information with any entity de-  
11 scribed in subparagraph (G), the security-based  
12 swap data repository shall receive a written  
13 agreement from each entity stating that the en-  
14 tity shall abide by the confidentiality require-  
15 ments described in section 24 relating to the in-  
16 formation on security-based swap transactions  
17 that is provided.”.

18 (d) EFFECTIVE DATE.—The amendments made by  
19 this Act shall take effect as if enacted as part of the Dodd-  
20 Frank Wall Street Reform and Consumer Protection Act  
21 (Public Law 111–203) on July 21, 2010.



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