

2015, 79 FR 58241 (Sept. 29, 2014). Since the Secretary of Labor extended the CW program at least until December 31, 2019, DHS decided to preserve the status quo, or current conditions, rather than aggressively reduce CW-1 numbers for FY 2015. DHS therefore reduced the numerical limitation nominally by one, resulting in an FY 2015 limit of 13,999. *See id.*

On December 16, 2014, Congress amended the law to extend the transition period until December 31, 2019. *See Consolidated and Further Continuing Appropriations Act, 2015, Public Law 113-235, sec. 10, 128 Stat. 2130, 2134 (codified at 48 U.S.C. 1806(d)).* Congress also eliminated the Secretary of Labor's authority to provide for future extensions of the CW-1 program, requiring the CW-1 program to end (or sunset) on December 31, 2019. *See id.*

For FY 2016, DHS reduced the numerical limitation by 1,000 to a limit of 12,999. *See CNMI-Only Transitional Worker Numerical Limitation for Fiscal Year 2016*, 80 FR 63911 (Oct. 22, 2015). On May 20, 2016, U.S. Citizenship and Immigration Services (USCIS) notified the public that it had received a sufficient number of petitions to reach the numerical limit (the "cap") of 12,999 workers who may be issued CW-1 visas or otherwise provided with CW-1 status for FY 2016. The USCIS Update advised stakeholders that May 5, 2016 was the final receipt date for CW-1 worker petitions requesting an employment start date before October 1, 2016.¹

II. Maximum Number of CW-1 Nonimmigrant Workers for Fiscal Year 2017

The CNRA requires an annual reduction in the number of transitional workers but does not mandate a specific numerical reduction. *See* 48 U.S.C. 1806(d)(2). In addition, DHS regulations provide that the numerical limitation for any fiscal year will be less than the number established for the previous fiscal year, and that the adjusted number will be reasonably calculated to reduce the number of CW-1 nonimmigrant workers to zero by the end of the program. 8 CFR 214.2(w)(1)(viii)(C). DHS may adjust the numerical limitation at any time by publishing a notice in the **Federal Register**, but the Department may only reduce the figure. *See* 8 CFR 214.2(w)(1)(viii)(D).

Because the CW-1 numerical limit was reached for FY 2016 on May 5, DHS has decided to preserve the status quo, or current conditions, rather than aggressively reduce CW-1 numbers for FY 2017. DHS recognizes that any numerical limitation must account for the fact that the CNMI economy continues to be based on a workforce composed primarily of foreign workers. DHS must reduce the annual numerical limitation as statutorily mandated. At the same time, DHS should ensure that there are enough CW-1 workers for future fiscal years until the end of the program. DHS therefore is reducing the numerical limitation nominally by one, resulting in an FY 2017 limit of 12,998.

This new numerical limitation preserves access to foreign labor in the CNMI. Accordingly, DHS is reducing the maximum number of transitional workers from the current fiscal year numerical limitation of 12,999 and establishing 12,998 as the maximum number of persons who may be granted CW-1 nonimmigrant status in FY 2017. DHS nonetheless emphasizes that the statute requires the Department to reduce the annual numerical limitation to zero no later than the end of calendar year 2019. It therefore may be prudent for CNMI employers and CW-1 workers to plan for more significant reductions in the annual numerical limitation in the years ahead.

The FY 2017 numerical limitation for CW-1 nonimmigrant workers will be in effect beginning on October 1, 2016. Consistent with the rules applicable to other nonimmigrant worker visa classifications, if the numerical limitation for the fiscal year is not reached, the unused numbers do not carry over to the next fiscal year. *See* 8 CFR 214.2(w)(1)(viii)(E).

Generally, each CW-1 nonimmigrant worker with an approved employment start date that falls within FY 2017 (October 1, 2016—September 30, 2017) will be counted against the new numerical limitation of 12,998. Counting each CW-1 nonimmigrant worker in this manner will help ensure that USCIS does not approve requests that would exceed the numerical limitation of 12,998 CW-1 nonimmigrant workers granted such status in FY 2017.

This notice does not affect the current immigration status of foreign workers who have CW-1 nonimmigrant status. Foreign workers, however, will be affected by this notice when their CNMI employers file:

- For an extension of their CW-1 nonimmigrant classification, or

- A change of status from another nonimmigrant status to that of CW-1 nonimmigrant status.

This notice does not affect the status of any individual currently holding CW-2 nonimmigrant status as the spouse or minor child of a CW-1 nonimmigrant worker. This notice also does not directly affect the ability of any individual to extend or otherwise obtain CW-2 status, as the numerical limitation applies to CW-1 principals only. This notice, however, may indirectly affect individuals seeking CW-2 status since their status depends on the CW-1 principal's ability to obtain or retain CW-1 status.

Jeh Charles Johnson,
Secretary.

[FR Doc. 2016-21325 Filed 8-31-16; 4:15 pm]

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA-2016-4123; Directorate Identifier 2016-NE-06-AD; Amendment 39-18640; AD 2016-18-10]

RIN 2120-AA64

Airworthiness Directives; International Aero Engines AG Turbofan Engines

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: We are adopting a new airworthiness directive (AD) for certain International Aero Engines AG (IAE) V2522-A5, V2524-A5, V2525-D5, V2527-A5, V2527E-A5, V2527M-A5, V2528-D5, V2530-A5, and V2533-A5 turbofan engines. This AD was prompted by the fracture of the high-pressure turbine (HPT) stage 2 hub during flight, which resulted in an in-flight shutdown (IFSD), undercowl fire, and smoke in the cabin. This AD requires inspecting the HPT stage 1 hub and HPT stage 2 hub, and, if necessary, their replacement with parts that are eligible for installation. We are issuing this AD to prevent failure of the HPT stage 1 or HPT stage 2 hubs, which could result in uncontained HPT blade release, damage to the engine, and damage to the airplane.

DATES: This AD is effective October 7, 2016.

The Director of the Federal Register approved the incorporation by reference of a certain publication listed in this AD as of October 7, 2016.

¹ See "USCIS Reaches CW-1 Cap for Fiscal Year 2016," available at <https://www.uscis.gov/news/alerts/uscis-reaches-cw-1-cap-fiscal-year-2016>.

ADDRESSES: For service information identified in this final rule, contact International Aero Engines AG, 400 Main Street, East Hartford, CT 06118; phone: 800-565-0140; email: help24@pw.utc.com; Internet: <http://fleetcare.pw.utc.com>. You may view this referenced service information at the FAA, Engine & Propeller Directorate, 1200 District Avenue, Burlington, MA. For information on the availability of this material at the FAA, call 781-238-7125. It is also available on the internet at <http://www.regulations.gov> by searching for and locating Docket No. FAA-2016-4123.

Examining the AD Docket

You may examine the AD docket on the Internet at <http://www.regulations.gov> by searching for and locating Docket No. FAA-2016-4123; or in person at the Docket Management Facility between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The AD docket contains this AD, the regulatory evaluation, any comments received, and other information. The address for the Docket Office (phone: 800-647-5527) is Document Management Facility, U.S. Department of Transportation, Docket Operations, M-30, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue SE., Washington, DC 20590.

FOR FURTHER INFORMATION CONTACT: Brian Kierstead, Aerospace Engineer, Engine Certification Office, FAA, Engine & Propeller Directorate, 1200 District Avenue, Burlington, MA 01803; phone: 781-238-7772; fax: 781-238-7199; email: brian.kierstead@faa.gov.

SUPPLEMENTARY INFORMATION:

Discussion

We issued a notice of proposed rulemaking (NPRM) to amend 14 CFR part 39 by adding an AD that would apply to certain IAE V2522-A5, V2524-A5, V2525-D5, V2527-A5, V2527E-A5, V2527M-A5, V2528-D5, V2530-A5, and V2533-A5 turbofan engines. The NPRM published in the **Federal Register** on April 5, 2016 (81 FR 19516). The NPRM was prompted by the fracture of the HPT stage 2 hub during flight, which resulted in an IFSD, undercowl fire, and smoke in the cabin. The NPRM proposed to require inspecting the HPT stage 1 hub and HPT stage 2 hub, and, if necessary, their replacement with parts that are eligible for installation. We are issuing this AD to prevent failure of the HPT stage 1 or HPT stage 2 hubs, which could result in uncontained HPT blade release, damage

to the engine, and damage to the airplane.

Comments

We gave the public the opportunity to participate in developing this AD. The following presents the comments received on the NPRM and the FAA's response to each comment.

Request To Add Credit for Previous Action

IAE and Cathay Pacific requested that we update this AD to refer to Non-Modification Service Bulletin (NMSB) V2500-ENG-72-0661 Revision 2, dated May 27, 2016, and allow credit for previous actions to include hubs inspected and cleared to IAE's NMSB V2500-ENG-72-0661, Original issue, dated November 10, 2015; and Revision 1, dated February 5, 2016.

We agree. We updated this AD to refer to NMSB V2500-ENG-72-0661, Revision 2, dated May 27, 2016. We are also including a Credit for Previous Actions paragraph that references IAE NMSB V2500-ENG-72-0661, Original issue, dated November 10, 2015; and Revision 1, dated February 5, 2016.

Request To Change Compliance Time

IndiGo and Cathay Pacific stated that the NPRM uses hub cycles since new (CSN) to determine when hub inspections are required. However, the commenters requested that this AD be specific as to the date on which CSN of the hubs are established. The IAE NMSB, Compliance Section, Table 1 refers to a compliance time within "Hub cycles as of February 1, 2016", but the NPRM does not mention any date. One commenter states that compliance to the February 1, 2016 date will not provide adequate planning time to operators for compliance.

We agree. This AD requires actions after the effective date of this AD. Therefore, we changed paragraphs (e)(1)(i), (ii), (iii), and (iv) of this AD to read "for hubs with [xxx] CSN on the effective date of this AD".

Request To Change Compliance Time

Germanwings GmbH requested that the effective date of this AD be aligned with IAE NMSB V2500-ENG-72-0661, Revision 2, dated May 27, 2016, which refers to "Hub cycles as of February 1, 2016." The commenter states that the difference in time between the effective date of this AD and February 1, 2016 listed in the NMSB will cause a mismatch in the compliance time.

We disagree. Basing the compliance times on the effective date of this AD is less restrictive than the IAE NMSB, so complying with this AD based on hub

CSN as of the earlier NMSB date, would satisfy this AD. We did not change this AD.

Request To Change Shop Visit Definition

Delta Airlines and one other commenter requested that we change the definition of shop visit from separation of pairs of major mating engine flanges, to either piece-part exposure, HPT flange separation, or disassembly of the HPT rotor and stator assemblies.

Delta Airlines stated that compliance at the next shop visit, as defined in this AD would result in unnecessary cost and extended shop time. The other commenter stated that changing the definition would allow more flexibility in fleet management. Both commenters state that inspection at the next shop visit is not needed, since removal of the suspect hubs within the proposed cycle limits will provide an acceptable level of safety.

We disagree. Allowing all engines to operate until their respective cycle limit would not provide an acceptable level of safety. By inspecting a specific quantity of engines that will be inducted into the shop before the cycle limit occurs, the safety risk assessment is satisfied. Therefore, waiting until the piece-part exposure, HPT flange separation, or the cycle threshold in lieu of inspection at the next shop visit, does not meet the requirement of this AD. We did not change this AD.

Conclusion

We reviewed the relevant data, considered the comments received, and determined that air safety and the public interest require adopting this AD with the changes described previously. We have determined that these minor changes:

- Are consistent with the intent that was proposed in the NPRM (81 FR 19516, April 5, 2016) for correcting the unsafe condition; and
- Do not add any additional burden upon the public than was already proposed in the NPRM (81 FR 19516, April 5, 2016).

Related Service Information Under 1 CFR Part 51

We reviewed IAE NMSB V2500-ENG-72-0661, Revision 2, dated May 27, 2016. The NMSB describes procedures for inspecting the HPT stage 1 and stage 2 hubs. This service information is reasonably available because the interested parties have access to it through their normal course of business or by the means identified in the **ADDRESSES** section.

Costs of Compliance

We estimate that this AD affects 668 engines with 947 hubs installed on airplanes of U.S. registry. Some of the 668 engines have two hubs installed. We estimate that it would take about 8 hours per hub to perform the piece-part inspection. The average labor rate is \$85 per hour. We estimate that 568 hubs will require replacement. We estimate the pro-rated cost to replace an HPT stage 1 hub to be \$50,271 and the pro-rated cost to replace an HPT stage 2 hub to be \$40,063. Based on these figures, we estimate the cost of this AD on U.S. operators to be \$26,298,816.

Authority for This Rulemaking

Title 49 of the United States Code specifies the FAA's authority to issue rules on aviation safety. Subtitle I, section 106, describes the authority of the FAA Administrator. Subtitle VII: Aviation Programs, describes in more detail the scope of the Agency's authority.

We are issuing this rulemaking under the authority described in Subtitle VII, Part A, Subpart III, Section 44701: "General requirements." Under that section, Congress charges the FAA with promoting safe flight of civil aircraft in air commerce by prescribing regulations for practices, methods, and procedures the Administrator finds necessary for safety in air commerce. This regulation is within the scope of that authority because it addresses an unsafe condition that is likely to exist or develop on products identified in this rulemaking action.

Regulatory Findings

This AD will not have federalism implications under Executive Order 13132. This AD will not have a substantial direct effect on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government.

For the reasons discussed above, I certify that this AD:

- (1) Is not a "significant regulatory action" under Executive Order 12866,
- (2) Is not a "significant rule" under DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979),
- (3) Will not affect intrastate aviation in Alaska, and
- (4) Will not have a significant economic impact, positive or negative, on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Incorporation by reference, Safety.

Adoption of the Amendment

Accordingly, under the authority delegated to me by the Administrator, the FAA amends 14 CFR part 39 as follows:

PART 39—AIRWORTHINESS DIRECTIVES

- 1. The authority citation for part 39 continues to read as follows:

Authority: 49 U.S.C. 106(g), 40113, 44701.

§ 39.13 [Amended]

- 2. The FAA amends § 39.13 by adding the following new airworthiness directive (AD):

2016–18–10 International Aero Engines

AG: Amendment 39–18640; Docket No. FAA–2016–4123; Directorate Identifier 2016–NE–06–AD.

(a) Effective Date

This AD is effective October 7, 2016.

(b) Affected ADs

None.

(c) Applicability

This AD applies to International Aero Engines AG (IAE) V2522–A5, V2524–A5, V2525–D5, V2527–A5, V2527E–A5, V2527M–A5, V2528–D5, V2530–A5, and V2533–A5 engines with either of the following installed:

- (1) High-pressure turbine (HPT) stage 1 hub, part number (P/N) 2A5001, with a serial number (S/N) listed in Table 1, Appendix A, of IAE Non-Modification Service Bulletin (NMSB) V2500–ENG–72–0661, Revision 2, dated May 27, 2016; or
- (2) HPT stage 2 hub, P/N 2A4802, with an S/N listed in Table 2, Appendix A, of IAE NMSB V2500–ENG–72–0661, Revision 2, dated May 27, 2016.

(d) Unsafe Condition

This AD was prompted by the fracture of the HPT stage 2 hub during flight, which resulted in an in-flight shutdown, undercowl fire, and smoke in the cabin. We are issuing this AD to prevent failure of the HPT stage 1 or HPT stage 2 hubs, which could result in uncontained HPT blade release, damage to the engine, and damage to the airplane.

(e) Compliance

Comply with this AD within the compliance times specified, unless already done.

- (1) Inspect the HPT stage 1 hub, P/N 2A5001, and HPT stage 2 hub, P/N 2A4802, at the next shop visit or as follows, whichever comes first:
 - (i) For hubs with 0 to 7,000 CSN on the effective date of this AD, before accumulating 13,000 CSN;
 - (ii) For hubs with 7,001 to 11,000 CSN on the effective date of this AD, within 6,000

cycles from the effective date of this AD or before accumulating 15,000 CSN, whichever occurs first;

(iii) For hubs with 11,001 to 15,500 CSN on the effective date of this AD, within 4,000 cycles from the effective date of this AD or before accumulating 17,000 CSN, whichever occurs first;

(iv) For hubs with 15,501 CSN or more on the effective date of this AD, within 1,500 cycles from the effective date of this AD.

(2) Use Accomplishment Instructions, paragraphs 2.A., 2.C., and 2.D., of IAE NMSB V2500–ENG–72–0661, Revision 2, dated May 27, 2016, to inspect the HPT stage 1 hub, P/N 2A5001.

(3) Use Accomplishment Instructions, paragraphs 2.E., 2.G., and 2.H., of IAE NMSB V2500–ENG–72–0661, Revision 2, dated May 27, 2016 to inspect the HPT stage 2 hub, P/N 2A4802.

(4) Remove from service any HPT stage 1 hub, P/N 2A5001, or HPT stage 2 hub, P/N 2A4802, that fails the inspections required by paragraphs (e)(2) and (e)(3) of this AD, and replace with a part that is eligible for installation.

(f) Definition

For the purpose of this AD, a "shop visit" is the induction of an engine into the shop for maintenance involving the separation of pairs of major mating engine flanges, except that the separation of engine flanges solely for the purposes of transportation without subsequent engine maintenance does not constitute an engine shop visit.

(g) Credit for Previous Actions

If you performed inspection and/or replacement using IAE NMSB V2500–ENG–72–0661, original issue, dated November 10, 2015 or NMSB V2500–ENG–72–0661, Revision 1, dated February 5, 2016, you met the requirements of paragraphs (e)(2) and (e)(3) of this AD.

(h) Alternative Methods of Compliance (AMOCs)

The Manager, Engine Certification Office, FAA, may approve AMOCs for this AD. Use the procedures found in 14 CFR 39.19 to make your request. You may email your request to: ANE-AD-AMOC@faa.gov.

(i) Related Information

For more information about this AD, contact Brian Kierstead, Aerospace Engineer, Engine Certification Office, FAA, Engine & Propeller Directorate, 1200 District Avenue, Burlington, MA 01803; phone: 781–238–7772; fax: 781–238–7199; email: brian.kierstead@faa.gov.

(j) Material Incorporated by Reference

(1) The Director of the Federal Register approved the incorporation by reference (IBR) of the service information listed in this paragraph under 5 U.S.C. 552(a) and 1 CFR part 51.

(2) You must use this service information as applicable to do the actions required by this AD, unless the AD specifies otherwise.

- (i) International Aero Engines AG Non-Modification Service Bulletin V2500–ENG–72–0661, Revision 2, dated May 27, 2016.
- (ii) Reserved.

(3) For International Aero Engines AG service information identified in this AD, contact International Aero Engines AG, 400 Main Street, East Hartford, CT 06118; phone: 800-565-0140; email: help24@pw.utc.com; Internet: <http://fleetcare.pw.utc.com>.

(4) You may view this service information at FAA, Engine & Propeller Directorate, 1200 District Avenue, Burlington, MA. For information on the availability of this material at the FAA, call 781-238-7125.

(5) You may view this service information that is incorporated by reference at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call 202-741-6030, or go to: <http://www.archives.gov/federal-register/cfr/ibr-locations.html>.

Issued in Burlington, Massachusetts, on August 26, 2016.

Colleen M. D'Alessandro,

Manager, Engine & Propeller Directorate, Aircraft Certification Service.

[FR Doc. 2016-21061 Filed 9-1-16; 8:45 am]

BILLING CODE 4910-13-P

SECURITIES AND EXCHANGE COMMISSION

17 CFR Part 240

[Release No. 34-78716; File No. S7-15-15]

RIN 3235-AL74

Access to Data Obtained by Security-Based Swap Data Repositories

AGENCY: Securities and Exchange Commission.

ACTION: Final rule.

SUMMARY: Pursuant to section 763(i) of Title VII ("Title VII") of the Dodd-Frank Wall Street Reform and Consumer Protection Act of 2010 ("Dodd-Frank Act"), the Securities and Exchange Commission ("Commission") is adopting amendments to rule 13n-4 under the Securities Exchange Act of 1934 ("Exchange Act") related to regulatory access to security-based swap data held by security-based swap data repositories. The rule amendments would implement the conditional Exchange Act requirement that security-based swap data repositories make data available to certain regulators and other authorities.

DATES: Effective November 1, 2016.

FOR FURTHER INFORMATION CONTACT:

Carol McGee, Assistant Director, Joshua Kans, Senior Special Counsel, or Kateryna Imus, Special Counsel, at (202) 551-5870; Division of Trading and Markets, Securities and Exchange Commission, 100 F Street NE., Washington, DC 20549-7010.

SUPPLEMENTARY INFORMATION: The Commission is adding paragraphs (b)(9)

and (b)(10) to Exchange Act rule 13n-4 to implement the statutory requirement that security-based swap data repositories conditionally provide data to certain regulators and other authorities. The Commission also is adding paragraph (d) to rule 13n-4 to specify the method to be used to comply with the associated statutory notification requirement.

I. Background

A. Statutory Requirements for Access to Security-Based Swap Data Repository Information, as Amended

Title VII of the Dodd-Frank Act amended the Exchange Act to provide a comprehensive regulatory framework for security-based swaps, including the regulation of security-based swap data repositories.¹

Those amendments, among other things, require that security-based swap data repositories make data available to certain regulators and other entities. In particular, the amendments conditionally require that security-based swap data repositories "on a confidential basis pursuant to section 24, upon request, and after notifying the Commission of the request, make available security-based swap data obtained by the security-based swap data repository, including individual counterparty trade and position data" to specified recipients.² As provided by the statute, these recipients include "each appropriate prudential regulator"³; the Financial Stability Oversight Council ("FSOC"); the Commodity Futures Trading Commission ("CFTC"); the Department of Justice; and "any other person that the Commission determines to be appropriate," including foreign

financial supervisors (including foreign futures authorities), foreign central banks, foreign ministries and other foreign authorities.⁴

Access to data pursuant to these provisions is conditioned on the repository receiving "a written agreement from each entity stating that the entity shall abide by the confidentiality requirements described in section 24 relating to the information on security-based swap transactions that is provided."⁵

As enacted in 2010, moreover, the data access provisions stated that before such data is shared, "each entity shall agree to indemnify the security-based swap data repository and the Commission for any expenses arising from litigation relating to the information provided under section 24."⁶ Congress repealed the indemnification requirement in December 2015.⁷

B. Proposed Rule Amendments

In 2015, prior to the legislative revision of the data access provisions, the Commission proposed rule amendments to implement the data access provisions.⁸ This proposal built upon two earlier Commission proposals,⁹ and specifically set forth proposed amendments to Exchange Act rule 13n-4—which the Commission previously adopted as part of a series of rules governing the registration process, duties and core principles applicable to security-based swap data repositories.¹⁰ Key elements of the proposal were:

- *Designation of entities eligible to access data.* The proposal: (i) Specifically identified each of the five applicable prudential regulators as being eligible to access data under these

¹ Public Law 111-203, section 761(a) (adding Exchange Act section 3(a)(75) (defining "security-based swap data repository")) and section 763(i) (adding Exchange Act section 13(n) (establishing a regulatory regime for security-based swap data repositories)).

References in this release to the terms "data repository," "trade repository," "repository" or "SDR" generally address security-based swap data repositories unless stated otherwise.

² Exchange Act section 13(n)(5)(G), 15 U.S.C. 78m(n)(5)(G). The confidentiality requirements addressed by Exchange Act section 24, 15 U.S.C. 78x, are addressed below. See note 83, *infra*. As initially adopted, this provision addressed access to "all" data obtained by the security-based swap data repository. As amended by Congress in 2015, the reference to "all" was replaced by a reference to "security-based swap" data. See Public Law 114-94, section 86011(c)(1)(A) (striking "all" and adding "security-based swap" in the introductory part of Exchange Act section 13(n)(5)(G)).

³ As discussed below, the term "prudential regulator" encompasses the Board of Governors of the Federal Reserve System and certain other regulators, with regard to certain categories of regulated entities. See note 26, *infra*.

⁴ Exchange Act section 13(n)(5)(G), 15 U.S.C. 78m(n)(5)(G). As initially adopted this provision did not reference "other foreign authorities." That provision was added by Congress in December 2015. See Public Law 114-94, section 86011(c)(1)(B) (adding paragraph (G)(v)(IV) to Exchange Act section 13(n)(5)).

⁵ Exchange Act section 13(n)(5)(H), 15 U.S.C. 78m(n)(5)(H).

⁶ See Dodd Frank Act section 763(i) (adding former Exchange Act section 13(n)(5)(H)(ii)).

⁷ See Public Law 114-94, section 86011(c)(2).

⁸ See Exchange Act Release No. 75845 (Sept. 4, 2015), 80 FR 55182 (Sept. 14, 2015) ("Proposing Release").

⁹ See generally Proposing Release, 80 FR at 55182-84 (discussing relevant provisions of 2010 proposed rules regarding security-based swap data repositories, and 2013 proposed rules regarding cross-border application of Title VII).

¹⁰ See Exchange Act Release No. 74246 (Feb. 11, 2015), 80 FR 14438 (Mar. 19, 2015) ("SDR Adopting Release"). Those rules did not address the data access requirements applicable to data repositories, and the Commission stated that final resolution of the issue would benefit from further consideration and public comment. See SDR Adopting Release, 80 FR at 14487-88.