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SEC Climate Proposal: Industry Groups Pile In to Push Back on SEC's Short Comment Period, as Senators Speak Out



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Numerous industry groups have asked the SEC to extend the comment period for the SEC's recently proposed [climate-risk disclosure requirements](#). Currently, comments on the proposal are due by May 20, 2022.

On April 14, [17 trade associations and industry organizations](#) in the real estate, lodging, finance and securities industries jointly submitted a request for the SEC to extend the comment period by an additional 30 days. The organizations signing on to the request were the American Hotel and Lodging Association, American Resort Development Association, CCIM Institute, CRE Finance Council, Housing Policy Council, ICSC, Institute for Portfolio Alternatives, Mortgage Bankers Association, National Apartment Association, National Association of REALTORS, National Multifamily Housing Council, Nareit, Securities Industry and Financial Markets Association, Society of Industrial and Office REALTORS,[®] Structured Finance Association, and The Real Estate Roundtable. The same day, the [CRE Finance Council](#) submitted an additional letter in support of this request, and noted the complexity of applying Scope 1, Scope 2 and Scope 3 greenhouse gas emissions calculations to the commercial real estate finance sector.

Other industry groups have submitted similar requests since the SEC issued its proposal. For example, the [U.S. Chamber of Commerce](#), in its letter asking for a 60-day extension, noted that the SEC's proposal contains at least 771 questions. Additionally, on April 5, 25 industry groups submitted a letter to push back against the short comment deadline for the climate rule proposal, as well as various other recent rulemaking proposals by the SEC. Those groups included American Bankers Association, Bond Dealers of America, Investment Company Institute, Loan Syndications and Trading Association, The Real Estate Roundtable and Security Traders Association.

Also on April 5, [19 Republican U.S. Senators](#) submitted a jointly signed comment letter to the SEC in opposition to the SEC's proposal, a day after [Democrat Senator Joe Manchin](#) sent his own letter of opposition.

Despite the opposition, the SEC may be strongly motivated to finalize the rules before year-end 2022. By finalizing the rules before year-end, disclosures regarding 2023 data can be required of registrants in their 2024 filings. The SEC may also be motivated to conclude the rulemaking process before the mid-term elections in November.
