

AMENDMENT TO
RULES COMMITTEE PRINT 112-28
(TEXT OF H.R. 4078)
OFFERED BY MR. POSEY OF FLORIDA

Add at the end of title VI the following (and conform the table of contents accordingly):

1 SEC. 604. INTERPRETIVE GUIDANCE NULL AND VOID.

2 Notwithstanding any other provision of law, no inter-
3 pretive guidance issued by the Securities and Exchange
4 Commission on or after the effective date of this Act relat-
5 ing to “Commission Guidance Regarding Disclosure Re-
6 lated to Climate Change”, affecting parts 211, 231, and
7 249 of title 17, Code of Federal Regulations (as described
8 in Commission Release Nos. 33–9106; 34–61469; FR–
9 82), or any successor thereto, may take effect, and such
10 guidance shall have no force or effect with respect to any
11 person on or after February 2, 2010.

12 SEC. 605. OTHER SEC ACTION PROHIBITED.

13 (a) **FURTHER GUIDANCE RELATED TO CLIMATE**
14 **CHANGE.**—The Commission may not issue any interpre-
15 tive guidance with respect to disclosures related to climate
16 change on or after the effective date of this Act.

1 (b) VOLUNTARY SUBMISSIONS.—The Commission
2 may not issue any interpretive guidance that would estab-
3 lish any requirements with respect to the content of or
4 format for any disclosures related to climate change volun-
5 tarily submitted by any entity to the Commission on or
6 after the effective date of this Act.

7 (c) CIVIL AND ADMINISTRATIVE ACTIONS.—No civil
8 or administrative action or proceeding pertaining to disclo-
9 sures related to climate change may be initiated by the
10 Commission on or after the date of the enactment of this
11 Act and any such actions or proceedings pending on such
12 date shall be terminated.

13 (d) RULE OF CONSTRUCTION.—Nothing in this sec-
14 tion shall be construed as to—

15 (1) prohibit the Commission from issuing inter-
16 pretive guidance with respect to disclosures related
17 to non-anthropogenic or natural climate variability
18 observed over comparable time periods; or

19 (2) terminate an administrative action or pro-
20 ceeding pertaining to such disclosures.

