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United States Senate
COMMITTEE ON BANKING, HOUSING, AND
URBAN AFFAIRS

WASHINGTON, DC 20510-6075

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March 17, 2020

The Honorable Jay Clayton
Chair
Securities and Exchange Commission
100 F Street, NE
Washington, DC 20549

Dear Chair Clayton:

We are writing to urge you to immediately cease all pending rulemaking processes at the Securities and Exchange Commission (SEC or Commission) that are not a direct response to the immediate public health or economic and market risks posed by COVID-19. The SEC and all federal regulators should suspend all rulemakings that are unrelated to or could impede our nation's response to the COVID-19 epidemic and instead focus and prioritize actions on activities related to the economic risks posed to markets and capital formation.

This cessation should include extension of any pending comment periods on rules not related to the immediate risks to our financial markets, and other critical health and safety factors closing after March 1, 2020. In particular, the Commission must formally extend the comment period for each of the five pending actions identified in the SEC's Coronavirus (COVID-19) Response update issued on March 16. The Commission's decision to not take final action before April 24 is an unsatisfactory solution. Without a formal extension of the comment periods, stakeholders cannot be assured that the Commission staff will fully consider comment letters on those pending actions.

The American people are scrambling to ensure they protect themselves, their families, and vulnerable individuals in society from this virus. Businesses, public institutions, and other organizations are devoting their resources to arrange alternative ways to carry out their activities as many of them take actions to protect their employees and the public. Under these circumstances, it will be difficult for the public to have the customary engagement with government agencies and provide meaningful recommendations and comments on proposed rulemakings other than those related to the crisis at hand.

In addition, the SEC should focus its resources on providing reliable guidance and responding to the evolving health and economic effects of this crisis rather than on processing other rulemakings. During this period, all rulemakings and comment periods closing after March 1, 2020 that are not related to the virus response or other imminent health, safety, or national security threats should be suspended or extended for at least 45 days.

The COVID-19 virus threatens both the health of the public and the economy. In light of this crisis, we urge you to place an immediate moratorium on rulemakings not related to the crisis at hand until the COVID-19 virus has been fully addressed by our financial and public health agencies. As the SEC continues to fulfill its mission of protecting investors, maintaining fair, orderly and efficient markets, and facilitating capital formation, the Commission should act to make formal extensions of comment periods and postpone non-critical rulemaking until the full public health and economic impacts of COVID-19 are understood.

Sincerely,

/s/ Sherrod Brown
Sherrod Brown
U.S. Senator

/s/ Chris Van Hollen
Chris Van Hollen
U.S. Senator