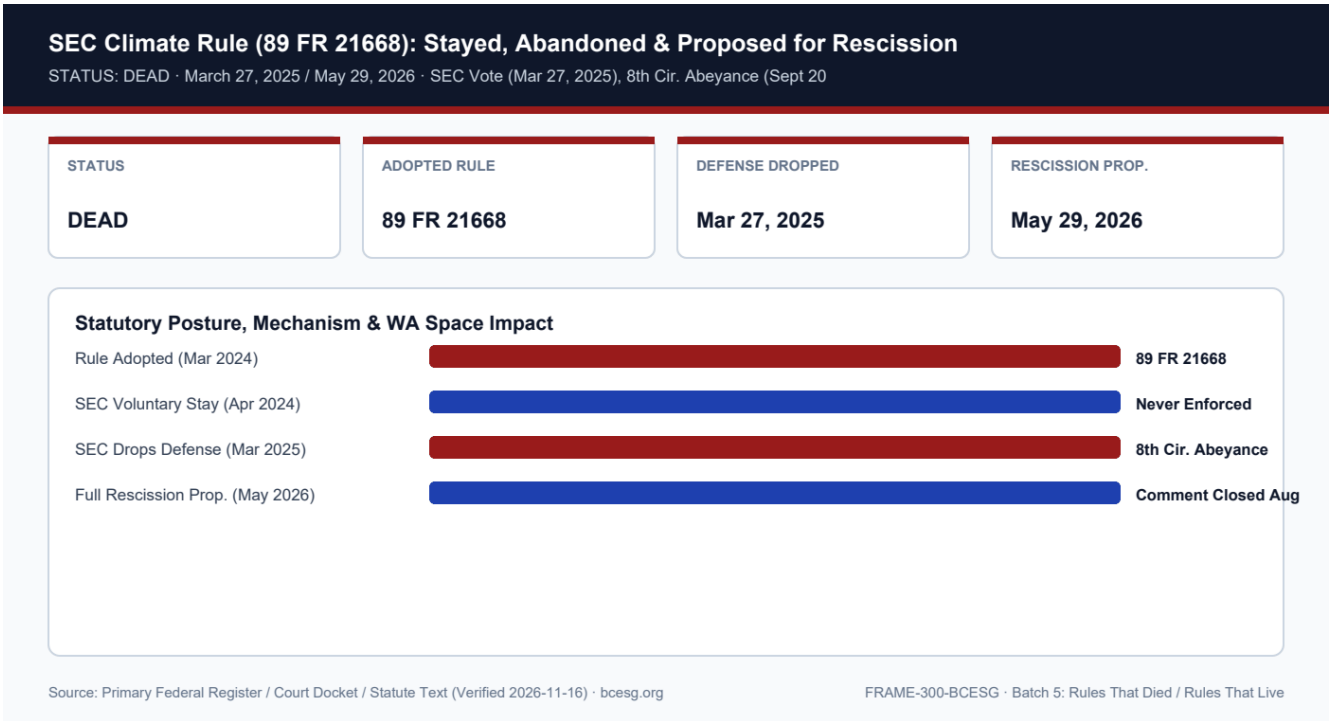
BC ESG · RULES THAT DIED / RULES THAT LIVE · STATUS: DEAD

SEC Climate Disclosure Rule (89 FR 21668): DEAD — Defense Dropped Mar 27, 2025; Rescission Proposed May 29, 2026

Published: November 16, 2026 · Canonical URL: https://bcesg.org/wa-space-rule-sec-climate-disclosure-dead/

Rule: SEC Enhancement and Standardization of Climate-Related Disclosures for Investors (89 FR 21668) | **Status:** DEAD | **Instrument:** SEC Vote (Mar 27, 2025), 8th Cir. Abeyance (Sept 2025), & Proposed Rescission (May 29, 2026) | **Date:** March 27, 2025 / May 29, 2026

Verdict & Proof: The 2024 SEC Climate Disclosure Rule (89 FR 21668) is DEAD. Voluntarily stayed in April 2024, the SEC voted March 27, 2025 to drop its court defense in Iowa v. SEC, the Eighth Circuit placed the case in abeyance in September 2025, and on May 29, 2026 the SEC proposed rescinding the rule in full.



Milestone	Date	Legal Effect
Final Rule Published (89 FR 21668)	Mar 28, 2024	Adopted Scope 1+2 (for LAF/AF) & Reg S-X 1% footnote
SEC Voluntary Administrative Stay	Apr 4, 2024	Suspended all compliance deadlines pending 8th Cir. review
SEC Vote to End Court Defense	Mar 27, 2025	Terminated agency defense in Iowa v. SEC
8th Circuit Abeyance Order	Sep 2025	Litigation suspended while SEC pursues repeal
SEC Proposed Full Rescission	May 29, 2026	Formal rulemaking to delete 89 FR 21668 rules

Mechanism of Death: Administrative Stay, Abandoned Defense & 2026 Rescission

Adopted in March 2024 (89 FR 21668) without a Scope 3 mandate, the SEC's climate disclosure rule was immediately challenged and consolidated in the Eighth Circuit (Iowa v. SEC). The SEC voluntarily stayed the rule in April 2024—meaning it never took effect and zero companies ever filed under it.

On March 27, 2025, the Commission voted to end its legal defense of the rule. In September 2025, the Eighth Circuit placed the litigation in abeyance. On May 29, 2026, the SEC issued a formal proposed rulemaking to rescind the climate disclosure rules in their entirety (comment period closed August 3, 2026).

What Replaced It: 2010 Materiality Guidance & State/Foreign Rules

No new federal SEC climate rule replaced 89 FR 21668. Publicly traded space companies (such as Amazon, Boeing, L3Harris, and BlackSky) remain governed by the SEC's general 2010 interpretive guidance on material climate risks inside Form 10-K filings.

Meanwhile, large issuers doing business in California or Europe still face California SB 253 (Scope 1+2) and EU CSRD (for >1,000-employee / >€450M turnover groups), which drive downstream supplier requests regardless of the SEC rollback.

Verified Primary Sources & Internal Bridges

• Federal Register: 2024 SEC Climate Rule (89 FR 21668): https://www.federalregister.gov/documents/2024/03/28/2024-05137/the-enhancement-and-standardization-of-climate-related-disclosures-for-investors

• Federal Register: 2026 Proposed Rescission: https://www.federalregister.gov/documents/2026/05/29/2026-09847/rescission-of-climate-related-disclosure-rules