

Business Groups Sue SEC Over Conflict Mineral Rules

Written by Mike Buetow

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WASHINGTON -- A pair of major US business groups have filed a lawsuit asking the US Court of Appeals for the District of Columbia Circuit to modify or set aside in whole or in part the **Securities and Exchange Commission's** regulations requiring companies to publicly disclose their use of conflict minerals that originate in the Democratic Republic of the Congo or an adjoining country.

The **National Association of Manufacturers** and the **US Chamber of Commerce** filed a petition for court review, in response to the Dodd-Frank bill that requires public companies to reveal the source of materials in their products.

The groups, in a joint statement, said the rule was well intentioned but that it goes too far. The SEC rule "imposes an unworkable, overly broad and burdensome system that will undermine jobs and growth and may not achieve Congress's overall objectives," NAM said in the statement.

Under the final rule companies that file reports with the SEC, whether foreign or domestic, will have to disclose their use of tantalum, tin, gold or tungsten originating in the DRC or an adjoining country if those minerals are necessary to the functionality or production of a product they manufacture or contract to manufacture. The rules go into effect in calendar year 2013 and the first reports are due May 31, 2014.

Analysts suggest that the cost of compliance, which the SEC itself estimated at \$3 billion to \$4 billion initially and \$200 million a year thereafter, and the reorganization of data, which companies traditionally do not aggregate in the way the SEC rule demands, are among the reasons for the complaint.

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