

## Gottschall in Law360 Pulse and InvestmentNews: The SEC Dropped ESG From 2024 Priorities. Now What?

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October 19, 2023 Kurt Gottschall

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**PRACTICES** Environmental, Social and Governance

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Haynes Boone Partner [Kurt Gottschall](#) was quoted in *Law360 Pulse* and in *InvestmentNews* on the U.S. Securities and Exchange Commission's exclusion of environmental, social and governance issues as a listed priority for 2024.

Read an excerpt from the *Law360 Pulse* article below:

General counsel shouldn't read too much into the U.S. Securities and Exchange Commission's exclusion of environmental, social and governance issues as a listed priority for 2024, and instead they would be wise to continue to balance legal requirements and stakeholder demands with activists' challenges to their efforts, experts told *Law360 Pulse*.

The SEC's Division of Examinations, which published its annual report on examination priorities Monday, said the agency will pay particular attention to information security and operational resiliency, emerging fintech and anti-money laundering protocols in 2024. Missing from the report is a direct reference to ESG topics, which were a focus in recent years.

Kurt Gottschall — who as a partner at Haynes Boone LLP represents public companies and officers in investigations by the SEC — said he was surprised by the absence, especially given SEC Chair Gary Gensler's emphasis on rulemaking around climate risk. But he warned general counsel not to remove their foot from the gas pedal when it comes to ESG-related disclosures or compliance policies and procedures.

"I think it would be a mistake to construe the exclusion from exam priorities in a single year as an indicator that ESG is no longer a priority for the SEC," said Gottschall, a former director of the SEC's Denver Regional Office. "ESG in particular can present some very tricky and complicated data analysis problems, I think, for public companies and asset managers."

To read the full article from *Law360 Pulse*, click [here](#).

To read the full article from *InvestmentNews*, click [here](#).