

SEC to Make Comment Letters and Responses Available on EDGAR

May 12, 2005

On May 12 the SEC's Division of Corporation Finance and Division of Investment Management will begin making staff comment letters and registrants' responses available to the general public through EDGAR. The staff first announced its intention to take this step in a June 2004 press release, noting that it was already releasing many letters in response to Freedom of Information Act requests and that it seemed preferable to release them all to the public at large.

The program will apply to registration statements, periodic reports, and other disclosure documents filed after August 1, 2004.

Registrants may request confidential treatment for portions of their response letters by following the procedures in Rule 83. This requires submitting two versions of the response letter, one of which has the confidential information redacted. If confidential treatment is granted, the staff will only release the redacted version to the public, though it may release the full version under a Freedom of Information Act request.

Read the staff's recent press release.

Read the 2004 press release.

If you have any questions about this or any other SEC matters, feel free to contact the Business and Finance Group; Kent E. Shafer at (313) 496-7570, email: shafer@millercanfield.com; or Richard A. Walawender at (313) 496-7628, email: walawender@millercanfield.com. This message is for general information only and should not be used as a basis for specific action without obtaining further legal advice.