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(Original Signature of Member)

118TH CONGRESS
1ST SESSION

H. R. _____

To amend section 1003 of title 5, United States Code (commonly referred to as the Federal Advisory Committee Act), to prohibit the establishment of advisory committees related to environmental, social, and governance aspects.

IN THE HOUSE OF REPRESENTATIVES

Mr. JACKSON of Texas introduced the following bill; which was referred to the Committee on _____

A BILL

To amend section 1003 of title 5, United States Code (commonly referred to as the Federal Advisory Committee Act), to prohibit the establishment of advisory committees related to environmental, social, and governance aspects.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Advisory Committees
5 Free of ESG Act of 2023”.

1 **SEC. 2. AMENDMENT TO FAC.**

2 (a) AMENDMENT.—Section 1003 of title 5, United
3 States Code, is amended by adding at the end the fol-
4 lowing new subsection:

5 “(d) An advisory committee may not be established
6 on the basis of environmental, social, and governance as-
7 pects.

8 “(e) In this section:

9 “(1) The term ‘environmental’ includes any-
10 thing related to—

11 “(A) emissions of greenhouse gases, in-
12 cluding—

13 “(i) carbon dioxide;

14 “(ii) methane;

15 “(iii) nitrous oxide;

16 “(iv) nitrogen trifluoride;

17 “(v) hydrofluorocarbons;

18 “(vi) perfluorocarbons; and

19 “(vii) sulfur hexafluoride;

20 “(B) climate change; and

21 “(C) environmental justice.

22 “(2) The term ‘governance’ means how a pri-
23 vate entity is run, including the structure and com-
24 position of the entity based on race, color, national
25 origin, or sex and how compensation is made.

1 “(3) The term ‘social’ includes anything related
2 to—

3 “(A) race, ethnicity, gender identity, sexual
4 orientation, or socioeconomic standards; and

5 “(B) ideologies that oppose equal protec-
6 tion of the law or support discrimination on the
7 basis of race, color, national origin, or sex; and

8 “(C) critical race theory, social justice, or
9 similar ideologies.”.

10 (b) TERMINATION OF EXISTING ADVISORY COMMIT-
11 TEES.—

12 (1) TERMINATION BY ADMINISTRATOR.—If the
13 Administrator finds that the head of an agency,
14 chair of an advisory committee, or any advisory com-
15 mittee authorized, permitted, or implemented an ad-
16 visory committee described in section 1003(d) of
17 title 5, United States Code, as added by subsection
18 (a), as of the date of the enactment of this Act, the
19 Administrator shall immediately terminate that advi-
20 sory committee.

21 (2) DETERMINATION BY INSPECTOR GEN-
22 ERAL.—If the Inspector General for the agency that
23 established the advisory committee finds that the
24 head of an agency, chair of an advisory committee,
25 or any advisory committee authorized, permitted, or

1 implemented an advisory committee described in
2 such section 1003(d), as of the date of the enact-
3 ment of this Act, the Administrator shall imme-
4 diately terminate that advisory committee.

5 (3) CIVIL ACTION.—

6 (A) IN GENERAL.—Any person may bring
7 an action in an appropriate district court of the
8 United States seeking a determination that an
9 advisory committee was authorized, permitted,
10 or implemented in violation of section 1003(d)
11 of title 5, United States Code, or that an Ad-
12 ministrator, the head of an agency, the chair of
13 an advisory committee, or an advisory com-
14 mittee did not terminate an advisory committee
15 that is in violation of such section. If the court,
16 following an evidentiary hearing, determines
17 that there was a violation of such section the
18 court shall order the advisory committee to be
19 terminated immediately.

20 (B) APPLICABILITY.—An action under
21 subparagraph (A) may be brought with respect
22 to any advisory committee beginning on the
23 date of the enactment of this Act.

1 (4) ADMINISTRATOR DEFINED.—In this section
2 the term “Administrator” means the Administrator
3 of General Services.