

Congress of the United States

Washington, DC 20515

February 1, 2024

The Honorable Patty Murray
Chair, Senate Committee on Appropriations
S-128, The Capitol
Washington, D.C. 20510

The Honorable Kay Granger
Chair, House Committee on Appropriations
H-307 The Capitol
Washington, DC 20515

The Honorable Susan Collins
Vice Chair, Senate Committee on Appropriations
S-128, The Capitol
Washington, D.C. 20510

The Honorable Rosa DeLauro
Ranking Member, House Committee on
Appropriations
2413 Rayburn House Office Building
Washington, DC 20515

Dear Chairs Patty Murray and Kay Granger and Ranking Members Susan Collins and Rosa DeLauro:

Thank you for your work to finalize the outstanding FY 2024 appropriations bills before the current continuing resolution deadlines on March 1st and March 8th. As Congress works to complete this year's federal spending bills, we write to respectfully request the exclusion of any policy rider, including those that would restrict investors' access to information about climate and supply chain risks of publicly traded companies and interfere with government and private investment decisions.

In drafting the FY 2024 House appropriations bills, controversial partisan policy riders were included in several of the bills, which are necessary for funding our government's most basic operations. On this laundry list of partisan policy riders is a series of provisions attacking any effort by a federal agency to inform investors, public pension and retirement fund managers, and government procurement officials about known financial risks. These policy riders are contrary to what the American public wants. According to recent nationwide polling, a majority of voters oppose Congress imposing limits on the type of information about a corporation's business record that is disclosed to pensions and retirement fund managers, investors, and the public.¹ However, these policy riders, listed below, are sprinkled throughout the various bills, including: Labor, Health and Human Services and Education; Financial Services and General Government; Defense; and Commerce, Justice, and Science.

Due to significant investor demand, many publicly traded companies report their climate disclosure and the world's largest asset managers track the information closely – institutional investors spend more than \$1.3M per year to collect and analyze this data.² Attacks against efforts to expand and standardize climate disclosure are thus interfering with our constituents' freedom to invest. Political interference to limit consideration of certain risks and opportunities that companies, investors, and asset managers may consider undermines Americans' confidence that the fiduciaries responsible for public treasury, pension, and retirement funds are maximizing returns and avoiding known risks.

¹ "New Poll: House GOP's Anti-ESG Push to Blindfold Investors Is Deeply Unpopular, Even Among Republicans." Dec. 14, 2023, <https://www.citizen.org/news/new-poll-house-gops-anti-esg-push-to-blindfold-investors-is-deeply-unpopular-even-among-republicans/>

² "Report: Gap in Climate Disclosures Between Large, Small Cos Stark Gap in Climate Disclosures Exists Between Large & Small Public Companies." Jan. 20, 2022, <https://www.conference-board.org/press/climate-disclosures-gap>

Anti-Sustainable Investing Riders in House FY 2024 Appropriations Bills

1. **The Federal Employee Benefits Environmental, Social, and Governance (ESG) Investing Rider** would block implementation of the U.S. Department of Labor’s rule which allows private retirement plans to consider financially material ESG data, which has been the subject of failed Congressional Review Act attempts (*H.R. 5894, Sec. 118*)
2. **The Climate Disclosure Rider** would prohibit the use of funds to finalize or enforce the SEC’s proposed climate disclosure rule. The rule would deliver climate-related disclosures in corporate registration statements, periodic reports, and audited financial statements –including information about climate-related risks that are likely to have a material impact on their business, results of operations, or financial condition. It would also include the disclosure of greenhouse gas emissions (*H.R. 4664, Sec. 550*)
3. **The ESG Retirement Investing Rider** would block the Thrift Savings Plan – a retirement savings and investment plan for federal employees and uniformed service members similar to a 401(k) in the private sector – from investing in mutual funds that consider ESG criteria (*H.R. 4664, Sec. 753*)
4. **The Defense Contractor Climate Emissions Rider** would block funding for a rule to require federal defense contractors to disclose their greenhouse gas emissions and climate-related financial risks and set science-based targets to reduce their emissions (*H.R. 4365, Sec. 8146*)
5. **The ESG Rider** would prohibit funding for the promotion of and any contributions to ESG investments (*H.R. 5893, Sec. 564*)

These appropriations riders follow a dangerous trend of political interference with investing choices at the state level that are antithetical to the free-market system that has made US markets the envy of the world. These actions, fueled by groups like the American Legislative Exchange Council (ALEC), are costing those states’ residents billions of dollars, jeopardizing Americans’ hard-earned retirement savings by restricting the consideration of mainstream environmental, social, and governance investment metrics, and forcing state pension systems to divest from companies that consider these metrics.³

To protect the annual appropriations process from extremist culture wars that cost our constituents their hard-earned savings and safeguard our free markets, we urge you to finalize FY 2024 appropriations bills without these dangerous political riders.

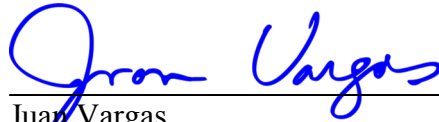
Thank you for your consideration of this urgent request.

Sincerely,

³ “Gas, guns, and governments: Financial costs of anti-ESG policies.” Apr. 12, 2023, <https://www.brookings.edu/articles/gas-guns-and-governments/>



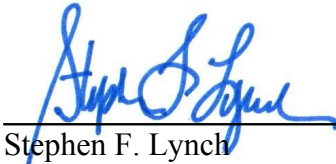
Sean Casten
Member of Congress



Juan Vargas
Member of Congress



Sheldon Whitehouse
United States Senator



Stephen F. Lynch
Member of Congress



Cory A. Booker
United States Senator



Summer Lee
Member of Congress



Thomas R. Carper
United States Senator



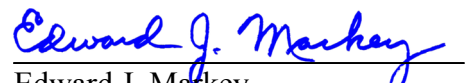
Joyce Beatty
Member of Congress



Martin Heinrich
United States Senator



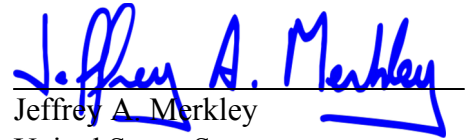
Adam B. Schiff
Member of Congress



Edward J. Markey
United States Senator



Scott H. Peters
Member of Congress



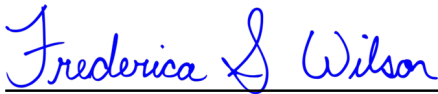
Jeffrey A. Merkley
United States Senator



Mike Levin
Member of Congress



Bernard Sanders
United States Senator



Frederica S. Wilson
Member of Congress



Tina Smith
United States Senator



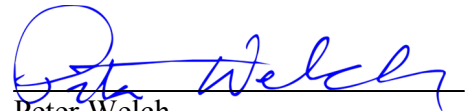
Barbara Lee
Member of Congress



Elizabeth Warren
United States Senator



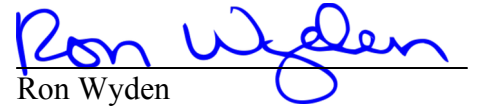
Eleanor Holmes Norton
Member of Congress



Peter Welch
United States Senator



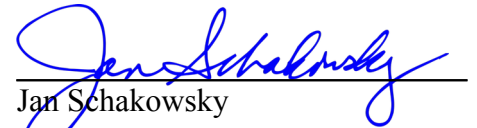
Henry C. "Hank" Johnson, Jr.
Member of Congress



Ron Wyden
United States Senator



Katie Porter
Member of Congress



Jan Schakowsky
Member of Congress



Al Green
Member of Congress
Scion of the Enslaved Africans -
Sacrificed to Make America Great



Haley M. Stevens
Member of Congress



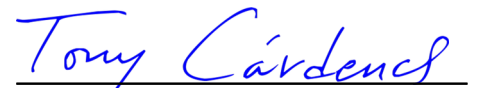
Donald M. Payne, Jr.
Member of Congress




Raúl M. Grijalva
Member of Congress



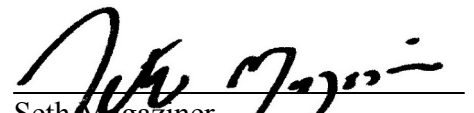
Andrea Salinas
Member of Congress




Tony Cárdenas
Member of Congress




Jared Huffman
Member of Congress




Seth Magaziner
Member of Congress




Dwight Evans
Member of Congress




Jamie Raskin
Member of Congress



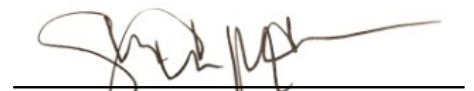
Ro Khanna
Member of Congress



Brad Sherman
Member of Congress
Ranking Member, Subcommittee
on Capital Markets



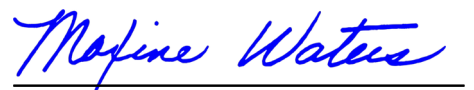
Nydia M. Velázquez
Member of Congress



Sheila Cherfilus-McCormick
Member of Congress




James P. McGovern
Member of Congress



Maxine Waters
Member of Congress



Dean Phillips
Member of Congress



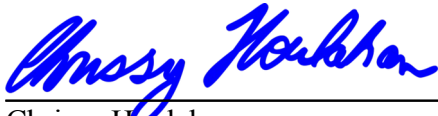
Salud Carbajal
Member of Congress



Nikema Williams
Member of Congress



Valerie P. Foushee
Member of Congress



Chrissy Houlahan
Member of Congress



Rashida Tlaib
Member of Congress



Troy A. Carter, Sr.
Member of Congress




Julia Brownley
Member of Congress



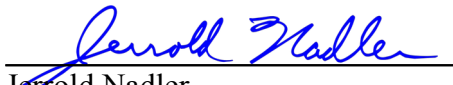
Raja Krishnamoorthi
Member of Congress




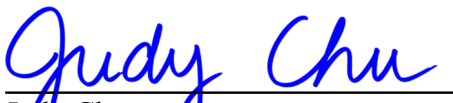
Jesús G. "Chuy" García
Member of Congress



Earl Blumenauer
Member of Congress

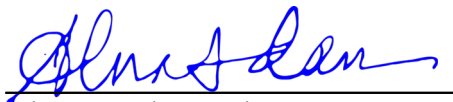

Jill Tokuda
Member of Congress


Jerrold Nadler
Member of Congress



Bill Foster
Member of Congress

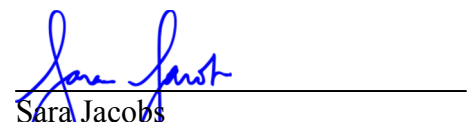

Judy Chu
Member of Congress


Mark Takano
Member of Congress


Alma S. Adams, Ph.D.
Member of Congress

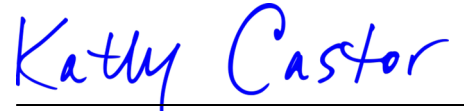

Alexandria Ocasio-Cortez
Member of Congress


Grace F. Napolitano
Member of Congress


Sara Jacobs
Member of Congress



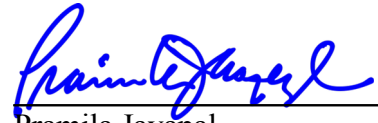
Dan Goldman
Member of Congress



Kathy Castor
Member of Congress



Robert C. "Bobby" Scott
Member of Congress



Pramila Jayapal
Member of Congress