

**Free Speech-Quashing Laws Based on Israel-Focused Anti-Boycott Laws
+ Related Articles (at end of table)**

State	Topic/Area of Focus	Details
FEDERAL	Firearm & Ammunition Industry	HR 6970 : Intro'd 3/8 by Bergman (R-MI) and 55 cosponsors, "To amend title 41, United States Code, to prohibit the Federal Government from entering into contracts with an entity that discriminates against firearm or ammunition industries, and for other purposes."
	Anti-ESG (likely precursor to BDS-template-based legislation)	<p>H. Res. 1028: Introduced 4/5/22, "Supporting the current definition of materiality in the securities laws and opposing new disclosure requirements outside the core mission of the Securities and Exchange Commission."</p> <p>HR 7151: Introduced 3/18/22 by Barr (R-KY), the "Ensuring Sound Guidance Act," aka, "To amend the Investment Advisers Act of 1940 and the Employment Retirement Income Security Act of 1974 to specify that only pecuniary factors are to be taken into account in determining best interest, and for other purposes." Press release.</p> <p>S. 2829: Introduced 9/23/21 by Rubio (R-FL), the "Mind Your Own Business Act, aka, "To amend the Securities Exchange Act of 1934 to require the Securities and Exchange Commission to require the contractual provision by large issuers of procedural privileges with respect to certain shareholder claims relating to board and management accountability for 'woke' social policy actions as a condition of listing on a national securities exchange, and for other purposes."</p> <p>HR 1187: Introduced 6/17/21, the "ESG Disclosure Simplification Act of 2021"</p>
Alaska	General	Governor Dunleavy will Introduce Legislation to Protect Alaska's Economy (Alaska Governor's office 12/14/20)

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	Oil & Gas Industry	<p>HB 394: Introduced 2/22 - this appears to be a new kind of hybrid anti-boycott bill, seeking in one fell swoop to target for divestment any company that engaged in boycotts effecting Alaska’s fossil fuel industry, against Israel, Taiwan, and against pretty much anyone else the State supports [targeting: “an organization that, pursuant to a boycott or divestment campaign, including an environmental, social, or governance campaign, or similar project targeting this state, or targeting the continued existence of a foreign country or autonomous region, refuses to deal with the state, the State of Israel, Ukraine, or another foreign country, or Taiwan, or an entity that does business with these organizations or in these places...”]</p>
Arizona	Firearm & Ammunition Industry	<p>HB 2473: Introduced 1/24/22, passed by the House 2/23/22 “A. A public entity may not enter into a contract with a value of \$100,000 or more with a company to acquire or dispose of services, supplies, information technology or construction unless the contract includes a written certification that the company does not currently, and agrees for the duration of the contract that it will not, discriminate against a firearm entity. B. A public entity may not adopt a procurement, investment or other policy that has the effect of inducing or requiring a person or company to discriminate against a firearm entity.”</p> <p>HB 2472: Introduced 1/24/22, “A government entity or financial institution may not discriminate against a firearm entity because the firearm entity supports or is engaged in the lawful commerce of firearms, firearm accessories or ammunition products. “</p>

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	Covid Vaccinations & related	HB 2029 : Pre-filed 12/29/21, “B. This state and its governmental entities may not enter into a contract or give a loan, grant or any other disbursement of taxpayer monies to a business affiliation that requires a person to receive a vaccination for COVID-19 or any variant of COVID-19 or to possess a COVID-19 immunity passport, immunity pass or other evidence certifying vaccination or immunity status.”
Idaho	Oil & Gas Industry Mining Industry Agricultural Industry Lumber Industry ESG	HB 737 : Introduced 3/3/22, PROHIBITION ON CONTRACTS WITH COMPANIES BOYCOTTING CERTAIN MINING, ENERGY, PRODUCTION AGRICULTURE, OR COMMERCIAL TIMBER COMPANIES [banning contracts & requiring divestment].
	Anti-ESG (likely precursor to BDS-template-based legislation)	<p>HCR 052: Introduced 3/17/22, “the Committee on Federalism, the sponsors of this resolution, and the Idaho State Treasurer, where appropriate, at the direction of the Idaho Legislature, shall work with concerned parties to study the topic of ESG standards and shall draft legislation that protects the State of Idaho and its citizens from the use of ESG standards.”</p> <p>S. 1405: Introduced 3/14/22, “to existing law to establish provisions regarding disfavored state investments.” Under this bill, “No public entity engaged in investment activities shall consider environmental, social, or governance characteristics in a manner that could override the prudent investor rule.” Signed by Governor on 03/28/22.</p>

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Indiana	Oil & Gas Industry	<p>HB 1224: Introduced 1/6/22, hearing 1/25/22 (passed/adopted)— Provides that the state, a political subdivision, or a separate or independent body corporate and politic may not make certain investments in companies that boycott energy companies or companies that do business with energy companies. Provides that a state or local governmental body may not enter into a contract with certain companies for the purchase of supplies or services unless the contract contains a written verification from the company that the company does not boycott energy companies and will not boycott energy companies during the term of the contract.</p>
	Firearm & Ammunition Industry	<p>SB 397: Introduced 1/12/22 - “Provides that a governmental body may not enter into a contract with a person for the purchase of supplies or services unless the contract contains a written verification from the person that the person: (1) does not have a practice, policy, guidance, or directive that discriminates against a firearm entity or a firearm trade association; and (2) will not discriminate during the term of the contract against a firearm entity or a firearm trade association. Applies this requirement to public works contracts and to contracts relating to investment of public funds.”</p> <p>HB 1409: Introduced 1/20/22 - Companion to SB 397</p>
Kansas	Firearm & Ammunition Industry	<p>SB 482: Introduced 2/9/22, Enacting the firearm industry nondiscrimination act to prohibit certain government contracts with companies that discriminate against firearm entities and firearm trade associations.</p>
	Oil & Gas Industry	<p>SB 518: Introduced 2/16/22, Enacting the Kansas reliable energy investment protection act, requiring the KPERs board to divest from investments with entities boycotting energy companies and prohibiting state contracts with companies boycotting energy companies.</p>

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	Anti-ESG (likely precursor to BDS-template-based legislation)	HCR 5034 : Introduced 3/23/22, requiring that “the Joint Committee on Fiduciary Financial Institutions Oversight shall report such committee’s finding and recommendations, along with proposed legislation, to the Legislative Coordinating Council in November, 2022, and to the Kansas Legislature on or before January 9, 2023...”
Kentucky	Firearm & Ammunition Industry	HB 123 : Introduced 1/4/22, to create a new section of KRS 45A.343 to 45A.460 to prohibit a governmental body or political subdivision of this state from entering into contracts valued at or above \$100,000 with a company that has ten or more employees and discriminates against firearm entities or firearm trade associations
	Oil & Gas Industry	SB 205 : Introduced 2/22, passed House 3/24/22, Senate 3/30/22, signed by Gov 4/8/22 - to require State Treasurer to publish, maintain, & update a list of financial companies engaged in energy company boycotts...to require state governmental entities to divest from the listed financial company if it does not cease its energy company boycott...to prohibit a governmental entity from entering into a contract for goods or services with a company that engages in energy company boycotts...
Louisiana	Firearm & Ammunition Industry	HB 978 : Introduced 4/5/22, To prohibit contracts with companies that discriminate against the firearm & ammunition industries. Passed House 5/10/22, 1st reading in Senate 5/12/22 HB 597 : Vetoed by Governor 7/1/21. To prohibit contracts with companies that discriminate against the firearm & ammunition industries. Includes cut/paste language from BDS bills re 10 or more employees/contracts of at least \$100k.

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	Oil & Gas Industry	<p>HB 25: Introduced 1/26/22, "to prohibit retirement systems from investing in companies that do not do business with or enter contracts with energy companies"</p> <p>HB 141: Introduced 2/23/22, "Prohibits certain public contracts with companies that boycott fossil fuel companies"</p>
	Anti-ESG (likely precursor to BDS-template-based legislation)	<p>HB 342: Introduced 3/14/22, "relative to discrimination by financial institutions; to prohibit discrimination by financial institutions; to provide factors for discrimination; to require disclosure and explanation of certain practices; to provide for application of law; to provide for declaration of intent; and to provide for related matters."</p> <p>HB 474: Introduced 3/3/22, "relative to discrimination by financial institutions; to prohibit discrimination by financial institutions; to provide factors for discrimination; to require disclosure and explanation of certain practices; to provide for application of law; to provide for declaration of intent; and to provide for related matters."</p> <p>Also see: HR 246 & HR 203 to "create an Environmental, Social, and Governance Criteria Study Group to study and make recommendations regarding regulation of the use of ESG factors in lending and investment practices?"</p>

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	Oil & Gas Industry	HR 4904 : Introduced 5/23/22, the “the Energy Discrimination Elimination Act,” requiring the state to divest from, and barring state contracts with, any company defined under the law as boycotting energy companies.

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Minnesota	Oil & Gas Industry Mining Industry Agricultural Industry Lumber Industry ESG	<p>HF 4574: Intro'd 3/24/22, the “The Stop Environmental Social Governance (ESG) and Social Credit Score Discrimination Act,” barring contracts with & requiring State divestment from any “companies boycotting mining, energy production, agriculture production, or commercial lumber production.”</p> <p>SF 4441: Intro'd 4/4/22, the “Stop Environmental Social Governance (ESG) and Social Credit Score Discrimination Act” barring contracts with & requiring State divestment from any “companies boycotting mining, energy production, agriculture production, or commercial lumber production.”</p>
	Covid Vaccinations & related	<p>HF 2511 - Introduced 2/24/22, including: “In order to protect the fundamental rights and privacies of Minnesotans and the free flow of commerce within the state, no entity doing business in Minnesota shall require patrons or customers to provide documentation certifying vaccination or post-transmission recovery to gain access to, entry upon, or service from the business” & “Businesses that do not comply with the prohibition in this subdivision shall not be eligible for grants or contracts financed through state revenue or funds.”</p>

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Missouri	Firearm & Ammunition Industry	<p>SB 1048: Introduced 1/12/22, “provides that when a public entity enters into a contract with a company, as defined in the act, the company must have a written verification that it does not have a practice or policy that discriminates against a firearm entity or firearm trade association.”</p> <p>SB 492: In committee as of 3/30/21 “...a public entity shall not enter into a contract with a company to acquire or dispose of services, supplies, information technology, or construction unless the contract includes a written certification that the company is not currently engaged in and shall not, for the duration of the contract, engage in any internal practice, policy, guidance, or directive that discriminates against a firearm entity or firearm trade association.” Includes cut/paste language from BDS bills re 10 or more employees/contracts of at least \$100k.</p>
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	Covid Vaccinations & related	<p>HB 1670: Pre-filed 12/1/21, “No government entity shall do business with any entity that requires its employees or other individuals to undergo or prove receipt of a COVID-19 vaccination. Any existing contract between a government entity and any other entity shall be void as a matter of public policy if that entity implements any requirement of its employees or other individuals to undergo or prove receipt of a COVID-19 vaccination and that entity will be further barred from doing business with any government entity.”</p> <p>SB 693: Introduced 2/2/22 (pre-filed, hearing set for 2/2/22), amending current law to read “No [county, city, town or village] public or private entity in this state receiving public funds...shall require documentation of an individual having received a vaccination against COVID-19 in order for the individual to access transportation systems [or], facilities, services, or any other public accommodations.</p> <p>Also see: HB 2358</p>
	Anti-ESG (likely precursor to BDS-template-based legislation)	<p>H. Res 4108: Intro’d 3/24/22: Urges Missouri to oppose federal rules or regulations requiring companies to disclose climate change risk</p>
North Dakota	Oil & Gas Industry	<p>SB 2291 - signed by governor 3/24 - requires “Study of Divestment of Companies that Boycott Energy or Commodities - Report to Legislative Management.</p>

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Ohio	Firearm & Ammunition Industry	<p>HB 297: In Committee as of 5/12/21, “A governmental entity may not enter into a contract with a company for goods or services unless the contract contains a written verification of both of the following: (1) The company does not have any internal practice, policy, guidance, or directive, written or unwritten, that discriminates against a firearm entity or firearm trade association. (2) The company will not discriminate against a firearm entity or firearm trade association during the term of the contract.” Includes cut/paste BDS provisions re companies of 10+ employees and contracts worth at least \$100k.</p> <p>Cutrona Cosponsors Firearm Industry Non-Discrimination Act (Rep. Cutrona press release, 5/14/21 - <i>“In 2016, the Ohio General Assembly passed House Bill 476, similar legislation that prohibited the state from entering into contracts with businesses that boycotted Israel.”</i>)</p> <p>Rep. Scott Wiggam Introduces HB 297: Firearm Industry Non-Discrimination (FIND) Act (BuckeyeFirearms.org, 5/13/21 - highlight as “key point” that <i>“The Ohio legislature passed a similar law in 2016 to require that the state not do business with companies that boycott Israel.”</i>)</p>
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Oklahoma	Oil & Gas Industry	<p>SB 1572: Introduced 2/7/22 (prefiled late January) "...The comptroller shall prepare and maintain, and provide to each state governmental entity, a list of all financial companies that boycott energy companies..." And if they fail to take action to get off that list, "the state governmental entity shall sell, redeem, divest, or withdraw all publicly traded securities of the financial company..."</p> <p>HCR 1011. <i>Passed by the House & Senate 5/25/21, sent to SecState 5/26/21</i> declaring it policy that the state "should not enter into a contract with a company unless the company submits a written certification that the company is not currently engaged in a boycott, in any manner, of the oil and gas industry"</p> <p>Also see: Oklahoma joining other oil-friendly states boycotting the boycotters (Enid News & Eagle 4/2/21)</p> <p>HB 2034 - Final passage 5/5/22 - Requiring divestment of state funds from & barring contracts with any company that boycotts any energy company or refuses to promise to refrain from such boycotts.</p>
	Covid Vaccinations & related	<p>SB 1279: Introduced 2/8/22 (profiled), "It shall be unlawful for any federal or state agency, political subdivision, or any business under contract with the state to require any resident of Oklahoma to submit to or receive a COVID-19 vaccination or any variant thereof."</p>
	Firearm & Ammunition Industry	<p>HB 3144: Introduced 1/19/22, passed by House 3/1/22, 1st reading in the Senate 3/28/22 - "a governmental entity may not enter into a contract with a company for the purchase of goods or services unless the contract contains a written verification from the company that it: 1. Does not have a practice, policy, guidance, or directive that discriminates against a firearm entity or firearm trade association; and 2. Will not discriminate during the term of the contract against a firearm entity or firearm trade association."</p>

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Oregon	Covid Vaccinations & related	SB 516 : Introduced 2/1/22; 3/4/22 failed to pass before adjournment - "...A public body may not enter into a contract or give a loan, grant or any other disbursement of taxpayer money to a business affiliation that requires a person to receive a COVID-19 vaccination or to possess a COVID-19 immunity passport, immunity pass or other evidence certifying vaccination or immunity status."
South Carolina	Firearm & Ammunition Industry	HB 3506 : Introduced 1/14/2021, to make it an unlawful discriminatory practice for a financial institution or governmental entity to discriminate against manufacturers and retailers of firearms, firearm accessories or ammunition
	Oil & Gas Industry	HB 4996 : Introduced 2/17/22, To Prohibit Investment In Companies That Boycott Energy Companies; And... To Prohibit Contracting With Companies That Boycott Energy Companies.
	Anti-ESG (likely precursor to BDS-template-based legislation)	HB 5110 : Introduced 3/10/22, "A banking institution or investment or financial firm that adopts any Environmental, Social, and Governance (ESG) factors for evaluating a business must: (1) advise clients that they are being scored using ESG criteria and state who is providing the score; (2) clearly state criteria that is being scored in each area of ESG; (3) offer a written report; and (4) provide a means to appeal each scored area."
South Dakota	Firearm & Ammunition Industry	SB 182 : Introduced 2/2/22 (hearing 2/15/22), barring state agencies, officials, and employees from entering into any contract with a bank or a person "engaged in money transmission..for a financial service" unless the contract specifies that the party with whom the state is contracting has no categorical policy, rule, or guidance or other directive discriminating against anyone engaged in "lawful commerce of firearms or ammunition products" or the operation of shooting range, or a firearm trade association.

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<p>Texas</p>	<p>Oil & Gas Industry</p>	<p>SB 13. Signed into law 6/14/21, prohibiting Texas investing in any financial companies that in any manner boycott energy companies (with “boycott” defined to mean “<i>any action that is intended to penalize, inflict economic harm on, or limit commercial relations with a company...</i>”); includes pension fund divestment.</p> <p>Note: Texas Comptroller of Public Accounts 3/16/22: Texas Comptroller Glenn Hegar Seeks Information from 19 Companies That May be Boycotting Fossil Fuel Industry</p> <p>HB 2189 Introduced 2/4/21 (Companion to SB13) Relating to state contracts with and investments in certain companies that boycott energy companies.)</p> <p>Reports/quotes explicitly linking the measure to law targeting boycotts of Israel/settlements: Texas is standing up to Wall Street’s anti-energy agenda (Rep. Phil King, Texas Public Policy Foundation 6/16/21) Big Oil Strikes Back at ESG - A Texas bill would force the state’s retirement systems to divest from companies that divest from fossil fuels. (Chief Investment Officer 3/17/21), Energy Discrimination Bill Will Safeguard Texas’ Economy, Retirees (Texas Public Policy Foundation 3/15/21 - “SB 13 and HB 2189 are modeled after similar legislation passed and signed into law in 2017 to prohibit state contracts with companies that boycott Israel.”), Lt. Gov. Dan Patrick says upcoming bill would defend Texas energy sector from boycotts (Austin American-Statesman 2/11/21)</p>
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	Firearm & Ammunition Industry	<p>SB19: Signed into law 6/14/21, effective 9/1/21, prohibiting contracts “with companies that discriminate against the firearm and ammunition industries.” [cut/pasted from BDS laws - Provides that this section applies only to a contract to be paid partly or wholly from public funds between a governmental entity and a company with at least 10 full-time employees that has a value of at least \$100,000. [no divestment language]</p> <p><u>GOP-led Texas Legislature wants to deny state work to firms that spurn gun industry</u> (Dallas News 5/21/21)</p> <p>HB 2558: Introduced 3/2/21, prohibiting contracts “with companies that discriminate against the firearm and ammunition industries.” [language appears to have been copy-pasted from Israel/BDS template] [no divestment language]</p>
Utah	Anti-ESG (likely precursor to BDS-template-based legislation)	<p><u>Letter 4/21/22</u> from Governor/AttyGen/Treasurer/Auditor/Senators: “...Utah wholly objects to S&P’s disclosure of public finance ESG credit indicators. We will not participate in a politicization of your statutorily privileged role. For the reasons discussed above, your focus on ‘ESG factors’ rather than material factors suggests the potential for bias and conflicts of interests. A review of your publications on ESG in U.S. public finance further weakens our confidence in your impartiality and freedom from undue influence. We demand that you withdraw the ESG credit indicator report card.” Also see: <u>ALEC Tweet</u> applauding the letter; <u>Utah Blasts S&P for ‘Politicized’ State ESG Indicators</u> (Bloomberg 4/21/22)</p>

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West Virginia	Oil & Gas Industry	<p>SB 255: Introduced 1/13/22, “Relating to state contracts with and investments in certain companies that boycott energy companies”</p> <p>SB 262, Introduced 1/13/22; passed Senate 1/27, House 3/11 (amended), final Senate passage 3/12, became law 3/12/22 - “Relating generally to financial institutions engaged in boycotts of energy companies” Press release from WV State Treasurer</p> <p>HB 4618, Introduced 2/10, “Prohibiting state contracts with banks engaged in boycotts of energy companies”</p>
	Firearm & Ammunition Industry	<p>SB 189: Introduced 1/12, “Prohibiting insurance discrimination against firearms manufacturers “</p> <p>SB 555: Introduced 2/2/22, “Relating to financial institutions engaged in boycotts of firearms companies” [authorizing the State “to prepare, maintain, and publish a list of financial institutions engaged in boycotts of firearms companies... authorizing the Treasurer to exclude financial institutions on the list from the selection process for state banking contracts; authorizing the Treasurer to refuse to enter into a banking contract with a financial institution on the list; authorizing the Treasurer to require, as a term of a banking contract, an agreement by the financial institution not to engage in a boycott of firearms companies; and limiting liability of public officials, public employees, members or employees of financial institutions for actions taken in compliance with the new code section and exempting the Investment Management Board.”</p>
	Anti-ESG (likely precursor to BDS-template-based legislation)	<p>West Virginia attacks S&P for ‘politically subjective’ ESG ratings (Responsible Investor 4/26/22)</p>

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Wisconsin	Covid Vaccinations & related	<p>SB 336: Introduced 5/14/21, reported out of committee 2/11/22, to amend the state’s anti-discrimination language to include “vaccine status” as a protected category and to require it to be added into required anti-discrimination language in all state contracts as a prohibited basis for discrimination.</p> <p>AB 986/SB 921: Failed to pass 3/15/2 — “Prohibition on awarding state contracts or grants to entities that require customers or clients to provide proof of vaccination for COVID-19 for entry onto the premises of the entity or before providing services.”</p>
	Articles & Resources	
Target	Resource	Excerpt
Fossil Fuel industry Firearms & Ammunition industry ESG/CSR/SRI Reproductive Rights	How Republican-led states are targeting Wall Street with 'anti-woke' laws (Reuters/Pete Schroeder, 7/6/22)	“In many cases, the measures target a range of companies, restricting their ability to conduct state business. But financial institutions have been primary targets due to the pivotal roles they play in the economy and the early stances many took on such issues as fossil fuel and firearms financing. Republicans say the policies of such companies deprive legitimate businesses of capital.”
ESG/CSR/SRI	It is crony capitalism 2.0’: Utah state treasurer makes the case against ESG (Responsible Investor/Gina Gambetta 6/24/22)	“Respect capital markets, be realistic about transition risks and opt for impact investing, says ESG critic Marlo Oaks.”
ESG/CSR/SRI Fossil Fuel Industry	Financial giants under review for ‘fossil fuel boycotts’ among sponsors of US anti-ESG groups (Responsible Investor/Gina Gambetta 6/21/22)	“Federated Hermes, Invesco, Fidelity Investment and Wells Fargo listed as ‘sponsors’ by US foundation, while JP Morgan and KKR are flagged as ‘friends of SFOF sponsors’”.
ESG/CSR/SRI	ESG Champions are feeling some headwinds (New Private Markets 6/16/22)	“What can seem like an inexorable march towards sustainability is not quite that simple.”

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ESG/CSR/SRI Fossil Fuel Industry	In brief: West Virginia gets 'serious' about rolling back ESG momentum (New Private Markets 6/14/22)	“State treasurer Riley Moore has written to six financial institutions to warn them: stop boycotting fossil fuel investments or you won’t do business with us.”
ESG/CSR/SRI Fossil Fuel Industry	West Virginia targets BlackRock, Goldman Sachs and JP Morgan Chase under 'anti-ESG investing' law (Responsible Investor/Gina Gambetta 6/13/22)	“Six firms including Morgan Stanley, US Bancorp and Wells Fargo have 45 days to demonstrate they are not engaged in a boycott of energy companies or face being blacklisted by US state.”
ESG/CSR/SRI Fossil Fuel industry	West Virginia implements anti-ESF legislation, Idaho set to follow (Responsible Investor/Gina Gambetta, 6/10/22)	“Fossil fuel bill comes amid a revolt against ESG investing and divestments by certain US states.”
Fossil Fuel industry	Asset managers and banks scramble to avoid Texas divestment (Responsible Investor/Dominic Webb 6/7/22)	“World’s largest banks and managers deny they meet Texas’s legal threshold for boycotting fossil fuels.”
ESG/CSR/SRI	ESG funding debate too 'binary', HSBC chief says (Investors Chronicle UK, 5/26/22)	“HSBC boss says bank won't choose between "two extremes" on all fossil fuel. Follows outcry over anti-ESG comments from HSBC responsible investing head.”
ESG/CSR/SRI	Republicans Can Stop ESG Political Bias (Wall Street Journal/Mike Pence, 5/26/22)	“I’m old enough to remember when liberals accused big business of consistently being on the side of Republicans. But in 2022 the woke left is poised to conquer corporate America and has set in motion a strategy to enforce their radical environmental and social agenda on publicly traded corporations...”
ESG/CSR/SRI	SEC Proposes More Disclosure Requirements for ESG Funds (Wall Street Journal/Paul Kiernan 5/25/22)	“Agency votes to float plans to give investors more information on environmental, social and corporate-governance vehicles”

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Fossil Fuel industry	The GOP's New War On Divestment - Republicans are trying a bold new tack to stall the fossil fuel boycott and divestment movement — all the while oil and gas companies flood their campaign coffers. (The Lever/ Donald Shaw 4/28/22)	<p>“Republican state and federal lawmakers, their campaign coffers filled with fossil fuel donations, are quietly building a nationwide effort to pass anti-divestment bills that would punish financial institutions that consider the climate crisis in their business deals or try to do something about it by not working with fossil fuel companies.”</p>
Fossil Fuel industry	Texas comptroller puts 100 asset managers on notice over fossil fuel divestments (Responsible Investor/Dominic Webb, 4/20/22)	<p>“The Texas state comptroller has written to 100 asset managers asking for details of their fossil fuel exclusion policies, warning that state entities may be forced to divest under Texas law. Among the managers given notice by Glenn Hegar are several overseeing more than \$1 trillion, including Vanguard, State Street, T Rowe Price and Goldman Sachs Asset Management, as well as some of the largest private equity managers, including Blackstone and Apollo Global Management. The letters, seen by RI, ask managers to give details of “pledges to environmental standards” and company-wide policies restricting fossil fuel investment, banking or underwriting, and list all funds and ETFs that have a fossil fuel restriction in their investment policy.”</p>
ESG/CSR/SRI	New ALEC Model Policy Protects Retirees from Politically Motivated Investment Schemes (ALEC, 4/6/22)	<p>“The American Legislative Exchange Council (ALEC) today released new model policy today, the State Government Employee Retirement Protection Act. This model strengthens fiduciary rules to protect pensioners from politically driven investment strategies and builds on ALEC’s previous publication, Keeping Politics out of Pensions. These strategies reduce investment returns over the long term, which leads to underfunding in state pension plans across the country and taxpayers ultimately footing the bill for the shortfalls. ‘It’s fine for political activists to use their own money to promote whatever social causes they choose,’ explained Jonathan Williams, ALEC Chief Economist and Executive Vice President of Policy. ‘But it is not okay to use the hard-earned retirement savings from others to push their own personal agenda.’”</p>

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Fossil Fuel industry	What the Fossil Fuel Industry Learned from Anti-BDS Laws (Jewish Currents/Alex Kane 4/4/22)	<p>“The spread of anti-boycott measures has continued with legislation introduced in Minnesota and Idaho in March, which prevents state contracts from going to companies that boycott not only fossil fuels but also the mining, lumber, and agriculture industries. “They’ve taken the anti-BDS template and pasted into it literally every industry that is important politically or economically to the state,” said Lara Friedman, president of the Foundation for Middle East Peace (and a <i>Jewish Currents</i> contributing writer). “Want to work to prevent destruction of forests? Want to challenge practices of industrial-scale agriculture companies? Get ready for state laws that require giving up the right to engage on these issues—and on any other issue a legislature or governor decides merits special protection from protest—as a condition for competing for state contracts or benefiting from investment by state pension funds.”</p>
Fossil Fuel industry	To crush climate action, fossil fuel advocates are copying anti-BDS laws (+972 Magazine/Abe Asher, 3/21/22)	<p>“US conservatives are banning boycotts of oil and gas companies, using anti-BDS legislation as a model. Experts warn the tactic will spread even further.</p>
ESG/CSR/SRI	Antisemitism and ‘stakeholder capitalism’ (Jerusalem Post/Deborah Gastfreund Schuss 3/5/22)	<p>“BDS activists didn’t invent investor advocacy, CSR, or values-based investing, but with all these aspects of the field open for manipulation, they have exploited this platform for 20 years to promote their narrative, says Julie Hammerman, CEO and founder of the San Francisco-based JLens, a network of Jewish institutional values-based investors...‘The problem is that BDS activists have been very strategic when it comes to inserting Israel into that space and making it a controversy and an area of focus,’ Hammerman said. ‘I’m saying that through the prism of CSR and values-based investing (or ESG, or SRI or whatever term), Israel is not a positive. I think the BDS narrative has very much been accepted in that space....’”</p>

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ESG/CSR/SRI	Republican Group of State Financial Officers Takes on Woke Capitalism (Exposed by the Center for Media and Democracy/David Armiak, 2/16/22)	<p>“Republican treasurers, auditors, and staff from 16 states are huddling together with corporate lobbyists and an array of right-wing groups for the State Financial Officers Foundation’s Annual Meeting in New Orleans this week to discuss strategies to combat ‘woke’ policies, fake news, and China...Like ALEC, one of SFOF’s top priorities this year will be fighting ‘woke’ capitalism and ‘defend[ing] the market economy’ against the growing Environmental, Social and Governance (ESG) movement among corporations to consider community interests and not just shareholders...”</p>
Fossil Fuel industry	Climate investing 'boycott bills' flood state capitals (Politico/Zack Colman & Jordan Wolman 2/15/22)	<p>“Some of the state efforts for so-called boycott bills are backed by groups tied to conservative climate skeptics like the American Legislative Exchange Council, the Texas Public Policy Foundation and the Heartland Institute. While they are just the latest manifestation of the deep polarization around global warming, they are creating a minefield for investors and pension fund managers looking to limit risk, according to Greg Hershman, head of U.S. policy at Principles for Responsible Investment.”</p>

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Fossil Fuel industry	Rightwing lobby group Alec driving laws to blacklist companies that boycott the oil industry (The Guardian/Chris McGreal 2/8/22)	<p>“At that meeting in San Diego, members of Alec’s energy taskforce voted to promote the model legislation requiring banks and financial companies to sign a pledge to not boycott petroleum companies in order to obtain state contracts. The wording closely resembles that of laws drafted by Alec and adopted in more than 30 states to block support for the Boycott, Divestment and Sanctions (BDS) movement against Israel’s oppression of the Palestinians.”</p> <p>“...’The following model policy is based on anti-BDS legislation supported by ALEC regarding Israel and was recently passed in Texas to include discrimination against fossil fuels. Voting for this model policy, and encouraging more state legislatures to adopt it, will send a strong message that the states will fight back against woke capitalism,’ the memo said, which was obtained by Alex Kotch of the Center for Media and Democracy.”</p>
Fossil Fuel industry	The Conservative Plot Against Green Investment -The American Legislative Exchange Council is pushing cookie-cutter laws that could lock pension funds and taxpayers into losing deals— while propping up coal and other fossil fuel firms. (The New Republic/Kate Aronoff 1/4/22)	<p>“While language differs state by state, the bills direct state comptrollers to “sell, redeem, divest, or withdraw all publicly traded securities” of financial institutions that are found to “boycott energy companies,” per the model measure. Comptrollers are instructed to maintain a list of such companies, after reaching out to clarify if they are indeed boycotting energy companies. If they are, state officials are required to divest.”</p>
Fossil Fuel industry	Model legislation targets banks that divest from fossil fuel companies (ABC News/Meg Cunningham 12/22/21)	<p>“Modeled after anti-BDS legislation supported by ALEC that passed in Texas in 2019, the fossil fuel bill is touted as sending ‘a strong message that the states will fight back against woke capitalism,’ the executive wrote in the email. The controversial Boycott, Divestment, Sanctions (BDS) movement uses financial pressure to ‘end international support for Israel’s oppression of Palestinians.’”</p>

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Fossil Fuel industry	ALEC Is Pushing a Bill That Punishes Banks for Divesting From Fossil Fuels (Truthout/Alex Kotch 12/12/21)	“the bill is modeled after anti-BDS (the boycott, divestment, and sanctions movement critical of Israel’s treatment of Palestinians) legislation , promoted by ALEC and passed in some form in 33 states, that prohibits states from contracting with companies that boycott Israel.”
Fossil Fuel industry	Alarming!: ALEC's New Model Bill Would Penalize Banks for Divesting From Fossil Fuels (Common Dreams/Kenny Stancil, 12/8/21)	“Referring to bills that aim to ban the anti-apartheid movement's Boycott, Divest, and Sanctions (BDS) strategy, Isaac said that “the following model policy is based on anti-BDS legislation supported by ALEC regarding Israel and was recently passed in Texas to include discrimination against fossil fuels.”
Fossil Fuel industry	Transcript: All In with Chris Hayes, 12/8/21	HAYES: “the anti-BDS laws like Texas, for instance, you know, they’re modeled almost exactly word for word on that, right? ...And basically, that idea which constitutional scholars have pointed to is incredibly dangerous is now just being straight imported into the climate sector.”
Fossil Fuel Industry ESG/CSR/SRI	Republicans' New Obsession Is Fighting ‘Woke Capitalism’ (Gizmodo/Brian Kahn 12/9/21)	“The model text borrows from a Texas bill that the state legislature passed earlier this year, which itself borrowed from a bill that blacklisted any company that did not sufficiently support Israel.”
Fossil Fuel industry ESG/CSR/SRI	Conservatives Have a New Bogeyman: Critical Energy Theory (The New Republic/Kate Aronoff, 12/7/21)	“The legislation is modeled explicitly on ‘anti-BDS’ bills...”
Fossil Fuel industry	ALEC Launches Attack on Banks That Divest From Fossil Fuels (Exposed by the Center for Media and Democracy/Alex Kotch, 12/3/21) Smoking gun email here .	“Today at the annual States and Nation Policy Summit of the right-wing American Legislative Exchange Council (ALEC), a pay-to-play organization that brings together corporate lobbyists and mostly Republican state lawmakers to author model legislation, members of the group’s energy task force voted unanimously to approve a new model policy that would prevent financial companies that end investments in oil, gas, and coal companies from receiving state government contracts or managing state funds.”

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<p>ESG/CSR/SRI</p>	<p>Multi-state letter threatening US banking industry with “collective action in response to the ongoing and growing economic boycott of traditional energy production industries by U.S. financial institutions. 11/22/21 - Led by Treasurer of West Virginia and co-signed by treasurers of Alabama, Arizona, Arkansas, Idaho, Kentucky, Louisiana, Missouri, Nebraska, North Dakota, South Carolina, South Dakota, Texas, Utah, Wyoming,</p>	<p>“We are writing to notify you that we will be taking collective action in response to the ongoing and growing economic boycott of traditional energy production industries by U.S. financial institutions. Just as each state represented in this letter is unique in its governing laws and economy, our actions will take different forms. However, the overarching objective of our actions will be the same – to protect our states’ economies, jobs, and energy independence from these unwarranted attacks on our critical industries.”</p>
<p>ESG/CSR/SRI Fossil Fuel Industry</p>	<p>Public Input on Climate Change Disclosures – Letter to US Securities & Exchange Commission 6/24/21 from Zachor Legal Insitute</p>	<p>“Zachor Legal Institute...has serious concerns with the misuse and abuse of corporate social responsibility programs (“CSR”) by various hate groups who seek to harm investors and companies for political purposes. While CSR programs (also known as Environmental, Social and Governance programs (“ESG”)) often have laudable goals, they are also subject to abuse by special interests who cloak their discriminatory agendas under the imprimatur of CSR (“CSR Discrimination”).”...A Traditional Corporation that incorporates BDS principles in its CSR policies is not only engaging in unlawful discrimination, it is also acting in violation of the shareholder primacy norm.”..”Adhering to a CSR policy that includes BDS elements turns the plan from one that is primarily focused on enhancing plan participant returns to one that is acting for a political or social constituency, something that is not permissible for a non-benefit corporation.”</p>

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Fossil Fuel industry	Texas is standing up to Wall Street's anti-energy agenda (Rep. Phil King, R-TX, at the Texas Public Policy Foundation, 6/16/21)	<p>“Under this new law, the state of Texas will no longer do business with companies that actively boycott or divest from fossil fuels. The reason is simple: Texas wouldn’t be Texas without energy. Our economy, prosperity, and quality of life would be at risk without the fuels made right here in our state. In 2017, I championed similar legislation regarding Israel. Thanks to Gov. Greg Abbott and the Texas Legislature’s decisive action, the state of Texas no longer contracts with companies that boycott Israel. We’re proud to stand firmly with one of our greatest allies — and to show the same support to the energy workers who power our state and our entire nation.”</p>
Fossil Fuel industry	Boycotting the Boycotters: In Oil-Friendly States, New Bills Aim to Block Divestment from Fossil Fuels (In These Times/Erika Bolstad 3/21/21)	<p>“Isaac said he got the idea for the model legislation from a 2017 bill that banned Texas from investing in funds that boycott, divest from or sanction Israel. Isaac thought such an approach would work for energy investments, too.”</p>
ESG/CSR/SRI	Sustainalytics: Amplifying BDS through “Business and Human Rights” Rhetoric (NGO Monitor 2/11/21)	<p>“Based in the Netherlands, Sustainalytics bills itself as a “leading independent ESG (environmental, social and corporate governance) and corporate governance, research, ratings, and analytics firm.” Through its ratings and reports on companies, the firm promotes discriminatory BDS (boycott, divestment, sanctions) campaigns against Israeli companies and businesses operating in Israel and the West Bank.”</p>
ESG/CSR/SRI	JLens Adds Morningstar to Do Not Invest List due to BDS Support (JLens press release, 2/16/21) Also see: Morningstar’s BDS Screening System and What It Means for Pro-Israel Investors (The Jerusalem Portfolio)	<p>“Morningstar claims to provide independent and objective research to investors. However, JLens’ analysis concluded Morningstar’s products and services, following the incorporation of Sustainalytics and GES, now actively support the BDS campaign’s economic warfare tactics against Israel...”</p>

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ESG/CSR/SRI	Is finance giant Morningstar boycotting Israel? A new BDS battlefield emerges in investing world (JTA, 2/8/22)	<p>“According to complaints first raised by JLens, which advocates for Israel in the investing world, Morningstar’s subsidiary Sustainalytics steers investors away from Israel by improperly inflating the country’s risk and controversy ratings — which, for JLens and its allies, amounts to an antisemitic boycott of Israel.”</p>
ESG/CSR/SRI	Zachor Legal Institute Applauds the Department of Labor’s Ruling On ERISA (Zachor Legal Institute press release, 12/17/20)	<p>“BDS activists have been trying to weaponize so-called responsible investing protocols to compel portfolio managers into divesting from Israel and any company doing business in Israel... Thankfully, the DOL has finalized the proposed rule and, in line with Zachor’s recommendations, has unambiguously rejected the idea that non-financial considerations may be the basis for investment decisions by ERISA fund managers. The DOL clearly ruled that pecuniary considerations must be the primary focus for ERISA investing. Zachor’s goal is to prevent investment professionals from using their portfolio decisions to discriminate against Israel and the DOL’s final rule is an important step.”</p>
ESG/CSR/SRI	Zachor Legal Institute: Airbnb IPO Hides Disturbing Danger to Investors Relating to Israel Boycott (Zachor Legal Institute press release, 12/15/20)	<p>“To spread its unlawful boycott, the BDS movement (including through its allies at the United Nations) has published a blacklist of Israeli companies that it targets for boycotts. To cloak its illicit activities with a patina of legitimacy, BDS movement operatives have lobbied a number of corporate social responsibility (“CSR”) organizations and coerced them into including Jewish-owned companies on their blacklists for no reason other than the fact that the companies operate in Israel or have pro-Israel individuals in management...”</p>

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Fossil Fuel industry	Trump Administration Targets Banks Divesting From Fossil Fuels In New Anti-Climate Rule (DeSmog/Sharon Kelly 11/25/20)	<p>“A new proposed regulation that would bar large banks from declining to do business with particular industries or groups of companies was released on Friday by the Treasury Department’s Office of the Comptroller of the Currency (OCC) — a move that could have major implications for a wide array of divestment and boycott campaigns nationwide, including efforts to divest from fossil fuels.”</p>
ESG/CSR/SRI	ESG Mission Creep Could Lead to Serious Legal, Market Risks for Companies (Competitive Enterprise Institute/Richard Morrison 9/9/20)	<p>“The Arab-Israeli conflict is a unique geopolitical environment over which passions burn especially hot. But it’s a good example of how a well-intentioned company could easily blunder from a position that’s seemingly uncontroversial and popular with its customers (“Yes, black lives do matter!”) to one that exposes the firm to a dangerous level of risk and uncertainty, and over which they are likely to lose as many customers as they gain. That’s especially relevant since the promoters of ESG investing in the finance industry are quick to defend its premises as sound risk mitigation strategies rather than the money-losing utopianism it is sometimes accused of being.”</p>
Fossil Fuel Industry ESG/CSR/SRI	Letter from Western Energy Alliance to the US Department of Labor 7/30/2020	<p>“...Western Energy Alliance shares the department’s concern that pension plan fiduciaries are making investment decisions to advance certain policy and political objects rather than to maximize returns to beneficiaries, mitigate legitimate risks, and defray expenses. We appreciate the proposed amendments to the Investment Duties Regulation, as they will help clarify the rule and ensure that ERISA plans are focused on maximizing returns and minimizing expenses, not on advancing political policies that cannot otherwise be enacted through proper democratic processes.”</p>

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ESG/CSR/SRI	Israel vs. BDS: corporate social responsibility and the politics of human rights (Globalizations Volume 17, 2020, Issue 4, by Tamar Barkey & Ronen Shamir)	“This is a case-study of an organized Israeli effort to disengage the issue of corporations in the Palestinian Occupied Territories from the global CSR framework of human rights. At the centre of the study are three international CSR conferences which took place in Israel, hosting players in the global industry of corporate risk-management indices. The study underscores the importance of studying the micro-politics of producing and implementing human rights norms across the globe; designating micro-politics as the sum of informal exchanges among players who share a common platform of expertise. We find that the Israeli conveners leveraged the CSR conferences to (1) promote a campaign against BDS among CSR players, (2) invoke BDS as a trope for dissociating the human rights framework of CSR from corporate activities in the OPT, and (3) frame the activities of corporations in the OPT in terms of labour opportunities and economic development.”
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ESG/CSR	Discrimination as a Business Policy: The Misuse and Abuse of Corporate Social Responsibility Programs. (Marc Greendorfer/Zachor Legal Institute, Nov 2018)	<p>“CSR programs can be both legal and beneficial, but they are not immune from the application of federal and state laws. As CSR has become an important element considered by the boards of Traditional Corporations it has also caught the attention of groups that see the opportunities to embed their own agendas into the boardroom. The most relevant current example is that of CSR being used by BDS activists to coopt the corporate franchise into becoming yet another tool to further the discriminatory BDS movement. When CSR is implemented in such a manner it becomes an unlawful form of national origin and race discrimination. Furthermore, abuse of CSR in this way leaves the board of traditional corporations in violation of state corporate law principles on shareholder primacy and the obligation of corporate boards to maximize the value of the company. Companies that adopt discriminatory CSR programs should be exposed to liability under anti-discrimination laws and should also be subject to shareholder lawsuits based on breach of fiduciary duty under relevant state laws.”</p>
ESG/CSR/SRI	Applied Anti-Semitism: The BDS Movement and the Abuse of Corporate Social Responsibility (Touro Law Review Vol. 34, 2018/Alexander Traum)	<p>“The BDS movement’s embrace of this contemporary ethos of corporate social responsibility is a fraud; a racket used instrumentally to promote an anti-Israel and fundamentally an anti-Semitism agenda. In countering the BDS movement’s embrace of CSR, anti-BDS advocates should not reactively discard CSR but rather themselves embrace CSR as a valuable tool in the fight against the BDS movement specifically and modern-day global anti-Semitism generally.”</p>

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<p>ESG/CSR/SRI</p>	<p>BDS Shifts Focus to Corporations & Investors - CONCEPTUAL FRAMEWORK [REUT Group (Israel) March 2018]]</p>	<p>“The campaign to assault Israel’s legitimacy, spearheaded by the BDS Movement, is increasingly leveraging Corporate Social Responsibility (CSR) and Socially Responsible Investing (SRI) in order to build links with a larger network of progressive causes. Because CSR and SRI played a key role in mobilizing against South African Apartheid, the application of these tactics to Israel seeks to reinforce a false association between Israel and Apartheid. The evolution of SRI and CSR is not connected to Israel. However, the anti-Israel movement strives to create a unique category for Israel within international norms and international law, arguing that investments in Israel are not socially responsible. The pro-Israel network should act to accelerate its learning curve and adaptive capacity...It is important to leverage the sphere of community relations in order to engage corporations and the ‘Long Tail’ of the SRI community. The decentralized nature of the BDS Movement requires a decentralized response, led by local community relations experts, and primarily investors and SRI professionals...Jewish Philanthropy should become more active in impact investing...SRI should be reframed as aligned with Israeli and Jewish values. The pro-Israel network should highlight alternative SRI opportunities that contribute to sustainable solutions for a variety of social issues, and specifically those that create people-to-people economic partnerships between Palestinians and Israelis...”</p>
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