

119TH CONGRESS  
1ST SESSION

# S. 170

To prohibit the appointment of former fossil fuel executive officers and fossil fuel lobbyists as the heads of certain departments, and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

JANUARY 21, 2025

Mr. MARKEY (for himself and Mr. MERKLEY) introduced the following bill; which was read twice and referred to the Committee on Homeland Security and Governmental Affairs

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## A BILL

To prohibit the appointment of former fossil fuel executive officers and fossil fuel lobbyists as the heads of certain departments, and for other purposes.

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 “Banning In Govern-  
5       ment Oil Industry Lobbyists from the Cabinet Act” or the  
6       “BIG OIL from the Cabinet Act”.

7       **SEC. 2. DEFINITIONS.**

8       In this Act:

1 (1) COVERED DEPARTMENT HEAD.—The term  
2 “covered department head” means the—

3 (A) Chief of Staff to the President;

4 (B) Chief of Staff to the Vice President;

5 (C) Director of the Office of Management  
6 and Budget;

7 (D) Chairman of the Council on Environ-  
8 mental Quality;

9 (E) Director of the Office of Science and  
10 Technology Policy;

11 (F) Executive Director of the United  
12 States Global Change Research Program;

13 (G) Secretary of Energy;

14 (H) Administrator of the Energy Informa-  
15 tion Administration;

16 (I) Administrator of the National Oceanic  
17 and Atmospheric Administration;

18 (J) Administrator of the National Aero-  
19 nautics and Space Administration;

20 (K) Secretary of Transportation;

21 (L) Deputy Administrator of the National  
22 Highway Traffic Safety Administration;

23 (M) Administrator of the Pipeline and  
24 Hazardous Materials Safety Administration;

1 (N) Chairman of the Federal Energy Reg-  
2 ulatory Commission;

3 (O) Secretary of Agriculture;

4 (P) Secretary of the Interior;

5 (Q) Secretary of Defense;

6 (R) Administrator of the Environmental  
7 Protection Agency; and

8 (S) Secretary of State.

9 (2) COVERED POLITICAL APPOINTEE.—The  
10 term “covered political appointee” means a political  
11 appointee, as defined in section 714(h) of title 38,  
12 United States Code, at—

13 (A) the Department of the Interior;

14 (B) the Environmental Protection Agency;

15 (C) the Department of Energy;

16 (D) the Federal Energy Regulatory Com-  
17 mission;

18 (E) the National Oceanic and Atmospheric  
19 Administration;

20 (F) the Council on Environmental Quality;

21 (G) the Office of Science and Technology  
22 Policy;

23 (H) the Office of Management and Budg-  
24 et; and

25 (I) the Department of State.

(3) EXECUTIVE OFFICER.—The term “executive officer”—

(A) means, with respect to an enterprise—

(i) the president;

(ii) any vice president in charge of a principal business unit, division, or function, including sales, administration, or finance;

(iii) any other officer who performs a policy-making function; or

(iv) an executive officer of a subsidiary of the enterprise if the executive officer of the subsidiary performs policy-making functions for the enterprise; and

(B) does not include an employee of a fossil fuel entity that works in, or is in charge of, a division principally responsible for the research, development, or deployment of—

(i) wind energy;

(ii) solar energy; or

(iii) any other renewable energy source.

(4) FOSSIL FUEL.—The term “fossil fuel” means natural gas, coal, oil, gasoline, diesel fuel, or jet fuel.

1           (5) FOSSIL FUEL ENTITY.—The term “fossil  
2       fuel entity” means an entity that is in the business  
3       of extracting or producing fossil fuel.

4           (6) FOSSIL FUEL LOBBYIST.—The term “fossil  
5       fuel lobbyist” means a lobbyist, as defined in section  
6       3 of the Lobbying Disclosure Act of 1995 (2 U.S.C.  
7       1602), that is registered or is required to register  
8       under section 4(a) of that Act (2 U.S.C. 1603(a)),  
9       who principally lobbies—

10           (A) for not less than 1 fossil fuel entity or  
11       fossil fuel trade association; and

12           (B) on issues relating to the extraction or  
13       production of fossil fuels.

14           (7) FOSSIL FUEL TRADE ASSOCIATION.—The  
15       term “fossil fuel trade association” means a trade  
16       association that principally represents one or more  
17       fossil fuel entities on issues relating to the extraction  
18       or production of fossil fuels.

19       **SEC. 3. PROHIBITION OF APPOINTMENT OF FOSSIL FUEL**  
20               **EXECUTIVES AND LOBBYISTS.**

21       No individual that has served as an executive officer  
22       of a fossil fuel entity, a fossil fuel lobbyist, or an executive  
23       officer of a fossil fuel trade association for any period of  
24       time during the 10-year period preceding the date of ap-  
25       pointment or service shall—

- 1           (1) be appointed to serve as a covered depart-  
2           ment head or a covered political appointee; or
- 3           (2) perform the functions and duties of a cov-  
4           ered department head or a covered political ap-  
5           pointee in an acting capacity.

