

AMENDMENT TO RULES COMMITTEE PRINT 117–

54

OFFERED BY MS. JAYAPAL OF WASHINGTON

At the end of title LIII of division E of the bill, add the following:

1 **SECTION 53___ . CLIMATE RESILIENCE.**

2 (a) **OFFICE OF CLIMATE RESILIENCE.—**

3 (1) **ESTABLISHMENT.—**Not later than 60 days
4 after the date of enactment of this Act, the Presi-
5 dent shall establish an Office of Climate Resilience
6 (hereinafter referred to as the “Office”) within the
7 White House.

8 (2) **DIRECTOR.—**

9 (A) **APPOINTMENT.—**The President shall
10 appoint a Director of the Office.

11 (B) **TERM.—**The Director shall serve for a
12 period of 5 years.

13 (C) **TERMINATION.—**The President may
14 terminate the Director prior to the end of the
15 term described in subparagraph (B) for issues
16 with performance.

17 (3) **PURPOSE.—**The purpose of the Office shall
18 be to use information from all sectors involved in cli-

1 mate resilience, including frontline community expe-
2 rience, scientific expertise, and labor organization
3 input to coordinate Federal actions to support a cli-
4 mate resilient nation and operate as a Secretariat.

5 (4) FUNCTIONS.—The Office shall—

6 (A) convene the necessary Federal and ex-
7 ternal stakeholders to inform and develop a na-
8 tional climate resilience action plan;

9 (B) revise the plan described in subpara-
10 graph (A) every 5 years, or more frequently if
11 determined necessary by the Director based on
12 science;

13 (C) support Federal agencies in developing
14 and revising agency-specific climate resilience
15 actions plans and compile such plans into a
16 Federal Government climate resilience action
17 plan;

18 (D) coordinate with other Federal activi-
19 ties related to climate resilience, including ef-
20 forts made by the National Environmental Jus-
21 tice Advisory Council and the White House En-
22 vironmental Justice Advisory Council; and

23 (E) evaluate the effectiveness of the na-
24 tional climate resilience action plan in achieving

1 a climate resilient nation through annual as-
2 sessments and annual reporting to Congress.

3 (5) STAFFING.—

4 (A) IN GENERAL.—The Director of the Of-
5 fice shall appoint staff to organize the activities
6 of and provide support for the members of the
7 Climate Resilience Equity Advisory Board es-
8 tablished under section 5 of this Act, the inter-
9 agency working group, and the Climate Resil-
10 ience Task Force.

11 (B) ADDITIONAL EMPLOYEES.—The Direc-
12 tor may hire other employees as needed to exer-
13 cise and fulfil the function and purpose of the
14 Office.

15 (b) CLIMATE RESILIENCE EQUITY ADVISORY
16 BOARD.—

17 (1) ESTABLISHMENT.—Not later than 6
18 months after the date of enactment of this Act, the
19 Director of the Office of Climate Resilience shall es-
20 tablish a Climate Resilience Equity Advisory Board
21 (herein after referred to as the “Advisory Board”).

22 (2) PURPOSE.—The purpose of the Advisory
23 Board shall be to advise and make recommendations
24 to the Office of Climate Resilience to ensure that the
25 knowledge, experiences, and priorities of frontline

1 communities are incorporated into Federal climate
2 resilience efforts.

3 (3) FUNCTIONS.—The Advisory Board shall—

4 (A) participate in the planning process to
5 develop a national climate resilience action plan,
6 including by advising and making recommenda-
7 tions to the interagency workgroup, Climate Re-
8 siliance Task Force, and labor, worker, and
9 workforce development stakeholders to ensure
10 that—

11 (i) the knowledge, lived experiences,
12 and priorities of frontline communities are
13 incorporated into the strategies, actions,
14 and projects proposed in the national cli-
15 mate resilience action plan and agency cli-
16 mate resilience plans; and

17 (ii) climate resilience jobs and train-
18 ing opportunities prioritize and are acces-
19 sible to frontline communities;

20 (B) advise and make recommendations to
21 the Office of Climate Resilience on ongoing cli-
22 mate resilience activities; and

23 (C) collaborate with, advise, and make rec-
24 ommendations to the Center for the Climate

1 Resilience Workforce on the activities of such
2 Center.

3 (4) MEMBERSHIP.—

4 (A) IN GENERAL.—Members of the Advi-
5 sory Board shall be representatives of frontline
6 communities.

7 (B) APPLICATION PROCESS.—The Director
8 of the Office shall develop an application proc-
9 ess and criteria that, at minimum, shall require
10 applicants for the Advisory Board to provide—

11 (i) letters of support from 3 individ-
12 uals who are members of the community
13 they represent, highlighting the qualifica-
14 tions and relevant lived, volunteer, or paid
15 work experience the individual possesses to
16 serve on the Advisory Board; and

17 (ii) demographic information about
18 the community represented by the indi-
19 vidual including data on population size,
20 income, race, education level, geographic
21 location, and health, climate, and environ-
22 mental risks faced.

23 (C) SIZE OF BOARD.—

24 (i) IN GENERAL.—The Advisory
25 Board shall be comprised of not less than

1 12 members that provide diverse and fair
2 representation of frontline communities.

3 (ii) ADDITIONAL MEMBERS.—The Di-
4 rector may select additional members rep-
5 resenting frontline communities for the Ad-
6 visory Board on an interim or permanent
7 basis.

8 (D) TERM.—

9 (i) IN GENERAL.—A member shall
10 serve on the Advisory Board for a term of
11 3 years.

12 (ii) TERM LIMIT.—A member may
13 serve on the Advisory Board for not more
14 than 2 terms.

15 (5) COMPENSATION.—The Director of the Of-
16 fice shall establish guidelines and a process for pro-
17 viding compensation to individuals who would other-
18 wise not be able to participate or who would experi-
19 ence financial hardship without such compensation.

20 (6) PUBLIC PARTICIPATION AND TRANS-
21 PARENCY.—The Board shall make every effort, con-
22 sistent with applicable law, including section 552 of
23 title 5, United States Code, and section 552a of title
24 5, United States Code, to maximize public participa-
25 tion and transparency, including making the advice

1 of the Board publicly available in electronic form, in-
2 cluding video streaming, on the website of the Of-
3 fice.

4 (7) APPLICABILITY OF LAW.—Section 14(a)(2)
5 of the Federal Advisory Committee Act (5 U.S.C.
6 App.) shall not apply to the Advisory Committee.

7 (c) DEFINITIONS.—In this section:

8 (1) CLIMATE RESILIENCE.—The term “climate
9 resilience”—

10 (A) means the ability and capacity of so-
11 cial, economic, and environmental systems, or-
12 ganized as natural ecosystems and human com-
13 munities, to anticipate, prepare for, adapt to,
14 respond to, and recover from hazardous events,
15 trends, or disturbances related to climate
16 change; and

17 (B) includes the ability to engage in an
18 iterative process of—

19 (i) assessing how climate change will
20 create new, or alter current climate related
21 risks, and how such risks are distributed
22 within and across natural ecosystems and
23 human communities, including—

24 (I) for human communities, risks
25 shall be assessed by geography, race,

1 ethnicity, socioeconomic status, health
2 and other demographic and social fac-
3 tors, as applicable; and

4 (II) for natural ecosystems, risks
5 shall be assessed by geography, spe-
6 cies and ecosystem services, as appli-
7 cable;

8 (ii) identifying human populations,
9 animal and plant species, ecosystem serv-
10 ices and habitats that face disproportionate
11 risks and impacts of climate change, in-
12 cluding—

13 (I) for human populations, iden-
14 tifying risks due to historic and ongo-
15 ing systemic racism, economic in-
16 equity, and environmental degradation
17 and pollution; and

18 (II) for natural species and eco-
19 system services, identifying risks due
20 to environmental degradation, pollu-
21 tion and other anthropogenic impacts;

22 (iii) working to address the root
23 causes that lead the entities identified in
24 clause (ii) to be disproportionately vulner-

1 able to the risks and impacts of climate
2 change; and

3 (iv) prioritizing the natural species,
4 ecosystem services and human populations
5 identified in clause (ii) in taking steps to—

6 (I) mitigate climate change by
7 addressing its causes and impacts to
8 the greatest extent possible as quickly
9 as possible;

10 (II) prepare for and adapt to the
11 unavoidable impacts of climate change
12 by ensuring that effective risk reduc-
13 tion and management and adaptation
14 strategies can be implemented and
15 maintained; and

16 (III) recover from and rebuild
17 after climate disasters in ways that
18 minimize future risks and increase the
19 ability of natural ecosystems and
20 human communities to face future
21 risks with less harm.

22 (2) CO-OPERATIVE.—The term “co-operative”
23 has the meaning given such term in section 1381 of
24 the Internal Revenue Code of 1986.

1 (3) COMMUNITY OF COLOR.—The term “com-
2 munity of color” means a census block group or se-
3 ries of geographically contiguous blocks in which the
4 population of any of the following categories of indi-
5 viduals, individually or in combination, comprises 30
6 percent or more of the population of persons in the
7 census block group or series of geographically con-
8 tiguous blocks:

9 (A) Black.

10 (B) African American.

11 (C) Asian.

12 (D) Pacific Islander.

13 (E) Other non-white race.

14 (F) Hispanic.

15 (G) Latino.

16 (H) Linguistically isolated.

17 (4) DIRECTOR.—The term “Director” means
18 the director of the Office of Climate Resilience es-
19 tablished under section 1 of this Act.

20 (5) FRONTLINE COMMUNITY.—The term
21 “frontline community” means—

22 (A) a community or population that, due
23 to systemic racial or economic injustice, has
24 been made vulnerable to experience dispropor-

1 tionate exposure to environmental hazards, in-
2 cluding—

3 (i) a low-income community;
4 (ii) a community of color; and
5 (iii) a Tribal or indigenous commu-
6 nity;

7 (B) a community that has been primarily
8 economically dependent on fossil fuel industries;
9 and

10 (C) a community or population that is vul-
11 nerable or systematically disadvantaged and
12 therefore has a higher likelihood of being im-
13 pacted by environmental and climate injustice
14 and inequitable climate actions, including—

15 (i) linguistically isolated communities;
16 (ii) individuals with limited English
17 proficiency;

18 (iii) immigrants and refugees;

19 (iv) individuals with limited mobility;

20 (v) individuals who are ill;

21 (vi) vulnerable elderly populations;

22 (vii) children, youth, and pregnant
23 women;

24 (viii) individuals with disabilities;

25 (ix) LGBTQ+ individuals;

- 1 (x) institutionalized populations;
2 (xi) individuals living in isolated rural
3 areas;
4 (xii) unhoused populations; and
5 (xiii) workers whose job requires such
6 worker to work outdoors.

7 (6) LABOR ORGANIZATION.—The term “labor
8 organization” has the meaning given such term in
9 section 2(5) of the National Labor Relations Act (29
10 U.S.C. 152(5)).

11 (7) LABOR, WORKER, AND WORKFORCE DEVEL-
12 OPMENT STAKEHOLDERS.—The term “labor, worker,
13 and workforce development stakeholders” shall in-
14 clude—

15 (A) individuals who are members of popu-
16 lations facing barriers to employment who have
17 shown leadership in addressing such barriers;

18 (B) worker-driven entities dedicated to en-
19 suring collective worker voice and representa-
20 tion, including—

- 21 (i) labor unions;
22 (ii) worker centers; and
23 (iii) worker associations;

24 (C) organizations that advocate for im-
25 provement to worker rights and working condi-

1 tions, including organizations that work to ex-
2 pand collective bargaining, raise worker wages,
3 improve workplace safety, reduce and end dis-
4 crimination and increase workplace equity;

5 (D) individuals and organizations, includ-
6 ing potential employers, that possess knowledge
7 of the jobs, skills, and occupations that pertain
8 to climate resilience work, in order to inform
9 workforce and training needs; and

10 (E) entities with proven track records in
11 designing and participating in workforce devel-
12 opment and training programs resulting in
13 higher wages and improved job security for
14 workers, including—

15 (i) community colleges;

16 (ii) nonprofit organizations; and

17 (iii) joint labor management partner-
18 ships.

19 (8) **LOW-INCOME COMMUNITY.**—The term “low-
20 income community” means any census block group
21 in which 30 percent or more of the population of
22 such block group are individuals with an annual
23 household income equal to, or less than, the greater
24 of—

1 (A) an amount equal to 80 percent of the
2 median income of the area in which the house-
3 hold is located, as reported by the Department
4 of Housing and Urban Development; and

5 (B) 200 percent of the Federal poverty
6 line.

7 (9) NON-PROFIT ORGANIZATION.—The term
8 “non-profit organization” means an organization
9 under section 501(c)(3) of the Internal Revenue
10 Code of 1986.

11 (10) POPULATION.—The term “population”
12 means a census block group or series of geographi-
13 cally contiguous blocks representing certain common
14 characteristics, including race, ethnicity, national or-
15 igin, income-level, health disparities, or other public
16 health or socioeconomic attributes.

17 (11) POPULATIONS FACING BARRIERS TO EM-
18 PLOYMENT.—The term “populations facing barriers
19 to employment” means populations that have faced
20 systemic barriers to employment, significant, sys-
21 temic job losses, or chronic underemployment or in-
22 secure employment due to failed economic policies,
23 including—

24 (A) undocumented individuals;

25 (B) individuals with criminal records;

1 (C) individuals who are formerly incarcerated;
2

3 (D) deindustrialized communities; and

4 (E) demographic populations with unem-
5 ployment levels higher than the national aver-
6 age.

7 (12) STATE.—The term “State” includes each
8 of the several States, the District of Columbia, the
9 Commonwealth of Puerto Rico, the Virgin Islands of
10 the United States, the Commonwealth of the North-
11 ern Mariana Islands, the Federated States of Micro-
12 nesia, the Republic of the Marshall Islands, the Re-
13 public of Palau, and the territories and possessions
14 of the United States.

15 (13) TRIBAL OR INDIGENOUS COMMUNITY.—
16 The term “Tribal or indigenous community” means
17 a population of people who are members of—

18 (A) a federally recognized Indian Tribe;

19 (B) a State recognized Indian Tribe;

20 (C) an Alaskan Native or Native Hawaiian
21 community or organization; and

22 (D) any other community of indigenous
23 people located in a State.

1 (14) WORKER CENTER.—The term “worker
2 center” means a non-profit organization or a co-op-
3 erative that—

4 (A) has as one of its primary goals the im-
5 provement of worker rights, workplace safety,
6 wages, working conditions, or employment ac-
7 cess, or the promotion of enhanced worker
8 voice; and

9 (B) which has some kind of formal mecha-
10 nism by which workers who stand to benefit
11 from these improvements may directly partici-
12 pate in organizational decision-making.

