

117TH CONGRESS
1ST SESSION

H. R. 744

To direct the Administrator of the Federal Emergency Management Agency to revise the policy of the Agency to address the threats of climate change, to include considerations of climate change in the strategic plan of the Agency, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 3, 2021

Ms. CLARKE of New York (for herself, Mr. BLUMENAUER, Mr. CARTWRIGHT, Mr. COHEN, Mr. KHANNA, Ms. NORTON, Mr. JOHNSON of Georgia, Mr. LOWENTHAL, Mr. TAKANO, Mr. GRIJALVA, Mr. MORELLE, Ms. BARRAGÁN, Ms. PINGREE, Ms. WASSERMAN SCHULTZ, Mr. WELCH, Mr. TONKO, Ms. BLUNT ROCHESTER, Ms. BROWNLEY, Mr. CARSON, Mr. CASE, Mr. CASTEN, Mr. CLEAVER, Mr. ESPAILLAT, Mrs. HAYES, Mr. HUFFMAN, Mr. JONES, Mr. KILMER, Ms. MATSUI, Mr. MEEKS, Ms. MOORE of Wisconsin, Ms. PORTER, Mr. SIRES, Ms. VELÁZQUEZ, Mrs. DINGELL, and Ms. JAYAPAL) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

A BILL

To direct the Administrator of the Federal Emergency Management Agency to revise the policy of the Agency to address the threats of climate change, to include considerations of climate change in the strategic plan of the Agency, 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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “FEMA Climate
3 Change Preparedness Act”.

4 **SEC. 2. FINDINGS.**

5 Congress finds the following:

6 (1) Under the previous Administration, the
7 term “climate change” was intentionally stripped
8 from the Agency’s 2018–2022 Strategic Plan, de-
9 spite the mounting threat posed by climate change
10 as a source of changing and increasing national dis-
11 aster risks.

12 (2) It is the general consensus of the global sci-
13 entific community that—

14 (A) the evidence of climate change is un-
15 equivocal;

16 (B) anthropogenic greenhouse gas emis-
17 sions are the primary cause of climate change;
18 and

19 (C) as a direct result of climate change,
20 sea levels are rising and extreme weather events
21 are becoming more commonplace and severe.

22 (3) The last 7 years have been the warmest
23 years on record since the National Oceanic and At-
24 mospheric Administration began recording global air
25 temperatures in 1895.

1 (4) In 2020, there were a record total of 22 cli-
2 mate disaster events with losses exceeding \$1 billion
3 each to affect the United States—amounting to 5
4 more disasters of such magnitude than each of the
5 previous record years of 2011 and 2017.

6 (5) It is the mission of FEMA to reduce the
7 loss of life and property and protect our institutions
8 from all hazards by leading and supporting the Na-
9 tion in a comprehensive, risk-based emergency man-
10 agement program of mitigation, preparedness, re-
11 sponse, and recovery.

12 (6) It is detrimental to the mission of FEMA,
13 and the Agency’s ability to follow its mandate, to ex-
14 plicitly or implicitly deny or ignore the existence of
15 climate change or the implications of such on na-
16 tional security and national emergency management.

17 (7) To fully and effectively carry out its man-
18 date, FEMA must comprehensively assess and incor-
19 porate the current and future natural disaster risks
20 and impacts posed by climate change throughout the
21 Agency’s policies, plans, programs, strategies, and
22 operations.

1 **SEC. 3. STATEMENTS OF INTENT AND POLICY.**

2 Section 101 of the Robert T. Stafford Disaster Relief
3 and Emergency Assistance Act (42 U.S.C. 5121) is
4 amended—

5 (1) in subsection (b)—

6 (A) in paragraph (5) by striking “and” at
7 the end;

8 (B) in paragraph (6) by striking the period
9 at the end and inserting a semicolon; and

10 (C) by adding at the end the following:

11 “(7) integrating, to the greatest extent prac-
12 ticable, climate change adaptation planning and ac-
13 tions into the programs, policies, and operations of
14 the Federal Emergency Management Agency; and

15 “(8) assisting State, local, volunteer, and pri-
16 vate partners in preparing for and mitigating the
17 risks posed by climate change as listed in subsection
18 (c)(2), as well as any other climate change risks.”;
19 and

20 (2) by adding at the end the following:

21 “(c) CLIMATE CHANGE.—It is the policy of the Fed-
22 eral Emergency Management Agency to recognize that—

23 “(1) climate change is—

24 “(A) an irrefutable, multidimensional, and
25 significant near and long-term threat to United
26 States—

1 “(i) homeland security;
2 “(ii) national security; and
3 “(iii) national disaster risk; and
4 “(B) primarily caused by anthropogenic
5 greenhouse gas emissions; and
6 “(2) as a direct result of climate change, the
7 United States faces the increased threat of—
8 “(A) changing, more frequent, and more
9 severe extreme weather events;
10 “(B) rising natural hazard risk;
11 “(C) disruptions to or failure of critical in-
12 frastructure;
13 “(D) sea-level rise;
14 “(E) internal population displacement;
15 “(F) the spread of life-threatening dis-
16 eases;
17 “(G) rising annual disaster costs; and
18 “(H) disproportionately high risks and im-
19 pacts to low-income communities, communities
20 of color, Tribal communities, and other front-
21 line communities.”.

22 **SEC. 4. DEFINITIONS.**

23 Section 102 of the Robert T. Stafford Disaster Relief
24 and Emergency Assistance Act (42 U.S.C. 5122) is
25 amended by adding at the end the following:

1 “(13) CLIMATE CHANGE.—The term ‘climate
2 change’ means the long-term shifts in global and re-
3 gional climate patterns, and associated phenomena,
4 that are occurring primarily as a result of anthropo-
5 genic greenhouse gas emissions.

6 “(14) SEA-LEVEL RISE.—The term ‘sea-level
7 rise’ means the local, regional, and global long-term
8 trends in rising average sea levels that are occurring
9 as a direct result of climate change and additional
10 local factors such as land subsidence.

11 “(15) EXTREME WEATHER EVENTS.—The term
12 ‘extreme weather events’ means historically rare or
13 severe natural disasters such as heat waves,
14 droughts, floods, tornadoes, and hurricanes.

15 “(16) FRONTLINE COMMUNITY.—The term
16 ‘frontline community’ means a low-income commu-
17 nity, community of color, or Tribal community that
18 is disproportionately impacted or burdened by cli-
19 mate change and associated phenomena.”.

20 **SEC. 5. INCLUSION OF CLIMATE CHANGE IN STRATEGIC**
21 **PLAN.**

22 (a) CURRENT STRATEGIC PLAN.—Not later than 180
23 days after the date of enactment of this Act, the Adminis-
24 trator shall revise the 2018–2022 Strategic Plan to—

1 (1) ensure the text of such plan explicitly men-
2 tions climate change, in accordance with the policy
3 of FEMA in section 101 of the Robert T. Stafford
4 Disaster Relief and Emergency Assistance Act (42
5 U.S.C. 5121), as amended by section 3; and

6 (2) address the implications of climate change
7 on homeland security and near- and long-term na-
8 tional disaster risk, including emergency prepared-
9 ness, response, recovery, and mitigation.

10 (b) FUTURE STRATEGIC PLANS.—Any strategic plan
11 subsequent to the 2018–2022 Strategic Plan developed by
12 FEMA shall—

13 (1) explicitly mention climate change, in accord-
14 ance with the policy of FEMA under section 101 of
15 the Robert T. Stafford Disaster Relief and Emer-
16 gency Assistance Act (42 U.S.C. 5121), as amended
17 by section 3; and

18 (2) address the implications of climate change
19 on homeland security and near- and long-term na-
20 tional disaster risk, including emergency prepared-
21 ness, response, recovery, and mitigation, drawing
22 upon findings and recommendations, once available,
23 from the Climate Change Subcommittee described in
24 section 6 and the assessment of climate change risks
25 and preparedness described in section 7.

1 **SEC. 6. NATIONAL ADVISORY COUNCIL CLIMATE CHANGE**
2 **SUBCOMMITTEE.**

3 (a) ESTABLISHMENT.—Not later than 60 days after
4 the date of enactment of this Act, the Secretary of Home-
5 land Security shall establish, as a subcommittee of the Na-
6 tional Advisory Council, the Climate Change Sub-
7 committee (in this Act referred to as the “Sub-
8 committee”).

9 (b) MEMBERSHIP.—

10 (1) IN GENERAL.—Notwithstanding any other
11 provision of law, the Subcommittee shall consist of—

12 (A) the Administrator of FEMA;

13 (B) the Director of the United States Geo-
14 logical Survey of the Department of the Inte-
15 rior;

16 (C) the Director of the Bureau of Safety
17 and Environmental Enforcement of the Depart-
18 ment of the Interior;

19 (D) the Under Secretary of Commerce for
20 Oceans and Atmosphere;

21 (E) the Commanding Officer of the United
22 States Army Corps of Engineers;

23 (F) the Director of the Office of Homeland
24 Security and Emergency Coordination of the
25 Department of Agriculture;

1 (G) the Executive Director of the Federal
2 Highway Administration of the Department of
3 Transportation;

4 (H) the Executive Director of the Federal
5 Transit Administration of the Department of
6 Transportation;

7 (I) the Under Secretary of Energy of the
8 Department of Energy;

9 (J) the Commissioner of the Federal Hous-
10 ing Administration of the Department of Hous-
11 ing and Urban Development;

12 (K) the Assistant Administrator of the Of-
13 fice of Land and Emergency Management of
14 the Environmental Protection Agency;

15 (L) the Acting Director of the Center for
16 Preparedness and Response of the Department
17 of Health and Human Services;

18 (M) the National Climate Advisor of the
19 Office of Domestic Climate Policy of the Execu-
20 tive Office of the President;

21 (N) the Chair of the Environmental Jus-
22 tice Interagency Council of the Executive Office
23 of the President;

1 (O) such other qualified individuals as the
2 Administrator shall appoint as soon as prac-
3 ticable from among the following—

4 (i) members of the National Advisory
5 Council that have the requisite technical
6 knowledge and expertise to address climate
7 change threats to homeland security, in-
8 cluding—

9 (I) emergency management and
10 emergency response providers;

11 (II) State, local, and Tribal gov-
12 ernment officials;

13 (III) climate scientists and ex-
14 perts in natural disaster risk assess-
15 ment; and

16 (IV) experts in climate change
17 adaption, mitigation, and resilience;
18 and

19 (ii) individuals who have the requisite
20 technical knowledge and expertise to serve
21 on the Climate Change Subcommittee, in-
22 cluding at least 1 representative from each
23 of—

24 (I) an environmental justice or-
25 ganization representing low-income

1 communities and communities of color
2 that are disproportionately impacted
3 by climate change;

4 (II) a Tribal community that is
5 disproportionately impacted by climate
6 change or environmental pollution;

7 (III) an organized labor group
8 within the resilient infrastructure sec-
9 tor;

10 (IV) a private-sector company
11 that designs, develops, or constructs
12 resilient infrastructure, or an organi-
13 zation that represents such compa-
14 nies;

15 (V) a city or county that is di-
16 rectly impacted by coastal sea-level
17 rise;

18 (VI) a State that is directly im-
19 pacted by coastal sea-level rise;

20 (VII) a city or county that is
21 highly impacted by wildfires or
22 droughts;

23 (VIII) a State that is highly im-
24 pacted by wildfires or droughts;

1 (IX) scientists with expertise in
2 climate science and natural disaster
3 risk assessment who are faculty mem-
4 bers at an accredited university; and

5 (X) experts in homeland security
6 threat assessment and intelligence
7 analysis, especially as it concerns nat-
8 ural disasters; and

9 (P) representatives of such other stake-
10 holders and interested and affected parties as
11 the Administrator determines appropriate.

12 (2) REPRESENTATION.—The Administrator
13 shall ensure, to the extent practicable, that members
14 of the Subcommittee represent a geographic (includ-
15 ing urban, rural, and coastal) and substantive diver-
16 sity of State, local, and Tribal government officials,
17 emergency managers, and emergency response pro-
18 viders, scientific and technical experts, private-sector
19 companies, and nongovernmental organizations.

20 (c) RESPONSIBILITIES.—The Subcommittee shall ad-
21 vise the Administrator on how to best incorporate climate
22 change, including risk assessments and strategies for ad-
23 aptation and mitigation, into and throughout FEMA’s
24 policies, plans, programs, and operations, including
25 through the performance of the following duties:

1 (1) ASSESSMENT.—Not later than 18 months
2 after the date of enactment of this Act, the Sub-
3 committee shall develop and submit to the Adminis-
4 trator and Congress, and make available to the pub-
5 lic, an assessment of all relevant FEMA policies,
6 plans, programs, strategies, and operations with a
7 focus on climate change-related risks, impacts, adap-
8 tation, preparedness, mitigation, and resilience. The
9 assessment shall address—

10 (A) existing and future risks and impacts
11 posed by climate change to States, cities, and
12 communities throughout the United States, in-
13 cluding the current and potential impacts of cli-
14 mate change on national emergency manage-
15 ment, annual disaster costs, and natural dis-
16 aster mitigation, preparedness, response, and
17 recovery;

18 (B) the extent to which climate change, in-
19 cluding risk assessments, resilience, adaptation,
20 and mitigation, is currently integrated within
21 FEMA policies, plans, programs, strategies,
22 and operations, as well as the extent to which
23 and areas where such integration is lacking;

24 (C) the extent to which climate change, in-
25 cluding risk assessments, resilience, adaptation,

1 and mitigation, is currently incorporated into
2 technical assistance, outreach, grant, and loan
3 programs, as well as the extent to which and
4 programs where such integration is lacking;

5 (D) partnerships and coordination with
6 Federal, State, and local agencies and authori-
7 ties, as well as volunteer and private entities;

8 (E) data collection, management, and anal-
9 ysis;

10 (F) recommendations regarding how
11 FEMA can better incorporate climate change
12 throughout FEMA policies, plans, programs,
13 strategies, and operations, which shall ad-
14 dress—

15 (i) risk assessments, including ways to
16 more comprehensively predict and incor-
17 porate current and future risks as they re-
18 late to climate change;

19 (ii) strategies to increase climate
20 change adaptation, mitigation, and resil-
21 ience in communities throughout the
22 United States;

23 (iii) ways to ensure that investments
24 and strategies around climate change ad-
25 aptation, mitigation, and resilience benefit

1 all communities, especially frontline com-
2 munities;

3 (iv) critical information, communica-
4 tion, and policy gaps, barriers, and chal-
5 lenges;

6 (v) technical assistance, outreach,
7 grant, and loan programs, including ways
8 that FEMA can use and expand such pro-
9 grams to increase climate change prepared-
10 ness throughout the emergency manage-
11 ment community, and strengthen climate
12 change adaptation, mitigation, and resil-
13 ience across the United States, particularly
14 in frontline communities;

15 (vi) coordination with all relevant
16 partners, including Federal, State, and
17 local agencies and authorities, as well as
18 private entities and volunteers;

19 (vii) monitoring, recording, and ana-
20 lyzing FEMA actions, data management,
21 and budget allocations to help advance cli-
22 mate resilience;

23 (viii) methodologies for integrating
24 and disseminating scientific knowledge of
25 projected climate change impacts and

1 risks, and other relevant data and informa-
2 tion, into policies, guidance, and public
3 communications;

4 (ix) platforms for sharing best prac-
5 tices, information, and lessons learned with
6 the national emergency management com-
7 munity and general public, including public
8 web pages, webinars, and workshops;

9 (x) FEMA's 2018–2022 Strategic
10 Plan, and ways for FEMA to better incor-
11 porate climate change into all future such
12 plans; and

13 (xi) any other matters, as the Admin-
14 istrator determines to be appropriate; and

15 (G) timeframes for implementing any such
16 recommendations that do not require congres-
17 sional action, and the identification of any such
18 recommendations that require congressional ac-
19 tion.

20 (2) ONGOING DUTIES.—Upon request of the
21 Administrator, the Subcommittee shall, on an ongo-
22 ing basis—

23 (A) review any relevant Agency policies,
24 plans, programs, strategies, and operations, and

1 make any necessary recommendations thereof,
2 regarding climate change;

3 (B) support the Administrator in incor-
4 porating and implementing findings and rec-
5 ommendations from the assessment described in
6 paragraph (1) into all relevant Agency policies,
7 plans, programs, strategies, and operations, in-
8 cluding the assessment of climate change risks
9 and preparedness described in section 7; and

10 (C) perform any other relevant duties, as
11 the Administrator determines to be appropriate.

12 (d) PUBLIC MEETINGS.—In carrying out its duties
13 under this section, the Subcommittee shall—

14 (1) consult with stakeholders through not less
15 than 2 public meetings each year, the total of which
16 not less than 3 shall be during the time in which the
17 Subcommittee is conducting the assessment de-
18 scribed in subsection (c)(1); and

19 (2) seek input from all stakeholder interests in-
20 cluding State and local representatives, environ-
21 mental and climate justice organizations, private in-
22 dustry representatives, advocacy groups, planning
23 and resilience organizations, labor representatives,
24 and representatives from frontline communities.

1 (e) COMPENSATION AND EXPENSES.—Any non-feder-
2 ally employed member of the Subcommittee, when attend-
3 ing meetings of the Subcommittee or when otherwise en-
4 gaged in the business of the Subcommittee, shall receive—

5 (1) compensation at a rate fixed by the Sec-
6 retary of Homeland Security, not exceeding the daily
7 equivalent of the current rate of basic pay in effect
8 for GS-15 of the General Schedule under section
9 5332 of title 5, United States Code, including travel
10 time; and

11 (2) travel or transportation expenses under sec-
12 tion 5703 of title 5, United States Code.

13 (f) CHAIR.—The Administrator shall serve as the
14 Chair of the Subcommittee.

15 (g) STAFF.—

16 (1) FEMA.—Upon request of the Sub-
17 committee, the Administrator may detail, on a non-
18 reimbursable basis, personnel of FEMA to assist the
19 Subcommittee in carrying out its duties.

20 (2) OTHER FEDERAL AGENCIES.—Upon request
21 of the Subcommittee, any other Federal agency that
22 is a member of the Subcommittee may detail, on a
23 nonreimbursable basis, personnel to assist the Sub-
24 committee in carrying out its duties.

1 (h) POWERS.—In carrying out this section, the Sub-
2 committee may hold hearings, receive evidence and assist-
3 ance, provide information, conduct research, and author
4 reports, as the Subcommittee considers appropriate.

5 (i) TERMINATION.—The Subcommittee shall termi-
6 nate not later than 3 years after the submission of the
7 report required under subsection (c)(1).

8 (j) UPDATES AND IMPLEMENTATION.—

9 (1) IN GENERAL.—Beginning not later than 90
10 days after the submission of the assessment under
11 subsection (c)(1), the Administrator shall—

12 (A) coordinate the implementation of the
13 recommendations, and actions to address the
14 findings, as described in such assessment,
15 where appropriate; and

16 (B) provide updates annually thereafter,
17 until the date that is 1 year after the date on
18 which the Subcommittee terminates, to the
19 Committee on Homeland Security of the House
20 of Representatives and the Committee on
21 Homeland Security and Governmental Affairs
22 of the Senate containing—

23 (i) the implementation status of the
24 findings and recommendations of the as-
25 sessment; and

1 (ii) any other findings and rec-
2 ommendations that the Subcommittee may
3 provide in the course of its duties.

4 (2) FINDINGS.—Not later than 2 years after
5 the date of enactment of this Act, and annually
6 thereafter until the termination of the Sub-
7 committee, the Administrator shall submit to the
8 Committee on Homeland Security of the House of
9 Representatives, submit to the Committee on Home-
10 land Security and Governmental Affairs of the Sen-
11 ate, and make available to the public a report on the
12 actions taken by the Administrator to incorporate
13 and implement the findings and recommendations
14 from the assessment described in subsection (c)(1),
15 and any other findings and recommendations that
16 the Subcommittee may provide, into all relevant
17 Agency policies, plans, programs, strategies, and op-
18 erations.

19 **SEC. 7. ASSESSMENT OF CLIMATE CHANGE RISKS AND PRE-**
20 **PAREDNESS.**

21 (a) IN GENERAL.—Not later than 4 years after the
22 date of enactment of this Act, and every 4 years there-
23 after, the Administrator shall publish as a report, submit
24 to the Committee on Homeland Security of the House of
25 Representatives and the Committee on Homeland Security

1 and Governmental Affairs of the Senate, and make avail-
2 able to Congress and the public, a comprehensive assess-
3 ment of climate change risks and preparedness, which
4 shall—

5 (1) incorporate and expand upon the findings
6 and recommendations made by the Subcommittee;

7 (2) identify, predict, and assess existing and fu-
8 ture natural disaster risks and impacts posed by cli-
9 mate change to States, cities, and communities
10 throughout the United States, including the current
11 and potential impact to annual disaster, mitigation,
12 and insurance costs, as well as to natural disaster
13 mitigation, adaptation, preparedness, response, and
14 recovery capabilities and efforts;

15 (3) identify, predict, and assess risks and im-
16 pacts to frontline communities, particularly low-in-
17 come communities, communities of color, and Tribal
18 communities;

19 (4) assess the current state of preparedness
20 throughout the emergency management community,
21 and across all levels of government, in relation to the
22 expected natural disaster risks and impacts posed by
23 climate change;

1 (5) identify steps taken by FEMA to integrate
2 climate change into all relevant Agency policies,
3 plans, programs, strategies, and operations;

4 (6) identify measures taken by FEMA to in-
5 crease climate change resilience, adaptation, and
6 mitigation throughout the United States, and to in-
7 crease overall preparedness of the entire emergency
8 management community;

9 (7) provide recommendations and best practices
10 for how FEMA, all relevant partners, and the na-
11 tional emergency management community can better
12 prepare for, mitigate, and adapt to the present and
13 future national disaster risks and impacts posed by
14 climate change, including specific recommendations
15 and best practices for increasing climate change re-
16 silience, adaptation, and mitigation in frontline com-
17 munities;

18 (8) describe climate change mitigation, adapta-
19 tion, and resilience methods adopted in no fewer
20 than 5 communities across the United States, in-
21 cluding at least—

22 (A) 1 urban community;

23 (B) 1 rural community;

24 (C) 1 coastal community; and

25 (D) 1 frontline community; and

1 (9) incorporate any other components and sec-
2 tions as the Administrator determines appropriate.

3 (b) METHODOLOGY.—Not later than 3 years after
4 the date of enactment of this Act, the Secretary shall re-
5 port to the Committee on Homeland Security of the House
6 of Representatives and the Committee on Homeland Secu-
7 rity and Governmental Affairs of the Senate on the meth-
8 odology that will be used to conduct the analysis and
9 produce the assessment required under subsection (a).

10 **SEC. 8. DEFINITIONS.**

11 In this Act, the following definitions apply:

12 (1) ADMINISTRATOR.—The term “Adminis-
13 trator” means the Administrator of FEMA.

14 (2) AGENCY; FEMA.—The terms “Agency” and
15 “FEMA” mean the Federal Emergency Manage-
16 ment Agency.

17 (3) CLIMATE CHANGE.—The term “climate
18 change” means the long-term shifts in global and re-
19 gional climate patterns, and associated phenomena,
20 that are occurring primarily as a result of anthropo-
21 genic greenhouse gas emissions.

22 (4) EXTREME WEATHER EVENTS.—The term
23 “extreme weather events” means historically rare or
24 severe natural disasters such as heat waves,
25 droughts, floods, tornadoes, and hurricanes.

1 (5) FRONTLINE COMMUNITY.—The term
2 “frontline community” means a low-income commu-
3 nity, community of color, or Tribal community that
4 is disproportionately impacted or burdened by cli-
5 mate change and associated phenomena.

6 (6) SEA-LEVEL RISE.—The term “sea-level
7 rise” means the local, regional, and global long-term
8 trends in rising average sea levels that are occurring
9 as a direct result of climate change and additional
10 local factors such as land subsidence.

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