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H. R. 6492

To establish a climate resilience workforce, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 25, 2022

Ms. JAYAPAL (for herself, Ms. Barragán, Ms. Bass, Mr. Blumenauer, Mr. Bowman, Ms. Bush, Mr. Carson, Ms. Clarke of New York, Mr. Cleaver, Mr. Connolly, Ms. Escobar, Mr. García of Illinois, Mr. Grijalva, Mr. Huffman, Mr. Johnson of Georgia, Mr. Jones, Ms. Lee of California, Mr. Levin of Michigan, Mrs. Carolyn B. Maloney of New York, Mr. Nadler, Mrs. Napolitano, Ms. Newman, Ms. Norton, Ms. Ocasio-Cortez, Ms. Pressley, Ms. Schakowsky, Mr. Smith of Washington, Mr. Suozzi, Mr. Takano, Ms. Tlaib, and Mrs. Watson Coleman) introduced the following bill; which was referred to the Committee on Education and Labor, and in addition to the Committees on Energy and Commerce, Oversight and Reform, the Judiciary, Transportation and Infrastructure, Ways and Means, Agriculture, Natural Resources, and Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To establish a climate resilience workforce, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,
SECTION 1. SHORT TITLE.

This Act may be cited as the “Climate Resilience Workforce Act”.

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SEC. 3. DEFINITIONS.

In this Act:

(1) APPRENTICE.—The term “apprentice” means a participant in an apprenticeship program.

(2) APPRENTICESHIP PROGRAM.—The term “apprenticeship program” means an apprenticeship registered under the Act of August 16, 1937 (commonly known as the “National Apprenticeship Act”; 50 Stat. 664, chapter 663; 29 U.S.C. 50 et seq.) that meets the standards of subpart A of part 29 and part 30 of title 29, Code of Federal Regulations (or any successor regulations on registered programs).

(3) CLIMATE RESILIENCE.—The term “climate resilience”—

(A) means the ability and capacity of social, economic, and environmental systems, organized as natural ecosystems and human communities, to anticipate, prepare for, adapt to, respond to, and recover from hazardous events, trends, or disturbances related to climate change; and
(B) includes the ability to engage in an iterative process of—

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

(I) for human communities, risks shall be assessed by geography, race, ethnicity, socioeconomic status, health and other demographic and social factors, as applicable; and

(II) for natural ecosystems, risks shall be assessed by geography, species and ecosystem services, as applicable;

(ii) identifying human populations, animal and plant species, ecosystem services and habitats that face disproportionate risks and impacts of climate change, including—

(I) for human populations, identifying risks due to historic and ongoing systemic racism, economic in-
equity, and environmental degradation and pollution; and

(II) for natural species and ecosystem services, identifying risks due to environmental degradation, pollution and other anthropogenic impacts;

(iii) working to address the root causes that lead the entities identified in clause (ii) to be disproportionately vulnerable to the risks and impacts of climate change; and

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

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

(II) prepare for and adapt to the unavoidable impacts of climate change by ensuring that effective risk reduction and management and adaptation strategies can be implemented and maintained; and
(III) recover from and rebuild after climate disasters in ways that minimize future risks and increase the ability of natural ecosystems and human communities to face future risks with less harm.

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

(5) **COMMUNITY OF COLOR.**—The term “community of color” means a census block group or series of geographically contiguous blocks in which the population of any of the following categories of individuals, individually or in combination, comprises 30 percent or more of the population of persons in the census block group or series of geographically contiguous blocks:

(A) Black.

(B) African American.

(C) Asian.

(D) Pacific Islander.

(E) Other non-White race.

(F) Hispanic.

(G) Latino.

(H) Linguistically isolated.
(6) Covered project labor agreement.—
The term covered project labor agreement means a project labor agreement that—

(A) binds all contractors and subcontractors on the project through the inclusion of appropriate specifications in all relevant solicitation provisions and contract documents;

(B) allows all contractors and subcontractors to compete for contracts and subcontracts without regard to whether they are otherwise a party to a collective bargaining agreement;

(C) contains guarantees against strikes, lockouts, and other similar job disruptions;

(D) sets forth effective, prompt, and mutually binding procedures for resolving labor disputes arising during the covered project labor agreement; and

(E) provides other mechanisms for labor-management cooperation on matters of mutual interest and concern, including productivity, quality of work, safety, and health.

(7) Director.—The term “Director” means the director of the Office of Climate Resilience established under section 4 of this Act.
(8) FRONTLINE COMMUNITY.—The term "frontline community" means—

(A) a community or population that, due to systemic racial or economic injustice, has been made vulnerable to experience disproportionate exposure to environmental hazards, including—

(i) a low-income community;

(ii) a community of color; and

(iii) a Tribal or indigenous community;

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

(C) a community or population that is vulnerable or systematically disadvantaged and therefore has a higher likelihood of being impacted by environmental and climate injustice and inequitable climate actions, including—

(i) linguistically isolated communities;

(ii) individuals with limited English proficiency;

(iii) immigrants and refugees;

(iv) individuals with limited mobility;

(v) individuals who are ill;
(vi) vulnerable elderly populations;
(vii) children, youth, and pregnant women;
(viii) individuals with disabilities;
(ix) LGBTQ+ individuals;
(x) institutionalized populations;
(xi) individuals living in isolated rural areas;
(xii) unhoused populations; and
(xiii) workers whose job requires such worker to work outdoors.

(9) **GRASSROOTS COMMUNITY GROUP.**—The term “grassroots community group” means a group of organized or connected individuals residing in the same census block group or series of geographically contiguous blocks that face the same or similar risks and impacts of climate change or other social, economic, and environmental risks and impacts.

(10) **INTERIM CREDENTIAL.**—The term “interim credential” means a credential issued by a registration agency, upon request of the appropriate sponsor, as certification of competency attainment by a program participant during participation in a program under the national apprenticeship system.
(11) **Labor Organization.**—The term “labor organization” has the meaning given such term in section 2(5) of the National Labor Relations Act (29 U.S.C. 152(5)).

(12) **Labor, Worker, and Workforce Development Stakeholders.**—The term “labor, worker, and workforce development stakeholders” shall include—

(A) individuals who are members of populations facing barriers to employment who have shown leadership in addressing such barriers;

(B) worker-driven entities dedicated to ensuring collective worker voice and representation, including—

(i) labor unions;

(ii) worker centers; and

(iii) worker associations;

(C) organizations that advocate for improvement to worker rights and working conditions, including organizations that work to expand collective bargaining, raise worker wages, improve workplace safety, reduce and end discrimination and increase workplace equity;

(D) individuals and organizations, including potential employers, that possess knowledge
of the jobs, skills, and occupations that pertain to climate resilience work, in order to inform workforce and training needs; and

(E) entities with proven track records in designing and participating in workforce development and training programs resulting in higher wages and improved job security for workers, including—

(i) community colleges;

(ii) nonprofit organizations; and

(iii) joint labor management partnerships.

(13) LOCAL GOVERNMENT.—The term “local government” means—

(A) a county, municipality, city, town, township, local public authority, school district, special district, intrastate district, council of governments (regardless of whether the council of governments is incorporated as a nonprofit corporation under State law), regional or interstate governmental entity, or agency or instrumentality of a local government; or

(B) an Indian Tribe or authorized Tribal organization, or Alaska Native village or organization that is not a Tribal Government.
(14) **Low-income community.**—The term “low-income community” means any census block group in which 30 percent or more of the population of such block group are individuals with an annual household income equal to, or less than, the greater of—

(A) an amount equal to 80 percent of the median income of the area in which the household is located, as reported by the Department of Housing and Urban Development; and

(B) 200 percent of the Federal poverty line.

(15) **Non-profit organization.**—The term “non-profit organization” means an organization under section 501(c)(3) of the Internal Revenue Code of 1986.

(16) **Population.**—The term “population” means a census block group or series of geographically contiguous blocks representing certain common characteristics, including race, ethnicity, national origin, income-level, health disparities, or other public health or socioeconomic attributes.

(17) **Populations facing barriers to employment.**—The term “populations facing barriers to employment” means populations that have faced
systemic barriers to employment, significant, systemic job losses, or chronic underemployment or insecure employment due to failed economic policies, including—

(A) undocumented individuals;

(B) individuals with criminal records;

(C) individuals who are formerly incarcerated;

(D) deindustrialized communities; and

(E) demographic populations with unemployment levels higher than the national average.

(18) PRE-APPRENTICESHIP PROGRAM.—The term “pre-apprenticeship program” means a training model or program that—

(A) prepares individuals, focusing on underrepresented populations, to enter and succeed in a registered apprenticeship program;

(B) has an articulation agreement with one or more registered apprenticeship programs;

(C) that teaches a curriculum based on industry standards; and

(D) that offers hands on training opportunities that do not displace paid workers.
(19) **PROJECT LABOR AGREEMENT.**—The term “project labor agreement” means a pre-hire collective bargaining agreement with one or more labor organizations that establishes the terms and conditions of employment for a specific project and is described in section 8(f) of the National Labor Relations Act (29 U.S.C. 158(f)).

(20) **RECOGNIZED POST-SECONDARY CREDENTIAL.**—The term “recognized post-secondary credential” has the meaning given the term in section 3 of the Workforce Innovation and Opportunity Act (29 U.S.C. 3102), except that such term does not include a certificate of completion of an apprenticeship.

(21) **REGIONAL GOVERNMENTAL GROUP.**—The term “regional governmental group” means a group of States that share borders or are in close proximity to one another and share similar social, economic, and environmental systems and risks and impacts of climate change.

(22) **STATE.**—The term “State” includes each of the several States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands of the United States, the Commonwealth of the Northern Mariana Islands, the Federated States of Micron-
nesia, the Republic of the Marshall Islands, the Re-
public of Palau, and the territories and possessions
of the United States.

(23) **Tribal government**.—The term “Tribal
government” means the governing body of an Indian
Tribe.

(24) **Tribal or indigenous community**.—
The term “Tribal or indigenous community” means
a population of people who are members of—

(A) a federally recognized Indian Tribe;

(B) a State recognized Indian Tribe;

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

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

(25) **Worker center**.—The term “worker
center” means a non-profit organization or a co-op-
erative that—

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

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

SEC. 4. OFFICE OF CLIMATE RESILIENCE.

(a) Establishment.—Not later than 60 days after the date of enactment of this Act, the President shall establish an Office of Climate Resilience (hereinafter referred to as the “Office”) within the White House.

(b) Director.—

(1) Appointment.—The President shall appoint a Director of the Office.

(2) Term.—The Director shall serve for a period of 5 years.

(3) Termination.—The President may terminate the Director prior to the end of the term described in paragraph (2) for issues with performance.

(c) Purpose.—The purpose of the Office shall be to use information from all sectors involved in climate resilience, including frontline community experience, scientific expertise, and labor organization input to coordinate Federal actions to support a climate resilient nation and operate as a Secretariat.

(d) Functions.—The Office shall—
(1) convene the necessary Federal and external stakeholders to inform and develop a national climate resilience action plan;

(2) revise the plan described in paragraph (1) every 5 years, or more frequently if determined necessary by the Director based on science;

(3) support Federal agencies in developing and revising agency-specific climate resilience actions plans and compile such plans into a Federal Government climate resilience action plan;

(4) administer grants established under section 201 of this Act;

(5) coordinate with the Climate Resilience Workers Commission established under section 403 of this Act to support compliance with the requirements of this Act;

(6) coordinate with other Federal activities related to climate resilience, including efforts made by the National Environmental Justice Advisory Council and the White House Environmental Justice Advisory Council; and

(7) evaluate the effectiveness of the national climate resilience action plan in achieving a climate resilient nation through annual assessments and annual reporting to Congress.
(c) Staffing.—

(1) In general.—The Director of the Office shall appoint staff to organize the activities of and provide support for the members of the Climate Resilience Equity Advisory Board established under section 5 of this Act, the interagency working group, and the Climate Resilience Task Force.

(2) Additional employees.—The Director may hire other employees as needed to exercise and fulfil the function and purpose of the Office.

SEC. 5. CLIMATE RESILIENCE EQUITY ADVISORY BOARD.

(a) Establishment.—Not later than 6 months after the date of enactment of this Act, the Director of the Office of Climate Resilience shall establish a Climate Resilience Equity Advisory Board (herein after referred to as the “Advisory Board”).

(b) Purpose.—The purpose of the Advisory Board shall be to advise and make recommendations to the Office of Climate Resilience to ensure that the knowledge, experiences, and priorities of frontline communities are incorporated into Federal climate resilience efforts.

(c) Functions.—The Advisory Board shall—

(1) participate in the planning process to develop a national climate resilience action plan, including by advising and making recommendations to
the interagency workgroup, Climate Resilience Task
Force, and labor, worker, and workforce develop-
ment stakeholders to ensure that—

(A) the knowledge, lived experiences, and
priorities of frontline communities are incor-
porated into the strategies, actions, and
projects proposed in the national climate resil-
ience action plan and agency climate resilience
plans; and

(B) climate resilience jobs and training op-
portunities prioritize and are accessible to
frontline communities;

(2) advise and make recommendations to the
Office of Climate Resilience on ongoing climate resil-
ience activities; and

(3) collaborate with, advise, and make rec-
ommendations to the Center for the Climate Resil-
ience Workforce on the activities of such Center.

(d) MEMBERSHIP.—

(1) IN GENERAL.—Members of the Advisory
Board shall be representatives of frontline commu-
nities.

(2) APPLICATION PROCESS.—The Director of
the Office shall develop an application process and
criteria that, at minimum, shall require applicants for the Advisory Board to provide—

(A) letters of support from 3 individuals who are members of the community they represent, highlighting the qualifications and relevant lived, volunteer, or paid work experience the individual possesses to serve on the Advisory Board; and

(B) demographic information about the community represented by the individual including data on population size, income, race, education level, geographic location, and health, climate, and environmental risks faced.

(3) SIZE OF BOARD.—

(A) IN GENERAL.—The Advisory Board shall be comprised of not less than 12 members that provide diverse and fair representation of frontline communities.

(B) ADDITIONAL MEMBERS.—The Director may select additional members representing frontline communities for the Advisory Board on an interim or permanent basis.

(4) TERM.—

(A) IN GENERAL.—A member shall serve on the Advisory Board for a term of 3 years.
(B) Term Limit.—A member may serve on the Advisory Board for not more than 2 terms.

(e) Compensation.—The Director of the Office shall establish guidelines and a process for providing compensation to individuals who would otherwise not be able to participate or who would experience financial hardship without such compensation.

(f) Public Participation and Transparency.—The Board shall make every effort, consistent with applicable law, including section 552 of title 5, United States Code, and section 552a of title 5, United States Code, to maximize public participation and transparency, including making the advice of the Board publicly available in electronic form, including video streaming, on the website of the Office.

(g) Applicability of Law.—Section 14(a)(2) of the Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the Advisory Committee.

SEC. 6. CENTER FOR THE CLIMATE RESILIENCE WORKFORCE.

(a) Establishment.—Not later than 3 months after the date of enactment of this Act, the Secretary of Labor shall establish a Center for the Climate Resilience Workforce.
(b) PURPOSE.—The purpose of the Center for the Climate Resilience Workforce shall be to—

(1) serve as a public resource to support job quality, worker voice, job training and job creation for the climate resilience workforce; and

(2) disseminate information, conduct research, and celebrate the contributions of the climate resilience workforce.

(e) STAFFING.—

(1) IN GENERAL.—The Center shall be comprised of staff with sufficient knowledge and expertise to carry out the functions under subsection (d).

(2) CONSULTATION.—The Center shall consult with Federal agencies as needed to carry out the functions under subsection (d), including the Environmental Protection Agency, the Department of Interior, the Department of Agriculture, and the Department of Commerce.

(d) FUNCTIONS.—The Center shall—

(1) define the occupational sectors that pertain to climate resilience, as indicated in section 7, revise such definition as needed based on the latest science and labor market and worker data, and maintain an updated list of such sectors on the Center’s website;
(2) contact annually, at a minimum, the United States Global Change Research Program regarding key shifts and emerging challenges in social, economic and environmental systems due to climate change to inform the identification of priority sectors, skills and geographies of focus for the climate resilience workforce;

(3) take into account any research that identifies frontline communities by tracking the nationwide geographic distribution of cumulative environmental impacts, pollution hotspots, and vulnerability to various environmental risks through the Environmental Justice Screen tool of the Environmental Protection Agency and other Federal environmental justice mapping efforts to ensure that job creation and hiring prioritize the communities that are most likely to face disproportionate risks and impacts of climate change;

(4) conduct research on the climate resilience workforce to—

(A) track the growth of the climate resilience workforce;

(B) track labor market trends in the supply and demand of climate resilience workers by sector, geography, occupation, skills, and train-
ing level, highlighting areas of greatest demand
and supply so as to inform job creation and
training investments;

(C) identify effective strategies in job cre-
ation, training, recruitment, employment and
provision of ongoing support for climate resil-
ience workers;

(D) identify the successes, challenges, op-
opportunities and needs of the climate resilience
workforce; and

(E) collect data (through reliance on BLS
statistics and United States Energy and Em-
ployment Report data) on the demographic dis-
tribution of jobs created through the programs
in this legislation, as well as wages of new jobs
by worker demographics;

(5) evaluate—

(A) the effectiveness of the various funding
streams created by this Act in supporting the
growth of a well-equipped, skilled, and demo-
graphically representative climate resilience
workforce;

(B) the current minimum labor standards
of climate resilience workers, barriers to im-
proved safety, wages and worker voice, and po-
tential regulatory and operational adjustments to improve those labor standards;

(C) the relative job quality of climate resilience jobs, including wage and benefit levels, union density, and other relevant metrics; and

(D) the Department of Labor’s role in diverse and equitable job creation for the climate resilience workforce, especially regarding race, ethnicity and gender for the programs created or supported through this Act;

(6) highlight and make recommendations to address disparities and barriers in—

(A) the hiring, retention or income of workers from frontline communities and populations facing barriers to employment;

(B) achieving minimum labor standards specified in this Act for all climate resilience workers;

(C) the creation of living-wage jobs in the climate resilience sector;

(D) barriers to worker voice, whistleblowers and collective bargaining in the climate resilience workforce and means by which to overcome these barriers using improved enforcement, education and regulatory changes; and
(E) addressing the immigration, criminal justice and drug testing barriers to employment specified in this Act;

(7) collaborate with the Office of Climate Resilience, the Climate Resilience Equity Advisory Board and labor, worker and workforce stakeholders in conducting research, sharing findings, and developing recommendations;

(8) publish the findings of its research on its website and maintain a monthly newsletter with the latest data on the climate resilience workforce and research findings; and

(9) honor the climate resilience workforce by publicly recognizing the achievements of the climate resilience workforce.

SEC. 7. DEFINING CLIMATE RESILIENCE SECTORS.

(a) IN GENERAL.—Not later than 6 months after the date of enactment of this Act, the Center for the Climate Resilience Workforce shall define climate resilience sectors for the purposes of this Act.

(b) REVISION.—The Center for the Climate Resilience Workforce shall revise the definition under subsection (a) as needed to reflect the full scope of the sectors, occupations, and skills needed to achieve a climate
resilient nation, and maintain an updated list of sectors on the Center’s website.

(c) INCLUSIONS.—In defining climate resilience sectors under subsection (a), the Center shall include, at a minimum, all employment sectors in which workers perform activities related to the following:

(1) MITIGATION OF CLIMATE CHANGE.—Efforts focused on achieving absolute reductions in greenhouse gas emissions in the sectors producing the greatest emissions, including—

(A) transportation;

(B) electricity generation;

(C) industry;

(D) commercial and residential buildings;

and

(E) agriculture.

(2) PREPARATION FOR AND ADAPTATION TO CLIMATE CHANGE.—Efforts focused on activities involved in preparing for, adapting to, and addressing risks related to climate change, including the following:

(A) SOCIAL SYSTEMS.—

(i) CARE INFRASTRUCTURE.—To ensure adequate, reliable access to and availability of formal services and informal,
community-based support for healthcare, childcare, elder care, home care, domestic care, and other related care functions as climate change impacts increase and to protect vulnerable populations in times of disaster.

(ii) **Human health.**—To prevent and address increased injury, illness, and death due to increased exposure to heat waves, floods, droughts, extreme weather events and vector-, food-, and waterborne infectious diseases and to changes in the quality and safety of air, food and water, and stresses to mental health.

(iii) **Communities.**—

(I) **Urban communities.**—Strengthen vulnerable infrastructure and prevent and address concentrated heat and air pollution.

(II) **Rural communities.**—Strengthen infrastructure and increase resources for resilience.

(III) **Tribal and indigenous communities.**—Preparing for and adapting to threats to livelihoods and
economies in agriculture, hunting and gathering, fishing, forestry, energy, recreation and tourism, threats to sites, practices and relationships with cultural, spiritual and ceremonial importance, loss of cultural heritage and identity, and loss of sovereignty and self-determination.

(B) ENVIRONMENTAL SYSTEMS.—

(i) WATER.—Changes in water quantity and quality, deteriorating water infrastructure, flood and drought management, extreme precipitation and rising sea levels, ensuring access to clean drinking water, and ensuring adequate water storage and availability.

(ii) AIR.—Worsening air quality, respiratory and cardiovascular illness and death, injury due to reduced visibility, damage to agricultural crops and forests, increased wildfire smoke, increased frequency and severity of allergic illnesses, and minimizing air pollutants to improve air quality.
(iii) **LAND.**—Loss of land cover and impact on agriculture, wildfires, coastal wetlands and vegetation, mitigating the impacts of deforestation and urbanization, and considering climate change risks in land use decisions.

(iv) **FORESTS.**—Decreased tree growth and carbon storage.

(v) **ECOSYSTEMS AND BIODIVERSITY.**—Altered or deteriorated ecosystem functions, altered individual characteristics of organisms, timing of biological events and geographic ranges of terrestrial, freshwater and marine organisms, spread of invasive species, loss of biodiversity, endangerment and extinction of organisms, and changes in agricultural and fisheries production, supply of clean water, protection from extreme events, and culturally valuable resources.

(vi) **COASTS.**—Higher storm surges and sea level rise, chronic high-tide flooding, threatened investments along coasts, economic losses in tourism and fishing, in-
creased pace and extent of coastal flooding 
and erosion, and forced relocation.

(vii) Oceans.—Ecosystem disruption, 
loss of habitat, ocean warming, acidifica-
tion, and deoxygenation, and losses to fish-
eries and fishing communities.

(C) Economic systems.—

(i) Public sector.—Activities fo-
cused on ensuring stable governance and 
provision of critical safety net services and 
supports, adopting new policies to address 
emerging threats, risks and needs and pro-
vide specific protections for vulnerable pop-
ulations, and expanding services to ensure 
that emerging and increasing needs are 
met.

(ii) Buildings and built infra-
structure.—Activities focused on 
strengthening buildings and built infra-
structure to climate risks, weatherization 
to account for shifting and increasing tem-
peratures, preparing for and adapting to 
changing patterns of energy use and peak 
demands, ensuring good indoor air quality, 
and ensuring affordable housing.
(iii) **TRANSPORTATION.**—Higher temperatures, increased precipitation, rising sea levels and extreme weather events on ports, vehicles and transportation infrastructure, preparing for travel disruptions, ensuring passenger safety, preparing for and adapting to fluctuations in fuel and electricity supply and communications disruptions, and demographic shifts and shifts in flows of goods and services that alter transport networks.

(iv) **MANUFACTURING AND INDUSTRY.**—Supply chain shocks, new regulatory requirements and price shocks, and the impact of increasing temperatures on manufacturing processes.

(v) **COMMUNICATIONS AND TECHNOLOGY.**—Damage to communications infrastructure and service interruptions and outages.

(vi) **FINANCIAL SYSTEMS.**—Physical risks associated with more frequent severe weather events and lasting environmental changes to insurance and banking sectors and local economies, preparing for, adapt-
ing to and addressing the transition risks posed by policy and technological changes to a reduced-carbon economy, and fluctuations in global markets, stranded assets.

(vii) COMMERCE.—Mitigation of threats to small, locally owned businesses.

(viii) ENERGY SYSTEMS.—Impacts of increasing temperatures, severity of extreme weather events and increased precipitation on energy production and delivery, shifts in energy demand and supply, and growing population driving an increase in overall energy demand.

(ix) AGRICULTURE AND FOOD SYSTEMS.—Disruptions to food availability, access, and quality due to reduced agricultural productivity, changes in temperature and precipitation patterns resulting in floods, droughts, changes in crop and livestock viability, new pests, pathogens and weed problems, depletion of water supplies for irrigation, soil degradation, illness and death in farm workers and livestock due to heat, economic losses, instability of food supply, closure of smaller farms with lim-
ited safety nets to deal with disrupting fac-
tors, economic losses for farming and rural
communities, and increased food prices
and greater food insecurity.

(x) LABOR.—Impact of increased tem-
peratures on workers, particularly those in
high-risk industries where workers are
doing physical labor and have a direct ex-
posure to outdoor temperatures, and work-
ers with limited labor protections such as
incarcerated workers and undocumented
and immigrant workers, preparing for and
providing adequate protections for disaster
recovery workers as the frequency of cli-
mate disasters increases, financial and eco-
nomic disruption resulting in labor market
shifts and potential job losses, and eco-
omic impact of disasters and long-term
climate shifts on businesses, workers and
local economies.

(xi) EDUCATION.—Activities focused
on minimizing disruptions to educational
systems, addressing disparate impacts of
heat and other climate impacts on student
achievement and learning, ensuring the
physical safety and psychosocial well-being
of students and teachers, planning for the
use of schools as shelters during climate
disasters, strengthening the infrastructure
of school buildings, revising curricula to
ensure that the public is well-educated and
informed to be prepared for the risks posed
by climate change, and creating new pro-
grams to ensure that individuals are
trained with relevant skills to contribute to
the climate resilience workforce.

(xii) **FOREIGN AFFAIRS.**—Increased
need to provide foreign aid and assistance,
increased migration, increased conflict,
war, famine and political and economic in-
stability, economic losses in trade and
overseas operations, and shocks to global
supply chains.

(3) **DISASTER PREPAREDNESS, RECOVERY, AND
REBUILDING.**—Activities shall include—

(A) preparing for, recovering from, and re-
building after climate-related disasters, includ-
ing—

(i) wildfires and any resulting land-
slides and debris;
(ii) extreme precipitation events, storm surges, and floods;

(iii) hurricanes;

(iv) heat waves and resulting fires;

(v) droughts;

(vi) permafrost thawing; and

(vii) coastal erosion; and

(B) securing the right of communities displaced by disasters to return and supporting the relocation of communities located in areas where safe habitation is no longer possible.

(d) INTERIM DEFINITION.—In this Act, until the date on which the Center for the Climate Resilience Workforce defines climate resilience sectors for the purposes of this Act, the term “climate resilience sectors” shall include the employment sectors described in subsection (c).

SEC. 8. DISAGGREGATION OF DATA.

With respect to any data collection under this Act, the disaggregation of data under this Act shall not be required when the number of program participants in a category is insufficient to yield statistically reliable information or when the results would reveal personally identifiable information about a program participant or would reveal such information when combined with other released information.
TITLE I—NATIONAL CLIMATE RESILIENCE ACTION PLANNING

SEC. 101. INTERAGENCY WORKGROUP.

(a) ESTABLISHMENT.—The Director of the Office of Climate Resilience shall convene an interagency workgroup of Federal agencies for which such agency’s mission relates to climate resilience.

(b) FUNCTIONS.—The interagency workgroup convened under subsection (a) shall—

(1) inform a national climate resilience action plan that includes the Federal Government and extends beyond the scope of the Federal Government; and

(2) develop agency specific climate resilience action plans.

(c) COMPOSITION.—The interagency workgroup convened under subsection (a) shall include at least 1 representative from, at a minimum—

(1) the Department of Agriculture;

(2) the Department of Commerce;

(3) the Department of Defense;

(4) the Department of Education;

(5) the Department of Energy;

(6) the Department of Health and Human Services;
(7) the Department of Homeland Security;
(8) the Department of Housing and Urban Development;
(9) the Department of Labor;
(10) the Department of the Interior;
(11) the Department of State;
(12) the Department of Transportation;
(13) the Environmental Protection Agency;
(14) the Council on Environmental Quality;
(15) the Office of the United States Trade Representative;
(16) the Office of Management and Budget;
and
(17) the National Economic Council.

SEC. 102. CLIMATE RESILIENCE TASK FORCE.

(a) Establishment.—The Director of the Office of Climate Resilience shall convene a Task Force of external stakeholders who possess expertise related to climate resilience to inform a national climate resilience action plan.

(b) Appointment Process.—

(1) In general.—The Director of the Office of Climate Resilience shall establish a public nomination and appointment process for individuals with expertise in the activities described in section 7(c) of this Act.
(2) REVISION OF SCOPE.—As the Center for the Climate Resilience Workforce updates the definition of climate resilience sectors under section 7 of this Act, the Director may appoint additional members to, expand the scope of, and alter the structure of the Task Force as needed to fulfill the purpose of the Task Force.

(c) SIZE OF TASK FORCE.—The task force shall be comprised of not less than 20 members. The Director shall appoint as many members as determined necessary to ensure that the Task Force possesses sufficient knowledge and expertise to make recommendations of sufficient depth and breadth to inform the development of a robust national climate action plan.

(d) STRUCTURE OF TASK FORCE.—

(1) IN GENERAL.—The Task Force members shall appoint a Chair who will serve as the liaison between the Task Force and the Office.

(2) COMMITTEES.—Members of the Task Force shall establish issue-specific committees to focus on mitigation, preparation and adaptation, and disaster preparedness, recovery, and rebuilding activities as described in section 7(c) of this Act.

(e) QUALIFICATIONS.—Each member of the Task Force shall be qualified by education, training, or lived,
volunteer, or paid work experience in the activities specified in section 7(e) of this Act to evaluate information and make recommendations on matters referred to the Task Force under this Act. Individuals appointed to the Task Force shall include—

(1) individuals with experience implementing strategies to achieve absolute reductions in greenhouse gas emissions from the transportation, electricity generation, industrial, commercial and residential building and agricultural sectors, including experience as a community organizer on climate mitigation issues or a frontline worker in such sectors;

(2) individuals with experience in preparation and adaptation, including—

(A) workers from care industries, including healthcare, childcare, elder care, home care and other related occupations;

(B) community organizers with expertise in disaster preparedness and recovery and building robust grassroots community support networks, mutual aid networks, and emergency hubs;

(C) public sector leaders and employees from Federal, State, local, and Tribal govern-
ments with experience in administering social
safety net programs;

(D) individuals with scientific, technical, programmatic, and community expertise in im-
plementing measures to address the risks to each of the environmental systems mentioned in section 7(c);

(E) individuals with scientific, technical, programmatic, and community expertise in im-
plementing measures to address the risks to each of the economic systems mentioned in sec-
tion 7(c);

(F) individuals with experience in orga-
nized labor and labor-management partner-
ships;

(G) individuals with expertise in climate-
related disaster preparedness, response, recov-
er, and rebuilding from both the public and private sector; and

(H) emergency managers at local and State government emergency management of-
fices.
SEC. 103. PROCESS AND OUTCOMES FOR DEVELOPMENT OF

NATIONAL CLIMATE RESILIENCE ACTION

PLAN.

(a) PROCESS.—

(1) IN GENERAL.—The Director of the Office of
Climate Resilience shall convene the following groups
to engage in the development of a national climate
resilience action plan:

(A) The Interagency Workgroup estab-
lished under section 101 of this Act.

(B) The Climate Resilience Equity Advi-
sory Board established under section 5 of this
Act.

(C) The Climate Resilience Task Force es-
tablished under section 102 of this Act.

(D) Labor, worker, and workforce develop-
ment stakeholders.

(E) The Center for the Climate Resilience
Workforce established under section 6 of this
Act.

(2) SUBGROUPS.—

(A) IN GENERAL.—The Director may con-
vene subgroups of the groups convened under
paragraph (1) to facilitate depth of discussion
and planning related to specific issue areas or
topics.
(B) REQUIREMENT.—In convening a subgroup pursuant to subparagraph (A), the Director shall ensure that at least 2 members of the Climate Resilience Equity Advisory Board are included in such subgroup to ensure that the knowledge, lived experiences, and priorities of frontline communities are integrated into decisions around climate resilience strategies.

(C) RECOMMENDATIONS.—In carrying out functions under a subgroup convened pursuant to subparagraph (A), the Climate Resilience Equity Advisory Board may issue recommendations to any subgroup convened.

(b) OUTCOMES.—The national climate resilience action plan developed under this section shall—

(1) detail goals and priority strategies that shall be taken to achieve a climate resilient nation and include specific actions, timelines, targets, evaluation metrics, and stakeholders responsible for implementation and oversight, including goals, strategies, and actions that—

(A) encompass the entirety of climate resilience;
(B) focus on mitigation, preparation, adaptation, and disaster recovery and rebuilding activities as described in section 7(c) of this Act;

(C) prioritize frontline communities; and

(D) address the underlying and systemic factors of systemic racism, economic inequity, and environmental degradation and pollution that have led to inequitable climate risks and impacts;

(2) identify current and projected national workforce needs to carry out the strategies and actions described in paragraph (1), including—

(A) the existing jobs, skills, and occupations that pertain to climate resilience work;

(B) the additional number of jobs that need to be created to carry out such strategies and actions and the projected cost of such jobs;

(C) emerging skills and occupations that are needed and new training requirements to ensure that the United States has a sufficiently skilled workforce to achieve climate resilience;

(D) strategies to achieve racial and gender equity in job creation and training, including strategies to ensure equity and prioritization in training and hiring members of frontline com-
communities and populations facing barriers to employment; and

(E) future projections for growth of the climate resilience workforce, including demand data by job, skill, and occupation; and

(3) identify regional variation in risks, strategies, and workforce needs.

(c) Consultation of Resources.—In developing the national climate resilience action plan under this section, the groups convened under subsection (a)(1) may consult the following resources to inform the identification of strategies and actions under subsection (b):

(1) Studies and policy guidance drafted by frontline communities and advocates, including—

(A) the People’s Orientation for a Regenerative Economy;

(B) Movement for Black Lives policy guidance;

(C) Gulf South for a Green New Deal policy platform;

(D) Equitable and Just National Climate platform;

(E) various platforms of the BlueGreen Alliance;
(F) United States Climate Action Network’s vision for equitable climate action; and

(G) Union of Concerned Scientists climate resilience framework.

(2) Governmental and intergovernmental data, reports, studies, and tools, including—

(A) the reports of the Intergovernmental Panel on Climate Change;

(B) the United States Global Change Research Program’s 4th National Climate Assessment;

(C) the United States Climate Resilience Toolkit;

(D) Center for Climate and Energy Solutions Resilience Portal;

(E) various platforms of Resilience Force; and

(F) Bureau of Labor Statistics and United States Energy and Employment report data, including data on gender, race, ethnicity, and union representation.

(d) CONSULTATION OF STAKEHOLDERS.—In convening the groups under subsection (a)(1) to identify current and projected national workforce needs under subsection (b)(2)—
(1) labor, worker, and workforce development stakeholders shall be consulted to provide input and recommendations on labor, worker, workforce development, and training needs; and

(2) the Climate Equity Advisory Board shall be consulted to identify the skills and sectors of priority for frontline communities.

(e) REPORT TO CONGRESS.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Director shall submit to Congress a progress report on the development of a national climate resilience action plan.

(2) REPORT OF DIRECTOR.—Not later than 2 years after the date of enactment of this Act, the Director shall submit to Congress a copy of the national climate resilience action plan developed under this section.

(3) REPORTING REQUIREMENT.—Not later than 1 year after the date of the submission of the national climate resilience action plan under paragraph (1), and each year thereafter, the Office of Climate Resilience shall submit to Congress a report describing the progress towards achieving climate resilience described in such plan.
(f) Revision.—Not later than once every 5 years after the date on which the national climate resilience action plan is submitted under subsection (e)(1), the groups convened under subsection (a)(1) shall update such plan.

SEC. 104. FEDERAL AGENCY CLIMATE RESILIENCE ACTION PLANS.

(a) In General.—Not later than 1 year after the date of enactment of this Act, the head of each Federal agency shall submit to the Director a progress report on the development of agency-specific climate action plans.

(b) Development.—Not later than 2 years after the date of enactment of this Act, the head of each Federal agency shall develop a climate resilience action plan for such agency that details the actions that each Federal agency shall take to support national climate resilience.

(c) Contents.—Each agency climate resilience action plan developed under subsection (a) shall—

(1) align with the goals and strategies of the national climate resilience action plan developed under section 103;

(2) include agency-specific targets and evaluation metrics, in line with the plan’s general goals, strategies, targets, and evaluation metrics;

(3) detail the changes that the agency will make to any existing activities that threaten climate resil-
ience and any new activities the agency will take to support climate resilience;

(4) detail how the agency will integrate climate resilience into current or future agency strategic plans;

(5) list clear actions the agency will take, the entities responsible for such actions, and timelines for implementation;

(6) be developed in consultation with labor, worker, and workforce development stakeholders;

(7) ensure that frontline communities are prioritized in each agency’s efforts towards climate resilience;

(8) be reviewed by the Climate Resilience Equity Advisory Board and either incorporate, or provide justification for excluding, any recommendations made by the Board;

(9) build on any existing agency climate adaptation and sustainability plans;

(10) reflect the definition of climate resilience under this Act;

(11) ensure resilience of the agency in the face of climate change risks to ensure the agency’s ability to accomplish its mission and protect the value of its assets and people;
(12) include current and projected Federal workforce needs, including necessary skills and training, to carry out the actions outlined in the plan;

(13) highlight limitations in statutory authority, resource constraints, data gaps, and personnel training needs that are hindering the agency’s ability to fully undertake the activities needed to support climate resilience;

(14) be submitted to the appropriate committees of jurisdiction within the House of Representatives and Senate not later than 2 years after the date of enactment of this Act to allow Congress to act accordingly to—

(A) provide funding and to ensure Federal agencies, departments, and offices have adequate resources to carry out the activities outlined in the agency plan;

(B) support existing jobs, create new jobs, and support personnel training that are critical to the Federal Government’s activities to support climate resilience;

(C) conduct oversight to ensure each agency is carrying out the plan for such agency; and
address limitations in statutory authority through legislation; and

be revised not less frequently than every 5 years.

(d) **Responsibilities of the Office of Climate Resilience.**—In carrying out this section, the Office of Climate Resilience shall—

(1) not later than 90 days after the date of enactment of this Act, develop and issue specific guidelines for planning;

(2) compile each plan developed by each Federal agency under this section into a cohesive Federal Government climate resilience action plan;

(3) select the agency that has made the greatest contributions to climate resilience to receive an annual award, that shall include additional funding to carry out climate resilience work; and

(4) provide technical assistance, coordination, and support for agencies in carrying out each agency’s action plan developed under this section.

(e) **Consultation of Resources.**—In developing an action plan under this section, a Federal agency may consult—

(1) the United States Council on Climate Preparedness and Resilience’s 2016 report titled “Op-
opportunities to Enhance the Nation's Resilience to Climate Change’’;

(2) the 2014 recommendations from the State, Local, and Tribal Leaders Task Force on Climate Preparedness and Resilience;


(4) Executive Order 13653, “Preparing the United States for the Impacts of Climate Change”;

and


TITLE II—STATE, TRIBAL, LOCAL, AND COMMUNITY CLIMATE RESILIENCE ACTION PLANNING

SEC. 201. CLIMATE RESILIENCE PLANNING GRANTS.

(a) Establishment.—Not later than 90 days after the date of enactment of this Act, the Director of the Office of Climate Resilience shall establish a Climate Resil-
ience Planning grant program (hereinafter referred to as the “grant program”).

(b) PURPOSE.—The purpose of the grant program is to support States, Tribes, localities, regional groups, non-profit organizations, and community groups in conducting climate change risk assessments and developing climate resilience action plans.

(c) ELIGIBILITY.—The following entities are eligible for a grant under this section:

(1) State governments.
(2) Tribal governments.
(3) Local governments.
(4) Regional governmental groups.
(5) Nonprofit organizations.
(6) Grassroots community groups that partner with a fiscal sponsor that is exempt from taxation under section 501(c)(3) of the Internal Revenue Code of 1986.

(d) INITIAL APPLICATIONS.—Not later than 120 days after the date of enactment of this Act, the Director shall publish a request for applications for a grant under this section.

(e) APPLICATION REQUIREMENTS.—To be eligible for a grant under this section, an applicant shall submit to the Director an application at such time, in such manner,
and containing such information as the Director may require, including, at a minimum—

(1) a certification that such applicant has formed an advisory board that—

(A) has majority representation from frontline communities;

(B) has at least 1 individual who possesses scientific knowledge or experience in conducting risk assessments pertaining to climate change;

(C) has labor, worker, and workforce development stakeholders, including at least 1 representative of a labor union and 1 individual representing populations facing barriers to employment; and

(D) allows advisory board members to receive compensation for participation on such board if it is determined that the individual serving would incur financial hardship or otherwise be unable to participate without such compensation;

(2) details on the population represented by the entity, including demographic information on population size, income, race, education level, and primary sectors of employment;
(3) reasons for seeking grant funding to support climate resilience planning;

(4) details on advisory board members including name, organizational affiliation (if applicable), qualifications, and letters of support from 3 local community-based nonprofit organizations verifying the accuracy of the information presented;

(5) a list of the stakeholders that will be involved in the planning process;

(6) details on how the advisory board will be incorporated into the planning process;

(7) the identity of the individual who will lead the planning process and whether an external entity will be hired to facilitate the planning process;

(8) the expected timeline for how long the planning process is expected to take;

(9) expected data sources for local employment and worker data;

(10) a community engagement plan detailing—

(A) steps that will be taken to ensure that frontline communities are informed about the planning process; and

(B) accommodations that will be made to ensure that such groups have the opportunity to
participate in the planning process and provide
public comment before the plan is finalized; and
(11) a detailed budget for the planning process.

(f) PRIORITIZATION.—Grants under this section will
be prioritized for proposals submitted by entities that rep-
resent frontline communities.

(g) ELIGIBLE USE OF FUNDS.—A grant under this
section may be used for—

(1) compensation for advisory board members;
(2) facilitation costs;
(3) materials and supplies;
(4) community engagement and outreach ex-
   penses; and
(5) compensation for technical assistance or
   support.

(h) GRANT DURATION.—A grant under this section
shall be for a period of 2 years, unless the Director ex-
tends such period.

(i) FEDERAL SHARE.—The Federal share of the
costs of an activity carried out using a grant under this
section shall be 100 percent.

(j) RESOURCE CONSULTATION.—Entities receiving a
grant under this section may consult with the resources
described in section 103(c) of this Act to carry out plan-
ning efforts under this section.
(k) Planning Requirements.—Entities shall ensure that plans meet the following requirements:

(1) Using data, assess how climate change will create new, or alter current climate related risks, and how such risks are distributed within and across natural ecosystems and human communities, including—

(A) with respect to human communities, risks should be assessed by geography, race, ethnicity, socioeconomic status, health and other demographic and social factors; and

(B) with respect to natural ecosystems, risks should be assessed by geography, species and ecosystem services.

(2) Identify natural species, ecosystem services and human populations that face disproportionate risks and impacts of climate change, including—

(A) with respect to human populations, identifying risks due to historic and ongoing systemic racism, economic inequity, and environmental degradation and pollution; and

(B) with respect to natural species and ecosystem services, identifying risks due to environmental degradation, pollution and other anthropogenic impacts.
(3) Identify goals and priority strategies, specific actions, targets, timelines, and evaluation metrics to achieve a climate resilient community that shall—

(A) encompass the full definition of climate resilience to include strategies pertaining to mitigation, preparation and adaptation, and disaster preparedness, recovery, and rebuilding;

(B) prioritize frontline communities;

(C) address the underlying and systemic factors of systemic racism, economic inequity, and environmental degradation and pollution that have led to inequitable climate risks and impacts; and

(D) align with the goals, strategies, actions, targets and evaluation metrics detailed in the National Climate Resilience Action plan, if available.

(4) Identify stakeholders responsible for implementation and oversight.

(5) Government entities must involve every relevant agency or office in the planning process and detail the actions each agency or office will take as relevant to the agency or office’s mission to protect the jurisdiction from identified risks.
(6) The advisory board must be meaningfully included and consulted in the development of the plan and offer recommendations.

(7) Identify workforce needs to implement the climate resilience strategies and actions identified in the plan, per the requirements in section 103(b)(2) of this Act.

**TITLE III—CLIMATE RESILIENCE WORKFORCE GRANTS**

**SEC. 301. JOB CREATION GRANTS.**

(a) In General.—Not later than 90 days after the date of enactment of this Act, the Director of the Office of Climate Resilience shall, in coordination with the Secretary of Labor, establish a Climate Resilience Job Creation grant program.

(b) Purpose.—The purpose of the grant program established under this section shall be to fund projects to be carried out by eligible entities for the purpose of—

(1) creating local jobs to build the nation’s climate resilience workforce;

(2) implementing the strategies, actions, and projects laid out in climate resilience action plans that meet the criteria specified in section 201(k) of this Act; and
(3) halving unemployment by creating 1,000,000 jobs annually that last not less than 4 years and provide benefits, pathways to family-sustaining careers, a living wage, worker safety and voice to United States workers.

(c) Eligibility.—

(1) In general.—An entity may be eligible for a grant under this section if such entity—

(A) is a State, Tribe, locality, regional group, nonprofit organization, labor organization and labor-management organization, or community group; and

(B) includes in the application a climate resilience action plan that—

(i) has been approved under section 201(k) of this Act; or

(ii) meets the requirements for a plan in such section.

(2) Prior grant.—An entity may be eligible under paragraph (1) regardless of whether the entity received a grant under section 201 of this Act.

(d) Priority.—The Director shall prioritize grant funding for any entity that—

(1) represents a frontline community;
(2) demonstrates a history of or commitment to hiring graduates of—

(A) the programs funded by the workforce development training grants in section 302; or

(B) any pre-apprenticeship or registered apprenticeship program;

(3) commits to ensuring that at least 40 percent of jobs created under a grant under this section will be held by individuals from—

(A) frontline communities; and

(B) populations facing barriers to employment;

(4) proposes a project that serves a frontline community; or

(5) demonstrates strong support from a frontline community.

(e) REQUIREMENTS.—An entity carrying out a project funded under this section shall do the following:

(1) Support or create climate resilience jobs specified in local climate resilience action plans.

(2) Support or create jobs that meet the labor standards specified in title IV.

(3) Eliminate barriers to employment as specified in title V.
(f) APPLICATIONS.—The Director shall require an eligible entity to submit an application that includes—

(1) a description of the applicant’s plan to meet the requirements for priority under subsection (d);

(2) an attestation that the applicant will adhere to the minimum labor standards specified in section 401, and provide the Director at such time, in such manner, and containing such information as the Director may reasonably require, to demonstrate compliance with the requirements under section 401(a)(3);

(3) a plan to report to the Office aggregate data on the sustainable jobs with community supporting wages supported by grant funding and demographic statistics of jobs created, disaggregated by gender, race, age, education level, and number of sustainable jobs with community supporting wages hired from frontline communities and populations facing barriers to employment; and

(4) a detailed budget for positions to be supported by the grant.

(g) REPORTING.—Not later than 6 months after receipt of a grant under this section, and every 6 months thereafter until the termination of such grant, the recipi-
ent of such grant shall submit to the Director a report that includes—

(1) aggregate data on workers and demographic statistics of jobs created under this section, including—

(A) the number of workers hired; 

(B) non-identifying data on the race, gender, and ZIP Code for workers hired; and

(C) the wages and benefits paid in those jobs including income broken out by race and gender, other benefits provided to persons employed in those jobs, broken out by race and gender, weekly hours worked by workers employed through jobs created, and, if jobs are time-limited, duration of employment;

(2) progress on the climate resilience projects, strategies and actions being implemented by workers in relation to timelines laid out in plan;

(3) expenditures to date; and

(4) plan for securing other funds to support the jobs supported or created by this grant.

(h) GRANT DURATION.—A grant under this section may be terminated with 30 days notice if the grantee—

(1) has failed to meet the labor and employment baseline requirements of this bill; or
(2) has had more than one substantiated complaint against them for a violation of a provision under the jurisdiction of the National Labor Relations Board, Equal Employment Opportunity Commission, Wage and Hour Division, Department of Justice’s Civil Rights Division, Occupational Safety and Health Administration, Department of Labor’s Climate Resilience Workers Commission or the Environmental Protection Agency.

(i) REQUEST FOR APPLICATIONS.—Not later than 120 days after the date of enactment of this Act, the Office shall publish a request for applications for grants under this section.

SEC. 302. WORKFORCE DEVELOPMENT TRAINING AND HIRING GRANTS.

(a) ESTABLISHMENT.—Not later than 90 days after the date of enactment of this Act, the Director of the Office of Climate Resilience shall, in coordination with the Secretary of Labor, establish a Climate Resilience Workforce Development, Apprenticeship and Pre-Apprenticeship Grant Program.

(b) PURPOSE.—The purpose of the grant program is to provide funds to eligible entities to—

(1) establish new apprenticeship, pre-apprenticeship and workforce development programs that
prepare workers to immediately train for and access
jobs created through section 301 of this Act;

(2) maintain or expand existing apprenticeship,
pre-apprenticeship and workforce development pro-
grams that provide training for climate resilience in-
dustries, jobs, and career paths;

(3) support national industry and equity inter-
mediaries in establishing or expanding sector-based
partnerships and labor-management partnerships to
support the delivery or expansion of climate resil-
ience-related programs under the national appren-
ticeship system to significant scale in the United
States;

(4) provide direct financial assistance to ap-
prentices, pre-apprentices, or youth apprentices
through emergency grants to support their financial
needs to enter, remain enrolled in, and complete
such programs, such as support for the related costs
of supplies and equipment, courses, transportation,
child care, and housing;

(5) establish or expand partnerships with orga-
nizations that provide program participants access
to financial planning, mentoring, and supportive
services that are necessary to enable an individual to
participate in and complete a program under the na-
tional apprenticeship system or the national workforce development system;

(6) conduct targeted outreach and recruitment to frontline communities and populations facing barriers to employment;

(7) provide training services and workforce investment activities that expand the climate resilience workforce;

(8) assist workers to obtain interim credentials and recognized post-secondary credentials that build proficiency for climate resilience-related careers;

(9) provide assistance in creating and obtaining accreditations and licenses that demonstrate proficiency or specialized skills related to climate resilience careers; and

(10) carry out the activities described in section 601(a) of this Act.

(c) ELIGIBLE ENTITIES.—The following entities are eligible to apply for a grant under this section:

(1) A State workforce development board or State workforce agency, a local government, or a local workforce development board or local workforce development agency.

(2) An education and training provider.

(3) A State apprenticeship agency.
(4) An Indian Tribe or Tribal organization.

(5) An industry or sector partnership, a group of employers, a trade association, or a professional association that sponsors or participates in a program under the national apprenticeship system.

(6) A Governor of a State.

(7) A labor organization or joint labor-management organization.

(8) A qualified intermediary.

(9) A nonprofit organization.

(10) A co-operative.

(11) A public institution of higher education at which the highest degree that is predominantly awarded to students is an associate’s degree, including 2-year tribally controlled colleges under section 316 of the Higher Education Act (20 U.S.C. 1059e) and public 2-year State institutions of higher education.

(12) A consortium or partnership among any of the entities under this subsection.

(d) REQUIREMENTS.—

(1) IN GENERAL.—A recipient of a grant under this section shall use such funds to do the following:

(A) Train individuals to work in climate resilience jobs with community supporting
wages specified in local climate resilience plans
or for climate resilience disaster recovery and
rebuilding jobs, including through pre-appren-
ticeship or apprenticeship programs.

(B) Provide job placement assistance.

(C) Develop a plan to publish aggregate
demographic statistics for program entrants
and graduates.

(D) Provide wraparound support services
to eliminate barriers to employment, as relevant
to the specific populations served by the pro-
gram, including case management assistance,
stipends, tools, and equipment or other support
needed for success in completing the training
and in subsequent employment.

(2) PARTNERSHIPS.—A recipient of a grant
under this section may partner with other eligible
entities to ensure that the activities under paragraph
(1) are carried out.

(e) PRIORITY CONSIDERATIONS.—Priority shall be
given to an eligible entity that—

(1) demonstrates success serving populations
facing barriers to employment and frontline commu-
nities;
(2) is a partnership among 2 or more eligible entities;

(3) is a joint labor-management organization; and

(4) provides a wide and flexible range of supportive services to participants including direct financial assistance, quality childcare services, housing assistance, case management, and other assistance that successfully addresses barriers to program completion.

(f) Grant Duration.—

(1) In General.—A grant under this section shall last for a period of 5 years.

(2) Renewal.—The Director may renew grants under this section as the Director determines appropriate.

(g) Prohibition on Use of Funds.—No funds under this section may be used—

(1) to carry out an industry recognized apprenticeship program that is not an apprenticeship program under section 3 of this Act; or

(2) to recognize a program described in paragraph (1).

(h) Federal Share.—Not later than 120 days after the date of enactment of this Act, the Office shall publish
a request for applications that, at minimum, reflects the above requirements. There shall be no matching requirement for grants.

(i) REPORTING.—Not later than 6 months after receipt of a grant under this section, and every 6 months thereafter until termination of such grant, the recipient of such grant shall submit to the Director a report that includes aggregate demographic statistics for program entrants and graduates, rates of program completion and job placement, and demographics of populations enrolled in and completing the program, including rates of recruitment, program completion and job placement for populations facing barriers to employment.

SEC. 303. VIRTUAL TECHNICAL ASSISTANCE AND CAPACITY BUILDING.

(a) TECHNICAL ASSISTANCE.—

(1) IN GENERAL.—The Director shall provide virtual and remote technical assistance support to entities that seek to apply for the grant programs specified in sections 201, 301, and 302 and require assistance navigating the Federal grants process and that are—

(A) a community-based nonprofit organization with fewer than 20 employees;

(B) a grassroots community group;
(C) a co-operative;

(D) a Tribal government or Tribal organizations; or

(E) a locality with a population of not greater than 50,000.

(2) LETTER OF INTENT.—Entities seeking technical assistance support with the grant application process must submit a letter of intent to the Office detailing the grant for which they wish to apply, along with proof of tax-exempt 501(c)(3) status, worker co-op status or proof of population size of municipality.

(3) RECRUITMENT.—Not later than 90 days after the date of enactment of this Act, the Director shall hire and train full time employees to carry out paragraph (1).

(4) PHONE OR WEB CONFERENCE ASSISTANCE.—Technical assistance support may be provided by phone or web conferencing.

(b) CAPACITY BUILDING.—

(1) IN GENERAL.—The Director may provide entities seeking to apply for grants under sections 201, 301, and 302 up to 10 percent of grant funds to build the capacity of the organization to apply for Federal grants, conduct the administrative and fi-
nancial management of grants, and conduct nec-

essary reporting.

(2) REQUIREMENT.—An entity seeking funds
under paragraph (1) must include in the letter of in-
tent under subsection (a)(2) a statement of need for
capacity building support in their application and re-
fect expected expenses in the budget submitted with
the application.

TITLE IV—LABOR STANDARDS
AND ENFORCEMENT

SEC. 401. MINIMUM LABOR STANDARDS FOR CLIMATE RE-
SILIENCE WORKERS.

(a) ENTITIES FUNDED THROUGH GRANT PROGRAMS
CREATED BY THIS ACT.—

(1) IN GENERAL.—Notwithstanding any other
provision of law, an entity that, directly or indi-
rectly, receives funds under section 301 or 302,
without regard to the form or type of Federal assist-
ance provided under such section or part, shall com-
ply with labor standards under this section.

(2) MONITORING COMPLIANCE.—Not later than
90 days after the date of enactment of this Act, the
Director, in coordination with the Secretary, shall—

(A) develop a process to monitor compli-
ance with the labor standards specified in this
section, including coordination with the Climate Resilience Workers Commission, that requires entities receiving funding through the grant program established in section 301 to provide information to demonstrate compliance at any time during the grant period;

(B) issue rules to determine penalties for noncompliance; and

(C) notify the Office of any entity that is determined to be noncompliant.

(3) LABOR STANDARDS REQUIREMENTS.—The Director shall require an entity, as a condition of eligibility to receive funding under sections 301 to satisfy each of the following requirements:

(A) The entity shall ensure that—

(i) all laborers and mechanics employed on projects funded directly, or assisted in whole or in part, by this Act shall be paid wages at rates not less than those prevailing on projects of a character similar in the locality as determined by the Secretary of Labor in accordance with subchapter IV of chapter 31 of part A of subtitle II of title 40, United States Code
(commonly referred to as the “Davis-Bacon Act”); 

(ii) all individuals employed using funds under this Act in the manufacture or furnishing of materials, supplies, articles, or equipment under the contract will be paid wages at rates not less than employees performing similar work or in the particular or similar industries or groups of industries currently operating in the locality in which the materials, supplies, articles, or equipment are to be manufactured or furnished as determined by the Secretary of Labor in accordance with sections 6501 through 6511 of title 41, United States Code (commonly referred to as the “Public Contracts Act”); and 

(iii) all individuals employed in the various classes of service employees using funds under this Act are paid wages at rates not less than the employees performing similar work in the locality as determined by the Secretary under chapter 67 of title 41, United States Code (com-
monly known as the “Service Contract
Act”).

(B) In the case of any project for which
the total cost exceeds $25,000,000, the entity
shall be a party to, or require contractors and
subcontractors in the performance of such
project to be a party to a covered project labor
agreement.

(C) The entity, and all contractors and
subcontractors in performance of any project,
shall represent in the application submitted
under sections 301 of this Act (and periodically
thereafter during the performance of the project
as the Director may require) whether there has
been any administrative merits determination,
arbitrary award or decision, or civil judgment, as
defined in guidance issued by the Director, ren-
dered against the entity in the preceding 3
years (or, in the case of disclosures after the
initial disclosure, during such period as the Di-
rector may provide) for violations of—

(i) the Fair Labor Standards Act of
1938 (29 U.S.C. 201 et seq.);
(ii) the Occupational Safety and Health Act of 1970 (29 U.S.C. 651 et seq.);

(iii) the Migrant and Seasonal Agricultural Worker Protection Act (29 U.S.C. 1801 et seq.);

(iv) the National Labor Relations Act (29 U.S.C. 151 et seq.);

(v) subchapter IV of chapter 31 of title 40, United States Code (commonly referred to as the “Davis-Bacon Act”);

(vi) chapter 67 of title 41, United States Code (commonly known as the “Service Contract Act”);

(vii) sections 6501 through 6511 of title 41, United States Code (commonly referred to as the “Public Contracts Act”);

(viii) Executive Order 11246 (relating to equal employment opportunity);

(ix) section 503 of the Rehabilitation Act of 1973 (29 U.S.C. 793);

(x) section 4212 of title 38, United States Code;

(xi) the Family and Medical Leave Act of 1993 (29 U.S.C. 2601 et seq.);
(xii) title VII of the Civil Rights Act of 1964 (42 U.S.C. 2000e et seq.);
(xiii) the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.);
(xiv) the Age Discrimination in Employment Act of 1967 (29 U.S.C. 621 et seq.);
(xv) sick leave for Federal contractors Executive order;
(xvi) leave provided under section 5102 of the Emergency Paid Sick Leave Act (29 U.S.C. 2601 note);
(xvii) Executive Order 14026 (relating to the minimum wage for Federal contractors); or
(xviii) State laws with protections equivalent to the protections listed under this subparagraph, as defined in guidance issued by the Secretary of Labor not later than 90 days after the date of enactment of this Act.

(D) The entity, and all contractors and subcontractors in the performance of the project, may not require arbitration for any dispute involving an employee described in sub-
paragraph (E) engaged in a service for the entity or any contractor and subcontractor, or enter into any agreement with such employee requiring arbitration of any such dispute, unless such employee is covered by a collective bargaining agreement that provides otherwise.

(E) For purposes of compliance with the National Labor Relations Act (29 U.S.C. 151 et seq.), the Fair Labor Standards Act of 1938 (29 U.S.C. 201 et seq.), and the requirements under this section, the entity, and all contractors and subcontractors in the performance of any project, shall consider an individual performing any service in such performance as an employee (and not an independent contractor) of the entity, contractor, or subcontractor, respectively, unless—

(i) the individual is free from control and direction in connection with the performance of the service, both under the contract for the performance of the service and in fact;

(ii) the service is performed outside the usual course of the business of the en-
tity, contractor, or subcontractor, respectively; and

(iii) the individual is customarily engaged in an independently established trade, occupation, profession, or business of the same nature as that involved in such service.

(F) The entity shall prohibit all contractors and subcontractors in the performance of any project from hiring employees through a temporary staffing agency unless the relevant State workforce agency certifies that temporary employees are necessary to address an acute, short-term labor demand.

(G) The entity shall require all contractors, subcontractors, successors in interest of the entity, and other entities that may acquire the entity, in the performance or acquisition of any project, to have and abide by an explicit neutrality policy on any issue involving the exercise by employees of the entity as described in paragraph (5), and of all contractors and subcontractors in the performance of any project, of the right to organize and bargain collectively through representatives of their own choosing.
(H) Except for persons covered under subparagraph (A)(1), the entity shall pay persons employed, in whole or in part, using funds under this Act—

(i) for the 1-year period beginning on the date of enactment, not less than $15 per hour;

(ii) for each year thereafter, the amount determined by the Secretary under paragraph (4).

(4) INCREASE IN MINIMUM WAGE.—

(A) IN GENERAL.—The wage determined by the Secretary under this paragraph shall be equal to the amount in effect for the previous year—

(i) increased by the annual percentage increase, if any, in the median hourly wage of all employees as determined by the Bureau of Labor Statistics; and

(ii) rounded up to the nearest multiple of $0.05.

(B) RULE OF CONSTRUCTION.—Nothing in this section shall be construed preempt the application of higher wage scales determined by
Federal, State, or municipal law or regulation
or collective bargaining agreements.

(5) ADDITIONAL WORKER RIGHTS.—The fol-
lowing provisions shall apply with respect to any in-
dividual employed using funds under section 301:

(A) PRIVATE RIGHT OF ACTION FOR VIOL-
ATIONS.—

(i) IN GENERAL.—Any employer who
violates the provisions of section 401(a)(3)
or subparagraph (B) or (E) shall be liable
to the employee or employees affected in
the amount of—

(I) unpaid minimum wages or
their unpaid overtime compensation,
as the case may be;

(II) an additional equal amount
as liquidated damages, back pay, com-
pensatory damages, and punitive dam-
ages, as the Secretary determines ap-
propriate; and

(III) such legal or equitable relief
as may be appropriate to effectuate
the purposes of these sections, includ-
ing without limitation employment, re-
instatement, promotion, and the pay-
ment of wages lost and an additional
equal amount as liquidated damages.

(ii) PRIVATE RIGHT.—An action to re-
cover the liability prescribed in clause (i)
may be maintained against any employer
(including a public agency) in any Federal
or State court of competent jurisdiction by
any one or more employees for and in be-
half of themself, themselves and other em-
ployees similarly situated. The court in
such action shall, in addition to any judg-
ment awarded to the plaintiff or plaintiffs,
allow a reasonable attorney’s fee to be paid
by the defendant, and costs of the action.

(iii) ENFORCEMENT BY THE SEC-
RETARY.—The Secretary may bring an ac-
tion in any court of competent jurisdiction
to recover damages described in clause (i).

(B) WHISTLEBLOWER PROTECTIONS.—It
shall be unlawful for any person to discharge or
in any other manner discriminate against any
employee because such employee has filed any
complaint or instituted or caused to be insti-
tuted any proceeding under or related to this
chapter, or has testified or is about to testify in
any such proceeding, or has served or is about to serve on an industry committee.

(C) **JOINT AND SEVERAL LIABILITY.**—Each entity, including grantees, contractors and subcontractors, will be joint and severally liable for all violations of minimum labor standards under this title, regardless of current regulations and court decisions related to standards for joint employment. It shall not be a defense that the work was subcontracted.

(D) **HEALTH INSURANCE REQUIREMENT.**—In the case of an absence of a collective bargaining agreement, the minimum health insurance requirement for workers under this title is fully employer-paid health insurance coverage that at least meets the level of a Silver plan as defined by the Affordable Care Act.

(E) **LEAVE PROVISIONS.**—Paid vacation, paid holidays, sick leave, and family leave in an amount equivalent to that received by comparably employed Federal employees and safe leave equivalent to subsection (b)(2) shall be provided to each worker, depending upon the years of employment with the entity.

(6) **UNION REPRESENTATION.**—
(A) IN GENERAL.—No employer shall receive funds under this Act unless employees who perform or will perform work funded under this Act (including employees of an entity with which the employer contracts for the performance of work funded under this Act) are represented for purposes of collective bargaining by a labor organization.

(B) EXCEPTION.—The restriction under subparagraph (A) shall not apply if—

(i) the employer certifies that such employees are covered by a labor harmony agreement or that no labor organization represents or has expressed interest in representing such employees;

(ii) no employee has expressed interest in representation by a labor organization;

(iii) the Department of Labor publishes the certification required under clause (i); and

(iv) after a reasonable period of not less than 90 days following the publication under clause (ii), no labor organization disputes the certification and the employer again certifies that such employees are cov-
ered by a labor harmony agreement or that
no labor organization represents or has ex-
pressed interest in representing such em-
ployees for the purposes of collective bar-
gaining.

(C) RESTRICTION.—No such employee
may be compelled to become a member of a
labor organization as a condition of employ-
ment.

(D) FUNDING RESTRICTION.—The restric-
tion under subparagraph (A) shall be both a
prerequisite to receiving funds and an ongoing
condition of receiving funds, except in cases in
which a majority of such employees vote pursu-
ant to section 9 of the National Labor Rela-
tions Act (29 U.S.C. 159) to decertify an in-
cumbent labor organization representative dur-
ing the course of funded work.

(E) LABOR HARMONY AGREEMENT DE-
FINED.—In this paragraph, the term “labor
harmony agreement” means a written agree-
ment between an employer and a labor organi-
ization representing, or seeking to represent,
employees that contains, at a minimum, a pro-
vision prohibiting the labor organization and its
members from engaging in any work stoppage or other economic interference with the employer’s funded operations for the duration of the funded work.

(b) Federal Employment Established Under This Act.—Any Federal Government position established under this Act shall be a position in the competitive service and classified under the General Schedule at a level not less than step 1 of GS–04.

(c) Workers Hired Through Other Federal Funding Streams.—Entities hiring workers via the Federal funding streams noted in section 402(c)(1) may be eligible to apply for the Good Climate Resilience Jobs Grant program if they agree to adhere to the minimum labor standards outlined in this section.

(d) National Emergencies.—Eligible entities shall not fail to comply with the standards put forth in this title even in case of natural disaster or other national emergency. Suspensions of worker protections including but not limited to suspensions of section 1 of the Davis-Bacon Act of March 3, 1931 (46 Stat. 1494, as amended, 40 U.S.C. 3147) shall not constitute permissible circumstances for failure by eligible entities to comply with this title.
(e) Application of Other Law.—For purposes of any job created using funds provided under this Act, the requirements of section 22.1803 of title 48, Code of Federal Regulations, shall not apply.

SEC. 402. GOOD CLIMATE RESILIENCE JOBS GRANT PROGRAM.

(a) Establishment.—Not later than 90 days after the enactment of this Act, the Department of Labor Secretary shall establish a Good Climate Resilience Jobs Grant program.

(b) Purpose.—The purpose of the grant program is to incentivize entities receiving Federal funds from existing Federal programs that fund climate disaster recovery and rebuilding activities to adhere to the minimum labor standards outlined in section 401 in employing workers hired using Federal funds.

(c) Eligibility.—

(1) Entities receiving Federal funds from the following programs are eligible to apply for the Good Climate Resilience Jobs Grant program:

(A) Community Development Block Grant of the Department of Housing and Urban Development, including but not limited to amounts appropriated for disaster relief.

(B) National Flood Insurance Program.
(C) Federal Highway Emergency Funds.

(D) United States Army Corps of Engineers Disaster Relief Funds.

(E) The Infrastructure and Communities Grant Program of the Federal Emergency Management Administration.

(F) The Coastal Resilience Grant Program of the National Oceanic and Atmospheric Administration.

(2) Entities that attest that they are applying for or currently receiving Federal funds through the grant programs named in subsection (c)(1) shall be eligible for a matching grant of up to the full amount received through the programs named in subsection (c)(1).

(3) Entities must be willing to submit to Department of Labor any information requested to verify that the entity is complying with the minimum labor standards outlined in section 401 of this Act.

(4) Entities may use matching funds for the following purposes:

(A) Payment of the non-Federal share required in connection with a Federal grant-in-aid program undertaken as part of the programs listed in subsection (c)(1).
(B) Payment of the premium for the National Flood Insurance Program.

(C) For the projects for which entities have received funding through the grant programs named in subsection (c)(1).

(d) NOTIFICATION.—Not later than 90 days after the enactment of this Act, the Secretary of Housing and Urban Development, Federal Emergency Management Administrator, Secretary of Department of Transportation, the Administrator of the National Oceanic and Atmospheric Administration, and Director of the United States Army Corps must amend the application processes pertaining to the programs named in subsection (c)(1) to include information about the Good Climate Resilience Jobs Grant program. Existing applicants and recipients to the programs listed in subsection (c)(1) shall be notified of the grant program and given the opportunity to apply with 60 days of notification.

(e) GRANT PROCESS, COMPLIANCE AND ENFORCEMENT.—

(1) IN GENERAL.—The Department of Labor Secretary shall establish processes for reviewing grant applications, notifying applicants of award decisions, administering grant funds, verifying compliance with the minimum labor standards outlined in
section 401 of this Act, and penalties for noncompliance.

(2) MAINTENANCE OF RECORDS.—The Administrator of the Federal Emergency Management Agency shall direct companies participating in the Write Your Own Program to maintain records pertaining to the labor standards outlined in section 401 of this Act for all workers hired using National Flood Insurance Program funds.

SEC. 403. CLIMATE RESILIENCE WORKERS COMMISSION.

(a) ESTABLISHMENT.—Not later than 90 days after the date of enactment of this Act, the Secretary of the Department of Labor shall establish a Climate Resilience Workers Commission within the Office of the Secretary.

(b) AUTHORITY.—The Commission shall be authorized to—

(1) identify whistleblower procedures that will most effectively allow climate resilience workers to identify violations of Federal, State, and local labor and employment laws, and to report those violations and seek investigation, redress and compensation without suffering retaliation;

(2) identify, recommend and implement a practice by which to provide warnings to entities in violation of minimum labor standards and workers’
rights, to notify the Office of the Secretary of any entities that violate standards and rights, and make recommendations on penalties and transfer of grant funding, jobs, and workers funded through non-compliant entities to other eligible entities without any job loss for climate resilience workers;

(3) collaborate with divisions and offices within the Department of Labor to identify ways by which to promote, enforce, improve, and expand applicable worker protections;

(4) make recommendations on regulations and subregulatory guidances;

(5) convene climate resilience stakeholders for meetings and forums, including the Climate Resilience Worker Safety Committee program described in section 601(d)(2);

(6) operate cross-agency task forces in order to pursue the goals and standards of this Act; and

(7) engage in such other actions as may be under the authority of the Department of Labor to pursue the goals of this Act.

(c) COMMISSION MEMBERSHIP.—

(1) CHAIR.—The Chair of the Commission will be appointed by the Secretary.
(A) Members.—The Commission shall be composed of not less than 20 additional individuals, selected by the Chair of the Commission from nominees proposed pursuant to subparagraph (B), as follows:

(i) Not less than 10 members shall be individuals who are members of frontline communities.

(ii) Not less than 8 members shall be individuals who are members of, or advocate on behalf of, or both, populations facing barriers to employment.

(iii) The Commission shall include a broad and representative group of labor, worker and workforce development stakeholders.

(iv) The Commission shall include representatives from relevant Federal agencies including the Department of Labor’s Occupational Safety and Health Administration and Wage and Hour Division, the Department of Homeland Security’s United States Citizenship and Immigration Services and Federal Emergency Management Agency, the Department of Justice,

(B) NOMINATION.—Nominees for members of the Commission shall be proposed by any grantee or subgrantee under this Act.

(C) REPORT.—Upon selection of members of the Commission, the Commission shall submit a report to Congress identifying the members selected and demonstration of compliance with the provisions of this subsection.

(D) TERMS.—Members of the Commission shall serve terms of 2 years.

(2) MEETINGS.—The Commission shall meet in person not less often than twice each year.

(3) COMPENSATION.—The Secretary shall establish guidelines and a process for providing compensation to individuals who would otherwise not be able to participate or who would experience financial hardship without such compensation.

(4) RULE OF CONSTRUCTION.—The agencies implementing this Act shall construe this Act in a manner that facilitates and encourage the full participation of Commission members and shall consider the barriers faced by frontline communities and pop-
ulations facing barriers to employment and shall en-
deavor to overcome such barriers to participation.

(5) APPLICABILITY OF FACA.—Section 14 of
the Federal Advisory Committee Act (5 U.S.C.
App.) shall not apply with respect to the Commis-
sion.

SEC. 404. WORKERS EMPLOYED USING STAFFORD ACT
FUNDS.

Section 611(j) of the Robert T. Stafford Disaster Re-
lief and Emergency Assistance Act (42 U.S.C. 5196(j))
is amended by adding at the end the following:

“(10)(A) All laborers, mechanics and other workers
employed by contractors or subcontractors who are have
been determined by the Center for the Climate Resilience
Workforce to be performing work within climate resilience
sectors as defined in section 7 of the Climate Resilience
Workforce Act and financed with the assistance of any
contribution of Federal funds made by the Administrator
under this subsection shall have the right of the labor
standards detailed in section 401 of the Climate Resilience
Workforce Act.

“(B) Subparagraph (A) shall apply to workers em-
ployed by contractors or subcontractors who are financed
with the assistance of any contributions of Federal funds
made by the Administrator through PA Grants (42 U.S.C.
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5172), BRIC (42 U.S.C. 5133), or Hazard Mitigation
Grants (42 U.S.C. 5170e), including the Flood Mitigation
Assistance Grant Program (42 U.S.C. 4104c).

“(C) The application of these labor standards are not
limited to construction workers or mechanics.”.

SEC. 405. PAID LEAVE FOR FEDERAL EMPLOYEES WHO ARE
VICTIMS OF DOMESTIC VIOLENCE, SEXUAL
ASSAULT, OR STALKING.

(a) In General.—Subchapter II of chapter 63 of
title 5, United States Code, is amended by adding at the
end the following:

“§ 6329d. Leave for victims of domestic violence, sexual
assault, or stalking

“(a) An employee shall be entitled to leave, without
loss of or reduction in the pay, for any reason described
in subsection (b) if the employee or a spouse, family mem-
ber, or household member of the employee is a victim of
domestic violence, sexual assault, or stalking.

“(b) The reasons described in this subsection are the
following:

“(1) For the employee to seek legal or law en-
forcement assistance or remedies to ensure the
health and safety of the employee or the employee’s
family member or household member including pre-
paring for, or participating in, any civil or criminal
legal proceeding related to or derived from domestic violence, sexual assault, or stalking.

“(2) For the employee to seek treatment by a health care provider for physical or mental injuries caused by domestic violence, sexual assault, or stalking, or to attend to health care treatment for a victim who is the employee’s family member or household member.

“(3) For the employee to obtain, or assist a family member or household member in obtaining, services from a domestic violence shelter, rape crisis center, or other social services program for relief from domestic violence, sexual assault, or stalking.

“(4) For the employee to obtain, or assist a family or household member in obtaining, mental health counseling related to an incident of domestic violence, sexual assault, or stalking, in which the employee or the employee’s family member or household member was a victim of domestic violence, sexual assault, or stalking.

“(5) For the employee to participate in safety planning, temporarily or permanently relocate, or take other actions to increase the safety of the employee or employee’s family member or household
member from future domestic violence, sexual assault, or stalking.

“(c)(1) Paid leave provided to an employee pursuant to subsection (a) shall—

“(A) accrue one hour for each 40-hour workweek (or equivalent) and shall accumulate for use in succeeding years;

“(B) be payable from any appropriation or fund available for salaries or expenses for positions within the employing agency; and

“(C) not be considered to be annual or vacation leave for purposes of section 5551 or 5552 or for any other purpose.

“(2) Paid leave accrued or accumulated by an employee under this section may be transferred to and for the use of any other employee if such other employee requires additional leave under this section.

“(3) If an employee uses paid leave under this section for a period of three consecutive days or longer, the employing agency may require that the employee provide certification supporting the absence, including a written statement by the employee, a police report, a court order, or a written statement by an advocate (including an attorney representing the employee, a member of clergy, a med-
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ical professional, or an advocate for victims of domestic violence, sexual assault, or stalking).

“(4) The employing agency shall keep confidential any information provided by an employee to the employing agency relating to using leave under this section unless—

“(A) the employee provides written consent of the disclosure of such information; or

“(B) the employing agency is ordered to disclose such information by a court order or by law.

“(5) An employee shall not directly or indirectly intimidate, threaten, or coerce, or attempt to intimidate, threaten, or coerce, any other employee for the purpose of interfering with the exercise of any rights which such other employee may have under this section. In this paragraph, the term ‘intimidate, threaten, or coerce’ has the meaning given that term in section 6385(b)(1).

“(d) In this section—

“(1) the term ‘employee’ has the meaning given such term in section 2105 and includes—

“(A) an officer or employee of the United States Postal Service or the Postal Regulatory Commission;

“(B) an officer or employee of the Federal Aviation Authority or the Transportation Security Administration; and
“(C) notwithstanding subsection (a) of section 7421 of title 38, an individual occupying a position listed in subsection (b) of such section;

“(2) the term ‘family member’ means the child (including an adopted child, a recognized natural child, a stepchild, or a foster child), spouse, parent, grandparent, or grandchild of the employee;

“(3) the term ‘household member’ means a former spouse of an employee, a former domestic partner of an employee, any individual who has a child in common with the employee (regardless of whether they have been married or have lived together at any time), any adult individual related to the employee by blood or marriage, any individual 16 years of age or older who is residing with the employee or who has resided with the employee, any individual who has a biological or legal parent-child relationship with the employee, and any individual with whom the employee has a dating relationship; and

“(4) the terms ‘domestic violence’, ‘sexual assault’, and ‘stalking’ have the meaning given those terms in section 40002(a) of the Violence Against Women Act of 1994 (34 U.S.C. 12291 et seq.).”.

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(b) CLERICAL AMENDMENT.—The table of sections for such subchapter is amended by adding at the end the following:

“6329d. Leave for victims of domestic violence, sexual assault, or stalking.”.

SEC. 406. GAO REPORT ON FEDERAL PRISON INDUSTRY.

(a) IN GENERAL.—The Comptroller General shall conduct a study focused on jobs within the Federal Prison Industries. The study shall include—

(1) type of work conducted, including jobs that relate to the climate resilience sectors specified in section 7 of this Act;

(2) rate of pay;

(3) hours worked;

(4) worker concerns and issues; and

(5) work-related injuries and illnesses.

(b) PUBLICATION.—Not later than 1 year after the date of enactment of this Act, the Comptroller General shall publish a report of the study findings and report to the relevant congressional committees, at minimum the Education and Labor and Judiciary committees.

TITLE V—REMOVING BARRIERS TO EMPLOYMENT

SEC. 501. IMMIGRATION BARRIERS.

(a) TEMPORARY RELIEF FROM REMOVAL.—Notwithstanding any other provision of law, an alien seeking employment or training in the climate resilience sector is eli-
gible for status under this section. An alien with status
under this section may not be removed, and the Secretary
of Homeland Security shall provide such alien with em-
ployment authorization. Such status shall be valid for a
period of 2 years, and may not be renewed. The Secretary
shall provide an eligible alien with such status if the alien
submits an affidavit of interest in employment or training
in a climate resilience sector, as defined in section 7 of
this Act, and thereafter submits further evidence to that
effect, including registration for relevant training courses
or applications for such employment.

(b) CERTIFIED CLIMATE RESILIENCE WORKER STA-
TUS.—

(1) IN GENERAL.—Notwithstanding any other
provision of law, the Secretary of Homeland Security
may accord an alien status as a Certified Climate
Resilience Worker (hereinafter in this section re-
ferred to as “CRW status”) if that alien has been
present in the United States (without regard to the
immigration status of that alien during such pres-
ence) for not less than 1 year and—

(A) is an alien who has—

(i) been employed in a climate resil-
ience sector for at least 90 days in the past
year (including any employment while incarcerated);

(ii) completed a workforce training program in a climate resilience sector; or

(iii) been enrolled in a workforce training program in a climate resilience sector for at least 90 days in the past year (including any training while in detention);

or

(B) is the spouse, child, son, daughter, or parent of an alien described in subparagraph (A).

(2) Conversion from temporary status.—An alien with temporary status under subsection (a) may convert such status to CRW status, and the spouse, child, son, daughter, or parent of that alien shall also be accorded CRW status.

(3) Evidentiary requirement.—An alien who adjusts status under paragraph (1) or (2) shall submit a petition for CRW status, which shall include the following:

(A) Proof of presence in the United States for a period of not less than 1 year ending on the date of application.
(B) In the case of an alien adjusting status under paragraph (1)(A), at least one of the following:

(i) Employer certification of employment in a climate resilience sector.

(ii) Employment records of such employment.

(iii) Union dues records in the course of such employment.

(iv) Certification of completion in a workforce training program.

(v) Proof of continuous enrollment in a workforce training program.

(vi) In the case that none of clauses (i) through (v) are possible, a self-attestation of work experience that includes an affidavit from fellow employees.

(C) In the case of an alien adjusting status under paragraph (1)(A)(ii), proof of residence as alleged under such paragraph.

(4) TERM OF STATUS.—CRW status under this subsection shall be valid for a period of 2 years, and may be renewed for not less than a total period of 10 years.
(5) **Extenuating Circumstances.**—The Secretary may waive any requirement under paragraph (1)(A) in any case of extenuating circumstances, including disability, pregnancy, or care of a dependent.

(c) **Adjustment to Lawful Permanent Residence.**—

(1) **In General.**—An alien with CRW status may adjust to status to that of an alien lawfully admitted for permanent residence beginning not earlier than 18 months after receiving CRW status, except that the time period may be include any time spent in temporary status.

(2) **Waivers of Inadmissibility.**—Notwithstanding any other provision of law and for purposes of this section, the Secretary of Homeland Security or the Attorney General may waive the operation of any one or more grounds of inadmissibility set forth in section 212 of the Immigration and Nationality Act for humanitarian purposes, to assure family unity, or when it is otherwise in the public interest.

(3) **Waivers of Deportability.**—Notwithstanding any other provision of law and for purposes of this section, the Secretary of Homeland Security or the Attorney General may waive the operation of any one or more grounds of removal set forth in sec-
tion 237 of the Immigration and Nationality Act for humanitarian purposes, to assure family unity, or when it is otherwise in the public interest.

(d) **Naturalization.**—

(1) **In General.**—A person who is a lawful permanent resident may file an application for naturalization under this subsection.

(2) **Exceptions to General Rules of Naturalization.**—Such person shall comply in all other respects with the requirements of title III of the Immigration and Nationality Act, except that such person may be naturalized not earlier than 3 years after the date that person becomes a lawful permanent resident, or 2 years in the case of such a person who is married to a United States national.

(e) **Work Protection.**—Any employer who provides certification under subsection (b)(3)(B) may not be held criminally or civilly liable under any provision of Federal law or State law for any unlawful employment of the person whose employment is so certified.

(f) **Removal of Citizenship Requirement for Certain Employment.**—Nothing in section 303 or section 622 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act may be construed to authorize
any prohibition on employment of any person who is other-

(g) Access to Services.—Notwithstanding any

other provision of law, an alien with CRW status or status

under subsection (a) shall be considered lawfully present

in the United States for all purposes. Notwithstanding any

other provision of law, individuals with CRW status or sta-

tus under subsection (a) shall be considered lawfully

present for purposes of eligibility for Federal health care

programs (as defined in section 1128B(f) of the Social Se-

curity Act (42 U.S.C. 1320a–7b(f))).

(h) Definitions.—Terms used in this section have

the meanings given such terms in section 101(a) of the

Immigration and Nationality Act.

SEC. 502. CRIMINAL JUSTICE BARRIERS.

(a) Ban the Box.—

(1) Federal Employees.—

(A) Pre-offer.—Application for appoint-

ment in the civil service in any position that

would be considered to be employment in a cli-

mate resilience sector if such position was with

a private employer shall be subject to the provi-

sions of section 9202 of title 5, United States

Code.
(B) POST-OFFER.—If an offer of such an appointment in the civil service has been made to an applicant, any record of conviction of such applicant may not be taken into account thereafter for purposes of such an appointment, except as provided in subparagraph (C).

(C) EXCEPTION.—Subparagraph does not apply to the extent—

(i) a record of conviction was entered not earlier than 5 years prior to the date of application; and

(ii) the offense for which such record of conviction was entered would have a specific and particularized effect on the ability of the person to discharge the duties of the position.

(D) PROCEDURAL PROTECTIONS FOR POST OFFER.—In the case of an applicant whose offer is revoked pursuant to a determination that the exception set forth in subparagraph (C) applies the following shall apply:

(i) The appointing authority shall provide the applicant a written copy of any background report, and shall identify each item in the report that the authority has
determined pertains to the ability of the applicant to discharge the duties of the position sought, and a written justification of that determination.

(ii) For a period of 60 days beginning on the date of the receipt of the materials under clause (i), an applicant may submit a written disputation of the accuracy of the criminal record and provide mitigating evidence or evidence of rehabilitation.

(iii) If, after reviewing the submission under clause (ii), the authority determines that the record disqualifies the applicant, the authority shall send a letter notifying the applicant of that determination, and explaining the reasons for that determination.

(2) Federal contractors.—Section 4714 of title 41, United States Code, is amended—

(A) in subsection (a)(1)—

(i) in subparagraph (A), by striking “and”;

(ii) in subparagraph (B), by striking the period at the end and inserting “; and”; and
(iii) by inserting after subparagraph
(B) the following:

“(C) shall require, as a condition of receiv-
ing a Federal contract for work in a climate re-
silience sector (as such term is defined section
7 of the Climate Resilience Workforce Act) and
receiving payments under such contract that
the contractor comply with the requirements of
subsection (d).”;

(B) by redesignating subsection (d) as sub-
section (e); and

(C) by inserting after subsection (e) the
following:

“(d) CLIMATE RESILIENCE WORKERS.—The require-
ments under this subsection are as follows:

“(1) A contractor may not conduct any inquiry
into the criminal history of an applicant prior to
making a determination to make a conditional offer.

“(2) In the case of a contractor who determines
to revoke a conditional offer to an applicant because
of that applicant’s criminal record, the contractor
shall submit a written justification of each such deci-
sion to the contractor monitor on a quarterly basis.
“(3) The contractor may not subsequently re-
voke the conditional offer solely on the basis of a
conviction—

“(A) that is over 5 years old; and

“(B) that is for an offense that would not
have a specific and particularized effect on the
ability of the applicant to discharge the duties
of the position.

“(4) Before a final decision on whether to ex-
tend an offer of employment, the contractor shall
provide the applicant a written copy of any back-
ground report, and shall identify each item in the re-
port that the contractor has determined pertains to
the ability of the applicant to discharge the duties
of the position sought, and a written justification of
that determination.

“(5) For a period of 60 days beginning on the
date of the receipt of the materials under paragraph
(4), an applicant may submit to the contractor a
written disputation of the accuracy of the criminal
record and provide mitigating evidence or evidence
of rehabilitation. Such submission may also include
any relevant legal or other information
contextualizing or characterizing such criminal
record.
“(6) If, after reviewing the submission under paragraph (5), the contractor determines that the record disqualifies the applicant, the employer shall send a letter notifying the applicant of that determination, and explaining the reasons for that determination.”.

(b) TANF ASSISTANCE AND SNAP BENEFITS.—

(1) REPEAL OF BAN ON ASSISTANCE.—Section 115 of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (21 U.S.C. 862a) is repealed.

(2) EFFECT ON STATE ELECTIONS TO OPT OUT OR LIMIT PERIOD OF PROHIBITION.—

(A) DEFINITIONS.—In this subsection—

(i) the term “State” has the meaning given the term in section 115(e) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (21 U.S.C. 862a(e)) (as in effect on the day before the date of enactment of this Act); and

(ii) the term “TANF assistance or SNAP benefits” means assistance or benefits referred to in section 115(a) of the Personal Responsibility and Work Oppor-
tunity Reconciliation Act of 1996 (as in ef-
fect on the day before the date of enact-
ment of this Act).

(B) Effect on state policies.—Any
law enacted by a State under the authority
under subparagraph (A) or (B) of subsection
(d)(1) of section 115 of the Personal Responsi-
bility and Work Opportunity Reconciliation Act
of 1996 (21 U.S.C. 862a), and any State law,
policy, or regulation that imposes conditions on
eligibility for the supplemental nutrition assist-
ance program and temporary assistance for
needy families program based on an individual’s
conviction of an offense related to a controlled
substance, shall have no force or effect.

(e) Modification of definition of household
for the purpose of determining SNAP bene-
fits.—Section 3(m)(5) of the Food and Nutrition Act of
2008 (7 U.S.C. 2012(m)(5)) is amended by adding at the
end the following:

“(H) Incarcerated individuals who are
scheduled to be released from an institution
within 30 days.”.
SEC. 503. DRUG TESTING BARRIERS.

Any person employed in a climate resilience sector who is, in the course of such employment, present in a State wherein recreational use of marihuana (as such term is defined in the Controlled Substances Act) is lawful may not be disqualified from participation in any job training program under this Act or terminated from any covered employment on the basis of a federally mandated drug test that is more stringent than any drug test that is in place in the locality or State, or used by the union of such employee.

SEC. 504. TASKFORCE ON WORKER INCLUSION.

(a) Establishment.—There is established a Taskforce on Worker Inclusion (hereinafter in this section referred to as the “Taskforce”) within the Climate Resilience Workers Commission established under section 403 of this Act, which shall be responsible for establishing programs and best practices to support workers who traditionally face barriers to employment.

(b) Chair.—Not later than 60 days after the date of enactment of this Act, the Chair of the Climate Resilience Workers Commission shall appoint a chair to head the Taskforce.

(c) Composition.—The Taskforce shall be composed of individuals appointed by the chair not later than 90

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days after the appointment of the chair under subsection (b), as follows:

(1) Not less than one representative of the Department of Labor.

(2) Not less than one representative of the Department of Homeland Security.

(3) Not less than one representative of the Department of Justice.

(4) Not less than one representative of the Legal Services Corporation.

(5) Not less than one expert on immigration policy.

(6) Not less than one expert on criminal justice policy.

(7) Not less than one formerly incarcerated individual.

(8) Not less than one individual who formerly was present in the United States without status under the immigration laws.

(9) Not less than one representative of employers in climate resilience sectors.

(d) Vacancies.—In the case of any vacancy on the Taskforce, the chair may appoint a replacement member.

(e) Programs.—The programs referred to in subsection (a) shall include—
(1) providing grants to the Legal Service Corporation to provide assistance, including legal assistance or payment of fees or fines, to workers in the climate resilience sector in—

(A) applying for status as a Certified Climate Resilience Worker under section 501 and further adjusting their status to pursue citizenship;

(B) seeking restoration of rights including expungements, dismissals, record sealing, fee waivers, certificates of rehabilitation, diversion programs, and pardons; and

(C) seeking licensure in a field that has barriers for immigrants or workers with criminal history records.

(2) conducting education and outreach, in multiple languages, on status as a Certified Climate Resilience Worker under section 501 and hiring opportunities for foreign-born workers, formerly incarcerated workers, and workers with criminal history records, and other benefits; and

(3) establishing training and best practices for the hiring, recruitment, and retention of foreign-born workers, formerly incarcerated workers, and workers with criminal history records.
(f) Reimbursement for Fines or Fees.—The Taskforce shall by rule establish procedures under which a worker in a climate resilience sector may apply for reimbursement for the payment of any fine or fee associated with—

(1) applying for status as a Certified Climate Resilience Worker under section 501 and further adjusting their status to pursue citizenship;

(2) seeking restoration of rights including expungements, dismissals, record sealing, fee waivers, certificates of rehabilitation, diversion programs, and pardons; and

(3) seeking licensure in a field that has barriers for immigrants or workers with criminal history records.

(g) Trust Fund.—There is established a trust fund, to be known as the Climate Resilience Workforce Trust Fund (hereinafter in this section referred to as the “Fund”) which shall be available to the Taskforce, without fiscal year limitation, for purposes of carrying out this section, including reimbursement under subsection (f).
TITLE VI—PROVISIONS RELATED TO CLIMATE RESILIENCE
WORKERS INVOLVED IN DISASTER RECOVERY AND REBUILDING

SEC. 601. SUPPORTS FOR DISASTER RECOVERY WORKERS.

(a) Grants for Disaster Recovery and Rebuilding Training and Hiring Halls.—

(1) Training.—Entities receiving grants in section 302 to support the training of disaster recovery and rebuilding workers must ensure that such training includes the following components, as the Secretary determines relevant to such workers:

(A) Ten-hour training provided by the Occupational Safety and Health Administration.

(B) Basic health and safety training on mold exposure, lead paint, asbestos and heat exposure.

(C) Basic first aid and CPR, following the American Red Cross model.

(D) Training with respect to preservation of mental health, including self-care.

(E) Basic workplace rights.
(F) Any other training that the Secretary determines appropriate to the circumstances of climate-related disasters.

(G) Skill-based training focused on community recovery and rebuilding after disasters must include training on rebuilding techniques that increase community resilience.

(H) Training must be:

   (i) Accessible to various levels of literacy.

   (ii) Provided in languages other than English, as relevant to the population of individuals seeking training.

   (iii) Available during evenings and weekends.

(2) HIRING HALLS.—Grant funds under section 302 to benefit climate resilience workers may be used for the following purposes:

   (A) To operate worker hiring halls with set wages and working conditions.

   (B) To cover workers compensation, unemployment, health insurance and bonding with respect to workers hired through hiring halls to incentivize employers to come to and use the hiring halls.
(C) Grantees may create virtual hiring halls for areas where brick and mortar hiring halls are not available or feasible.

(b) Organization and Representation.—

(1) In general.—All rights and procedures under the National Labor Relations Act (29 U.S.C. 151 et seq.) shall apply to all workers employed using funds in this section in the private sector.

(2) Federal government application.—All rights under the title VII of the Civil Service Reform Act of 1978 shall apply to all workers employed by the Federal Government.

(3) Section 7 protections.—The rights to engage in concerted activities for the purpose of collective bargaining or other mutual aid or protection under section 7 of the National Labor Relations Act (29 U.S.C. 157) shall apply with respect to an employee who is employed by an employer who receives funds under this Act and who is seeking to form or is otherwise engaged with a worker association.

(c) Health and Safety.—

(1) Health and safety fund.—

(A) Establishment.—There is established in the Treasury of the United States a Climate Resilience Worker Health and Safety
Fund (in this section, referred to as the ‘Fund’), which consists of sums that are appropriated to the Fund under this section.

(B) PURPOSE.—Amounts in the fund shall be available—

(i) for the benefit of resilience workers with short and long-term health problems related to their service in climate disaster response, recovery, and rebuilding; and

(ii) for wage replacement for workers should they be unable to work due to health problems related to their service.

(C) FEE COLLECTION.—

(i) IN GENERAL.—The Secretary shall impose a per-employee fee on every employer. Funds received under this clause shall be deposited into the Fund.

(ii) GUIDANCE.—Not later than 120 days after the date of enactment of this Act, the Secretary shall issue guidance, in consultation from the Center for the Climate Resilience Workforce, specifying the fee amount, frequency and mechanism for collection. The fee must be sufficient
enough to cover the potential expenses climate disaster recovery workers may incur.

(2) SAFETY COMMITTEE PROGRAM.—

(A) ESTABLISHMENT.—The Chair of the Climate Resilience Workers Commission shall establish a Climate Resilience Worker Safety Committee program (in this paragraph referred to as the “program”) within the Office of the Secretary at the Department of Labor. In carrying out the program, the Chair shall support safety committees in each labor market where climate disaster recovery workers are employed.

(B) PURPOSE.—The purpose of the committees shall be to ensure the on-the-ground safety of workers engaged in disaster recovery and rebuilding work while at their work sites.

(C) FUNCTIONS.—The Committees shall—

(i) review and make recommendations pertaining to safety training provided by local training providers; and

(ii) stop work when work conditions are unsafe.

(D) FORMATION, STRUCTURE AND SUPPORT.—
(i) ELECTION.—The members of the safety committees will be elected by resilience workers in the labor market.

(ii) CHAIR.—A Chair for each safety committee shall be elected by committee members. Such chair shall be the primary point of contact for the regional office of the Department of Labor.

(iii) REPORTING.—The safety committee shall report any violations of minimum labor standards laid out in this Act to a regional office of the Department of Labor, which may conduct an investigation and take enforcement actions using the existing authorities of the Secretary.

(iv) ENFORCEMENT.—A regional office may elevate violations to the Commission for further enforcement as needed.

(E) LABOR MARKET DEFINED.—The term “labor market” means a disaster recovery area as designated in a Federal major disaster declaration.

(3) LIABILITY.—The employer and with the general contractor shall be liable for all health problems caused in whole or in part by participation in
climate disaster response and recovery for all employ-

gees employed using funds under this section.

(4) WELLNESS CHECKS.—An employer receiving funds under this section shall ensure that workers receive annual wellness checks at community health clinics or federally qualified health centers specific to the conditions under which they have been working. Such employer shall cover the full cost of such wellness checks.

(d) AUTHORIZATION OF APPROPRIATIONS FOR TRAINING SUPPORTS.—There is authorized to be appropriated to the Director $20,000,000 for fiscal year 2021, and each fiscal year thereafter, for the Susan G. Harwood Occupational Safety and Health grant program, of which not less than $10,000,000 each fiscal year shall be used to support training of workers engaged in disaster recovery and rebuilding work.

SEC. 602. PILOT PROGRAM PROVIDING FEDERAL EMPLOYMENT OPPORTUNITIES FOR FORMERLY INCARCERATED FIREFIGHTERS.

(a) ESTABLISHMENT.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this section, the Secretaries shall establish and operate a pilot program, in coordination with eligible States, to provide formerly
incarcerated firefighters with the opportunity to be
hired to occupy Federal wildland firefighting posi-
tions.

(2) DURATION.—The pilot program established
under this section shall terminate on the date that
is 6 years after the of enactment of this section.

(b) APPLICATION.—An eligible State shall submit an
application to the Secretaries to participate in the pilot
program. Any such application shall include, at the min-
imum, the following:

(1) A list of the agencies of the eligible State
involved in the training and management of the in-
carcerated firefighter workforce.

(2) The total number of the incarcerated fire-
fighter workforce used by such State and a descrip-
tion of roles held by incarcerated firefighters.

(3) The number of incarcerated firefighters ex-
pected to be released by such State in the year com-
mencing after the date the application is submitted.

(4) The number of formerly incarcerated fire-
fighters released by such State that have success-
fully secured employment in wildland or structural
firefighting.
(5) An estimate of any costs, including staffing costs, such State would incur as a result of participating in the pilot program.

(c) Recruitment.—

(1) In general.—The pilot program shall provide for the recruitment, in such form and manner as the Secretaries may prescribe, in consultation with the eligible State, of formerly incarcerated firefighters to occupy Federal wildland firefighting positions. The following requirements shall apply to such recruitment efforts:

(A) The participation in the recruitment program by incarcerated firefighters to be voluntary.

(B) A presentation shall be made to incarcerated firefighters regarding an overview of Federal wildland firefighting positions.

(C) The Secretaries shall—

(i) work with incarcerated firefighters and the eligible State to identify the skills, interests, and experience of candidates to determine which Federal wildland firefighting positions would be most suitable for the individual;
(ii) work with incarcerated firefighters and the eligible State to identify and address any potential barriers to employment as a Federal wildland firefighter, including a lack of a driver’s license, before the firefighter is released from incarceration; and

(iii) collaborate with the eligible State to ensure, to the greatest extent practicable, that a decision to hire an incarcerated firefighter coincides with the release of the individual from incarceration.

(D) The Secretaries and State agencies shall ensure, to the greatest extent practicable, that any needs that an incarcerated firefighter or formerly incarcerated may have for voluntary substance abuse, mental health, or other rehabilitative programming are accommodated during the hiring process and after the position has been accepted by the individual.

(E) The Secretaries shall ensure that the cost of any additional training required is not a financial burden for a formerly incarcerated firefighter.

(2) GRANTS.—Subject to the availability of funds to carry out this section, the Secretaries shall
provide grants to eligible States participating in the pilot program to support the State’s collaboration with the Secretaries to provide recruitment opportunities for incarcerated firefighters or formerly incarcerated firefighters.

(3) Waiver of Parole and Probation Requirements.—The Secretaries shall require, at a minimum, that States waive parole and probation requirements to ensure that a formerly incarcerated firefighter can meet the requirements of the position for which the individual is hired.

(d) Reentry and Retention Support.—

(1) In General.—Subject to the availability of funds to carry out this section, the pilot program shall provide support services for formerly incarcerated firefighters participating in the program to support the individual’s financial stability and successful reentry into and retention within the workforce.

(2) Financial Support.—

(A) Application.—The Secretaries shall work with State correctional agencies to develop a process for formerly incarcerated firefighters to apply for financial assistance.

(B) Duration and Amount.—Financial assistance may be provided for up to 6 months
at an amount that ensures the individual’s ability to secure stable housing, food, and other basic needs and purchase any equipment, attire, or supplies that may be needed to perform the duties of the Federal wildland firefighting position for which they have been hired.

(3) MENTORSHIP.—The pilot program shall include a mentorship program that pairs formerly incarcerated firefighters currently employed within the Federal Government with newly hired formerly incarcerated firefighters to support job success and retention.

(e) HIRING PREFERENCE.—During the period the pilot program under this section is operational, with respect to examinations for Federal wildland firefighting positions in the competitive service (as that term is defined in section 2102 of title 5, United States Code), competition is restricted to formerly incarcerated firefighters participating in the pilot program as long as such firefighters are available.

(f) REPORTS.—Beginning on the date that is 1 year after the date of enactment of this Act and annually thereafter for the duration of the pilot program, the Secretaries shall submit a report to the Committees on the Judiciary and Natural Resources of the House of Representatives
and the Committee on Homeland Security and Governmental Affairs of the Senate and any other relevant congressional committees detailing implementation of the pilot program, including the rate at which formerly incarcerated firefighters have been hired by the Secretaries.

(g) Definitions.—In this section:

(1) Eligible State.—The term “eligible State” means a State that trains and uses firefighters incarcerated in a State correctional facility to fight wildland fire.

(2) Federal Wildland Firefighting Positions.—The term “Federal wildland firefighting positions” means full-time, permanent positions within the United States Forest Service or in the Department of Interior the duties of which consist of wildland firefighting, including administrative support positions.

(3) Formerly Incarcerated Firefighter.—The term “formerly incarcerated firefighter” means an individual—

(A) who is no longer incarcerated in a State correctional facility and has been trained and used by the State to fight wildland fire; and
(B) who the Secretaries determine are qualified and suitable to occupy Federal wildland firefighting positions.

(4) SECRETARIES.—The term “Secretaries” means the Secretary of Agriculture, acting through the Chief of the Forest Service, and the Secretary of the Interior.

SEC. 603. DIRECT EMPLOYMENT IN FEMA CORE.

(a) IN GENERAL.—Section 306 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5149) is amended by adding at the end the following:

“(d) In carrying out this Act, the following disaster recovery and rebuilding duties shall be included in the duties of the Cadre of On-Call Response/Recovery Employees of the Federal Emergency Management Agency:

“(1) Debris cleanup.

“(2) Residential and commercial reconstruction including rapid repair of partially damaged residences, and installation of tarps on structures with roof damage.

“(3) Providing support to existing child and elder care services or organization of new services.

“(4) Providing nutritional assistance to impacted communities.
“(5) Providing counseling and assistance in accessing public benefits such as Federal Emergency Management Agency grants, Disaster Unemployment Assistance, Disaster Supplemental Nutrition Assistance Program.

“(6) Providing logistical support for the supply chain of medical equipment and other goods involved in response efforts.

“(7) Carrying out other disaster preparedness and response functions for other emergencies and natural disasters.

“(e) In appointing personnel under subsection (c), the Administrator shall prioritize appointing unemployed workers with experience in the building trades for which such workers are qualified.”.

(b) ADDITIONAL REQUIREMENT.—The Administrator of the Federal Emergency Management Agency shall establish up to 15,000 new positions, as needed, within the Cadre of On-Call Response/Recovery Employees of the Federal Emergency Management Agency and appoint to such positions individuals with skills and experience necessary to carry out the duties described in section 306(d) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5149(d)).