

117TH CONGRESS  
1ST SESSION

# H. R. 794

To require the President to declare a national climate emergency under the National Emergencies Act, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 4, 2021

Mr. BLUMENAUER (for himself, Ms. OCASIO-CORTEZ, Ms. BARRAGÁN, Mrs. NAPOLITANO, Ms. MENG, Mr. WELCH, Mr. ESPAILLAT, Mr. NADLER, Mr. QUIGLEY, Mr. LEVIN of Michigan, Ms. VELÁZQUEZ, Mr. LOWENTHAL, Ms. NORTON, Mr. LEVIN of California, Ms. MATSUI, Mr. DESAULNIER, Ms. PRESSLEY, Ms. CLARKE of New York, Mr. JONES, Ms. SCHAKOWSKY, Mr. COHEN, Mr. GOMEZ, Mr. YARMUTH, Ms. BONAMICI, Mr. NEGUSE, Mr. KHANNA, Mr. HUFFMAN, Mr. BOWMAN, and Ms. JAYAPAL) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure, and in addition to the Committees on Financial Services, Education and Labor, Energy and Commerce, Natural Resources, Agriculture, and Small Business, 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

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## A BILL

To require the President to declare a national climate emergency under the National Emergencies Act, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “National Climate  
3 Emergency Act of 2021” or the “Climate Emergency Act  
4 of 2021”.

5 **SEC. 2. FINDINGS.**

6 Congress finds the following:

7 (1) The years 2010 to 2019 were the hottest  
8 decade on record.

9 (2) Global atmospheric concentrations of the  
10 primary global warming pollutant, carbon dioxide—

11 (A) have increased by 40 percent since  
12 preindustrial times, from 280 parts per million  
13 to 415 parts per million, primarily due to  
14 human activities, including the burning of fossil  
15 fuels and deforestation;

16 (B) are rising at a rate of 2 to 3 parts per  
17 million annually; and

18 (C) must be reduced to not more than 350  
19 parts per million, and likely lower, “if humanity  
20 wishes to preserve a planet similar to that on  
21 which civilization developed and to which life on  
22 Earth is adapted,” according to former Na-  
23 tional Aeronautics and Space Administration  
24 climatologist Dr. James Hansen.

25 (3) Global atmospheric concentrations of other  
26 global warming pollutants, including methane, ni-

1       trous oxide, and hydrofluorocarbons, have also in-  
2       creased substantially since preindustrial times, pri-  
3       marily due to human activities, including the burn-  
4       ing of fossil fuels.

5           (4) Climate science and observations of climate  
6       change impacts, including ocean warming, ocean  
7       acidification, floods, droughts, wildfires, and extreme  
8       weather, demonstrate that a global rise in tempera-  
9       ture of 1.5 degree Celsius above preindustrial levels  
10      is already having dangerous impacts on human pop-  
11      ulations and the environment.

12          (5) According to the 2018 National Climate As-  
13      sessment, climate change due to global warming has  
14      caused, and is expected to continue to cause, sub-  
15      stantial interference with and growing losses to  
16      human health and safety, infrastructure, property,  
17      industry, recreation, natural resources, agricultural  
18      systems, and quality of life in the United States.

19          (6) According to the National Oceanic and At-  
20      mospheric Administration, climate change is already  
21      increasing the frequency of extreme weather and  
22      other climate-related disasters, including drought,  
23      wildfire, and storms that include precipitation.

24          (7) Climate-related natural disasters have in-  
25      creased exponentially over the past decade, costing

1 the United States more than double the long-term  
2 average during the period of 2014 through 2018,  
3 with total costs of natural disasters during that pe-  
4 riod of approximately \$100,000,000,000 per year.

5 (8) According to the Centers for Disease Con-  
6 trol and Prevention, there are wide-ranging, acute,  
7 and fatal public health consequences from climate  
8 change that impact communities across the United  
9 States.

10 (9) According to the National Climate and  
11 Health Assessment of the United States Global  
12 Change Research Program, climate change is a sig-  
13 nificant threat to the health of the people of the  
14 United States, leading to increased—

15 (A) temperature-related deaths and ill-  
16 nesses;

17 (B) air quality impacts;

18 (C) extreme weather events;

19 (D) numbers of vector-borne diseases;

20 (E) waterborne illnesses;

21 (F) food safety, nutrition, and distribution  
22 complications; and

23 (G) mental health and well-being concerns.

24 (10) The consequences of climate change al-  
25 ready disproportionately impact frontline commu-

1 nities and endanger populations made especially vul-  
2 nerable by existing exposure to extreme weather  
3 events, such as children, the elderly, and individuals  
4 with pre-existing disabilities and health conditions.

5 (11) Individuals and families on the frontlines  
6 of climate change across the United States, includ-  
7 ing territories, living with income inequality and pov-  
8 erty, institutional racism, inequity on the basis of  
9 gender and sexual orientation, poor infrastructure,  
10 and lack of access to health care, housing, clean  
11 water, and food security are often in close proximity  
12 to environmental stressors or sources of pollution,  
13 particularly communities of color, indigenous com-  
14 munities, and low-income communities, which—

15 (A) are often the first exposed to the im-  
16 pacts of climate change;

17 (B) experience outsized risk because of the  
18 close proximity of the community to environ-  
19 mental hazards and stressors, in addition to  
20 collocation with waste and other sources of pol-  
21 lution; and

22 (C) have the fewest resources to mitigate  
23 those impacts or to relocate, which will exacer-  
24 bate preexisting challenges.

1           (12) According to Dr. Beverly Wright and Dr.  
2           Robert Bullard, “environmental and public health  
3           threats from natural and human-made disasters are  
4           not randomly distributed, affecting some commu-  
5           nities more than others,” and therefore a response  
6           to the climate emergency necessitates the adoption  
7           of policies and processes rooted in principles of ra-  
8           cial equity, self-determination, and democracy, as  
9           well as the fundamental human rights of all people  
10          to clean air and water, healthy food, adequate land,  
11          education, and shelter, as promulgated in the 1991  
12          Principles of Environmental Justice.

13          (13) Climate change holds grave and immediate  
14          consequences not just for the population of the  
15          United States, including territories, but for commu-  
16          nities across the world, particularly those commu-  
17          nities in the Global South on the frontlines of the  
18          climate crisis that are at risk of forced displacement.

19          (14) Communities in rural, urban, and subur-  
20          ban areas are all dramatically affected by climate  
21          change, though the specific economic, health, social,  
22          and environmental impacts may be different.

23          (15) The Department of State, the Department  
24          of Defense, and the intelligence community have  
25          identified climate change as a threat to national se-

1 security, and the Department of Homeland Security  
2 views climate change as a top homeland security  
3 risk.

4 (16) Climate change is a threat multiplier with  
5 the potential—

6 (A) to exacerbate many of the challenges  
7 the United States already confronts, including  
8 conflicts over scarce resources, conditions con-  
9 ducive to violent extremism, and the spread of  
10 infectious diseases; and

11 (B) to produce new, unforeseeable chal-  
12 lenges in the future.

13 (17) The United Nations Intergovernmental  
14 Panel on Climate Change projected in 2018 that the  
15 Earth could warm 1.5 degrees Celsius above  
16 preindustrial levels as early as 2030.

17 (18) The climatic changes resulting from global  
18 warming above 1.5 degrees Celsius above  
19 preindustrial levels, including changes resulting from  
20 global warming of more than 2 degrees Celsius  
21 above preindustrial levels, are projected to result in  
22 irreversible, catastrophic changes to public health,  
23 livelihoods, quality of life, food security, water sup-  
24 plies, human security, and economic growth.

1           (19) The United Nations Intergovernmental  
2           Science-Policy Platform on Biodiversity and Eco-  
3           system Services found in 2019 that human-induced  
4           climate change is pushing the planet toward the  
5           sixth mass species extinction, which threatens the  
6           food security, water supply, and well-being of billions  
7           of people.

8           (20) According to climate scientists, limiting  
9           global warming to not more than 1.5 degrees Celsius  
10          above preindustrial levels, and likely lower, is most  
11          likely to avoid irreversible and catastrophic climate  
12          change.

13          (21) Even with global warming up to 1.5 de-  
14          grees Celsius above preindustrial levels, the planet is  
15          projected to experience—

- 16                   (A) a significant rise in sea levels;  
17                   (B) extraordinary loss of biodiversity; and  
18                   (C) intensifying droughts, floods, wildfires,  
19                   and other extreme weather events.

20          (22) According to climate scientists, addressing  
21          the climate emergency will require an economically  
22          just phase-out of the use of oil, gas, and coal in  
23          order to keep the carbon that is the primary con-  
24          stituent of fossil fuels in the ground and out of the  
25          atmosphere.



1           (23) The United Nations Intergovernmental  
2 Panel on Climate Change has determined that lim-  
3 iting warming through emissions reduction and car-  
4 bon sequestration will require rapid and immediate  
5 acceleration and proliferation of “far-reaching,  
6 multilevel, and cross-sectoral climate mitigation”  
7 and “transitions in energy, land, urban and rural in-  
8 frastructure (including transport and buildings), and  
9 industrial systems”.

10           (24) In the United States, massive, comprehen-  
11 sive, and urgent governmental action is required im-  
12 mediately to achieve the transitions of those systems  
13 in response to the severe existing and projected eco-  
14 nomic, social, public health, and national security  
15 threats posed by the climate crisis.

16           (25) The massive scope and scale of action nec-  
17 essary to stabilize the climate will require unprece-  
18 dented levels of public awareness, engagement, and  
19 deliberation to develop and implement effective, just,  
20 and equitable policies to address the climate crisis.

21           (26) The Constitution of the United States pro-  
22 tects the fundamental rights to life, liberty, property,  
23 and equal protection of the laws.

24           (27) A climate system capable of sustaining  
25 human life is fundamental to a free and ordered so-

1       ciety, and is preservative of fundamental rights, in-  
2       cluding the rights to life, liberty, property, personal  
3       security, family autonomy, bodily integrity, and the  
4       ability to learn, practice, and transmit cultural and  
5       religious traditions.

6               (28) The United States has a proud history of  
7       collaborative, constructive, massive-scale Federal  
8       mobilizations of resources and labor in order to solve  
9       great challenges, such as the Interstate Highway  
10      System, the Apollo 11 Moon landing, Reconstruc-  
11      tion, the New Deal, and World War II.

12              (29) The United States stands uniquely poised  
13      to substantially grow the economy and attain social  
14      and health benefits from a massive mobilization of  
15      resources and labor that far outweigh the costs cli-  
16      mate change will inflict as a result of inaction.

17              (30) Millions of middle class jobs can be created  
18      by raising labor standards through project labor  
19      agreements and protecting and expanding the right  
20      of workers to organize so that workers in the United  
21      States and the communities of those workers are  
22      guaranteed a strong, viable economic future in a  
23      zero-emissions economy that guarantees good jobs at  
24      fair union wages with quality benefits.

1           (31) Frontline communities, Tribal govern-  
2           ments and communities, people of color, and labor  
3           unions must be equitably and actively engaged in the  
4           climate mobilization, in such a way that aligns with  
5           the 1996 Jemez Principles of Democratic Orga-  
6           nizing, and prioritized through local climate mitiga-  
7           tion and adaptation planning, policy, and program  
8           delivery so that workers in the United States, and  
9           the communities of those workers, are guaranteed a  
10          strong, viable economic future.

11          (32) A number of local jurisdictions and gov-  
12          ernments in the United States, including New York  
13          City and Los Angeles, and across the world, includ-  
14          ing the United Kingdom, the Republic of Ireland,  
15          Portugal, and Canada, have already declared a cli-  
16          mate emergency, and a number of State and local  
17          governments are considering declaring a climate  
18          emergency.

19          (33) State, local, and Tribal governments must  
20          be supported in efforts to hold to account those  
21          whose activities have deepened and accelerated the  
22          climate crisis and who have benefitted from delayed  
23          action to address the climate change emergency and  
24          to develop a clean energy economy.

1           (34) A collaborative response to the climate cri-  
2           sis will require the Federal Government to work with  
3           international, State, and local governments, includ-  
4           ing with those governments that have declared a cli-  
5           mate emergency, to reverse the impacts of the cli-  
6           mate crisis.

7           (35) The United States has an obligation, as a  
8           primary driver of accelerated climate change, to mo-  
9           bilize at emergency speed to restore a safe climate  
10          and environment not just for communities of the  
11          United States but for communities across the world,  
12          particularly those on the frontlines of the climate  
13          crisis which have least contributed to the crisis, and  
14          to account for global and community impacts of any  
15          actions it takes in response to the climate crisis.

16 **SEC. 3. EMERGENCY DECLARATION.**

17          (a) **IN GENERAL.**—The President shall declare a na-  
18          tional emergency under section 201 of the National Emer-  
19          gencies Act (50 U.S.C. 1621) with respect to climate  
20          change.

21          (b) **RESPONSE.**—In responding to the national emer-  
22          gency declared pursuant to subsection (a), the President  
23          shall ensure that the Federal Government—

24                  (1) invests in large scale mitigation and resil-  
25          iency projects, including projects that—

1 (A) upgrade the public infrastructure to  
2 expand access to clean and affordable energy,  
3 transportation, high-speed broadband, and  
4 water, particularly for public systems;

5 (B) modernize and retrofit millions of  
6 homes, schools, offices, and industrial buildings  
7 to cut pollution and costs;

8 (C) invest in public health, in preparation  
9 for and in response to increasingly extreme cli-  
10 matic events;

11 (D) protect and restore wetlands, forests,  
12 public lands, and other natural climate solu-  
13 tions;

14 (E) create opportunities for farmers and  
15 rural communities, including by bolstering re-  
16 generative agriculture, and invest in local and  
17 regional food systems that support farmers, ag-  
18 ricultural workers, healthy soil, and climate re-  
19 siliience;

20 (F) develop and transform the industrial  
21 base of the United States, while creating high-  
22 skill, high-wage manufacturing jobs across the  
23 country, including by expanding manufacturing  
24 of clean technologies, reducing industrial pollu-

1           tion, and prioritizing clean, domestic manufac-  
2           turing for the aforementioned investments; and

3           (G) establish new employment programs,  
4           as necessary, to meet the goals described in  
5           subparagraphs (A) through (F);

6           (2) makes investments that enable—

7           (A) a racially and socially just transition to  
8           a clean energy economy by ensuring that at  
9           least 40 percent of investments flow to histori-  
10          cally disadvantaged communities;

11          (B) greenhouse gas emission reductions;

12          (C) resilience in the face of climate change  
13          impacts;

14          (D) a racially and socially just transition  
15          to a clean energy economy;

16          (E) small business support, especially for  
17          women and minority-owned businesses; and

18          (F) the expansion of public services;

19          (3) avoids solutions that—

20          (A) increase inequality;

21          (B) exacerbate, or fail to reduce, pollution  
22          at source;

23          (C) violate human rights;

24          (D) privatize public lands, water, or na-  
25          ture;

1 (E) expedite the destruction of ecosystems;

2 or

3 (F) decrease union density or membership;

4 (4) creates jobs that conform to labor standards

5 that—

6 (A) provide family sustaining wages and

7 benefits;

8 (B) ensure safe workplaces;

9 (C) protect the rights of workers to orga-  
10 nize; and

11 (D) prioritize the hiring of local workers to  
12 ensure wages stay within communities and  
13 stimulate local economic activity;

14 (5) prioritizes local and equitable hiring and  
15 contracting that creates opportunities for—

16 (A) communities of color and indigenous  
17 communities;

18 (B) women;

19 (C) veterans;

20 (D) LGBTQIA+ individuals;

21 (E) disabled and chronically ill individuals;

22 (F) formerly incarcerated individuals; and

23 (G) otherwise marginalized communities;

24 (6) combats environmental injustice, including

25 by—

1 (A) curtailing air, water, and land pollu-  
2 tion from all sources;

3 (B) removing health hazards from commu-  
4 nities;

5 (C) remediating the cumulative health and  
6 environmental impacts of toxic pollution and cli-  
7 mate change;

8 (D) ensuring that affected communities  
9 have equitable access to public health resources  
10 that have been systemically denied to commu-  
11 nities of color and Indigenous communities; and

12 (E) upholding the fundamental rights of  
13 all Americans from the perils of climate change;  
14 and

15 (7) reinvests in existing public sector institu-  
16 tions and creates new public sector institutions, in-  
17 spired by and improving upon New Deal-era institu-  
18 tions by addressing historic inequities, to strategi-  
19 cally and coherently mobilize and channel invest-  
20 ments at the scale and pace required by the national  
21 emergency declared pursuant to subsection (a).

22 (c) REPORT.—Not later than 1 year after the date  
23 of enactment of this Act, and every year thereafter, the  
24 President shall submit to Congress a report describing ac-



- 1 tions taken in response to the national emergency declared
- 2 pursuant to subsection (a).

○