

SAFEGUARDING AMERICA'S FUTURE AND
ENVIRONMENT ACT

SEPTEMBER 1, 2020.—Committed to the Committee of the Whole House on the state
of the Union and ordered to be printed

Mr. GRIJALVA, from the Committee on Natural Resources,
submitted the following

R E P O R T

together with

DISSENTING VIEWS

[To accompany H.R. 2748]

[Including cost estimate of the Congressional Budget Office]

The Committee on Natural Resources, to whom was referred the bill (H.R. 2748) to establish an integrated national approach to respond to ongoing and expected effects of extreme weather and climate change by protecting, managing, and conserving the fish, wildlife, and plants of the United States, and to maximize Government efficiency and reduce costs, in cooperation with State, local, and Tribal Governments and other entities, and for other purposes, having considered the same, reports favorably thereon with an amendment and recommends that the bill as amended do pass.

The amendment is as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the “Safeguarding America’s Future and Environment Act” or the “SAFE Act”.

SEC. 2. FINDINGS, PURPOSES, AND POLICY.

(a) FINDINGS.—Congress finds that—

(1) healthy, diverse, and productive communities of fish, wildlife, and plants provide significant benefits to the people and economy of the United States, including—

- (A) abundant clean water supplies;
- (B) flood and coastal storm protection;
- (C) clean air;

- (D) a source of food, fiber, medicines, and pollination of the crops and other plants of the United States;
 - (E) outdoor recreation, which is a source of jobs and economic stimulus;
 - (F) hunting and fishing opportunities and support for subsistence communities;
 - (G) opportunities for scientific research and education;
 - (H) world-class tourism destinations that support local economies; and
 - (I) sequestration and storage of carbon to help mitigate changes to the global climate system;
- (2) the United States Geological Survey, National Oceanic and Atmospheric Administration, National Aeronautics and Space Administration, and other agencies within the United States Global Change Research Program have observed that the fish, wildlife, and plants of the United States are facing increasing risks from changing patterns of extreme weather and climate, including—
- (A) severe droughts and heatwaves;
 - (B) severe storms and floods;
 - (C) frequent and severe wildfires;
 - (D) more frequent and severe outbreaks of forest pests and invasive species;
 - (E) flooding and erosion of coastal areas due to rising sea levels;
 - (F) melting glaciers and sea ice;
 - (G) thawing permafrost;
 - (H) shifting distributions of fish, wildlife, and plant populations;
 - (I) disruptive shifts in the timing of fish, wildlife, and plant natural history cycles, such as blooming, breeding, and seasonal migrations;
 - (J) increasing ocean temperatures and acidification;
 - (K) altered patterns of rain, snow, runoff, and streamflow; and
 - (L) habitat loss, degradation, fragmentation, and movement; and
- (3) the Federal Government should provide leadership in preparing for and responding to the effects described in paragraph (2) to ensure that present and future generations continue to receive the benefits of the abundant and diverse fish, wildlife, and plant resources of the United States.
- (b) PURPOSES.—The purpose of this Act is to establish an integrated national approach—
- (1) to respond to ongoing and expected effects of extreme weather and climate change by protecting, managing, and conserving the fish, wildlife, and plants of the United States; and
 - (2) to maximize Government efficiency and reduce costs, in cooperation with State, local, and Tribal Governments and other entities.
- (c) NATIONAL FISH, WILDLIFE, AND PLANTS CLIMATE CHANGE ADAPTATION POLICY.—It is the policy of the Federal Government, in cooperation with State and local governments, Indian Tribes, and other interested stakeholders to evaluate and reduce the increased risks and vulnerabilities associated with climate change and extreme weather events, and to use all practicable means to protect, manage, and conserve healthy, diverse, and productive fish, wildlife, and plant populations.

SEC. 3. DEFINITIONS.

In this Act:

- (1) ADAPTATION.—The term “adaptation” means—
 - (A) the process of adjustment to actual or expected climate and the effects of climate change; and
 - (B) with respect to fish, wildlife, and plants, protection, management, and conservation efforts designed to maintain or enhance the ability of fish, wildlife, and plants to withstand, adjust to, or recover from the effects of extreme weather and climate change (including, where applicable, ocean acidification, drought, flooding, and wildfire).
- (2) CENTER.—The term “Center” means the National Climate Change and Wildlife Science Center established under section 6(a)(1).
- (3) COMMITTEE.—The term “Committee” means the Advisory Committee on Climate Change and Natural Resource Sciences established under section 6(b)(1).
- (4) ECOLOGICAL PROCESSES.—The term “ecological processes” means biological, chemical, or physical interaction between the biotic and abiotic components of an ecosystem, including—
 - (A) decomposition;
 - (B) disease epizootiology;
 - (C) disturbance regimes, such as fire and flooding;
 - (D) gene flow;
 - (E) hydrological cycling;

- (F) larval dispersal and settlement;
 - (G) nutrient cycling;
 - (H) pollination;
 - (I) predator-prey relationships; and
 - (J) soil formation.
- (5) **HABITAT.**—The term “habitat” means the physical, chemical, and biological properties that fish, wildlife, or plants use for growth, reproduction, survival, food, water, or cover (whether on land, in water, or in an area or region).
- (6) **HABITAT CONNECTIVITY.**—The term “habitat connectivity” means areas that facilitate terrestrial, marine, estuarine, and freshwater fish, wildlife, or plant movement that is necessary—
- (A) for migration, gene flow, or dispersal; or
 - (B) to respond to the ongoing and expected effects of climate change (including, where applicable, ocean acidification, drought, flooding, and wildfire).
- (7) **INDIAN TRIBE.**—The term “Indian Tribe” has the meaning given the term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304(e)).
- (8) **NATIONAL STRATEGY.**—The term “National Strategy” means the National Fish, Wildlife, and Plants Climate Adaptation Strategy released March 26, 2013.
- (9) **RESILIENCE; RESILIENT.**—The terms “resilience” and “resilient” mean the ability to anticipate, prepare for, and adapt to changing conditions and withstand, respond to, and recover rapidly from disruptions.
- (10) **STATE.**—The term “State” means—
- (A) a State of the United States;
 - (B) the District of Columbia;
 - (C) American Samoa;
 - (D) Guam;
 - (E) the Commonwealth of the Northern Mariana Islands;
 - (F) the Commonwealth of Puerto Rico; and
 - (G) the United States Virgin Islands.
- (11) **WORKING GROUP.**—The term “Working Group” means the National Fish, Wildlife, and Plants Climate Adaptation Strategy Joint Implementation Working Group established under section 4(a).

SEC. 4. NATIONAL FISH, WILDLIFE, AND PLANTS CLIMATE ADAPTATION STRATEGY JOINT IMPLEMENTATION WORKING GROUP.

- (a) **ESTABLISHMENT.**—Not later than 90 days after the date of enactment of this Act, the President shall establish a National Fish, Wildlife, and Plants Climate Adaptation Strategy Joint Implementation Working Group composed of the heads of Federal and State agencies or departments with jurisdiction over fish, wildlife, and plant resources of the United States, and Tribal representatives, as follows:
- (1) The Administrator of the Environmental Protection Agency.
 - (2) The Administrator of the Federal Emergency Management Agency.
 - (3) The Administrator of the National Oceanic and Atmospheric Administration.
 - (4) The Chair of the Council on Environmental Quality.
 - (5) The Chief of Engineers.
 - (6) The Chief of the Forest Service.
 - (7) The Commissioner of Reclamation.
 - (8) The Director of the Bureau of Indian Affairs.
 - (9) The Director of the Bureau of Land Management.
 - (10) The Director of the National Park Service.
 - (11) The Director of the United States Fish and Wildlife Service.
 - (12) The Director of the United States Geological Survey.
 - (13) The Secretary of Agriculture.
 - (14) The Secretary of Defense.
 - (15) State representatives from each regional association of State fish and wildlife agencies.
 - (16) Not less than 2 Tribal representatives.
- (b) **DUTIES.**—The Working Group shall serve as a forum for interagency consultation on, and the coordination of, the development and implementation of the National Strategy.
- (c) **CO-CHAIRS.**—There shall be 4 co-chairs, of whom—
- (1) two shall be representatives of the Federal Government;
 - (2) one shall be a representative of a State; and
 - (3) one shall be a Tribal representative.

SEC. 5. NATIONAL FISH, WILDLIFE, AND PLANTS CLIMATE ADAPTATION STRATEGY.

(a) **IN GENERAL.**—The Working Group shall adopt the National Strategy to protect, manage, and conserve fish, wildlife, and plants to maintain the inherent resilience and adaptability of fish, wildlife, and plants to withstand the ongoing and expected effects of extreme weather and climate change.

(b) **REVIEW AND REVISION.**—Not later than 1 year after each release of the assessment required under section 106 of the Global Change Research Act of 1990 (15 U.S.C. 2936), the Working Group shall—

(1) use sound science to review and revise the National Strategy to incorporate—

(A) new information regarding the ongoing and expected effects of climate change on fish, wildlife, and plants; and

(B) advances in the development of fish, wildlife, and plant adaptation strategies; and

(2) in carrying out paragraph (1), provide public notice and opportunity for comment.

(c) **CONTENTS.**—A revised National Strategy shall—

(1) assess the vulnerability of fish, wildlife, and plants to climate change, including short-term, medium-term, long-term, and cumulative impacts;

(2) describe current observation and monitoring activities at the Federal, State, Tribal, and local levels relating to the ongoing and expected effects of climate change on fish, wildlife, and plants;

(3) identify and prioritize research and data needs;

(4) identify fish, wildlife, and plants likely to have the greatest need for protection, restoration, and conservation due to the ongoing and expanding effects of extreme weather and climate change;

(5) include specific protocols for integrating fish, wildlife, and plant adaptation strategies and activities into the conservation and management of natural resources by Federal agencies to ensure consistency across agency jurisdictions;

(6) identify opportunities for maintaining, restoring, or enhancing fish, wildlife, and plants to reduce the risks of extreme weather and climate change on other vulnerable sectors of society;

(7) identify Federal policies and actions that may reduce resilience and increase the vulnerability of fish, wildlife, and plants to extreme weather and climate change;

(8) include specific actions that Federal agencies shall take to protect, conserve, and manage fish, wildlife, and plants to maintain the inherent resilience and adaptability of fish, wildlife, and plants to withstand, adjust to, or recover from the ongoing and expected effects of climate change, including a timeline to implement those actions;

(9) include specific mechanisms for ensuring communication and coordination—

(A) among Federal agencies; and

(B) between Federal agencies and State agencies, territories of the United States, Indian Tribes, private landowners, conservation organizations, and other countries that share jurisdiction over fish, wildlife, and plants with the United States;

(10) include specific actions to develop and implement coordinated fish, wildlife, and plants inventory and monitoring protocols through interagency coordination and collaboration with States and local governments, Indian Tribes, and private organizations; and

(11) include procedures for guiding the development of detailed strategy implementation plans required under section 7.

(d) **IMPLEMENTATION.**—

(1) **IN GENERAL.**—Consistent with other laws and Federal trust responsibilities concerning Indian land or rights of Indians under treaties with the United States, each Federal agency shall integrate the elements of the National Strategy that relate to conservation, management, and protection of fish, wildlife, and plants into agency plans, environmental reviews, and programs.

(2) **PUBLIC REPORT.**—The Working Group shall, on a biannual basis, between revisions to the National Strategy, make available to the public a report documenting any actions implementing the Strategy.

(3) **COORDINATION.**—The Working Group shall coordinate the implementation of the National Strategy with Federal agencies not represented on the Working Group to achieve the policy of the United States described in section 2(c).

SEC. 6. FISH, WILDLIFE, AND PLANTS ADAPTATION SCIENCE AND INFORMATION.

(a) **NATIONAL CLIMATE CHANGE AND WILDLIFE SCIENCE CENTER.**—

(1) **AUTHORIZATION.**—The Secretary of the Interior, in collaboration with the States, Indian Tribes, and other partner organizations, shall establish a National Climate Change and Wildlife Science Center.

(2) **DUTIES OF CENTER.**—The Center shall assess and develop scientific information, tools, strategies, and techniques to support the Working Group, Federal and State agencies, Tribes, regionally based science and conservation centers, regional coordinating entities, and other interested parties in addressing the effects of extreme weather and climate change on fish, wildlife, and plants.

(3) **GENERAL AUTHORITY TO ENTER INTO CONTRACTS, GRANTS, AND COOPERATIVE AGREEMENTS.**—The Secretary may enter into contracts, grants, or cooperative agreements with State agencies, State cooperative extension services, institutions of higher education, other research or educational institutions and organizations, Tribal organizations, Federal and private agencies and organizations, individuals, and any other contractor or recipient, to further the duties under paragraph (2) without regard to—

(A) any requirements for competition;

(B) section 6101 of title 41, United States Code; or

(C) subsections (a) and (b) of section 3324 of title 31, United States Code.

(b) **ADVISORY COMMITTEE ON CLIMATE CHANGE AND NATURAL RESOURCE SCIENCES.**—

(1) **IN GENERAL.**—Not later than 180 days after the date of enactment of this Act, and pursuant to the Federal Advisory Committee Act (5 U.S.C. App.), the Secretary of the Interior shall establish an Advisory Committee on Climate Change and Natural Resource Sciences.

(2) **MEMBERSHIP.**—The Committee shall be comprised of 25 members who—

(A) represent—

(i) Federal agencies;

(ii) State, local, and Tribal Governments;

(iii) nongovernmental organizations;

(iv) academic institutions; and

(v) the private sector; and

(B) have expertise in—

(i) biology (including fish, wildlife, plant, aquatic, coastal, and marine biology);

(ii) ecology;

(iii) climate change (including, where applicable, ocean acidification, drought, flooding, and wildfire); and

(iv) other relevant scientific disciplines.

(3) **CHAIR.**—The Secretary of the Interior shall appoint a Committee Chair from among the members of the Committee.

(4) **DUTIES.**—The Committee shall—

(A) advise the Working Group on the state of the science regarding—

(i) the ongoing and expected effects of extreme weather and climate change on fish, wildlife, and plants; and

(ii) scientific strategies and mechanisms for fish, wildlife, and plant adaptation;

(B) identify and recommend priorities for ongoing research needs on the issues described in subparagraph (A) to inform the research priorities of the Center described in subsection (a) and other Federal climate science institutions; and

(C) review and comment on each revised National Strategy before that National Strategy is finalized.

(5) **COLLABORATION.**—The Committee shall collaborate with climate change and fish, wildlife, and plant research entities in other Federal agencies and departments.

(6) **AVAILABILITY TO PUBLIC.**—The advice and recommendations of the Committee shall be made available to the public.

SEC. 7. STRATEGY IMPLEMENTATION PLAN.

(a) **DEVELOPMENT.**—Not later than 1 year after the date of enactment of this Act and not later than 1 year after the date of each revision of the National Strategy, the Working Group shall—

(1) complete a strategy implementation plan;

(2) provide opportunities for public review and comment on the plan; and

(3) submit the plan to the President for approval.

(b) **REQUIREMENTS.**—The strategy implementation plan shall—

(1) identify and prioritize specific conservation and management strategies and actions that address the ongoing and expected effects of extreme weather and climate change on fish, wildlife, and plants, including—

(A) protection, management, and conservation of terrestrial, marine, estuarine, and freshwater habitats and ecosystems;

(B) establishment of terrestrial, marine, estuarine, and freshwater habitat connectivity corridors;

(C) restoration and conservation of ecological processes;

(D) protection of a broad diversity of species of fish, wildlife, and plant populations; and

(E) protection of fish, wildlife, and plant health, recognizing that climate can alter the distribution and ecology of parasites, pathogens, and vectors;

(2) establish methods—

(A) to assess the effectiveness of strategies and conservation actions implemented by the agencies to protect, manage, and conserve fish, wildlife, and plants; and

(B) to update those strategies and actions to respond to new information and changing conditions;

(3) describe current and proposed mechanisms to enhance cooperation and coordination of fish, wildlife, and plant adaptation efforts with other Federal agencies, State and local governments, Indian Tribes, and nongovernmental stakeholders;

(4) include written guidance to resource managers; and

(5) identify and assess data and information gaps necessary to develop fish, wildlife, and plant adaptation plans and strategies.

(c) IMPLEMENTATION.—

(1) IN GENERAL.—On approval by the President, each Federal agency shall, consistent with existing authority, implement the strategy implementation plan under subsection (a)(1) through existing and new plans, policies, programs, activities, and actions.

(2) CONSIDERATION OF EFFECTS.—To the maximum extent practicable and consistent with existing authority, fish, wildlife, and plant conservation and management decisions made by each Federal agency shall consider and promote resilience to the ongoing and expected effects of extreme weather and climate change.

(d) REVISION AND REVIEW.—Not later than 1 year after the National Strategy is revised under section 5(b), the Working Group shall review and revise the strategy implementation plan under subsection (a)(1) to incorporate the best available science, including advice and information pursuant to section 6 and other information, regarding the ongoing and expected effects of climate change on fish, wildlife, and plants.

SEC. 8. STATE FISH, WILDLIFE, AND PLANTS ADAPTATION PLANS.

(a) REQUIREMENT.—To be eligible to receive funds pursuant to subsection (d), not later than 1 year after the date of enactment of this Act and not later than 1 year after the date of each revision of the National Strategy, each State shall prepare and submit to the Secretary of the Interior and the Secretary of Commerce, a State fish, wildlife, and plant adaptation plan detailing current and future efforts of the State to address the ongoing and expected effects of climate change on fish, wildlife, and plants and coastal areas within the jurisdiction of the State.

(b) REVIEW OR APPROVAL.—The Secretary of the Interior and the Secretary of Commerce shall—

(1) review each State adaptation plan; and

(2) approve a State adaptation plan if the plan—

(A) meets the requirements of subsection (c); and

(B) is consistent with the National Strategy.

(c) CONTENTS.—A State adaptation plan shall—

(1) meet the requirements described in section 7(b), except that the requirements of that section relating to marine habitats or ecosystems shall not apply to a State in which those habitats or ecosystems do not exist;

(2) include the adaptation provisions of any State comprehensive wildlife conservation strategy (or State wildlife action plan) that has been—

(A) submitted to the Director of the United States Fish and Wildlife Service; and

(B) approved, or is pending approval, by the Director of the United States Fish and Wildlife Service;

(3) include the adaptation provisions of a statewide assessment and strategy for forest resources required under section 2A of the Cooperative Forestry Assistance Act of 1978 (16 U.S.C. 2101a) that has been—

(A) submitted to the Secretary of Agriculture; and

(B) approved, or is pending approval, by the Secretary of Agriculture; and

- (4) in the case of a State with coastal areas, include the adaptation provisions of a Coastal Zone Management Plan or a Coastal and Estuarine Land Conservation Program Plan that has been—
- (A) submitted to the Administrator of the National Oceanic and Atmospheric Administration; and
 - (B) approved, or is pending approval, by the Administrator of the National Oceanic and Atmospheric Administration.
- (d) DISTRIBUTION OF FUNDS TO STATES.—Any funds made available pursuant to this Act shall be—
- (1) used to carry out activities in accordance with adaptation plans approved under this section; and
 - (2) made available through—
 - (A) the State and Tribal wildlife grant program under title I of division F of the Consolidated Appropriations Act, 2008 (Public Law 110–161; 121 Stat. 2103); and
 - (B)(i) the grant program under section 306 of the Coastal Zone Management Act of 1972 (16 U.S.C. 1455);
 - (ii) the Coastal and Estuarine Land Conservation Program established under title II of the Department of Commerce and Related Agencies Appropriations Act, 2002 (16 U.S.C. 1456d); and
 - (iii) programs established under the Cooperative Forestry Assistance Act of 1978 (16 U.S.C. 2101 et seq.).
- (e) PUBLIC INPUT.—In developing an adaptation plan, a State shall solicit and consider input from the public and independent scientists.
- (f) COORDINATION WITH OTHER PLANS.—A State adaptation plan shall, where appropriate, integrate the goals and measures set forth in other climate adaptation, hazard mitigation, and fish, wildlife, and plant conservation strategies and plans.
- (g) UPDATES.—Each State adaptation plan shall be updated at least every 4 years.

PURPOSE OF THE BILL

The purpose of H.R. 2748 is to establish an integrated national approach to respond to ongoing and expected effects of extreme weather and climate change by protecting, managing, and conserving the fish, wildlife, and plants of the United States, and to maximize government efficiency and reduce costs, in cooperation with state, local, and tribal governments and other entities, and for other purposes.

BACKGROUND AND NEED FOR LEGISLATION

Economies around the country are built on the existence of healthy, diverse, and productive communities of fish, wildlife, and plants. Plants and wildlife provide food, clean water, air, medicine, energy, and more. In the face of climate change, plants and wildlife are facing increasing threats causing shifts in population distributions, habitat loss, fragmentation, and degradation.¹ The Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services (IPBES) Global Assessment estimates that the current rate of global species extinction is tens to hundreds of times higher than it has been on average over the past 10 million years.² Strengthening the resiliency of fish, wildlife, and plant populations against climate change is critical for ensuring that present and fu-

¹See, e.g., Brett R. Scheffers et al., *The Broad Footprint of Climate Change from Genes to Biomes to People*, 354(6313) SCIENCE (2016), doi: 10.1126/science.aaf7671, <https://science.sciencemag.org/content/354/6313/aaf7671>; DOUGLAS LIPTON, MADELEINE A. RUBENSTEIN & SARAH R. WEISKOPF ET AL., U.S. GLOB. CHANGE RES. PROGRAM, IMPACTS, RISKS, AND ADAPTATION IN THE UNITED STATES: FOURTH NATIONAL CLIMATE ASSESSMENT, VOL. II, CH. 7: ECOSYSTEMS, ECOSYSTEM SERVICES, AND BIODIVERSITY (D.R. Reidmiller, C.W. Avery, D.R. Easterling, K.E. Kunkel, K.L.M. Lewis, T.K. Maycock, and B.C. Stewart eds., 2018), <https://nca2018.globalchange.gov/chapter/7/>.

²IPBES, SUMMARY FOR POLICYMAKERS OF THE GLOBAL ASSESSMENT REPORT ON BIODIVERSITY AND ECOSYSTEM SERVICES 12 (2019), https://ipbes.net/sites/default/files/inline/files/ipbes_global_assessment_report_summary_for_policymakers.pdf.

ture generations can benefit from the abundant services they provide.

H.R. 2748 creates a working group across the federal government and a federal strategy to improve the resilience, survivability, and adaptability of fish, wildlife, and plants in the face of climate change.³ This bill requires the National Fish, Wildlife, and Plants Climate Adaptation Strategy,⁴ which was released in 2013, to be updated following the release of each National Climate Assessment.⁵

COMMITTEE ACTION

H.R. 2748 was introduced on May 15, 2019, by Representative Matt Cartwright (D-PA). The bill was referred solely to the Committee on Natural Resources, and within the Committee to the Subcommittee on Energy and Mineral Resources; the Subcommittee for Indigenous Peoples of the United States; the Subcommittee on National Parks, Forests, and Public Lands; and the Subcommittee on Water, Oceans, and Wildlife. On September 24, 2019, the Subcommittee on Water, Oceans, and Wildlife held a hearing on the bill. On January 29, 2020, the Natural Resources Committee met to consider the bill. The Subcommittees were discharged by unanimous consent. Representative Cartwright offered an amendment designated Cartwright #1. The amendment was agreed to by voice vote. The bill, as amended, was adopted and ordered favorably reported to the House of Representatives by a roll call vote of 22 yeas and 15 nays, as follows:

³ Cf. H.R. REP. NO. 111-316, at 76-77 (2009), (urging the Council on Environmental Quality and the Department of the Interior to “develop a national, government-wide strategy to address climate impacts on fish, wildlife, plants, and associated ecological processes,” *id.* at 77), <https://www.congress.gov/111/crpt/hrpt316/CRPT-111hrpt316.pdf>.

⁴ NAT'L FISH, WILDLIFE & PLANTS CLIMATE ADAPTATION PARTNERSHIP, NATIONAL FISH, WILDLIFE AND PLANTS CLIMATE ADAPTATION STRATEGY (2013), <http://www.wildlifeadaptationstrategy.gov/strategy.php>.

⁵ For the most recent National Climate Assessment, see U.S. GLOB. CHANGE RES. PROGRAM, IMPACTS, RISKS, AND ADAPTATION IN THE UNITED STATES: FOURTH NATIONAL CLIMATE ASSESSMENT (2018), <https://www.globalchange.gov/nca4>.

Date: January 29, 2020

COMMITTEE ON NATURAL RESOURCES
116th Congress - Roll Call

Bill / Motion: H.R. 2748

Amendment:

Disposition: Final Passage: H.R. 2748, as amended, was ordered favorably reported to the House of Representatives by a roll call vote of 22 yeas and 15 nays.

	DEM. MEMBERS (25)	YEAS	NAYS	PRESENT
1	Mr. Brown, MD	X		
2	Mr. Cartwright, PA	X		
3	Mr. Case, HI	X		
4	Mr. Clay, MO			
5	Mr. Costa, CA	X		
6	Mr. Cox, CA	X		
7	Mr. Cunningham, SC	X		
8	Ms. DeGette, CO	X		
9	Mrs. Dingell, MI	X		
10	Mr. Gallego, AZ	X		
11	Mr. Grijalva, AZ (Chair)	X		
12	Mr. Garcia, IL	X		
13	Ms. Haaland, NM	X		
14	Mr. Horsford, NV	X		
15	Mr. Huffman, CA	X		
16	Mr. Levin, CA	X		
17	Mr. Lowenthal, CA	X		
18	Mr. McEachin, VA			
19	Ms. Napolitano, CA	X		
20	Mr. Neguse, CO	X		
21	Mr. Sablan, CNMI	X		
22	Mr. San Nicolas, GU	X		
23	Mr. Soto, FL	X		
24	Mr. Tonko, NY	X		
25	Ms. Velázquez, NY			
26				
	REP. MEMBERS (19)	Y	N	P
1	Mr. Bishop, UT (Ranking)		X	
2	Ms. Cheney, WY			
3	Mr. Cook, CA		X	
4	Mr. Curtis, UT		X	
5	Mr. Fulcher, ID		X	
6	Mr. Gohmert, TX		X	
7	Ms. González-Colón, PR			
8	Mr. Gosar, AZ		X	
9	Mr. Graves, LA		X	
10	Mr. Hern, OK		X	
11	Mr. Hice, GA		X	
12	Mr. Johnson, LA			
13	Mr. Lamborn, CO		X	
14	Mr. McClintock, CA		X	
15	Mrs. Radewagen, AS		X	
16	Mr. Webster, FL		X	
17	Mr. Westerman, AR		X	
18	Mr. Wittman, VA		X	
19	Mr. Young, AK			
	TOTALS	22	15	
	Total: 44 / Quorum: 15 / Report: 23	YEAS	NAYS	PRESENT

HEARINGS

For the purposes of section 103(i) of H. Res. 6 of the 116th Congress—the following hearing was used to develop or consider H.R. 2748: legislative hearing by the Subcommittee on Water, Oceans, and Wildlife held on September 24, 2019.

SECTION-BY-SECTION ANALYSIS

*Section 1. Short title**Section 2. Finding, Purposes, and Policy**Section 3. Definitions*

Section 4. National Fish, Wildlife, and Plants Climate Adaptation Strategy Joint Implementation Working Group. This section establishes the National Fish, Wildlife, and Plants Climate Adaptation Strategy Joint Implementation Working Group to adopt and periodically revise the 2013 National Fish, Wildlife, and Plants Climate Adaptation Strategy (see section 5). The Working Group includes heads of federal and state agencies or departments with jurisdiction over fish, wildlife, and plant resources, as well as tribal representatives.

Section 5. National Fish, Wildlife, and Plants Climate Adaptation Strategy. This section directs the Working Group established in section 4 to adopt the National Fish, Wildlife, and Plants Climate Adaptation Strategy (National Strategy) and revise it no later than one year after the release of each National Climate Assessment mandated by the Global Change Research Act of 1990.⁶ This section requires that the National Strategy revisions:

- Assess the vulnerability of fish, wildlife, and plants to climate change, including short-term, medium-term, long-term, and cumulative impacts, as well as activities that agencies, states, and tribal governments are implementing to protect identified species at risk.
- Identify fish, wildlife, and plants most at risk and outline protocols for integrating adaptation strategies into federal conservation and management of natural resources.
- Identify federal policies that may reduce resilience of fish, wildlife, and plants to climate change, and identify opportunities that could maintain, restore, or enhance resiliency.
- Identify specific actions that federal agencies can take to protect, conserve, and manage fish, wildlife, and plants from impacts of climate change.

Section 6. Fish, Wildlife, and Plants Adaptation Science and Information. This section directs the Secretary of the Interior to establish a National Climate Change and Wildlife Science Center in coordination with states, Indian tribes, and partner organizations to develop scientific information, tools, strategies, and techniques to support the Working Group and other entities in addressing the effects of extreme weather and climate change on fish, wildlife, and plants. Additionally, the Secretary of the Interior is directed to establish an Advisory Committee on Climate Change and Natural Resource Sciences comprised of twenty-five members from federal agencies; state, local, and tribal governments; nongovernmental organizations; the private sector; and academic institutions. The Ad-

⁶Pub. L. No. 101–606, tit. I, § 106, 104 Stat. 3096, 3101 (1990), <https://uscode.house.gov/statviewer.htm?volume=104&page=3101> (codified at 15 U.S.C. § 2936).

visory Committee is tasked with assisting and informing the efforts of the Working Group and the Science Center.

Section 7. Strategy Implementation Plans. This section requires the Working Group to complete a strategy implementation plan one year after implementation of the bill, and on the anniversary of the date of each revision of the National Strategy, which must be available to the public and submitted to the President for approval. The strategy implementation plan must identify conservation and management strategies and actions that address the effects of extreme weather and climate change on fish, wildlife, and plants as well as the effectiveness of such strategies and actions. Each federal agency is required to implement the strategy implementation plan upon its approval by the President.

Section 8. State Fish, Wildlife, and Plants Adaptation Plans. This section conditions certain existing federal grants on each state developing and submitting a fish, wildlife, and plant adaptation plan to the Secretary of the Interior and the Secretary of Commerce detailing current and future efforts to address the ongoing effects of climate change. State adaptation plans shall include the same requirements as implementation plans established in Section 7, as well as the adaptation provisions of any state wildlife conservation plan, and shall be updated every four years. States with approved adaptation plans under this section would be eligible for grant funding through existing grant programs.

COMMITTEE OVERSIGHT FINDINGS AND RECOMMENDATIONS

Regarding clause 2(b)(1) of rule X and clause 3(c)(1) of rule XIII of the Rules of the House of Representatives, the Committee on Natural Resources' oversight findings and recommendations are reflected in the body of this report.

COMPLIANCE WITH HOUSE RULE XIII AND CONGRESSIONAL BUDGET ACT

1. *Cost of Legislation and the Congressional Budget Act.* With respect to the requirements of clause 3(c)(2) and (3) of rule XIII of the Rules of the House of Representatives and sections 308(a) and 402 of the Congressional Budget Act of 1974, the Committee has received the following estimate for the bill from the Director of the Congressional Budget Office:

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, June 25, 2020.

Hon. RAÚL M. GRIJALVA,
*Chairman, Committee on Natural Resources,
House of Representatives, Washington, DC.*

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for H.R. 2748, the SAFE Act.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Madeleine Fox.

Sincerely,

PHILLIP L. SWAGEL,
Director.

Enclosure.

H.R. 2748, SAFE Act			
As ordered reported by the House Committee on Natural Resources on January 29, 2020			
By Fiscal Year, Millions of Dollars	2020	2020-2025	2020-2030
Direct Spending (Outlays)	0	0	0
Revenues	0	0	0
Increase or Decrease (-) in the Deficit	0	0	0
Spending Subject to Appropriation (Outlays)	*	6	not estimated
Statutory pay-as-you-go procedures apply?	No	Mandate Effects	
Increases on-budget deficits in any of the four consecutive 10-year periods beginning in 2031?	No	Contains intergovernmental mandate?	No
		Contains private-sector mandate?	No
* = between zero and \$500,000.			

H.R. 2748 would establish three groups to work on the expected effects of climate change. One group, the National Fish, Wildlife, and Plants Climate Adaptation Strategy Joint Implementation Working Group, would be required to create and implement a national strategy with respect to climate change and to report biannually on its activities. The National Climate Change and Wildlife Science Center and an advisory committee on Climate Change and Natural Resources would provide support for the working group.

Using information about the cost of similar activities, CBO estimates that creating the working group and national strategy would cost about \$500,000 annually and \$3 million over the 2020–2025 period. The report and the advisory committee on climate change would each cost less than \$500,000 annually, but together would cost about \$3 million over the 2020–2025 period. The proposed National Climate Change and Wildlife Science Center already exists as the Climate Adaptation Science Center; thus, CBO estimates there would be no significant cost to implement that provision. In total, CBO estimates that implementing H.R. 2748 would cost \$6 million over the 2020–2025 period; that spending would be subject to the availability of appropriated funds.

The CBO staff contact for this estimate is Madeleine Fox. The estimate was reviewed by H. Samuel Papenfuss, Deputy Director of Budget Analysis.

2. General Performance Goals and Objectives. As required by clause 3(c)(4) of rule XIII, the general performance goals and objectives of this bill are to establish an integrated national approach to respond to ongoing and expected effects of extreme weather and climate change by protecting, managing, and conserving the fish, wildlife, and plants of the United States, and to maximize government efficiency and reduce costs, in cooperation with state, local, and tribal governments and other entities.

EARMARK STATEMENT

This bill does not contain any Congressional earmarks, limited tax benefits, or limited tariff benefits as defined under clause 9(e),

9(f), and 9(g) of rule XXI of the Rules of the House of Representatives.

UNFUNDED MANDATES REFORM ACT STATEMENT

This bill contains no unfunded mandates.

FEDERAL ADVISORY COMMITTEE ACT STATEMENT

Section 4 of the bill establishes a National Fish, Wildlife, and Plants Climate Adaptation Strategy Joint Implementation Working Group, and Section 5 of the bill establishes an Advisory Committee on Climate Change and Natural Resource Sciences. In reporting the bill favorably to the House of Representatives, the Committee on Natural Resources finds that the functions of the Working Group and the Advisory Committee would be better performed by the proposed Working Group and Advisory Committee than by one or more agencies or an existing advisory committee.

EXISTING PROGRAMS

This bill does not establish or reauthorize a program of the federal government known to be duplicative of another program.

APPLICABILITY TO LEGISLATIVE BRANCH

The Committee finds that the legislation does not relate to the terms and conditions of employment or access to public services or accommodations within the meaning of section 102(b)(3) of the Congressional Accountability Act.

PREEMPTION OF STATE, LOCAL, OR TRIBAL LAW

Any preemptive effect of this bill over state, local, or tribal law is intended to be consistent with the bill's purposes and text and the Supremacy Clause of Article VI of the U.S. Constitution.

CHANGES IN EXISTING LAW

If enacted, this bill would make no changes to existing law.

DISSENTING VIEWS

According to testimony from the U.S. Fish and Wildlife Service, “This bill appears to be duplicative of many on-going efforts related to adaptation strategies for fish, wildlife, and plants.” This work is already being done, clearly this legislation is not needed. For these reasons, Republicans oppose this legislation.

ROB BISHOP (UT).
LOUIE GOHMERT.
TOM MCCLINTOCK.
PAUL A. GOSAR.

