

.....
(Original Signature of Member)

118TH CONGRESS
1ST SESSION

H. R.

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

IN THE HOUSE OF REPRESENTATIVES

Ms. JAYAPAL introduced the following bill; which was referred to the
Committee on _____

A BILL

To establish a climate resilience workforce, 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,*

3 **SECTION 1. SHORT TITLE.**

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

6 **SEC. 2. TABLE OF CONTENTS.**

7 The table of contents for this Act is as follows:

- Sec. 1. Short title.
- Sec. 2. Table of contents.
- Sec. 3. Definitions.
- Sec. 4. Office of Climate Resilience.
- Sec. 5. Climate Resilience Equity Advisory Board.

- Sec. 6. Center for the Climate Resilience Workforce.
- Sec. 7. Defining climate resilience sectors.
- Sec. 8. Disaggregation of data.

TITLE I—NATIONAL CLIMATE RESILIENCE ACTION PLANNING

- Sec. 101. Interagency workgroup.
- Sec. 102. Climate Resilience Task Force.
- Sec. 103. Process and outcomes for development of national climate resilience action plan.
- Sec. 104. Federal agency climate resilience action plans.

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

- Sec. 201. Climate resilience planning grants.

TITLE III—CLIMATE RESILIENCE WORKFORCE GRANTS

- Sec. 301. Job creation grants.
- Sec. 302. Workforce development training and hiring grants.
- Sec. 303. Virtual technical assistance and capacity building.

TITLE IV—LABOR STANDARDS AND ENFORCEMENT

- Sec. 401. Minimum labor standards for climate resilience workers.
- Sec. 402. Good Climate Resilience Jobs Grant Program.
- Sec. 403. Climate Resilience Workers Commission.
- Sec. 404. Workers employed using Stafford Act funds.
- Sec. 405. Paid leave for Federal employees who are victims of domestic violence, sexual assault, or stalking.
- Sec. 406. GAO Report on Federal Prison Industry.

TITLE V—REMOVING BARRIERS TO EMPLOYMENT

- Sec. 501. Immigration barriers.
- Sec. 502. Criminal justice barriers.
- Sec. 503. Drug testing barriers.
- Sec. 504. Taskforce on Worker Inclusion.

TITLE VI—PROVISIONS RELATED TO CLIMATE RESILIENCE WORKERS INVOLVED IN DISASTER RECOVERY AND REBUILDING

- Sec. 601. Supports for disaster recovery workers.
- Sec. 602. Pilot program providing Federal employment opportunities for formerly incarcerated firefighters.
- Sec. 603. Direct employment in FEMA CORE.

1 **SEC. 3. DEFINITIONS.**

2 In this Act:

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

1 (2) APPRENTICESHIP PROGRAM.—The term
2 “apprenticeship program” means an apprenticeship
3 registered under the Act of August 16, 1937 (com-
4 monly known as the “National Apprenticeship Act”;
5 50 Stat. 664, chapter 663; 29 U.S.C. 50 et seq.)
6 that meets the standards of subpart A of part 29
7 and part 30 of title 29, Code Federal Register (or
8 any successor regulations on registered programs).

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

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

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

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

1 (I) for human communities, risks
2 shall be assessed by geography, race,
3 ethnicity, socioeconomic status, health
4 and other demographic and social fac-
5 tors, as applicable; and

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

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

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

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

24 (iii) working to address the root
25 causes that lead the entities identified in

1 clause (ii) to be disproportionately vulner-
2 able to the risks and impacts of climate
3 change; and

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

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

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

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

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

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

9 (A) Black.

10 (B) African American.

11 (C) Asian.

12 (D) Pacific Islander.

13 (E) Other non-white race.

14 (F) Hispanic.

15 (G) Latino.

16 (H) Linguistically isolated.

17 (6) COVERED PROJECT LABOR AGREEMENT.—

18 The term covered project labor agreement means a
19 project labor agreement that—

20 (A) binds all contractors and subcontractors
21 on the project through the inclusion of ap-
22 propriate specifications in all relevant sollicita-
23 tion provisions and contract documents;

24 (B) allows all contractors and subcontractors
25 to compete for contracts and subcontracts

1 without regard to whether they are otherwise a
2 party to a collective bargaining agreement;

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

5 (D) sets forth effective, prompt, and mutu-
6 ally binding procedures for resolving labor dis-
7 putes arising during the covered project labor
8 agreement; and

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

13 (7) DIRECTOR.—The term “Director” means
14 the director of the Office of Climate Resilience es-
15 tablished under section 4 of this Act.

16 (8) FRONTLINE COMMUNITY.—The term
17 “frontline community” means—

18 (A) a community or population that, due
19 to systemic racial or economic injustice, has
20 been made vulnerable to experience dispropor-
21 tionate exposure to environmental hazards, in-
22 cluding—

23 (i) a low-income community;

24 (ii) a community of color; and

1 (iii) a Tribal or indigenous commu-
2 nity;

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

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

11 (i) linguistically isolated communities;

12 (ii) individuals with limited English
13 proficiency;

14 (iii) immigrants and refugees;

15 (iv) individuals with limited mobility;

16 (v) individuals who are ill;

17 (vi) vulnerable elderly populations;

18 (vii) children, youth, and pregnant
19 women;

20 (viii) individuals with disabilities;

21 (ix) LGBTQ+ individuals;

22 (x) institutionalized populations;

23 (xi) individuals living in isolated rural
24 areas;

25 (xii) unhoused populations; and

1 (xiii) workers whose job requires such
2 worker to work outdoors.

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

10 (10) INTERIM CREDENTIAL.—The term “in-
11 terim credential” means a credential issued by a reg-
12 istration agency, upon request of the appropriate
13 sponsor, as certification of competency attainment
14 by a program participant during participation in a
15 program under the national apprenticeship system.

16 (11) LABOR ORGANIZATION.—The term “labor
17 organization” has the meaning given such term in
18 section 2(5) of the National Labor Relations Act (29
19 U.S.C. 152(5)).

20 (12) LABOR, WORKER, AND WORKFORCE DE-
21 VELOPMENT STAKEHOLDERS.—The term “labor,
22 worker, and workforce development stakeholders”
23 shall include—

1 (A) individuals who are members of popu-
2 lations facing barriers to employment who have
3 shown leadership in addressing such barriers;

4 (B) worker-driven entities dedicated to en-
5 suring collective worker voice and representa-
6 tion, including—

7 (i) labor unions;

8 (ii) worker centers; and

9 (iii) worker associations;

10 (C) organizations that advocate for im-
11 provement to worker rights and working condi-
12 tions, including organizations that work to ex-
13 pand collective bargaining, raise worker wages,
14 improve workplace safety, reduce and end dis-
15 crimination and increase workplace equity;

16 (D) individuals and organizations, includ-
17 ing potential employers, that possess knowledge
18 of the jobs, skills, and occupations that pertain
19 to climate resilience work, in order to inform
20 workforce and training needs; and

21 (E) entities with proven track records in
22 designing and participating in workforce devel-
23 opment and training programs resulting in
24 higher wages and improved job security for
25 workers, including—

- 1 (i) community colleges;
- 2 (ii) nonprofit organizations; and
- 3 (iii) joint labor management partner-
- 4 ships.

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

7 (A) a county, municipality, city, town,
8 township, local public authority, school district,
9 special district, intrastate district, council of
10 governments (regardless of whether the council
11 of governments is incorporated as a nonprofit
12 corporation under State law), regional or inter-
13 state governmental entity, or agency or instru-
14 mentality of a local government; or

15 (B) an Indian Tribe or authorized Tribal
16 organization, or Alaska Native village or organi-
17 zation that is not a Tribal Government.

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

24 (A) an amount equal to 80 percent of the
25 median income of the area in which the house-

1 hold is located, as reported by the Department
2 of Housing and Urban Development; and

3 (B) 200 percent of the Federal poverty
4 line.

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

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

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

22 (A) undocumented individuals;

23 (B) individuals with criminal records;

24 (C) individuals who are formerly incarcerated;
25

1 (D) deindustrialized communities; and

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

5 (18) PRE-APPRENTICESHIP PROGRAM.—The
6 term “pre-apprenticeship program” means a train-
7 ing model or program that—

8 (A) prepares individuals, focusing on
9 underrepresented populations, to enter and suc-
10 ceed in a registered apprenticeship program;

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

13 (C) that teaches a curriculum based on in-
14 dustry standards; and

15 (D) that offers hands on training opportu-
16 nities that do not displace paid workers.

17 (19) PROJECT LABOR AGREEMENT.—The term
18 “project labor agreement” means a pre-hire collec-
19 tive bargaining agreement with one or more labor
20 organizations that establishes the terms and condi-
21 tions of employment for a specific project and is de-
22 scribed in section 8(f) of the National Labor Rela-
23 tions Act (29 U.S.C. 158(f)).

24 (20) RECOGNIZED POST-SECONDARY CREDEN-
25 TIAL.—The term “recognized post-secondary creden-

1 tial” has the meaning given the term in section 3 of
2 the Workforce Innovation and Opportunity Act (29
3 U.S.C. 3102), except that such term does not in-
4 clude a certificate of completion of an apprentice-
5 ship.

6 (21) REGIONAL GOVERNMENTAL GROUP.—The
7 term “regional governmental group” means a group
8 of States that share borders or are in close prox-
9 imity to one another and share similar social, eco-
10 nomic, and environmental systems and risks and im-
11 pacts of climate change.

12 (22) STATE.—The term “State” includes each
13 of the several States, the District of Columbia, the
14 Commonwealth of Puerto Rico, the Virgin Islands of
15 the United States, the Commonwealth of the North-
16 ern Mariana Islands, the Federated States of Micro-
17 nesia, the Republic of the Marshall Islands, the Re-
18 public of Palau, and the territories and possessions
19 of the United States.

20 (23) TRIBAL GOVERNMENT.—The term “Tribal
21 government” means the governing body of an Indian
22 Tribe.

23 (24) TRIBAL OR INDIGENOUS COMMUNITY.—
24 The term “Tribal or indigenous community” means
25 a population of people who are members of—

- 1 (A) a federally recognized Indian Tribe;
- 2 (B) a State recognized Indian Tribe;
- 3 (C) an Alaskan Native or Native Hawaiian
- 4 community or organization; and
- 5 (D) any other community of indigenous
- 6 people located in a State.

7 (25) WORKER CENTER.—The term “worker

8 center” means a non-profit organization or a co-op-

9 erative that—

10 (A) has as one of its primary goals the im-

11 provement of worker rights, workplace safety,

12 wages, working conditions, or employment ac-

13 cess, or the promotion of enhanced worker

14 voice; and

15 (B) which has some kind of formal mecha-

16 nism by which workers who stand to benefit

17 from these improvements may directly partici-

18 pate in organizational decision-making.

19 **SEC. 4. OFFICE OF CLIMATE RESILIENCE.**

20 (a) ESTABLISHMENT.—Not later than 60 days after

21 the date of enactment of this Act, the President shall es-

22 tablish an Office of Climate Resilience (hereinafter re-

23 ferred to as the “Office”) within the White House.

24 (b) DIRECTOR.—

1 (1) APPOINTMENT.—The President shall ap-
2 point a Director of the Office.

3 (2) TERM.—The Director shall serve for a pe-
4 riod of 5 years.

5 (3) TERMINATION.—The President may termi-
6 nate the Director prior to the end of the term de-
7 scribed in paragraph (2) for issues with perform-
8 ance.

9 (c) PURPOSE.—The purpose of the Office shall be to
10 use information from all sectors involved in climate resil-
11 ience, including frontline community experience, scientific
12 expertise, and labor organization input to coordinate Fed-
13 eral actions to support a climate resilient nation and oper-
14 ate as a Secretariat.

15 (d) FUNCTIONS.—The Office shall—

16 (1) convene the necessary Federal and external
17 stakeholders to inform and develop a national cli-
18 mate resilience action plan;

19 (2) revise the plan described in paragraph (1)
20 every 5 years, or more frequently if determined nec-
21 essary by the Director based on science;

22 (3) support Federal agencies in developing and
23 revising agency-specific climate resilience actions
24 plans and compile such plans into a Federal Govern-
25 ment climate resilience action plan;

1 (4) administer grants established under section
2 201 of this Act;

3 (5) coordinate with the Climate Resilience
4 Workers Commission established under section 403
5 of this Act to support compliance with the require-
6 ments of this Act;

7 (6) coordinate with other Federal activities re-
8 lated to climate resilience, including efforts made by
9 the National Environmental Justice Advisory Coun-
10 cil and the White House Environmental Justice Ad-
11 visory Council; and

12 (7) evaluate the effectiveness of the national cli-
13 mate resilience action plan in achieving a climate re-
14 silient nation through annual assessments and an-
15 nual reporting to Congress.

16 (e) STAFFING.—

17 (1) IN GENERAL.—The Director of the Office
18 shall appoint staff to organize the activities of and
19 provide support for the members of the Climate Re-
20 silience Equity Advisory Board established under
21 section 5 of this Act, the interagency working group,
22 and the Climate Resilience Task Force.

23 (2) ADDITIONAL EMPLOYEES.—The Director
24 may hire other employees as needed to exercise and
25 fulfil the function and purpose of the Office.

1 **SEC. 5. CLIMATE RESILIENCE EQUITY ADVISORY BOARD.**

2 (a) ESTABLISHMENT.—Not later than 6 months after
3 the date of enactment of this Act, the Director of the Of-
4 fice of Climate Resilience shall establish a Climate Resil-
5 ience Equity Advisory Board (herein after referred to as
6 the “Advisory Board”).

7 (b) PURPOSE.—The purpose of the Advisory Board
8 shall be to advise and make recommendations to the Office
9 of Climate Resilience to ensure that the knowledge, experi-
10 ences, and priorities of frontline communities are incor-
11 porated into Federal climate resilience efforts.

12 (c) FUNCTIONS.—The Advisory Board shall—

13 (1) participate in the planning process to de-
14 velop a national climate resilience action plan, in-
15 cluding by advising and making recommendations to
16 the interagency workgroup, Climate Resilience Task
17 Force, and labor, worker, and workforce develop-
18 ment stakeholders to ensure that—

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

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

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

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

10 (d) MEMBERSHIP.—

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

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

18 (A) letters of support from 3 individuals
19 who are members of the community they rep-
20 resent, highlighting the qualifications and rel-
21 evant lived, volunteer, or paid work experience
22 the individual possesses to serve on the Advi-
23 sory Board; and

24 (B) demographic information about the
25 community represented by the individual includ-

1 ing data on population size, income, race, edu-
2 cation level, geographic location, and health, cli-
3 mate, and environmental risks faced.

4 (3) SIZE OF BOARD.—

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

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

13 (4) TERM.—

14 (A) IN GENERAL.—A member shall serve
15 on the Advisory Board for a term of 3 years.

16 (B) TERM LIMIT.—A member may serve
17 on the Advisory Board for not more than 2
18 terms.

19 (e) COMPENSATION.—The Director of the Office shall
20 establish guidelines and a process for providing compensa-
21 tion to individuals who would otherwise not be able to par-
22 ticipate or who would experience financial hardship with-
23 out such compensation.

24 (f) PUBLIC PARTICIPATION AND TRANSPARENCY.—

25 The Board shall make every effort, consistent with appli-

1 cable law, including section 552 of title 5, United States
2 Code, and section 552a of title 5, United States Code, to
3 maximize public participation and transparency, including
4 making the advice of the Board publicly available in elec-
5 tronic form, including video streaming, on the website of
6 the Office.

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

10 **SEC. 6. CENTER FOR THE CLIMATE RESILIENCE WORK-**
11 **FORCE.**

12 (a) ESTABLISHMENT.—Not later than 3 months after
13 the date of enactment of this Act, the Secretary of Labor
14 shall establish a Center for the Climate Resilience Work-
15 force.

16 (b) PURPOSE.—The purpose of the Center for the
17 Climate Resilience Workforce shall be to—

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

21 (2) disseminate information, conduct research,
22 and celebrate the contributions of the climate resil-
23 ience workforce.

24 (c) STAFFING.—

1 (1) IN GENERAL.—The Center shall be com-
2 prised of staff with sufficient knowledge and exper-
3 tise to carry out the functions under subsection (d).

4 (2) CONSULTATION.—The Center shall consult
5 with Federal agencies as needed to carry out the
6 functions under subsection (d), including the Envi-
7 ronmental Protection Agency, the Department of In-
8 terior, the Department of Agriculture, and the De-
9 partment of Commerce.

10 (d) FUNCTIONS.—The Center shall—

11 (1) define the occupational sectors that pertain
12 to climate resilience, as indicated in section 7, revise
13 such definition as needed based on the latest science
14 and labor market and worker data, and maintain an
15 updated list of such sectors on the Center’s website;

16 (2) contact annually, at a minimum, the United
17 States Global Change Research Program regarding
18 key shifts and emerging challenges in social, eco-
19 nomic and environmental systems due to climate
20 change to inform the identification of priority sec-
21 tors, skills and geographies of focus for the climate
22 resilience workforce;

23 (3) take into account any research that identi-
24 fies frontline communities by tracking the nation-
25 wide geographic distribution of cumulative environ-

1 mental impacts, pollution hotspots, and vulnerability
2 to various environmental risks through the Environ-
3 mental Justice Screen tool of the Environmental
4 Protection Agency and other Federal environmental
5 justice mapping efforts to ensure that job creation
6 and hiring prioritize the communities that are most
7 likely to face disproportionate risks and impacts of
8 climate change;

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

11 (A) track the growth of the climate resil-
12 ience workforce;

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

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

23 (D) identify the successes, challenges, op-
24 portunities and needs of the climate resilience
25 workforce; and

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

7 (5) evaluate—

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

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

18 (C) the relative job quality of climate resil-
19 ience jobs, including wage and benefit levels,
20 union density, and other relevant metrics; and

21 (D) the Department of Labor's role in di-
22 verse and equitable job creation for the climate
23 resilience workforce, especially regarding race,
24 ethnicity and gender for the programs created
25 or supported through this Act;

1 (6) highlight and make recommendations to ad-
2 dress disparities and barriers in—

3 (A) the hiring, retention or income of
4 workers from frontline communities and popu-
5 lations facing barriers to employment;

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

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

11 (D) barriers to worker voice, whistle-
12 blowers and collective bargaining in the climate
13 resilience workforce and means by which to
14 overcome these barriers using improved enforce-
15 ment, education and regulatory changes; and

16 (E) addressing the immigration, criminal
17 justice and drug testing barriers to employment
18 specified in this Act;

19 (7) collaborate with the Office of Climate Resil-
20 ience, the Climate Resilience Equity Advisory Board
21 and labor, worker and workforce stakeholders in
22 conducting research, sharing findings, and devel-
23 oping recommendations;

24 (8) publish the findings of its research on its
25 website and maintain a monthly newsletter with the

1 latest data on the climate resilience workforce and
2 research findings; and

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

6 **SEC. 7. DEFINING CLIMATE RESILIENCE SECTORS.**

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

11 (b) REVISION.—The Center for the Climate Resilience
12 Workforce shall revise the definition under sub-
13 section (a) as needed to reflect the full scope of the sec-
14 tors, occupations, and skills needed to achieve a climate
15 resilient nation, and maintain an updated list of sectors
16 on the Center’s website.

17 (c) INCLUSIONS.—In defining climate resilience sec-
18 tors under subsection (a), the Center shall include, at a
19 minimum, all employment sectors in which workers per-
20 form activities related to the following:

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

25 (A) transportation;

- 1 (B) electricity generation;
2 (C) industry;
3 (D) commercial and residential buildings;
4 and
5 (E) agriculture.

6 (2) PREPARATION FOR AND ADAPTATION TO
7 CLIMATE CHANGE.—Efforts focused on activities in-
8 volved in preparing for, adapting to, and addressing
9 risks related to climate change, including the fol-
10 lowing:

11 (A) SOCIAL SYSTEMS.—

12 (i) CARE INFRASTRUCTURE.—To en-
13 sure adequate, reliable access to and avail-
14 ability of formal services and informal,
15 community-based support for healthcare,
16 childcare, elder care, home care, domestic
17 care, and other related care functions as
18 climate change impacts increase and to
19 protect vulnerable populations in times of
20 disaster.

21 (ii) HUMAN HEALTH.—To prevent
22 and address increased injury, illness, and
23 death due to increased exposure to heat
24 waves, floods, droughts, extreme weather
25 events and vector-, food-, and waterborne

1 infectious diseases and to changes in the
2 quality and safety of air, food and water,
3 and stresses to mental health.

4 (iii) COMMUNITIES.—

5 (I) URBAN COMMUNITIES.—

6 Strengthen vulnerable infrastructure
7 and prevent and address concentrated
8 heat and air pollution.

9 (II) RURAL COMMUNITIES.—

10 Strengthen infrastructure and in-
11 crease resources for resilience.

12 (III) TRIBAL AND INDIGENOUS

13 COMMUNITIES.—Preparing for and
14 adapting to threats to livelihoods and
15 economies in agriculture, hunting and
16 gathering, fishing, forestry, energy,
17 recreation and tourism, threats to
18 sites, practices and relationships with
19 cultural, spiritual and ceremonial im-
20 portance, loss of cultural heritage and
21 identity, and loss of sovereignty and
22 self-determination.

23 (B) ENVIRONMENTAL SYSTEMS.—

24 (i) WATER.—Changes in water quan-

25 tity and quality, deteriorating water infra-

1 structure, flood and drought management,
2 extreme precipitation and rising sea levels,
3 ensuring access to clean drinking water,
4 and ensuring adequate water storage and
5 availability.

6 (ii) AIR.—Worsening air quality, res-
7 piratory and cardiovascular illness and
8 death, injury due to reduced visibility,
9 damage to agricultural crops and forests,
10 increased wildfire smoke, increased fre-
11 quency and severity of allergic illnesses,
12 and minimizing air pollutants to improve
13 air quality.

14 (iii) LAND.—Loss of land cover and
15 impact on agriculture, wildfires, coastal
16 wetlands and vegetation, mitigating the
17 impacts of deforestation and urbanization,
18 and considering climate change risks in
19 land use decisions.

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

22 (v) ECOSYSTEMS AND BIODIVER-
23 SITY.—Altered or deteriorated ecosystem
24 functions, altered individual characteristics
25 of organisms, timing of biological events

1 and geographic ranges of terrestrial, fresh-
2 water and marine organisms, spread of
3 invasive species, loss of biodiversity,
4 endangerment and extinction of organisms,
5 and changes in agricultural and fisheries
6 production, supply of clean water, protec-
7 tion from extreme events, and culturally
8 valuable resources.

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

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

19 (C) ECONOMIC SYSTEMS.—

20 (i) PUBLIC SECTOR.—Activities fo-
21 cused on ensuring stable governance and
22 provision of critical safety net services and
23 supports, adopting new policies to address
24 emerging threats, risks and needs and pro-
25 vide specific protections for vulnerable pop-

1 ulations, and expanding services to ensure
2 that emerging and increasing needs are
3 met.

4 (ii) BUILDINGS AND BUILT INFRA-
5 STRUCTURE.—Activities focused on
6 strengthening buildings and built infra-
7 structure to climate risks, weatherization
8 to account for shifting and increasing tem-
9 peratures, preparing for and adapting to
10 changing patterns of energy use and peak
11 demands, ensuring good indoor air quality,
12 and ensuring affordable housing.

13 (iii) TRANSPORTATION.—Higher tem-
14 peratures, increased precipitation, rising
15 sea levels and extreme weather events on
16 ports, vehicles and transportation infra-
17 structure, preparing for travel disruptions,
18 ensuring passenger safety, preparing for
19 and adapting to fluctuations in fuel and
20 electricity supply and communications dis-
21 ruptions, and demographic shifts and
22 shifts in flows of goods and services that
23 alter transport networks.

24 (iv) MANUFACTURING AND INDUS-
25 TRY.—Supply chain shocks, new regulatory

1 requirements and price shocks, and the im-
2 pact of increasing temperatures on manu-
3 facturing processes.

4 (v) COMMUNICATIONS AND TECH-
5 NOLOGY.—Damage to communications in-
6 frastructure and service interruptions and
7 outages.

8 (vi) FINANCIAL SYSTEMS.—Physical
9 risks associated with more frequent severe
10 weather events and lasting environmental
11 changes to insurance and banking sectors
12 and local economies, preparing for, adapt-
13 ing to and addressing the transition risks
14 posed by policy and technological changes
15 to a reduced-carbon economy, and fluctua-
16 tions in global markets, stranded assets.

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

19 (viii) ENERGY SYSTEMS.—Impacts of
20 increasing temperatures, severity of ex-
21 treme weather events and increased pre-
22 cipitation on energy production and deliv-
23 ery, shifts in energy demand and supply,
24 and growing population driving an increase
25 in overall energy demand.

1 (ix) AGRICULTURE AND FOOD SYS-
2 TEMS.—Disruptions to food availability,
3 access, and quality due to reduced agricul-
4 tural productivity, changes in temperature
5 and precipitation patterns resulting in
6 floods, droughts, changes in crop and live-
7 stock viability, new pests, pathogens and
8 weed problems, depletion of water supplies
9 for irrigation, soil degradation, illness and
10 death in farm workers and livestock due to
11 heat, economic losses, instability of food
12 supply, closure of smaller farms with lim-
13 ited safety nets to deal with disrupting fac-
14 tors, economic losses for farming and rural
15 communities, and increased food prices
16 and greater food insecurity.

17 (x) LABOR.—Impact of increased tem-
18 peratures on workers, particularly those in
19 high-risk industries where workers are
20 doing physical labor and have a direct ex-
21 posure to outdoor temperatures, and work-
22 ers with limited labor protections such as
23 incarcerated workers and undocumented
24 and immigrant workers, preparing for and
25 providing adequate protections for disaster

1 recovery workers as the frequency of cli-
2 mate disasters increases, financial and eco-
3 nomic disruption resulting in labor market
4 shifts and potential job losses, and eco-
5 nomic impact of disasters and long-term
6 climate shifts on businesses, workers and
7 local economies.

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

24 (xii) FOREIGN AFFAIRS.—Increased
25 need to provide foreign aid and assistance,

1 increased migration, increased conflict,
2 war, famine and political and economic in-
3 stability, economic losses in trade and
4 overseas operations, and shocks to global
5 supply chains; and

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

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

11 (i) wildfires and any resulting land-
12 slides and debris;

13 (ii) extreme precipitation events,
14 storm surges, and floods;

15 (iii) hurricanes;

16 (iv) heat waves and resulting fires;

17 (v) droughts;

18 (vi) permafrost thawing; and

19 (vii) coastal erosion; and

20 (B) securing the right of communities dis-
21 placed by disasters to return and supporting
22 the relocation of communities located in areas
23 where safe habitation is no longer possible.

24 (d) INTERIM DEFINITION.—In this Act, until the
25 date on which the Center for the Climate Resilience Work-

1 force defines climate resilience sectors for the purposes of
2 this Act, the term “climate resilience sectors” shall include
3 the employment sectors described in subsection (c).

4 **SEC. 8. DISAGGREGATION OF DATA.**

5 With respect to any data collection under this Act,
6 the disaggregation of data under this Act shall not be re-
7 quired when the number of program participants in a cat-
8 egory is insufficient to yield statistically reliable informa-
9 tion or when the results would reveal personally identifi-
10 able information about a program participant or would re-
11 veal such information when combined with other released
12 information.

13 **TITLE I—NATIONAL CLIMATE**
14 **RESILIENCE ACTION PLANNING**

15 **SEC. 101. INTERAGENCY WORKGROUP.**

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

20 (b) FUNCTIONS.—The interagency workgroup con-
21 vened under subsection (a) shall—

22 (1) inform a national climate resilience action
23 plan that includes the Federal Government and ex-
24 tends beyond the scope of the Federal Government;
25 and

1 (2) develop agency specific climate resilience ac-
2 tion plans.

3 (c) COMPOSITION.—The interagency workgroup con-
4 vened under subsection (a) shall include at least 1 rep-
5 resentative from, at a minimum—

6 (1) the Department of Agriculture;

7 (2) the Department of Commerce;

8 (3) the Department of Defense;

9 (4) the Department of Education;

10 (5) the Department of Energy;

11 (6) the Department of Health and Human
12 Services;

13 (7) the Department of Homeland Security;

14 (8) the Department of Housing and Urban De-
15 velopment;

16 (9) the Department of Labor;

17 (10) the Department of the Interior;

18 (11) the Department of State;

19 (12) the Department of Transportation;

20 (13) the Environmental Protection Agency;

21 (14) the Council on Environmental Quality;

22 (15) the Office of the United States Trade Rep-
23 resentative;

24 (16) the Office of Management and Budget;

25 and

1 (17) the National Economic Council.

2 **SEC. 102. CLIMATE RESILIENCE TASK FORCE.**

3 (a) ESTABLISHMENT.—The Director of the Office of
4 Climate Resilience shall convene a Task Force of external
5 stakeholders who possess expertise related to climate resil-
6 ience to inform a national climate resilience action plan.

7 (b) APPOINTMENT PROCESS.—

8 (1) IN GENERAL.—The Director of the Office of
9 Climate Resilience shall establish a public nomina-
10 tion and appointment process for individuals with
11 expertise in the activities described in section 7(c) of
12 this Act.

13 (2) REVISION OF SCOPE.—As the Center for
14 the Climate Resilience Workforce updates the defini-
15 tion of climate resilience sectors under section 7 of
16 this Act, the Director may appoint additional mem-
17 bers to, expand the scope of, and alter the structure
18 of the Task Force as needed to fulfill the purpose
19 of the Task Force.

20 (c) SIZE OF TASK FORCE.—The task force shall be
21 comprised of not less than 20 members. The Director shall
22 appoint as many members as determined necessary to en-
23 sure that the Task Force possesses sufficient knowledge
24 and expertise to make recommendations of sufficient

1 depth and breadth to inform the development of a robust
2 national climate action plan.

3 (d) STRUCTURE OF TASK FORCE.—

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

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

12 (e) QUALIFICATIONS.—Each member of the Task
13 Force shall be qualified by education, training, or lived,
14 volunteer, or paid work experience in the activities speci-
15 fied in section 7(c) of this Act to evaluate information and
16 make recommendations on matters referred to the Task
17 Force under this Act. Individuals appointed to the Task
18 Force shall include—

19 (1) individuals with experience implementing
20 strategies to achieve absolute reductions in green-
21 house gas emissions from the transportation, elec-
22 tricity generation, industrial, commercial and resi-
23 dential building and agricultural sectors, including
24 experience as a community organizer on climate

1 mitigation issues or a frontline worker in such sec-
2 tors;

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

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

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

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

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

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

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

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

8 (H) emergency managers at local and state
9 government emergency management offices.

10 **SEC. 103. PROCESS AND OUTCOMES FOR DEVELOPMENT OF**
11 **NATIONAL CLIMATE RESILIENCE ACTION**
12 **PLAN.**

13 (a) PROCESS.—

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

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

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

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

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

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

6 (2) SUBGROUPS.—

7 (A) IN GENERAL.—The Director may con-
8 vene subgroups of the groups convened under
9 paragraph (1) to facilitate depth of discussion
10 and planning related to specific issue areas or
11 topics.

12 (B) REQUIREMENT.—In convening a sub-
13 group pursuant to subparagraph (A), the Direc-
14 tor shall ensure that at least 2 members of the
15 Climate Resilience Equity Advisory Board are
16 included in such subgroup to ensure that the
17 knowledge, lived experiences, and priorities of
18 frontline communities are integrated into deci-
19 sions around climate resilience strategies.

20 (C) RECOMMENDATIONS.—In carrying out
21 functions under a subgroup convened pursuant
22 to subparagraph (A), the Climate Resilience
23 Equity Advisory Board may issue recommenda-
24 tions to any subgroup convened.

1 (b) OUTCOMES.—The national climate resilience ac-
2 tion plan developed under this section shall—

3 (1) detail goals and priority strategies that shall
4 be taken to achieve a climate resilient nation and in-
5 clude specific actions, timelines, targets, evaluation
6 metrics, and stakeholders responsible for implemen-
7 tation and oversight, including goals, strategies, and
8 actions that—

9 (A) encompass the entirety of climate resil-
10 ience;

11 (B) focus on mitigation, preparation, adap-
12 tation, and disaster recovery and rebuilding ac-
13 tivities as described in section 7(c) of this Act;

14 (C) prioritize frontline communities;

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

20 (2) identify current and projected national
21 workforce needs to carry out the strategies and ac-
22 tions described in paragraph (1), including—

23 (A) the existing jobs, skills, and occupa-
24 tions that pertain to climate resilience work;

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

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

8 (D) strategies to achieve racial and gender
9 equity in job creation and training, including
10 strategies to ensure equity and prioritization in
11 training and hiring members of frontline com-
12 munities and populations facing barriers to em-
13 ployment; and

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

17 (3) identify regional variation in risks, strate-
18 gies, and workforce needs.

19 (c) CONSULTATION OF RESOURCES.—In developing
20 the national climate resilience action plan under this sec-
21 tion, the groups convened under subsection (a)(1) may
22 consult the following resources to inform the identification
23 of strategies and actions under subsection (b):

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

1 (A) the People’s Orientation for a Regen-
2 erative Economy;

3 (B) Movement for Black Lives policy guid-
4 ance;

5 (C) Gulf South for a Green New Deal pol-
6 icy platform;

7 (D) Equitable and Just National Climate
8 platform;

9 (E) various platforms of the BlueGreen Al-
10 liance;

11 (F) United States Climate Action Net-
12 work’s vision for equitable climate action; and

13 (G) Union of Concerned Scientists climate
14 resilience framework.

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

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

19 (B) the United States Global Change Re-
20 search Program’s 4th National Climate Assess-
21 ment;

22 (C) the United States Climate Resilience
23 Toolkit;

24 (D) Center for Climate and Energy Solu-
25 tions Resilience Portal;

1 (E) various platforms of Resilience Force;
2 and

3 (F) Bureau of Labor Statistics and United
4 States Energy and Employment report data, in-
5 cluding data on gender, race, ethnicity, and
6 union representation.

7 (d) CONSULTATION OF STAKEHOLDERS.—In con-
8 vening the groups under subsection (a)(1) to identify cur-
9 rent and projected national workforce needs under sub-
10 section (b)(2)—

11 (1) labor, worker, and workforce development
12 stakeholders shall be consulted to provide input and
13 recommendations on labor, worker, workforce devel-
14 opment, and training needs; and

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

18 (e) REPORT TO CONGRESS.—

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

23 (2) REPORT OF DIRECTOR.—Not later than 2
24 years after the date of enactment of this Act, the
25 Director shall submit to Congress a copy of the na-

1 tional climate resilience action plan developed under
2 this section.

3 (3) REPORTING REQUIREMENT.—Not later than
4 1 year after the date of the submission of the na-
5 tional climate resilience action plan under paragraph
6 (1), and each year thereafter, the Office of Climate
7 Resilience shall submit to Congress a report describ-
8 ing the progress towards achieving climate resilience
9 described in such plan.

10 (f) REVISION.—Not later than once every 5 years
11 after the date on which the national climate resilience ac-
12 tion plan is submitted under subsection (e)(1), the groups
13 convened under subsection (a)(1) shall update such plan.

14 **SEC. 104. FEDERAL AGENCY CLIMATE RESILIENCE ACTION**
15 **PLANS.**

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

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

1 (c) CONTENTS.—Each agency climate resilience ac-
2 tion plan developed under subsection (a) shall—

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

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

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

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

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

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

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

24 (8) be reviewed by the Climate Resilience Eq-
25 uity Advisory Board and either incorporate, or pro-

1 vide justification for excluding, any recommenda-
2 tions made by the Board;

3 (9) build on any existing agency climate adap-
4 tation and sustainability plans;

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

7 (11) ensure resilience of the agency in the face
8 of climate change risks to ensure the agency's ability
9 to accomplish its mission and protect the value of its
10 assets and people;

11 (12) include current and projected Federal
12 workforce needs, including necessary skills and
13 training, to carry out the actions outlined in the
14 plan;

15 (13) highlight limitations in statutory authority,
16 resource constraints, data gaps, and personnel train-
17 ing needs that are hindering the agency's ability to
18 fully undertake the activities needed to support cli-
19 mate resilience;

20 (14) be submitted to the appropriate commit-
21 tees of jurisdiction within the House of Representa-
22 tives and Senate not later than 2 years after the
23 date of enactment of this Act to allow Congress to
24 act accordingly to—

1 (A) provide funding and to ensure Federal
2 agencies, departments, and offices have ade-
3 quate resources to carry out the activities out-
4 lined in the agency plan;

5 (B) support existing jobs, create new jobs,
6 and support personnel training that are critical
7 to the Federal Government's activities to sup-
8 port climate resilience;

9 (C) conduct oversight to ensure each agen-
10 cy is carrying out the plan for such agency; and

11 (D) address limitations in statutory au-
12 thority through legislation; and

13 (15) be revised not less frequently than every 5
14 years.

15 (d) RESPONSIBILITIES OF THE OFFICE OF CLIMATE
16 RESILIENCE.—In carrying out this section, the Office of
17 Climate Resilience shall—

18 (1) not later than 90 days after the date of en-
19 actment of this Act, develop and issue specific guide-
20 lines for planning;

21 (2) compile each plan developed by each Fed-
22 eral agency under this section into a cohesive Fed-
23 eral Government climate resilience action plan;

24 (3) select the agency that has made the great-
25 est contributions to climate resilience to receive an

1 annual award, that shall include additional funding
2 to carry out climate resilience work; and

3 (4) provide technical assistance, coordination,
4 and support for agencies in carrying out each agen-
5 cy's action plan developed under this section.

6 (e) CONSULTATION OF RESOURCES.—In developing
7 an action plan under this section, a Federal agency may
8 consult—

9 (1) the United States Council on Climate Pre-
10 paredness and Resilience's 2016 report titled "Op-
11 portunities to Enhance the Nation's Resilience to
12 Climate Change";

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

16 (3) Executive Order 13514, "Federal Leader-
17 ship in Environmental, Energy and Economic Per-
18 formance";

19 (4) Executive Order 13653, "Preparing the
20 United States for the Impacts of Climate Change";
21 and

22 (5) the Climate and Natural Resource Working
23 Group (CNRWG), Priority Agenda: "Enhancing the
24 Climate Resilience of America's Natural Resources",

1 Washington, DC, Council on Climate Preparedness
2 and Resilience, 2014.

3 **TITLE II—STATE, TRIBAL,**
4 **LOCAL, AND COMMUNITY CLI-**
5 **MATE RESILIENCE ACTION**
6 **PLANNING**

7 **SEC. 201. CLIMATE RESILIENCE PLANNING GRANTS.**

8 (a) ESTABLISHMENT.—Not later than 90 days after
9 the date of enactment of this Act, the Director of the Of-
10 fice of Climate Resilience shall establish a Climate Resil-
11 ience Planning grant program (hereinafter referred to as
12 the “grant program”).

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

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

- 20 (1) State governments.
- 21 (2) Tribal governments.
- 22 (3) Local governments.
- 23 (4) Regional governmental groups.
- 24 (5) Nonprofit organizations.

1 (6) Grassroots community groups that partner
2 with a fiscal sponsor that is exempt from taxation
3 under section 501(c)(3) of the Internal Revenue
4 Code of 1986.

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

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

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

16 (A) has majority representation from
17 frontline communities;

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

21 (C) has labor, worker, and workforce devel-
22 opment stakeholders, including at least 1 rep-
23 resentative of a labor union and 1 individual
24 representing populations facing barriers to em-
25 ployment; and

1 (D) allows advisory board members to re-
2 ceive compensation for participation on such
3 board if it is determined that the individual
4 serving would incur financial hardship or other-
5 wise be unable to participate without such com-
6 pensation;

7 (2) details on the population represented by the
8 entity, including demographic information on popu-
9 lation size, income, race, education level, and pri-
10 mary sectors of employment;

11 (3) reasons for seeking grant funding to sup-
12 port climate resilience planning;

13 (4) details on advisory board members including
14 name, organizational affiliation (if applicable), quali-
15 fications, and letters of support from 3 local commu-
16 nity-based nonprofit organizations verifying the ac-
17 curacy of the information presented;

18 (5) a list of the stakeholders that will be in-
19 volved in the planning process;

20 (6) details on how the advisory board will be in-
21 corporated into the planning process;

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

1 (8) the expected timeline for how long the plan-
2 ning process is expected to take;

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

5 (10) a community engagement plan detailing—

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

9 (B) accommodations that will be made to
10 ensure that such groups have the opportunity to
11 participate in the planning process and provide
12 public comment before the plan is finalized; and

13 (11) a detailed budget for the planning process.

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

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

19 (1) compensation for advisory board members;

20 (2) facilitation costs;

21 (3) materials and supplies;

22 (4) community engagement and outreach ex-
23 penses; and

24 (5) compensation for technical assistance or
25 support.

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

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

7 (j) RESOURCE CONSULTATION.—Entities receiving a
8 grant under this section may consult with the resources
9 described in section 103(c) of this Act to carry out plan-
10 ning efforts under this section.

11 (k) PLANNING REQUIREMENTS.—Entities shall en-
12 sure that plans meet the following requirements:

13 (1) Using data, assess how climate change will
14 create new, or alter current climate related risks,
15 and how such risks are distributed within and across
16 natural ecosystems and human communities, includ-
17 ing—

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

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

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

4 (A) with respect to human populations,
5 identifying risks due to historic and ongoing
6 systemic racism, economic inequity, and envi-
7 ronmental degradation and pollution; and

8 (B) with respect to natural species and
9 ecosystem services, identifying risks due to envi-
10 ronmental degradation, pollution and other an-
11 thropogenic impacts.

12 (3) Identify goals and priority strategies, spe-
13 cific actions, targets, timelines, and evaluation
14 metrics to achieve a climate resilient community that
15 shall—

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

20 (B) prioritize frontline communities;

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

1 (D) align with the goals, strategies, ac-
2 tions, targets and evaluation metrics detailed in
3 the National Climate Resilience Action plan, if
4 available.

5 (4) Identify stakeholders responsible for imple-
6 mentation and oversight.

7 (5) Government entities must involve every rel-
8 evant agency or office in the planning process and
9 detail the actions each agency or office will take as
10 relevant to the agency or office's mission to protect
11 the jurisdiction from identified risks.

12 (6) The advisory board must be meaningfully
13 included and consulted in the development of the
14 plan and offer recommendations.

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

19 **TITLE III—CLIMATE RESILIENCE** 20 **WORKFORCE GRANTS**

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

22 (a) IN GENERAL.—Not later than 90 days after the
23 date of enactment of this Act, the Director of the Office
24 of Climate Resilience shall, in coordination with the Sec-

1 retary of Labor, establish a Climate Resilience Job Cre-
2 ation grant program.

3 (b) PURPOSE.—The purpose of the grant program es-
4 tablished under this section shall be to fund projects to
5 be carried out by eligible entities for the purpose of—

6 (1) creating local jobs to build the nation’s cli-
7 mate resilience workforce;

8 (2) implementing the strategies, actions, and
9 projects laid out in climate resilience action plans
10 that meet the criteria specified in section 201(k) of
11 this Act; and

12 (3) halving unemployment by creating
13 1,000,000 jobs annually that last not less than 4
14 years and provide benefits, pathways to family-sus-
15 taining careers, a living wage, worker safety and
16 voice to United States workers.

17 (c) ELIGIBILITY.—

18 (1) IN GENERAL.—An entity may be eligible for
19 a grant under this section if such entity—

20 (A) is a State, Tribes, locality, regional
21 group, nonprofit organization, labor organiza-
22 tions and labor-management organizations, or
23 community group;

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

1 (i) has been approved under section
2 201(k) of this Act; or

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

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

8 (d) PRIORITY.—The Director shall prioritize grant
9 funding for any entity that—

10 (1) represents a frontline community;

11 (2) demonstrates a history of or commitment to
12 hiring graduates of—

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

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

17 (3) commits to ensuring that at least 40 per-
18 cent of jobs created under a grant under this section
19 will be held by individuals from—

20 (A) frontline communities; and

21 (B) populations facing barriers to employ-
22 ment;

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

1 (5) demonstrates strong support from a front-
2 line community.

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

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

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

9 (3) Eliminate barriers to employment as speci-
10 fied in title V.

11 (f) APPLICATIONS.—The Director shall require an el-
12 igible entity to submit an application that includes—

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

15 (2) an attestation that the applicant will adhere
16 to the minimum labor standards specified in section
17 401, and provide the Director at such time, in such
18 manner, and containing such information as the Di-
19 rector may reasonably require, to demonstrate com-
20 pliance with the requirements under section
21 401(a)(3);

22 (3) a plan to report to the Office aggregate
23 data on the sustainable jobs with community sup-
24 porting wages supported by grant funding and de-
25 mographic statistics of jobs created, disaggregated

1 by gender, race, age, education level, and number of
2 sustainable jobs with community supporting wages
3 hired from frontline communities and populations
4 facing barriers to employment; and

5 (4) a detailed budget for positions to be sup-
6 ported by the grant.

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

12 (1) aggregate data on workers and demographic
13 statistics of jobs created under this section, includ-
14 ing—

15 (A) the number of workers hired;

16 (B) non-identifying data on the race, gen-
17 der, and zip code for workers hired;

18 (C) the wages and benefits paid in those
19 jobs including income broken out by race and
20 gender, other benefits provided to persons em-
21 ployed in those jobs, broken out by race and
22 gender, weekly hours worked by workers em-
23 ployed through jobs created, and, if jobs are
24 time-limited, duration of employment;

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

4 (3) expenditures to date; and

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

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

9 (1) has failed to meet the labor and employ-
10 ment baseline requirements of this bill; or

11 (2) has had more than one substantiated com-
12 plaint against them for a violation of a provision
13 under the jurisdiction of the National Labor Rela-
14 tions Board, Equal Employment Opportunity Com-
15 mission, Wage and Hour Division, Department of
16 Justice’s Civil Rights Division, Occupational Safety
17 and Health Administration, Department of Labor’s
18 Climate Resilience Workers Commission or the Envi-
19 ronmental Protection Agency.

20 (i) REQUEST FOR APPLICATIONS.—Not later than
21 120 days after the date of enactment of this Act, the Of-
22 fice shall publish a request for applications for grants
23 under this section.

1 **SEC. 302. WORKFORCE DEVELOPMENT TRAINING AND HIR-**
2 **ING GRANTS.**

3 (a) ESTABLISHMENT.—Not later than 90 days after
4 the date of enactment of this Act, the Director of the Of-
5 fice of Climate Resilience shall, in coordination with the
6 Secretary of Labor, establish a Climate Resilience Work-
7 force Development, Apprenticeship and Pre-Apprentice-
8 ship Grant Program.

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

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

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

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

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

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

15 (6) conduct targeted outreach and recruitment
16 to frontline communities and populations facing bar-
17 riers to employment;

18 (7) provide training services and workforce in-
19 vestment activities that expand the climate resilience
20 workforce;

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

24 (9) provide assistance in creating and obtaining
25 accreditations and licenses that demonstrate pro-

1 iciency or specialized skills related to climate resil-
2 ience careers.

3 (10) carry out the activities described in section
4 601(a) of this Act.

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

7 (1) A State workforce development board or
8 State workforce agency, a local government, or a
9 local workforce development board or local workforce
10 development agency.

11 (2) An education and training provider.

12 (3) A State apprenticeship agency.

13 (4) An Indian Tribe or Tribal organization.

14 (5) An industry or sector partnership, a group
15 of employers, a trade association, or a professional
16 association that sponsors or participates in a pro-
17 gram under the national apprenticeship system.

18 (6) A Governor of a State.

19 (7) A labor organization or joint labor-manage-
20 ment organization.

21 (8) A qualified intermediary.

22 (9) A nonprofit organization.

23 (10) A co-operative.

24 (11) A public institution of higher education at
25 which the highest degree that is predominantly

1 awarded to students is an associate's degree, includ-
2 ing 2-year tribally controlled colleges under section
3 316 of the Higher Education Act (20 U.S.C. 1059c)
4 and public 2-year State institutions of higher edu-
5 cation.

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

8 (d) REQUIREMENTS.—

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

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

17 (B) Provide job placement assistance.

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

21 (D) Provide wraparound support services
22 to eliminate barriers to employment, as relevant
23 to the specific populations served by the pro-
24 gram, including case management assistance,
25 stipends, tools, and equipment or other support

1 needed for success in completing the training
2 and in subsequent employment.

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

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

9 (1) demonstrates success serving populations
10 facing barriers to employment and frontline commu-
11 nities;

12 (2) is a partnership among 2 or more eligible
13 entities;

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

16 (4) provides a wide and flexible range of sup-
17 portive services to participants including direct fi-
18 nancial assistance, quality childcare services, housing
19 assistance, case management, and other assistance
20 that successfully addresses barriers to program com-
21 pletion.

22 (f) GRANT DURATION.—

23 (1) IN GENERAL.—A grant under this section
24 shall last for a period of 5 years.

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

4 (g) PROHIBITION ON USE OF FUNDS.—No funds
5 under this section may be used—

6 (1) to carry out an industry recognized appren-
7 ticeship program that is not an apprenticeship pro-
8 gram under section 3 of this Act; or

9 (2) to recognize a program described in para-
10 graph (1).

11 (h) FEDERAL SHARE.—Not later than 120 days after
12 the date of enactment of this Act, the Office shall publish
13 a request for applications that, at minimum, reflects the
14 above requirements. There shall be no matching require-
15 ment for grants.

16 (i) REPORTING.—Not later than 6 months after re-
17 ceipt of a grant under this section, and every 6 months
18 thereafter until termination of such grant, the recipient
19 of such grant shall submit to the Director a report that
20 includes aggregate demographic statistics for program en-
21 trants and graduates, rates of program completion and job
22 placement, and demographics of populations enrolled in
23 and completing the program, including rates of recruit-
24 ment, program completion and job placement for popu-
25 lations facing barriers to employment.

1 **SEC. 303. VIRTUAL TECHNICAL ASSISTANCE AND CAPACITY**
2 **BUILDING.**

3 (a) TECHNICAL ASSISTANCE.—

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

10 (A) a community-based nonprofit organiza-
11 tion with fewer than 20 employees;

12 (B) a grassroots community group;

13 (C) a co-operative;

14 (D) a Tribal government or Tribal organi-
15 zations; or

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

18 (2) LETTER OF INTENT.—Entities seeking
19 technical assistance support with the grant applica-
20 tion process must submit a letter of intent to the Of-
21 fice detailing the grant for which they wish to apply,
22 along with proof of tax-exempt 501(c)(3) status,
23 worker co-op status or proof of population size of
24 municipality.

25 (3) RECRUITMENT.—Not later than 90 days
26 after the date of enactment of this Act, the Director

1 shall hire and train full time employees to carry out
2 paragraph (1).

3 (4) PHONE OR WEB CONFERENCE ASSIST-
4 ANCE.—Technical assistance support may be pro-
5 vided by phone or web conferencing.

6 (b) CAPACITY BUILDING.—

7 (1) IN GENERAL.—The Director may provide
8 entities seeking to apply for grants under sections
9 201, 301, and 302 up to 10 percent of grant funds
10 to build the capacity of the organization to apply for
11 Federal grants, conduct the administrative and fi-
12 nancial management of grants, and conduct nec-
13 essary reporting.

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

20 **TITLE IV—LABOR STANDARDS**
21 **AND ENFORCEMENT**

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

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

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

7 (2) MONITORING COMPLIANCE.—Not later than
8 90 days after the date of enactment of this Act, the
9 Director, in coordination with the Secretary, shall—

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

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

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

22 (3) LABOR STANDARDS REQUIREMENTS.—The
23 Director shall require an entity, as a condition of eli-
24 gibility to receive funding under sections 301 to sat-
25 isfy each of the following requirements:

1 (A) The entity shall ensure that—

2 (i) all laborers and mechanics em-
3 ployed on projects funded directly, or as-
4 sisted in whole or in part, by this Act shall
5 be paid wages at rates not less than those
6 prevailing on projects of a character simi-
7 lar in the locality as determined by the
8 Secretary of Labor in accordance with sub-
9 chapter IV of chapter 31 of part A of sub-
10 title II of title 40, United States Code
11 (commonly referred to as the “Davis-
12 Bacon Act”);

13 (ii) all individuals employed using
14 funds under this Act in the manufacture or
15 furnishing of materials, supplies, articles,
16 or equipment under the contract will be
17 paid wages at rates not less than employ-
18 ees performing similar work or in the par-
19 ticular or similar industries or groups of
20 industries currently operating in the local-
21 ity in which the materials, supplies, arti-
22 cles, or equipment are to be manufactured
23 or furnished as determined by the Sec-
24 retary of Labor in accordance with sections
25 6501 through 6511 of title 41, United

1 States Code (commonly referred to as the
2 “Public Contracts Act”); and

3 (iii) all individuals employed in the
4 various classes of service employees using
5 funds under this Act are paid wages at
6 rates not less than the employees per-
7 forming similar work in the locality as de-
8 termined by the Secretary under chapter
9 67 of title 41, United States Code (com-
10 monly known as the “Service Contract
11 Act”);

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

18 (C) The entity, and all contractors and
19 subcontractors in performance of any project,
20 shall represent in the application submitted
21 under sections 301 of this Act (and periodically
22 thereafter during the performance of the project
23 as the Director may require) whether there has
24 been any administrative merits determination,
25 arbitral award or decision, or civil judgment, as

1 defined in guidance issued by the Director, ren-
2 dered against the entity in the preceding 3
3 years (or, in the case of disclosures after the
4 initial disclosure, during such period as the Di-
5 rector may provide) for violations of—

6 (i) the Fair Labor Standards Act of
7 1938 (29 U.S.C. 201 et seq.);

8 (ii) the Occupational Safety and
9 Health Act of 1970 (29 U.S.C. 651 et
10 seq.);

11 (iii) the Migrant and Seasonal Agri-
12 cultural Worker Protection Act (29 U.S.C.
13 1801 et seq.);

14 (iv) the National Labor Relations Act
15 (29 U.S.C. 151 et seq.);

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

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

22 (vii) sections 6501 through 6511 of
23 title 41, United States Code (commonly re-
24 ferred to as the “Public Contracts Act”);

- 1 (viii) Executive Order 11246 (relating
2 to equal employment opportunity);
- 3 (ix) section 503 of the Rehabilitation
4 Act of 1973 (29 U.S.C. 793);
- 5 (x) section 4212 of title 38, United
6 States Code;
- 7 (xi) the Family and Medical Leave
8 Act of 1993 (29 U.S.C. 2601 et seq.);
- 9 (xii) title VII of the Civil Rights Act
10 of 1964 (42 U.S.C. 2000e et seq.);
- 11 (xiii) the Americans with Disabilities
12 Act of 1990 (42 U.S.C. 12101 et seq.);
- 13 (xiv) the Age Discrimination in Em-
14 ployment Act of 1967 (29 U.S.C. 621 et
15 seq.);
- 16 (xv) sick leave for Federal contractors
17 Executive Order;
- 18 (xvi) leave provided under section
19 5102 of the Emergency Paid Sick Leave
20 Act (29 U.S.C. 2601 note);
- 21 (xvii) Executive Order 14026 (relating
22 to the minimum wage for Federal contrac-
23 tors); or
- 24 (xviii) State laws with protections
25 equivalent to the protections listed under

1 this subparagraph, as defined in guidance
2 issued by the Secretary of Labor not later
3 than 90 days after the date of enactment
4 of this Act.

5 (D) The entity, and all contractors and
6 subcontractors in the performance of the
7 project, may not require arbitration for any dis-
8 pute involving an employee described in sub-
9 paragraph (E) engaged in a service for the enti-
10 ty or any contractor and subcontractor, or enter
11 into any agreement with such employee requir-
12 ing arbitration of any such dispute, unless such
13 employee is covered by a collective bargaining
14 agreement that provides otherwise.

15 (E) For purposes of compliance with the
16 National Labor Relations Act (29 U.S.C. 151
17 et seq.), the Fair Labor Standards Act of 1938
18 (29 U.S.C. 201 et seq.), and the requirements
19 under this section, the entity, and all contrac-
20 tors and subcontractors in the performance of
21 any project, shall consider an individual per-
22 forming any service in such performance as an
23 employee (and not an independent contractor)
24 of the entity, contractor, or subcontractor, re-
25 spectively, unless—

1 (i) the individual is free from control
2 and direction in connection with the per-
3 formance of the service, both under the
4 contract for the performance of the service
5 and in fact;

6 (ii) the service is performed outside
7 the usual course of the business of the en-
8 tity, contractor, or subcontractor, respec-
9 tively; and

10 (iii) the individual is customarily en-
11 gaged in an independently established
12 trade, occupation, profession, or business
13 of the same nature as that involved in such
14 service.

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

22 (G) The entity shall require all contractors,
23 subcontractors, successors in interest of the en-
24 tity, and other entities that may acquire the en-
25 tity, in the performance or acquisition of any

1 project, to have and abide by an explicit neu-
2 trality policy on any issue involving the exercise
3 by employees of the entity as described in para-
4 graph (5), and of all contractors and sub-
5 contractors in the performance of any project,
6 of the right to organize and bargain collectively
7 through representatives of their own choosing.

8 (H) Except for persons covered under sub-
9 paragraph (A)(1), the entity shall pay persons
10 employed, in whole or in part, using funds
11 under this Act—

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

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

18 (4) INCREASE IN MINIMUM WAGE.—

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

23 (i) increased by the annual percentage
24 increase, if any, in the median hourly wage

1 of all employees as determined by the Bu-
2 reau of Labor Statistics; and

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

5 (B) RULE OF CONSTRUCTION.—Nothing in
6 this section shall be construed preempt the ap-
7 plication of higher wage scales determined by
8 Federal, State, or municipal law or regulation
9 or collective bargaining agreements.

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

13 (A) PRIVATE RIGHT OF ACTION FOR VIO-
14 LATIONS.—

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

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

23 (II) an additional equal amount
24 as liquidated damages, back pay, com-
25 pensatory damages, and punitive dam-

1 ages, as the Secretary determines ap-
2 propriate;

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

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

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

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

10 (C) JOINT AND SEVERAL LIABILITY.—
11 Each entity, including grantees, contractors and
12 subcontractors, will be joint and severally liable
13 for all violations of minimum labor standards
14 under this title, regardless of current regula-
15 tions and court decisions related to standards
16 for joint employment. It shall not be a defense
17 that the work was subcontracted.

18 (D) HEALTH INSURANCE REQUIRE-
19 MENT.—In the case of an absence of a collective
20 bargaining agreement, the minimum health in-
21 surance requirement for workers under this title
22 is fully employer-paid health insurance coverage
23 that at least meets the level of a Silver plan as
24 defined by the Affordable Care Act.

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

8 (6) UNION REPRESENTATION.—

9 (A) IN GENERAL.—No employer, including,
10 a public employer eligible under section
11 302(c)(1), (3), (6), (11), or (12), shall receive
12 funds under this Act unless employees who per-
13 form or will perform work funded under this
14 Act (including employees of an entity with
15 which the employer contracts for the perform-
16 ance of work funded under this Act) are rep-
17 resented for purposes of collective bargaining by
18 a labor organization.

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

21 (i) the employer certifies that such
22 employees are covered by a labor harmony
23 agreement or that no labor organization
24 represents or has expressed interest in rep-
25 resenting such employees;

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

3 (iii) the Department of Labor pub-
4 lishes the certification required under
5 clause (i); and

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

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

20 (D) FUNDING RESTRICTION.—The restric-
21 tion under subparagraph (A) shall be both a
22 prerequisite to receiving funds and an ongoing
23 condition of receiving funds, except in cases in
24 which a majority of such employees vote pursu-
25 ant to section 9 of the National Labor Rela-

1 tions Act (29 U.S.C. 159) to decertify an in-
2 cumbent labor organization representative dur-
3 ing the course of funded work.

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

15 (b) FEDERAL EMPLOYMENT ESTABLISHED UNDER
16 THIS ACT.—Any Federal Government position established
17 under this Act shall be a position in the competitive service
18 and classified under the General Schedule at a level not
19 less than step 1 of GS–04.

20 (c) WORKERS HIRED THROUGH OTHER FEDERAL
21 FUNDING STREAMS.—Entities hiring workers via the Fed-
22 eral funding streams noted in section 402(c)(1) may be
23 eligible to apply for the Good Climate Resilience Jobs
24 Grant program if they agree to adhere to the minimum
25 labor standards outlined in this section.

1 (d) NATIONAL EMERGENCIES.—Eligible entities shall
2 not fail to comply with the standards put forth in this
3 title even in case of natural disaster or other national
4 emergency. Suspensions of worker protections including
5 but not limited to suspensions of section 1 of the Davis-
6 Bacon Act of March 3, 1931 (46 Stat. 1494, as amended,
7 40 U.S.C. 3147) shall not constitute permissible cir-
8 cumstances for failure by eligible entities to comply with
9 this title.

10 (e) APPLICATION OF OTHER LAW.—For purposes of
11 any job created using funds provided under this Act, the
12 requirements of section 22.1803 of title 48, Code of Fed-
13 eral Regulations, shall not apply.

14 **SEC. 402. GOOD CLIMATE RESILIENCE JOBS GRANT PRO-**
15 **GRAM.**

16 (a) ESTABLISHMENT.—Not later than 90 days after
17 the enactment of this Act, the Department of Labor Sec-
18 retary shall establish a Good Climate Resilience Jobs
19 Grant program.

20 (b) PURPOSE.—The purpose of the grant program is
21 to incentivize entities receiving Federal funds from exist-
22 ing Federal programs that fund climate disaster recovery
23 and rebuilding activities to adhere to the minimum labor
24 standards outlined in section 401 in employing workers
25 hired using Federal funds.

1 (c) ELIGIBILITY.—

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

5 (A) Community Development Block Grant
6 of the Department of Housing and Urban De-
7 velopment, including but not limited to amounts
8 appropriated for disaster relief.

9 (B) National Flood Insurance Program.

10 (C) Federal Highway Emergency Funds.

11 (D) United States Army Corps of Engi-
12 neers Disaster Relief Funds.

13 (E) The Infrastructure and Communities
14 Grant Program of the Federal Emergency Man-
15 agement Administration.

16 (F) The Coastal Resilience Grant Program
17 of the National Oceanic and Atmospheric Ad-
18 ministration.

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

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

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

7 (A) Payment of the non-Federal share re-
8 quired in connection with a Federal grant-in-aid
9 program undertaken as part of the programs
10 listed in subsection (c)(1).

11 (B) Payment of the premium for the Na-
12 tional Flood Insurance Program.

13 (C) For the projects for which entities
14 have received funding through the grant pro-
15 grams named in subsection (c)(1).

16 (d) NOTIFICATION.—Not later than 90 days after the
17 enactment of this Act, the Secretary of Housing and
18 Urban Development, Federal Emergency Management
19 Administrator, Secretary of Department of Transpor-
20 tation, the Administrator of the National Oceanic and At-
21 mospheric Administration, and Director of the United
22 States Army Corps must amend the application processes
23 pertaining to the programs named in subsection (c)(1) to
24 include information about the Good Climate Resilience
25 Jobs Grant program. Existing applicants and recipients

1 to the programs listed in subsection (c)(1) shall be notified
2 of the grant program and given the opportunity to apply
3 with 60 days of notification.

4 (e) GRANT PROCESS, COMPLIANCE AND ENFORCE-
5 MENT.—

6 (1) IN GENERAL.—The Department of Labor
7 Secretary shall establish processes for reviewing
8 grant applications, notifying applicants of award de-
9 cisions, administering grant funds, verifying compli-
10 ance with the minimum labor standards outlined in
11 section 401 of this Act, and penalties for noncompli-
12 ance.

13 (2) MAINTENANCE OF RECORDS.—The Admin-
14 istrator of the Federal Emergency Management
15 Agency shall direct companies participating in the
16 Write Your Own Program to maintain records per-
17 taining to the labor standards outlined in section
18 401 of this Act for all workers hired using National
19 Flood Insurance Program funds.

20 **SEC. 403. CLIMATE RESILIENCE WORKERS COMMISSION.**

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

1 (b) AUTHORITY.—The Commission shall be author-
2 ized to—

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

9 (2) identify, recommend and implement a prac-
10 tice by which to provide warnings to entities in viola-
11 tion of minimum labor standards and workers'
12 rights, to notify the Office of the Secretary of any
13 entities that violate standards and rights, and make
14 recommendations on penalties and transfer of grant
15 funding, jobs, and workers funded through non-
16 compliant entities to other eligible entities without
17 any job loss for climate resilience workers;

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

22 (4) make recommendations on regulations and
23 subregulatory guidances;

24 (5) convene climate resilience stakeholders for
25 meetings and forums, including the Climate Resil-

1 ience Worker Safety Committee program described
2 in section 601(d)(2);

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

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

8 (c) COMMISSION MEMBERSHIP.—

9 (1) CHAIR.—The Chair of the Commission will
10 be appointed by the Secretary.

11 (A) MEMBERS.—The Commission shall be
12 composed of not less than 20 additional individ-
13 uals, selected by the Chair of the Commission
14 from nominees proposed pursuant to subpara-
15 graph (B), as follows:

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

19 (ii) Not less than 8 members shall be
20 individuals who are members of, or advo-
21 cate on behalf of, or both, populations fac-
22 ing barriers to employment.

23 (iii) The Commission shall include a
24 broad and representative group of labor,

1 worker and workforce development stake-
2 holders.

3 (iv) The Commission shall include
4 representatives from relevant federal agen-
5 cies including the Department of Labor's
6 Occupational Safety and Health Adminis-
7 tration and Wage and Hour Division, the
8 Department of Homeland Security's
9 United States Citizenship and Immigration
10 Services and Federal Emergency Manage-
11 ment Agency, the Department of Justice,
12 and the Equal Employment Opportunity
13 Commission.

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

17 (C) REPORT.—Upon selection of members
18 of the Commission, the Commission shall sub-
19 mit a report to Congress identifying the mem-
20 bers selected and demonstration of compliance
21 with the provisions of this subsection.

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

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

1 (3) COMPENSATION.—The Secretary shall es-
2 tablish guidelines and a process for providing com-
3 pensation to individuals who would otherwise not be
4 able to participate or who would experience financial
5 hardship without such compensation.

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

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

17 **SEC. 404. WORKERS EMPLOYED USING STAFFORD ACT**
18 **FUNDS.**

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

22 “(10)(A) All laborers, mechanics and other workers
23 employed by contractors or subcontractors who are have
24 been determined by the Center for the Climate Resilience
25 Workforce to be performing work within climate resilience

1 sectors as defined in section 7 of the Climate Resilience
2 Workforce Act and financed with the assistance of any
3 contribution of Federal funds made by the Administrator
4 under this subsection shall have the right of the labor
5 standards detailed in section 401 of the Climate Resilience
6 Workforce Act.

7 “(B) Subparagraph (A) shall apply to workers
8 employed by contractors or subcontractors who are
9 financed with the assistance of any contributions of
10 Federal funds made by the Administrator through
11 PA Grants (42 U.S.C. 5172), BRIC (42 U.S.C.
12 5133), or Hazard Mitigation Grants (42 U.S.C.
13 5170c), including the Flood Mitigation Assistance
14 Grant Program (42 U.S.C. 4104e).

15 “(C) The application of these labor standards
16 are not limited to construction workers or mechan-
17 ics.”.

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

21 (a) IN GENERAL.—Subchapter II of chapter 63 of
22 title 5, United States Code, is amended by adding at the
23 end the following:

1 **“§ 6329d. Leave for victims of domestic violence, sex-**
2 **ual assault, or stalking**

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

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

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

17 “(2) For the employee to seek treatment by a
18 health care provider for physical or mental injuries
19 caused by domestic violence, sexual assault, or stalk-
20 ing, or to attend to health care treatment for a vic-
21 tim who is the employee’s family member or house-
22 hold member.

23 “(3) For the employee to obtain, or assist a
24 family member or household member in obtaining,
25 services from a domestic violence shelter, rape crisis

1 center, or other social services program for relief
2 from domestic violence, sexual assault, or stalking.

3 “(4) For the employee to obtain, or assist a
4 family or household member in obtaining, mental
5 health counseling related to an incident of domestic
6 violence, sexual assault, or stalking, in which the
7 employee or the employee’s family member or house-
8 hold member was a victim of domestic violence, sex-
9 ual assault, or stalking.

10 “(5) For the employee to participate in safety
11 planning, temporarily or permanently relocate, or
12 take other actions to increase the safety of the em-
13 ployee or employee’s family member or household
14 member from future domestic violence, sexual as-
15 sault, or stalking.

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

18 “(A) accrue one hour for each 40-hour work-
19 week (or equivalent) and shall accumulate for use in
20 succeeding years;

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

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

4 “(2) Paid leave accrued or accumulated by an em-
5 ployee under this section may be transferred to and for
6 the use of any other employee if such other employee re-
7 quires additional leave under this section.

8 “(3) If an employee uses paid leave under this section
9 for a period of three consecutive days or longer, the em-
10 ploying agency may require that the employee provide cer-
11 tification supporting the absence, including a written
12 statement by the employee, a police report, a court order,
13 or a written statement by an advocate (including an attor-
14 ney representing the employee, a member of clergy, a med-
15 ical professional, or an advocate for victims of domestic
16 violence, sexual assault, or stalking).

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

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

22 “(B) the employing agency is ordered to dis-
23 close such information by a court order or by law.

24 “(5) An employee shall not directly or indirectly in-
25 timidate, threaten, or coerce, or attempt to intimidate,

1 threaten, or coerce, any other employee for the purpose
2 of interfering with the exercise of any rights which such
3 other employee may have under this section. In this para-
4 graph, the term ‘intimidate, threaten, or coerce’ has the
5 meaning given that term in section 6385(b)(1).

6 “(d) In this section—

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

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

12 “(B) an officer or employee of the Federal
13 Aviation Authority or the Transportation Secu-
14 rity Administration; and

15 “(C) notwithstanding subsection (a) of sec-
16 tion 7421 of title 38, an individual occupying a
17 position listed in subsection (b) of such section;

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

22 “(3) the term ‘household member’ means a
23 former spouse of an employee, a former domestic
24 partner of an employee, any individual who has a
25 child in common with the employee (regardless of

1 whether they have been married or have lived to-
2 gether at any time), any adult individual related to
3 the employee by blood or marriage, any individual
4 16 years of age or older who is residing with the em-
5 ployee or who has resided with the employee, any in-
6 dividual who has a biological or legal parent-child re-
7 lationship with the employee, and any individual
8 with whom the employee has a dating relationship;
9 and

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

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

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

17 **SEC. 406. GAO REPORT ON FEDERAL PRISON INDUSTRY.**

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

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

24 (2) rate of pay;

25 (3) hours worked;

1 (4) worker concerns and issues; and

2 (5) work-related injuries and illnesses.

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

8 **TITLE V—REMOVING BARRIERS**
9 **TO EMPLOYMENT**

10 **SEC. 501. IMMIGRATION BARRIERS.**

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

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

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

11 (A) is an alien who has—

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

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

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

22 or

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

25 (A).

1 (2) CONVERSION FROM TEMPORARY STATUS.—

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

6 (3) EVIDENTIARY REQUIREMENT.—An alien
7 who adjusts status under paragraph (1) or (2) shall
8 submit a petition for CRW status, which shall in-
9 clude the following:

10 (A) Proof of presence in the United States
11 for a period of not less than 1 year ending on
12 the date of application.

13 (B) In the case of an alien adjusting status
14 under paragraph (1)(A), at least one of the fol-
15 lowing:

16 (i) Employer certification of employ-
17 ment in a climate resilience sector.

18 (ii) Employment records of such em-
19 ployment.

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

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

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

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

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

8 (4) TERM OF STATUS.—CRW status under this
9 subsection shall be valid for a period of 2 years, and
10 may be renewed for not less than a total period of
11 10 years.

12 (5) EXTENUATING CIRCUMSTANCES.—The Sec-
13 retary may waive any requirement under paragraph
14 (1)(A) in any case of extenuating circumstances, in-
15 cluding disability, pregnancy, or care of a dependent.

16 (c) ADJUSTMENT TO LAWFUL PERMANENT RESI-
17 DENCE.—

18 (1) IN GENERAL.—An alien with CRW status
19 may adjust to status to that of an alien lawfully ad-
20 mitted for permanent residence beginning not earlier
21 than 18 months after receiving CRW status, except
22 that the time period may be include any time spent
23 in temporary status.

24 (2) WAIVERS OF INADMISSIBILITY.—Notwith-
25 standing any other provision of law and for purposes

1 of this section, the Secretary of Homeland Security
2 or the Attorney General may waive the operation of
3 any one or more grounds of inadmissibility set forth
4 in section 212 of the Immigration and Nationality
5 Act for humanitarian purposes, to assure family
6 unity, or when it is otherwise in the public interest.

7 (3) WAIVERS OF DEPORTABILITY.—Notwith-
8 standing any other provision of law and for purposes
9 of this section, the Secretary of Homeland Security
10 or the Attorney General may waive the operation of
11 any one or more grounds of removal set forth in sec-
12 tion 237 of the Immigration and Nationality Act for
13 humanitarian purposes, to assure family unity, or
14 when it is otherwise in the public interest

15 (d) NATURALIZATION.—

16 (1) IN GENERAL.—A person who is a lawful
17 permanent resident may file an application for natu-
18 ralization under this subsection.

19 (2) EXCEPTIONS TO GENERAL RULES OF NATU-
20 RALIZATION.— Such person shall comply in all other
21 respects with the requirements of title III of the Im-
22 migration and Nationality Act, except that such per-
23 son may be naturalized not earlier than 3 years after
24 the date that person becomes a lawful permanent

1 resident, or 2 years in the case of such a person who
2 is married to a United States national.

3 (e) WORK PROTECTION.—Any employer who provides
4 certification under subsection (b)(3)(B) may not be held
5 criminally or civilly liable under any provision of Federal
6 law or State law for any unlawful employment of the per-
7 son whose employment is so certified.

8 (f) REMOVAL OF CITIZENSHIP REQUIREMENT FOR
9 CERTAIN EMPLOYMENT.—Nothing in section 303 or sec-
10 tion 622 of the Robert T. Stafford Disaster Relief and
11 Emergency Assistance Act may be construed to authorize
12 any prohibition on employment of any person who is other-
13 wise authorized for employment in the United States.

14 (g) ACCESS TO SERVICES.—Notwithstanding any
15 other provision of law, an alien with CRW status or status
16 under subsection (a) shall be considered lawfully present
17 in the United States for all purposes. Notwithstanding any
18 other provision of law, individuals with CRW status or sta-
19 tus under subsection (a) shall be considered lawfully
20 present for purposes of eligibility for Federal health care
21 programs (as defined in section 1128B(f) of the Social Se-
22 curity Act (42 U.S.C. 1320a–7b(f)).

23 (h) DEFINITIONS.—Terms used in this section have
24 the meanings given such terms in section 101(a) of the
25 Immigration and Nationality Act.

1 **SEC. 502. CRIMINAL JUSTICE BARRIERS.**

2 (a) BAN THE BOX.—

3 (1) FEDERAL EMPLOYEES.—

4 (A) PRE-OFFER.—Application for appoint-
5 ment in the civil service in any position that
6 would be considered to be employment in a cli-
7 mate resilience sector if such position was with
8 a private employer shall be subject to the provi-
9 sions of section 9202 of title 5, United States
10 Code.

11 (B) POST-OFFER.—If an offer of such an
12 appointment in the civil service has been made
13 to an applicant, any record of conviction of such
14 applicant may not be taken into account there-
15 after for purposes of such an appointment, ex-
16 cept as provided in subparagraph (C).

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

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

22 (ii) the offense for which such record
23 of conviction was entered would have a
24 specific and particularized effect on the
25 ability of the person to discharge the du-
26 ties of the position.

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

6 (i) The appointing authority shall pro-
7 vide the applicant a written copy of any
8 background report, and shall identify each
9 item in the report that the authority has
10 determined pertains to the ability of the
11 applicant to discharge the duties of the po-
12 sition sought, and a written justification of
13 that determination.

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

20 (iii) If, after reviewing the submission
21 under clause (ii), the authority determines
22 that the record disqualifies the applicant,
23 the authority shall send a letter notifying
24 the applicant of that determination, and

1 explaining the reasons for that determina-
2 tion.

3 (2) FEDERAL CONTRACTORS.—Section 4714 of
4 title 41, United States Code, is amended—

5 (A) in subsection (a)(1)—

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

8 (ii) in subparagraph (B), by striking
9 the period at the end and inserting “;
10 and”; and

11 (iii) by inserting after subparagraph
12 (B) the following:

13 “(C) shall require, as a condition of receiv-
14 ing a Federal contract for work in a climate re-
15 siliience sector (as such term is defined section
16 7 of the Climate Resilience Workforce Act) and
17 receiving payments under such contract that
18 the contractor comply with the requirements of
19 subsection (d).”;

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

22 (C) by inserting after subsection (c) the
23 following:

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

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

4 “(2) In the case of a contractor who determines
5 to revoke a conditional offer to an applicant because
6 of that applicant’s criminal record, the contractor
7 shall submit a written justification of each such deci-
8 sion to the contractor monitor on a quarterly basis.

9 “(3) The contractor may not subsequently re-
10 voke the conditional offer solely on the basis of a
11 conviction—

12 “(A) that is over 5 years old; and

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

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

1 “(5) For a period of 60 days beginning on the
2 date of the receipt of the materials under paragraph
3 (4), an applicant may submit to the contractor a
4 written disputation of the accuracy of the criminal
5 record and provide mitigating evidence or evidence
6 of rehabilitation. Such submission may also include
7 any relevant legal or other information
8 contextualizing or characterizing such criminal
9 record.

10 “(6) If, after reviewing the submission under
11 paragraph (5), the contractor determines that the
12 record disqualifies the applicant, the employer shall
13 send a letter notifying the applicant of that deter-
14 mination, and explaining the reasons for that deter-
15 mination.”.

16 (b) TANF ASSISTANCE AND SNAP BENEFITS.—

17 (1) REPEAL OF BAN ON ASSISTANCE.—Section
18 115 of the Personal Responsibility and Work Oppor-
19 tunity Reconciliation Act of 1996 (21 U.S.C. 862a)
20 is repealed.

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

23 (A) DEFINITIONS.—In this subsection—

24 (i) the term “State” has the meaning
25 given the term in section 115(e) of the

1 Personal Responsibility and Work Oppor-
2 tunity Reconciliation Act of 1996 (21
3 U.S.C. 862a(e)) (as in effect on the day
4 before the date of enactment of this Act);
5 and

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

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

1 (c) MODIFICATION OF DEFINITION OF HOUSEHOLD
2 FOR THE PURPOSE OF DETERMINING SNAP BENE-
3 FITS.—Section 3(m)(5) of the Food and Nutrition Act of
4 2008 (7 U.S.C. 2012(m)(5)) is amended by adding at the
5 end the following:

6 “(H) Incarcerated individuals who are
7 scheduled to be released from an institution
8 within 30 days.”.

9 **SEC. 503. DRUG TESTING BARRIERS.**

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

20 **SEC. 504. TASKFORCE ON WORKER INCLUSION.**

21 (a) ESTABLISHMENT.—There is established a
22 Taskforce on Worker Inclusion (hereinafter in this section
23 referred to as the “Taskforce”) within the Climate Resil-
24 ience Workers Commission established under section 403
25 of this Act, which shall be responsible for establishing pro-

1 grams and best practices to support workers who tradi-
2 tionally face barriers to employment.

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

7 (c) COMPOSITION.—The Taskforce shall be composed
8 of individuals appointed by the chair not later than 90
9 days after the appointment of the chair under subsection
10 (b), as follows:

11 (1) Not less than one representative of the De-
12 partment of Labor.

13 (2) Not less than one representative of the De-
14 partment of Homeland Security.

15 (3) Not less than one representative of the De-
16 partment of Justice.

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

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

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

23 (7) Not less than one formerly incarcerated in-
24 dividual.

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

4 (9) Not less than one representative of employ-
5 ers in climate resilience sectors.

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

8 (e) PROGRAMS.—The programs referred to in sub-
9 section (a) shall include—

10 (1) providing grants to the Legal Service Cor-
11 poration to provide assistance, including legal assist-
12 ance or payment of fees or fines, to workers in the
13 climate resilience sector in—

14 (A) applying for status as a Certified Cli-
15 mate Resilience Worker under section 501 and
16 further adjusting their status to pursue citizen-
17 ship;

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

22 (C) seeking licensure in a field that has
23 barriers for immigrants or workers with crimi-
24 nal history records.

1 (2) conducting education and outreach, in mul-
2 tiple languages, on status as a Certified Climate Re-
3 silience Worker under section 501 and hiring oppor-
4 tunities for foreign-born workers, formerly incarcerated
5 workers, and workers with criminal history
6 records, and other benefits; and

7 (3) establishing training and best practices for
8 the hiring, recruitment, and retention of foreign-
9 born workers, formerly incarcerated workers, and
10 workers with criminal history records.

11 (f) REIMBURSEMENT FOR FINES OR FEES.—The
12 Taskforce shall by rule establish procedures under which
13 a worker in a climate resilience sector may apply for reim-
14 bursement for the payment of any fine or fee associated
15 with—

16 (1) applying for status as a Certified Climate
17 Resilience Worker under section 501 and further ad-
18 justing their status to pursue citizenship;

19 (2) seeking restoration of rights including
20 expungements, dismissals, record sealing, fee waiv-
21 ers, certificates of rehabilitation, diversion programs,
22 and pardons; and

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

1 (g) TRUST FUND.—There is a established a trust
2 fund, to be known as the Climate Resilience Workforce
3 Trust Fund (hereinafter in this section referred to as the
4 “Fund”) which shall be available to the Taskforce, without
5 fiscal year limitation, for purposes of carrying out this sec-
6 tion, including reimbursement under subsection (f).

7 **TITLE VI—PROVISIONS RELATED**
8 **TO CLIMATE RESILIENCE**
9 **WORKERS INVOLVED IN DIS-**
10 **ASTER RECOVERY AND RE-**
11 **BUILDING**

12 **SEC. 601. SUPPORTS FOR DISASTER RECOVERY WORKERS.**

13 (a) GRANTS FOR DISASTER RECOVERY AND RE-
14 BUILDING TRAINING AND HIRING HALLS.—

15 (1) TRAINING.—Entities receiving grants in
16 section 302 to support the training of disaster recov-
17 ery and rebuilding workers must ensure that such
18 training includes the following components, as the
19 Secretary determines relevant to such workers:

20 (A) Ten-hour training provided by the Oc-
21 cupational Safety and Health Administration.

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

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

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

5 (E) Basic workplace rights.

6 (F) Any other training that the Secretary
7 determines appropriate to the circumstances of
8 climate-related disasters.

9 (G) Skill-based training focused on com-
10 munity recovery and rebuilding after disasters
11 must include training on rebuilding techniques
12 that increase community resilience.

13 (H) Training must be:

14 (i) Accessible to various levels of lit-
15 eracy.

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

19 (iii) Available during evenings and
20 weekends.

21 (2) HIRING HALLS.—Grant funds under section
22 302 to benefit climate resilience workers may be
23 used for the following purposes:

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

1 (B) To cover workers compensation, unem-
2 ployment, health insurance and bonding with
3 respect to workers hired through hiring halls to
4 incentivize employers to come to and use the
5 hiring halls.

6 (C) Grantees may create virtual hiring
7 halls for areas where brick and mortar hiring
8 halls are not available or feasible.

9 (b) ORGANIZATION AND REPRESENTATION.—

10 (1) IN GENERAL.—All rights and procedures
11 under the National Labor Relations Act (29 U.S.C.
12 151 et seq.) shall apply to all workers employed
13 using funds in this section in the private sector.

14 (2) FEDERAL GOVERNMENT APPLICATION.—All
15 rights under the title VII of the Civil Service Reform
16 Act of 1978 shall apply to all workers employed by
17 the Federal Government.

18 (3) SECTION 7 PROTECTIONS.—The rights to
19 engage in concerted activities for the purpose of col-
20 lective bargaining or other mutual aid or protection
21 under section 7 of the National Labor Relations Act
22 (29 U.S.C. 157) shall apply with respect to an em-
23 ployee who is employed by an employer who receives
24 funds under this Act and who is seeking to form or
25 is otherwise engaged with a worker association.

1 (c) HEALTH AND SAFETY.—

2 (1) HEALTH AND SAFETY FUND.—

3 (A) ESTABLISHMENT.— There is estab-
4 lished in the Treasury of the United States a
5 Climate Resilience Worker Health and Safety
6 Fund (in this section, referred to as the
7 ‘Fund’), which consists of sums that are appro-
8 priated to the Fund under this section.

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

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

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

18 (C) FEE COLLECTION.—

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

23 (ii) GUIDANCE.—Not later than 120
24 days after the date of enactment of this
25 Act, the Secretary shall issue guidance, in

1 consultation from the Center for the Cli-
2 mate Resilience Workforce, specifying the
3 fee amount, frequency and mechanism for
4 collection. The fee must be sufficient
5 enough to cover the potential expenses cli-
6 mate disaster recovery workers may incur.

7 (2) SAFETY COMMITTEE PROGRAM.—

8 (A) ESTABLISHMENT.—The Chair of the
9 Climate Resilience Workers Commission shall
10 establish a Climate Resilience Worker Safety
11 Committee program (in this paragraph referred
12 to as the “program”) within the Office of the
13 Secretary at the Department of Labor. In car-
14 rying out the program, the Chair shall support
15 safety committees in each labor market where
16 climate disaster recovery workers are employed.

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

21 (C) FUNCTIONS.—The Committees shall—

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

1 (ii) stop work when work conditions
2 are unsafe.

3 (D) FORMATION, STRUCTURE AND SUP-
4 PORT.—

5 (i) ELECTION.—The members of the
6 safety committees will be elected by resil-
7 ience workers in the labor market.

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

13 (iii) REPORTING.—The safety com-
14 mittee shall report any violations of min-
15 imum labor standards laid out in this Act
16 to a regional office of the Department of
17 Labor, which may conduct an investigation
18 and take enforcement actions using the ex-
19 isting authorities of the Secretary.

20 (iv) ENFORCEMENT.—A regional of-
21 fice may elevate violations to the Commis-
22 sion for further enforcement as needed.

23 (E) LABOR MARKET DEFINED.—The term
24 “labor market” means a disaster recovery area

1 as designated in a Federal major disaster dec-
2 laration.

3 (3) LIABILITY.—The employer and with the
4 general contractor shall be liable for all health prob-
5 lems caused in whole or in part by participation in
6 climate disaster response and recovery for all em-
7 ployees employed using funds under this section.

8 (4) WELLNESS CHECKS.—An employer receiv-
9 ing funds under this section shall ensure that work-
10 ers receive annual wellness checks at community
11 health clinics or federally qualified health centers
12 specific to the conditions under which they have
13 been working. Such employer shall cover the full cost
14 of such wellness checks.

15 (d) AUTHORIZATION OF APPROPRIATIONS FOR
16 TRAINING SUPPORTS.—There is authorized to be appro-
17 priated to the Director \$20,000,000 for fiscal year 2021,
18 and each fiscal year thereafter, for the Susan G. Harwood
19 Occupational Safety and Health grant program, of which
20 not less than \$10,000,000 each fiscal year shall be used
21 to support training of workers engaged in disaster recov-
22 ery and rebuilding work.

1 **SEC. 602. PILOT PROGRAM PROVIDING FEDERAL EMPLOY-**
2 **MENT OPPORTUNITIES FOR FORMERLY IN-**
3 **CARCERATED FIREFIGHTERS.**

4 (a) ESTABLISHMENT.—

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

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

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

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

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

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

4 (4) The number of formerly incarcerated fire-
5 fighters released by such State that have success-
6 fully secured employment in wildland or structural
7 firefighting.

8 (5) An estimate of any costs, including staffing
9 costs, such State would incur as a result of partici-
10 pating in the pilot program.

11 (c) RECRUITMENT.—

12 (1) IN GENERAL.—The pilot program shall pro-
13 vide for the recruitment, in such form and manner
14 as the Secretaries may prescribe, in consultation
15 with the eligible State, of formerly incarcerated fire-
16 fighters to occupy Federal wildland firefighting posi-
17 tions. The following requirements shall apply to such
18 recruitment efforts:

19 (A) The participation in the recruitment
20 program by incarcerated firefighters to be vol-
21 untary.

22 (B) A presentation shall be made to incar-
23 cerated firefighters regarding an overview of
24 Federal wildland firefighting positions.

25 (C) The Secretaries shall—

1 (i) work with incarcerated firefighters
2 and the eligible State to identify the skills,
3 interests, and experience of candidates to
4 determine which Federal wildland fire-
5 fighting positions would be most suitable
6 for the individual;

7 (ii) work with incarcerated firefighters
8 and the eligible State to identify and ad-
9 dress any potential barriers to employment
10 as a Federal wildland firefighter, including
11 a lack of a driver's license, before the fire-
12 fighter is released from incarceration; and

13 (iii) collaborate with the eligible State
14 to ensure, to the greatest extent prac-
15 ticable, that a decision to hire an incarcer-
16 ated firefighter coincides with the release
17 of the individual from incarceration.

18 (D) The Secretaries and State agencies
19 shall ensure, to the greatest extent practicable,
20 that any needs that an incarcerated firefighter
21 or formerly incarcerated may have for voluntary
22 substance abuse, mental health, or other reha-
23 bilitative programming are accommodated dur-
24 ing the hiring process and after the position has
25 been accepted by the individual.

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

5 (2) GRANTS.—Subject to the availability of
6 funds to carry out this section, the Secretaries shall
7 provide grants to eligible States participating in the
8 pilot program to support the State’s collaboration
9 with the Secretaries to provide recruitment opportu-
10 nities for incarcerated firefighters or formerly incar-
11 cerated firefighters.

12 (3) WAIVER OF PAROLE AND PROBATION RE-
13 QUIREMENTS.—The Secretaries shall require, at a
14 minimum, that States waive parole and probation re-
15 quirements to ensure that a formerly incarcerated
16 firefighter can meet the requirements of the position
17 for which the individual is hired.

18 (d) REENTRY AND RETENTION SUPPORT.—

19 (1) IN GENERAL.—Subject to the availability of
20 funds to carry out this section, the pilot program
21 shall provide support services for formerly incarcer-
22 ated firefighters participating in the program to sup-
23 port the individual’s financial stability and success-
24 ful reentry into and retention within the workforce.

25 (2) FINANCIAL SUPPORT.—

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

5 (B) DURATION AND AMOUNT.—Financial
6 assistance may be provided for up to 6 months
7 at an amount that ensures the individual’s abil-
8 ity to secure stable housing, food, and other
9 basic needs and purchase any equipment, attire,
10 or supplies that may be needed to perform the
11 duties of the Federal wildland firefighting posi-
12 tion for which they have been hired.

13 (3) MENTORSHIP.—The pilot program shall in-
14 clude a mentorship program that pairs formerly in-
15 carcerated firefighters currently employed within the
16 Federal Government with newly hired formerly in-
17 carcerated firefighters to support job success and re-
18 tention.

19 (e) HIRING PREFERENCE.—During the period the
20 pilot program under this section is operational, with re-
21 spect to examinations for Federal wildland firefighting po-
22 sitions in the competitive service (as that term is defined
23 in section 2102 of title 5, United States Code), competi-
24 tion is restricted to formerly incarcerated firefighters par-

1 participating in the pilot program as long as such firefighters
2 are available.

3 (f) REPORTS.—Beginning on the date that is 1 year
4 after the date of enactment of this Act and annually there-
5 after for the duration of the pilot program, the Secretaries
6 shall submit a report to the Committees on the Judiciary
7 and Natural Resources of the House of Representatives
8 and the Committee on Homeland Security and Govern-
9 mental Affairs of the Senate and any other relevant con-
10 gressional committees detailing implementation of the
11 pilot program, including the rate at which formerly incar-
12 cerated firefighters have been hired by the Secretaries.

13 (g) DEFINITIONS.—In this section:

14 (1) ELIGIBLE STATE.—The term “eligible
15 State” means a State that trains and uses fire-
16 fighters incarcerated in a State correctional facility
17 to fight wildland fire.

18 (2) FEDERAL WILDLAND FIREFIGHTING POSI-
19 TIONS.—The term “Federal wildland firefighting po-
20 sitions” means full-time, permanent positions within
21 the United States Forest Service or in the Depart-
22 ment of Interior the duties of which consist of
23 wildland firefighting, including administrative sup-
24 port positions.

1 (3) FORMERLY INCARCERATED FIRE-
2 FIGHTER.—The term “formerly incarcerated fire-
3 fighter” means an individual—

4 (A) who is no longer incarcerated in a
5 State correctional facility and has been trained
6 and used by the State to fight wildland fire;
7 and

8 (B) who the Secretaries determine are
9 qualified and suitable to occupy Federal
10 wildland firefighting positions.

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

15 **SEC. 603. DIRECT EMPLOYMENT IN FEMA CORE.**

16 (a) IN GENERAL.—Section 306 of the Robert T.
17 Stafford Disaster Relief and Emergency Assistance Act
18 (421 U.S.C. 5149) is amended by adding at the end the
19 following:

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

24 “(1) Debris cleanup.

1 “(2) Residential and commercial reconstruction
2 including rapid repair of partially-damaged resi-
3 dences, and installation of tarps on structures with
4 roof damage.

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

7 “(4) Providing nutritional assistance to im-
8 pacted communities.

9 “(5) Providing counseling and assistance in ac-
10 cessing public benefits such as Federal Emergency
11 Management Agency grants, Disaster Unemploy-
12 ment Assistance, Disaster Supplemental Nutrition
13 Assistance Program.

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

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

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

24 (b) **ADDITIONAL REQUIREMENT.**—The Adminis-
25 trator of the Federal Emergency Management Agency

1 shall establish up to 15,000 new positions, as needed,
2 within the Cadre of On-Call Response/Recovery Employees
3 of the Federal Emergency Management Agency and ap-
4 point to such positions individuals with skills and experi-
5 ence necessary to carry out the duties described in section
6 306(d) of the Robert T. Stafford Disaster Relief and
7 Emergency Assistance Act (421 U.S.C. 5149(d)).