

117TH CONGRESS
2D SESSION

H. R. 6492

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

IN THE HOUSE OF REPRESENTATIVES

JANUARY 25, 2022

Ms. JAYAPAL (for herself, Ms. BARRAGÁN, Ms. BASS, Mr. BLUMENAUER, Mr. BOWMAN, Ms. BUSH, Mr. CARSON, Ms. CLARKE of New York, Mr. CLEAVER, Mr. CONNOLLY, Ms. ESCOBAR, Mr. GARCÍA of Illinois, Mr. GRIJALVA, Mr. HUFFMAN, Mr. JOHNSON of Georgia, Mr. JONES, Ms. LEE of California, Mr. LEVIN of Michigan, Mrs. CAROLYN B. MALONEY of New York, Mr. NADLER, Mrs. NAPOLITANO, Ms. NEWMAN, Ms. NORTON, Ms. OCASIO-CORTEZ, Ms. PRESSLEY, Ms. SCHAKOWSKY, Mr. SMITH of Washington, Mr. SUOZZI, Mr. TAKANO, Ms. TLAIB, and Mrs. WATSON COLEMAN) introduced the following bill; which was referred to the Committee on Education and Labor, and in addition to the Committees on Energy and Commerce, Oversight and Reform, the Judiciary, Transportation and Infrastructure, Ways and Means, Agriculture, Natural Resources, and Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

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

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

1 **SECTION 1. SHORT TITLE.**

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

4 **SEC. 2. TABLE OF CONTENTS.**

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

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- Sec. 401. Minimum labor standards for climate resilience workers.
- Sec. 402. Good Climate Resilience Jobs Grant Program.
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lence, sexual assault, or stalking.
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TITLE V—REMOVING BARRIERS TO EMPLOYMENT

- Sec. 501. Immigration barriers.
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Sec. 601. Supports for disaster recovery workers.

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1 **SEC. 3. DEFINITIONS.**

2 In this Act:

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

5 (2) APPRENTICESHIP PROGRAM.—The term
6 “apprenticeship program” means an apprenticeship
7 registered under the Act of August 16, 1937 (com-
8 monly known as the “National Apprenticeship Act”;
9 50 Stat. 664, chapter 663; 29 U.S.C. 50 et seq.)
10 that meets the standards of subpart A of part 29
11 and part 30 of title 29, Code of Federal Regulations
12 (or any successor regulations on registered pro-
13 grams).

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

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

1 (B) includes the ability to engage in an
2 iterative process of—

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

8 (I) for human communities, risks
9 shall be assessed by geography, race,
10 ethnicity, socioeconomic status, health
11 and other demographic and social fac-
12 tors, as applicable; and

13 (II) for natural ecosystems, risks
14 shall be assessed by geography, spe-
15 cies and ecosystem services, as appli-
16 cable;

17 (ii) identifying human populations,
18 animal and plant species, ecosystem serv-
19 ices and habitats that face disproportionate
20 risks and impacts of climate change, in-
21 cluding—

22 (I) for human populations, iden-
23 tifying risks due to historic and ongo-
24 ing systemic racism, economic in-

1 equity, and environmental degradation
2 and pollution; and

3 (II) for natural species and eco-
4 system services, identifying risks due
5 to environmental degradation, pollu-
6 tion and other anthropogenic impacts;

7 (iii) working to address the root
8 causes that lead the entities identified in
9 clause (ii) to be disproportionately vulner-
10 able to the risks and impacts of climate
11 change; and

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

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

19 (II) prepare for and adapt to the
20 unavoidable impacts of climate change
21 by ensuring that effective risk reduc-
22 tion and management and adaptation
23 strategies can be implemented and
24 maintained; and

1 (III) recover from and rebuild
2 after climate disasters in ways that
3 minimize future risks and increase the
4 ability of natural ecosystems and
5 human communities to face future
6 risks with less harm.

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

10 (5) COMMUNITY OF COLOR.—The term “com-
11 munity of color” means a census block group or se-
12 ries of geographically contiguous blocks in which the
13 population of any of the following categories of indi-
14 viduals, individually or in combination, comprises 30
15 percent or more of the population of persons in the
16 census block group or series of geographically con-
17 tiguous blocks:

18 (A) Black.

19 (B) African American.

20 (C) Asian.

21 (D) Pacific Islander.

22 (E) Other non-White race.

23 (F) Hispanic.

24 (G) Latino.

25 (H) Linguistically isolated.

1 (6) COVERED PROJECT LABOR AGREEMENT.—

2 The term covered project labor agreement means a
3 project labor agreement that—

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

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

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

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

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

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

1 (8) FRONTLINE COMMUNITY.—The term
2 “frontline community” means—

3 (A) a community or population that, due
4 to systemic racial or economic injustice, has
5 been made vulnerable to experience dispropor-
6 tionate exposure to environmental hazards, in-
7 cluding—

8 (i) a low-income community;

9 (ii) a community of color; and

10 (iii) a Tribal or indigenous commu-
11 nity;

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

15 (C) a community or population that is vul-
16 nerable or systematically disadvantaged and
17 therefore has a higher likelihood of being im-
18 pacted by environmental and climate injustice
19 and inequitable climate actions, including—

20 (i) linguistically isolated communities;

21 (ii) individuals with limited English
22 proficiency;

23 (iii) immigrants and refugees;

24 (iv) individuals with limited mobility;

25 (v) individuals who are ill;

- 1 (vi) vulnerable elderly populations;
2 (vii) children, youth, and pregnant
3 women;
4 (viii) individuals with disabilities;
5 (ix) LGBTQ+ individuals;
6 (x) institutionalized populations;
7 (xi) individuals living in isolated rural
8 areas;
9 (xii) unhoused populations; and
10 (xiii) workers whose job requires such
11 worker to work outdoors.

12 (9) GRASSROOTS COMMUNITY GROUP.—The
13 term “grassroots community group” means a group
14 of organized or connected individuals residing in the
15 same census block group or series of geographically
16 contiguous blocks that face the same or similar risks
17 and impacts of climate change or other social, eco-
18 nomic, and environmental risks and impacts.

19 (10) INTERIM CREDENTIAL.—The term “in-
20 terim credential” means a credential issued by a reg-
21 istration agency, upon request of the appropriate
22 sponsor, as certification of competency attainment
23 by a program participant during participation in a
24 program under the national apprenticeship system.

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

5 (12) LABOR, WORKER, AND WORKFORCE DE-
6 VELOPMENT STAKEHOLDERS.—The term “labor,
7 worker, and workforce development stakeholders”
8 shall include—

9 (A) individuals who are members of popu-
10 lations facing barriers to employment who have
11 shown leadership in addressing such barriers;

12 (B) worker-driven entities dedicated to en-
13 suring collective worker voice and representa-
14 tion, including—

15 (i) labor unions;

16 (ii) worker centers; and

17 (iii) worker associations;

18 (C) organizations that advocate for im-
19 provement to worker rights and working condi-
20 tions, including organizations that work to ex-
21 pand collective bargaining, raise worker wages,
22 improve workplace safety, reduce and end dis-
23 crimination and increase workplace equity;

24 (D) individuals and organizations, includ-
25 ing potential employers, that possess knowledge

1 of the jobs, skills, and occupations that pertain
2 to climate resilience work, in order to inform
3 workforce and training needs; and

4 (E) entities with proven track records in
5 designing and participating in workforce devel-
6 opment and training programs resulting in
7 higher wages and improved job security for
8 workers, including—

9 (i) community colleges;

10 (ii) nonprofit organizations; and

11 (iii) joint labor management partner-
12 ships.

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

15 (A) a county, municipality, city, town,
16 township, local public authority, school district,
17 special district, intrastate district, council of
18 governments (regardless of whether the council
19 of governments is incorporated as a nonprofit
20 corporation under State law), regional or inter-
21 state governmental entity, or agency or instru-
22 mentality of a local government; or

23 (B) an Indian Tribe or authorized Tribal
24 organization, or Alaska Native village or organi-
25 zation that is not a Tribal Government.

1 (14) LOW-INCOME COMMUNITY.—The term
2 “low-income community” means any census block
3 group in which 30 percent or more of the population
4 of such block group are individuals with an annual
5 household income equal to, or less than, the greater
6 of—

7 (A) an amount equal to 80 percent of the
8 median income of the area in which the house-
9 hold is located, as reported by the Department
10 of Housing and Urban Development; and

11 (B) 200 percent of the Federal poverty
12 line.

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

17 (16) POPULATION.—The term “population”
18 means a census block group or series of geographi-
19 cally contiguous blocks representing certain common
20 characteristics, including race, ethnicity, national or-
21 igin, income-level, health disparities, or other public
22 health or socioeconomic attributes.

23 (17) POPULATIONS FACING BARRIERS TO EM-
24 PLOYMENT.—The term “populations facing barriers
25 to employment” means populations that have faced

1 systemic barriers to employment, significant, sys-
2 temic job losses, or chronic underemployment or in-
3 secure employment due to failed economic policies,
4 including—

5 (A) undocumented individuals;

6 (B) individuals with criminal records;

7 (C) individuals who are formerly incarcerated;
8

9 (D) deindustrialized communities; and

10 (E) demographic populations with unem-
11 ployment levels higher than the national aver-
12 age.

13 (18) PRE-APPRENTICESHIP PROGRAM.—The
14 term “pre-apprenticeship program” means a train-
15 ing model or program that—

16 (A) prepares individuals, focusing on
17 underrepresented populations, to enter and suc-
18 ceed in a registered apprenticeship program;

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

21 (C) that teaches a curriculum based on in-
22 dustry standards; and

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

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

8 (20) RECOGNIZED POST-SECONDARY CREDEN-
9 TIAL.—The term “recognized post-secondary creden-
10 tial” has the meaning given the term in section 3 of
11 the Workforce Innovation and Opportunity Act (29
12 U.S.C. 3102), except that such term does not in-
13 clude a certificate of completion of an apprentice-
14 ship.

15 (21) REGIONAL GOVERNMENTAL GROUP.—The
16 term “regional governmental group” means a group
17 of States that share borders or are in close prox-
18 imity to one another and share similar social, eco-
19 nomic, and environmental systems and risks and im-
20 pacts of climate change.

21 (22) STATE.—The term “State” includes each
22 of the several States, the District of Columbia, the
23 Commonwealth of Puerto Rico, the Virgin Islands of
24 the United States, the Commonwealth of the North-
25 ern Mariana Islands, the Federated States of Micro-

1 nesia, the Republic of the Marshall Islands, the Re-
2 public of Palau, and the territories and possessions
3 of the United States.

4 (23) TRIBAL GOVERNMENT.—The term “Tribal
5 government” means the governing body of an Indian
6 Tribe.

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

10 (A) a federally recognized Indian Tribe;

11 (B) a State recognized Indian Tribe;

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

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

16 (25) WORKER CENTER.—The term “worker
17 center” means a non-profit organization or a co-op-
18 erative that—

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

24 (B) which has some kind of formal mecha-
25 nism by which workers who stand to benefit

1 from these improvements may directly partici-
2 pate in organizational decision-making.

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

4 (a) ESTABLISHMENT.—Not later than 60 days after
5 the date of enactment of this Act, the President shall es-
6 tablish an Office of Climate Resilience (hereinafter re-
7 ferred to as the “Office”) within the White House.

8 (b) DIRECTOR.—

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

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

13 (3) TERMINATION.—The President may termi-
14 nate the Director prior to the end of the term de-
15 scribed in paragraph (2) for issues with perform-
16 ance.

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

23 (d) FUNCTIONS.—The Office shall—

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

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

7 (3) support Federal agencies in developing and
8 revising agency-specific climate resilience actions
9 plans and compile such plans into a Federal Govern-
10 ment climate resilience action plan;

11 (4) administer grants established under section
12 201 of this Act;

13 (5) coordinate with the Climate Resilience
14 Workers Commission established under section 403
15 of this Act to support compliance with the require-
16 ments of this Act;

17 (6) coordinate with other Federal activities re-
18 lated to climate resilience, including efforts made by
19 the National Environmental Justice Advisory Coun-
20 cil and the White House Environmental Justice Ad-
21 visory Council; and

22 (7) evaluate the effectiveness of the national cli-
23 mate resilience action plan in achieving a climate re-
24 silient nation through annual assessments and an-
25 nual reporting to Congress.

1 (e) STAFFING.—

2 (1) IN GENERAL.—The Director of the Office
3 shall appoint staff to organize the activities of and
4 provide support for the members of the Climate Re-
5 siliience Equity Advisory Board established under
6 section 5 of this Act, the interagency working group,
7 and the Climate Resilience Task Force.

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

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

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

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

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

23 (1) participate in the planning process to de-
24 velop a national climate resilience action plan, in-
25 cluding by advising and making recommendations to

1 the interagency workgroup, Climate Resilience Task
2 Force, and labor, worker, and workforce develop-
3 ment stakeholders to ensure that—

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

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

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

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

19 (d) MEMBERSHIP.—

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

23 (2) APPLICATION PROCESS.—The Director of
24 the Office shall develop an application process and

1 criteria that, at minimum, shall require applicants
2 for the Advisory Board to provide—

3 (A) letters of support from 3 individuals
4 who are members of the community they rep-
5 resent, highlighting the qualifications and rel-
6 evant lived, volunteer, or paid work experience
7 the individual possesses to serve on the Advi-
8 sory Board; and

9 (B) demographic information about the
10 community represented by the individual includ-
11 ing data on population size, income, race, edu-
12 cation level, geographic location, and health, cli-
13 mate, and environmental risks faced.

14 (3) SIZE OF BOARD.—

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

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

23 (4) TERM.—

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

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

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

9 (f) PUBLIC PARTICIPATION AND TRANSPARENCY.—
10 The Board shall make every effort, consistent with appli-
11 cable law, including section 552 of title 5, United States
12 Code, and section 552a of title 5, United States Code, to
13 maximize public participation and transparency, including
14 making the advice of the Board publicly available in elec-
15 tronic form, including video streaming, on the website of
16 the Office.

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

20 **SEC. 6. CENTER FOR THE CLIMATE RESILIENCE WORK-**
21 **FORCE.**

22 (a) ESTABLISHMENT.—Not later than 3 months after
23 the date of enactment of this Act, the Secretary of Labor
24 shall establish a Center for the Climate Resilience Work-
25 force.

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

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

6 (2) disseminate information, conduct research,
7 and celebrate the contributions of the climate resil-
8 ience workforce.

9 (c) STAFFING.—

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

13 (2) CONSULTATION.—The Center shall consult
14 with Federal agencies as needed to carry out the
15 functions under subsection (d), including the Envi-
16 ronmental Protection Agency, the Department of In-
17 terior, the Department of Agriculture, and the De-
18 partment of Commerce.

19 (d) FUNCTIONS.—The Center shall—

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

1 (2) contact annually, at a minimum, the United
2 States Global Change Research Program regarding
3 key shifts and emerging challenges in social, eco-
4 nomic and environmental systems due to climate
5 change to inform the identification of priority sec-
6 tors, skills and geographies of focus for the climate
7 resilience workforce;

8 (3) take into account any research that identi-
9 fies frontline communities by tracking the nation-
10 wide geographic distribution of cumulative environ-
11 mental impacts, pollution hotspots, and vulnerability
12 to various environmental risks through the Environ-
13 mental Justice Screen tool of the Environmental
14 Protection Agency and other Federal environmental
15 justice mapping efforts to ensure that job creation
16 and hiring prioritize the communities that are most
17 likely to face disproportionate risks and impacts of
18 climate change;

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

21 (A) track the growth of the climate resil-
22 ience workforce;

23 (B) track labor market trends in the sup-
24 ply and demand of climate resilience workers by
25 sector, geography, occupation, skills, and train-

1 ing level, highlighting areas of greatest demand
2 and supply so as to inform job creation and
3 training investments;

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

8 (D) identify the successes, challenges, op-
9 portunities and needs of the climate resilience
10 workforce; and

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

17 (5) evaluate—

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

23 (B) the current minimum labor standards
24 of climate resilience workers, barriers to im-
25 proved safety, wages and worker voice, and po-

1 tential regulatory and operational adjustments
2 to improve those labor standards;

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

6 (D) the Department of Labor’s role in di-
7 verse and equitable job creation for the climate
8 resilience workforce, especially regarding race,
9 ethnicity and gender for the programs created
10 or supported through this Act;

11 (6) highlight and make recommendations to ad-
12 dress disparities and barriers in—

13 (A) the hiring, retention or income of
14 workers from frontline communities and popu-
15 lations facing barriers to employment;

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

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

21 (D) barriers to worker voice, whistle-
22 blowers and collective bargaining in the climate
23 resilience workforce and means by which to
24 overcome these barriers using improved enforce-
25 ment, education and regulatory changes; and

1 (E) addressing the immigration, criminal
2 justice and drug testing barriers to employment
3 specified in this Act;

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

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

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

15
16 **SEC. 7. DEFINING CLIMATE RESILIENCE SECTORS.**

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

21 (b) REVISION.—The Center for the Climate Resilience Workforce shall revise the definition under subsection (a) as needed to reflect the full scope of the sectors, occupations, and skills needed to achieve a climate

1 resilient nation, and maintain an updated list of sectors
2 on the Center’s website.

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

7 (1) MITIGATION OF CLIMATE CHANGE.—Efforts
8 focused on achieving absolute reductions in green-
9 house gas emissions in the sectors producing the
10 greatest emissions, including—

11 (A) transportation;

12 (B) electricity generation;

13 (C) industry;

14 (D) commercial and residential buildings;

15 and

16 (E) agriculture.

17 (2) PREPARATION FOR AND ADAPTATION TO
18 CLIMATE CHANGE.—Efforts focused on activities in-
19 volved in preparing for, adapting to, and addressing
20 risks related to climate change, including the fol-
21 lowing:

22 (A) SOCIAL SYSTEMS.—

23 (i) CARE INFRASTRUCTURE.—To en-
24 sure adequate, reliable access to and avail-
25 ability of formal services and informal,

1 community-based support for healthcare,
2 childcare, elder care, home care, domestic
3 care, and other related care functions as
4 climate change impacts increase and to
5 protect vulnerable populations in times of
6 disaster.

7 (ii) HUMAN HEALTH.—To prevent
8 and address increased injury, illness, and
9 death due to increased exposure to heat
10 waves, floods, droughts, extreme weather
11 events and vector-, food-, and waterborne
12 infectious diseases and to changes in the
13 quality and safety of air, food and water,
14 and stresses to mental health.

15 (iii) COMMUNITIES.—

16 (I) URBAN COMMUNITIES.—
17 Strengthen vulnerable infrastructure
18 and prevent and address concentrated
19 heat and air pollution.

20 (II) RURAL COMMUNITIES.—
21 Strengthen infrastructure and in-
22 crease resources for resilience.

23 (III) TRIBAL AND INDIGENOUS
24 COMMUNITIES.—Preparing for and
25 adapting to threats to livelihoods and

1 economies in agriculture, hunting and
2 gathering, fishing, forestry, energy,
3 recreation and tourism, threats to
4 sites, practices and relationships with
5 cultural, spiritual and ceremonial im-
6 portance, loss of cultural heritage and
7 identity, and loss of sovereignty and
8 self-determination.

9 (B) ENVIRONMENTAL SYSTEMS.—

10 (i) WATER.—Changes in water quan-
11 tity and quality, deteriorating water infra-
12 structure, flood and drought management,
13 extreme precipitation and rising sea levels,
14 ensuring access to clean drinking water,
15 and ensuring adequate water storage and
16 availability.

17 (ii) AIR.—Worsening air quality, res-
18 piratory and cardiovascular illness and
19 death, injury due to reduced visibility,
20 damage to agricultural crops and forests,
21 increased wildfire smoke, increased fre-
22 quency and severity of allergic illnesses,
23 and minimizing air pollutants to improve
24 air quality.

1 (iii) LAND.—Loss of land cover and
2 impact on agriculture, wildfires, coastal
3 wetlands and vegetation, mitigating the
4 impacts of deforestation and urbanization,
5 and considering climate change risks in
6 land use decisions.

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

9 (v) ECOSYSTEMS AND BIODIVER-
10 SITY.—Altered or deteriorated ecosystem
11 functions, altered individual characteristics
12 of organisms, timing of biological events
13 and geographic ranges of terrestrial, fresh-
14 water and marine organisms, spread of
15 invasive species, loss of biodiversity,
16 endangerment and extinction of organisms,
17 and changes in agricultural and fisheries
18 production, supply of clean water, protec-
19 tion from extreme events, and culturally
20 valuable resources.

21 (vi) COASTS.—Higher storm surges
22 and sea level rise, chronic high-tide flood-
23 ing, threatened investments along coasts,
24 economic losses in tourism and fishing, in-

1 creased pace and extent of coastal flooding
2 and erosion, and forced relocation.

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

7 (C) ECONOMIC SYSTEMS.—

8 (i) PUBLIC SECTOR.—Activities fo-
9 cused on ensuring stable governance and
10 provision of critical safety net services and
11 supports, adopting new policies to address
12 emerging threats, risks and needs and pro-
13 vide specific protections for vulnerable pop-
14 ulations, and expanding services to ensure
15 that emerging and increasing needs are
16 met.

17 (ii) BUILDINGS AND BUILT INFRA-
18 STRUCTURE.—Activities focused on
19 strengthening buildings and built infra-
20 structure to climate risks, weatherization
21 to account for shifting and increasing tem-
22 peratures, preparing for and adapting to
23 changing patterns of energy use and peak
24 demands, ensuring good indoor air quality,
25 and ensuring affordable housing.

1 (iii) TRANSPORTATION.—Higher tem-
2 peratures, increased precipitation, rising
3 sea levels and extreme weather events on
4 ports, vehicles and transportation infra-
5 structure, preparing for travel disruptions,
6 ensuring passenger safety, preparing for
7 and adapting to fluctuations in fuel and
8 electricity supply and communications dis-
9 ruptions, and demographic shifts and
10 shifts in flows of goods and services that
11 alter transport networks.

12 (iv) MANUFACTURING AND INDUS-
13 TRY.—Supply chain shocks, new regulatory
14 requirements and price shocks, and the im-
15 pact of increasing temperatures on manu-
16 facturing processes.

17 (v) COMMUNICATIONS AND TECH-
18 NOLOGY.—Damage to communications in-
19 frastructure and service interruptions and
20 outages.

21 (vi) FINANCIAL SYSTEMS.—Physical
22 risks associated with more frequent severe
23 weather events and lasting environmental
24 changes to insurance and banking sectors
25 and local economies, preparing for, adapt-

1 ing to and addressing the transition risks
2 posed by policy and technological changes
3 to a reduced-carbon economy, and fluctua-
4 tions in global markets, stranded assets.

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

7 (viii) ENERGY SYSTEMS.—Impacts of
8 increasing temperatures, severity of ex-
9 treme weather events and increased pre-
10 cipitation on energy production and deliv-
11 ery, shifts in energy demand and supply,
12 and growing population driving an increase
13 in overall energy demand.

14 (ix) AGRICULTURE AND FOOD SYS-
15 TEMS.—Disruptions to food availability,
16 access, and quality due to reduced agricul-
17 tural productivity, changes in temperature
18 and precipitation patterns resulting in
19 floods, droughts, changes in crop and live-
20 stock viability, new pests, pathogens and
21 weed problems, depletion of water supplies
22 for irrigation, soil degradation, illness and
23 death in farm workers and livestock due to
24 heat, economic losses, instability of food
25 supply, closure of smaller farms with lim-

1 ited safety nets to deal with disrupting fac-
2 tors, economic losses for farming and rural
3 communities, and increased food prices
4 and greater food insecurity.

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

21 (xi) EDUCATION.—Activities focused
22 on minimizing disruptions to educational
23 systems, addressing disparate impacts of
24 heat and other climate impacts on student
25 achievement and learning, ensuring the

1 physical safety and psychosocial well-being
2 of students and teachers, planning for the
3 use of schools as shelters during climate
4 disasters, strengthening the infrastructure
5 of school buildings, revising curricula to
6 ensure that the public is well-educated and
7 informed to be prepared for the risks posed
8 by climate change, and creating new pro-
9 grams to ensure that individuals are
10 trained with relevant skills to contribute to
11 the climate resilience workforce.

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

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

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

24 (i) wildfires and any resulting land-
25 slides and debris;

- 1 (ii) extreme precipitation events,
2 storm surges, and floods;
3 (iii) hurricanes;
4 (iv) heat waves and resulting fires;
5 (v) droughts;
6 (vi) permafrost thawing; and
7 (vii) coastal erosion; and

8 (B) securing the right of communities dis-
9 placed by disasters to return and supporting
10 the relocation of communities located in areas
11 where safe habitation is no longer possible.

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

17 **SEC. 8. DISAGGREGATION OF DATA.**

18 With respect to any data collection under this Act,
19 the disaggregation of data under this Act shall not be re-
20 quired when the number of program participants in a cat-
21 egory is insufficient to yield statistically reliable informa-
22 tion or when the results would reveal personally identifi-
23 able information about a program participant or would re-
24 veal such information when combined with other released
25 information.

1 **TITLE I—NATIONAL CLIMATE**
2 **RESILIENCE ACTION PLANNING**

3 **SEC. 101. INTERAGENCY WORKGROUP.**

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

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

10 (1) inform a national climate resilience action
11 plan that includes the Federal Government and ex-
12 tends beyond the scope of the Federal Government;
13 and

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

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

19 (1) the Department of Agriculture;

20 (2) the Department of Commerce;

21 (3) the Department of Defense;

22 (4) the Department of Education;

23 (5) the Department of Energy;

24 (6) the Department of Health and Human
25 Services;

- 1 (7) the Department of Homeland Security;
- 2 (8) the Department of Housing and Urban De-
- 3 velopment;
- 4 (9) the Department of Labor;
- 5 (10) the Department of the Interior;
- 6 (11) the Department of State;
- 7 (12) the Department of Transportation;
- 8 (13) the Environmental Protection Agency;
- 9 (14) the Council on Environmental Quality;
- 10 (15) the Office of the United States Trade Rep-
- 11 resentative;
- 12 (16) the Office of Management and Budget;
- 13 and
- 14 (17) the National Economic Council.

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

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

20 (b) APPOINTMENT PROCESS.—

21 (1) IN GENERAL.—The Director of the Office of
22 Climate Resilience shall establish a public nomina-
23 tion and appointment process for individuals with
24 expertise in the activities described in section 7(c) of
25 this Act.

1 (2) REVISION OF SCOPE.—As the Center for
2 the Climate Resilience Workforce updates the defini-
3 tion of climate resilience sectors under section 7 of
4 this Act, the Director may appoint additional mem-
5 bers to, expand the scope of, and alter the structure
6 of the Task Force as needed to fulfill the purpose
7 of the Task Force.

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

15 (d) STRUCTURE OF TASK FORCE.—

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

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

24 (e) QUALIFICATIONS.—Each member of the Task
25 Force shall be qualified by education, training, or lived,

1 volunteer, or paid work experience in the activities speci-
2 fied in section 7(c) of this Act to evaluate information and
3 make recommendations on matters referred to the Task
4 Force under this Act. Individuals appointed to the Task
5 Force shall include—

6 (1) individuals with experience implementing
7 strategies to achieve absolute reductions in green-
8 house gas emissions from the transportation, elec-
9 tricity generation, industrial, commercial and resi-
10 dential building and agricultural sectors, including
11 experience as a community organizer on climate
12 mitigation issues or a frontline worker in such sec-
13 tors;

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

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

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

23 (C) public sector leaders and employees
24 from Federal, State, local, and Tribal govern-

1 ments with experience in administering social
2 safety net programs;

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

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

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

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

20 (H) emergency managers at local and
21 State government emergency management of-
22 fices.

1 **SEC. 103. PROCESS AND OUTCOMES FOR DEVELOPMENT OF**
2 **NATIONAL CLIMATE RESILIENCE ACTION**
3 **PLAN.**

4 (a) PROCESS.—

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

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

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

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

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

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

21 (2) SUBGROUPS.—

22 (A) IN GENERAL.—The Director may con-
23 vene subgroups of the groups convened under
24 paragraph (1) to facilitate depth of discussion
25 and planning related to specific issue areas or
26 topics.

1 (B) REQUIREMENT.—In convening a sub-
2 group pursuant to subparagraph (A), the Direc-
3 tor shall ensure that at least 2 members of the
4 Climate Resilience Equity Advisory Board are
5 included in such subgroup to ensure that the
6 knowledge, lived experiences, and priorities of
7 frontline communities are integrated into deci-
8 sions around climate resilience strategies.

9 (C) RECOMMENDATIONS.—In carrying out
10 functions under a subgroup convened pursuant
11 to subparagraph (A), the Climate Resilience
12 Equity Advisory Board may issue recommenda-
13 tions to any subgroup convened.

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

16 (1) detail goals and priority strategies that shall
17 be taken to achieve a climate resilient nation and in-
18 clude specific actions, timelines, targets, evaluation
19 metrics, and stakeholders responsible for implemen-
20 tation and oversight, including goals, strategies, and
21 actions that—

22 (A) encompass the entirety of climate resil-
23 ience;

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

4 (C) prioritize frontline communities; and

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

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

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

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

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

22 (D) strategies to achieve racial and gender
23 equity in job creation and training, including
24 strategies to ensure equity and prioritization in
25 training and hiring members of frontline com-

1 communities and populations facing barriers to em-
2 ployment; and

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

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

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

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

15 (A) the People’s Orientation for a Regen-
16 erative Economy;

17 (B) Movement for Black Lives policy guid-
18 ance;

19 (C) Gulf South for a Green New Deal pol-
20 icy platform;

21 (D) Equitable and Just National Climate
22 platform;

23 (E) various platforms of the BlueGreen Al-
24 liance;

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

3 (G) Union of Concerned Scientists climate
4 resilience framework.

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

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

9 (B) the United States Global Change Re-
10 search Program’s 4th National Climate Assess-
11 ment;

12 (C) the United States Climate Resilience
13 Toolkit;

14 (D) Center for Climate and Energy Solu-
15 tions Resilience Portal;

16 (E) various platforms of Resilience Force;
17 and

18 (F) Bureau of Labor Statistics and United
19 States Energy and Employment report data, in-
20 cluding data on gender, race, ethnicity, and
21 union representation.

22 (d) CONSULTATION OF STAKEHOLDERS.—In con-
23 vening the groups under subsection (a)(1) to identify cur-
24 rent and projected national workforce needs under sub-
25 section (b)(2)—

1 (1) labor, worker, and workforce development
2 stakeholders shall be consulted to provide input and
3 recommendations on labor, worker, workforce devel-
4 opment, and training needs; and

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

8 (e) REPORT TO CONGRESS.—

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

13 (2) REPORT OF DIRECTOR.—Not later than 2
14 years after the date of enactment of this Act, the
15 Director shall submit to Congress a copy of the na-
16 tional climate resilience action plan developed under
17 this section.

18 (3) REPORTING REQUIREMENT.—Not later than
19 1 year after the date of the submission of the na-
20 tional climate resilience action plan under paragraph
21 (1), and each year thereafter, the Office of Climate
22 Resilience shall submit to Congress a report describ-
23 ing the progress towards achieving climate resilience
24 described in such plan.

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

5 **SEC. 104. FEDERAL AGENCY CLIMATE RESILIENCE ACTION**
6 **PLANS.**

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

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

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

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

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

24 (3) detail the changes that the agency will make
25 to any existing activities that threaten climate resil-

1 ience and any new activities the agency will take to
2 support climate resilience;

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

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

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

11 (7) ensure that frontline communities are
12 prioritized in each agency's efforts towards climate
13 resilience;

14 (8) be reviewed by the Climate Resilience Eq-
15 uity Advisory Board and either incorporate, or pro-
16 vide justification for excluding, any recommenda-
17 tions made by the Board;

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

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

22 (11) ensure resilience of the agency in the face
23 of climate change risks to ensure the agency's ability
24 to accomplish its mission and protect the value of its
25 assets and people;

1 (12) include current and projected Federal
2 workforce needs, including necessary skills and
3 training, to carry out the actions outlined in the
4 plan;

5 (13) highlight limitations in statutory authority,
6 resource constraints, data gaps, and personnel train-
7 ing needs that are hindering the agency’s ability to
8 fully undertake the activities needed to support cli-
9 mate resilience;

10 (14) be submitted to the appropriate commit-
11 tees of jurisdiction within the House of Representa-
12 tives and Senate not later than 2 years after the
13 date of enactment of this Act to allow Congress to
14 act accordingly to—

15 (A) provide funding and to ensure Federal
16 agencies, departments, and offices have ade-
17 quate resources to carry out the activities out-
18 lined in the agency plan;

19 (B) support existing jobs, create new jobs,
20 and support personnel training that are critical
21 to the Federal Government’s activities to sup-
22 port climate resilience;

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

1 (D) address limitations in statutory au-
2 thority through legislation; and

3 (15) be revised not less frequently than every 5
4 years.

5 (d) RESPONSIBILITIES OF THE OFFICE OF CLIMATE
6 RESILIENCE.—In carrying out this section, the Office of
7 Climate Resilience shall—

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

11 (2) compile each plan developed by each Fed-
12 eral agency under this section into a cohesive Fed-
13 eral Government climate resilience action plan;

14 (3) select the agency that has made the great-
15 est contributions to climate resilience to receive an
16 annual award, that shall include additional funding
17 to carry out climate resilience work; and

18 (4) provide technical assistance, coordination,
19 and support for agencies in carrying out each agen-
20 cy’s action plan developed under this section.

21 (e) CONSULTATION OF RESOURCES.—In developing
22 an action plan under this section, a Federal agency may
23 consult—

24 (1) the United States Council on Climate Pre-
25 paredness and Resilience’s 2016 report titled “Op-

1 portunities to Enhance the Nation’s Resilience to
2 Climate Change”;

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

6 (3) Executive Order 13514, “Federal Leader-
7 ship in Environmental, Energy and Economic Per-
8 formance”;

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

12 (5) the Climate and Natural Resource Working
13 Group (CNRWG), Priority Agenda: “Enhancing the
14 Climate Resilience of America’s Natural Resources”,
15 Washington, DC, Council on Climate Preparedness
16 and Resilience, 2014.

17 **TITLE II—STATE, TRIBAL,**
18 **LOCAL, AND COMMUNITY CLI-**
19 **MATE RESILIENCE ACTION**
20 **PLANNING**

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

22 (a) ESTABLISHMENT.—Not later than 90 days after
23 the date of enactment of this Act, the Director of the Of-
24 fice of Climate Resilience shall establish a Climate Resil-

1 ience Planning grant program (hereinafter referred to as
2 the “grant program”).

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

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

10 (1) State governments.

11 (2) Tribal governments.

12 (3) Local governments.

13 (4) Regional governmental groups.

14 (5) Nonprofit organizations.

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

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

23 (e) APPLICATION REQUIREMENTS.—To be eligible for
24 a grant under this section, an applicant shall submit to
25 the Director an application at such time, in such manner,

1 and containing such information as the Director may re-
2 quire, including, at a minimum—

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

5 (A) has majority representation from
6 frontline communities;

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

10 (C) has labor, worker, and workforce devel-
11 opment stakeholders, including at least 1 rep-
12 resentative of a labor union and 1 individual
13 representing populations facing barriers to em-
14 ployment; and

15 (D) allows advisory board members to re-
16 ceive compensation for participation on such
17 board if it is determined that the individual
18 serving would incur financial hardship or other-
19 wise be unable to participate without such com-
20 pensation;

21 (2) details on the population represented by the
22 entity, including demographic information on popu-
23 lation size, income, race, education level, and pri-
24 mary sectors of employment;

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

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

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

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

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

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

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

19 (10) a community engagement plan detailing—

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

23 (B) accommodations that will be made to
24 ensure that such groups have the opportunity to

1 participate in the planning process and provide
2 public comment before the plan is finalized; and
3 (11) a detailed budget for the planning process.

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

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

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

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

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

22 (j) **RESOURCE CONSULTATION.**—Entities receiving a
23 grant under this section may consult with the resources
24 described in section 103(c) of this Act to carry out plan-
25 ning efforts under this section.

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

3 (1) Using data, assess how climate change will
4 create new, or alter current climate related risks,
5 and how such risks are distributed within and across
6 natural ecosystems and human communities, includ-
7 ing—

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

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

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

18 (A) with respect to human populations,
19 identifying risks due to historic and ongoing
20 systemic racism, economic inequity, and envi-
21 ronmental degradation and pollution; and

22 (B) with respect to natural species and
23 ecosystem services, identifying risks due to envi-
24 ronmental degradation, pollution and other an-
25 thropogenic impacts.

1 (3) Identify goals and priority strategies, spe-
2 cific actions, targets, timelines, and evaluation
3 metrics to achieve a climate resilient community that
4 shall—

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

9 (B) prioritize frontline communities;

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

15 (D) align with the goals, strategies, ac-
16 tions, targets and evaluation metrics detailed in
17 the National Climate Resilience Action plan, if
18 available.

19 (4) Identify stakeholders responsible for imple-
20 mentation and oversight.

21 (5) Government entities must involve every rel-
22 evant agency or office in the planning process and
23 detail the actions each agency or office will take as
24 relevant to the agency or office’s mission to protect
25 the jurisdiction from identified risks.

1 (6) The advisory board must be meaningfully
2 included and consulted in the development of the
3 plan and offer recommendations.

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

8 **TITLE III—CLIMATE RESILIENCE**
9 **WORKFORCE GRANTS**

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

11 (a) IN GENERAL.—Not later than 90 days after the
12 date of enactment of this Act, the Director of the Office
13 of Climate Resilience shall, in coordination with the Sec-
14 retary of Labor, establish a Climate Resilience Job Cre-
15 ation grant program.

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

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

21 (2) implementing the strategies, actions, and
22 projects laid out in climate resilience action plans
23 that meet the criteria specified in section 201(k) of
24 this Act; and

1 (3) halving unemployment by creating
2 1,000,000 jobs annually that last not less than 4
3 years and provide benefits, pathways to family-sus-
4 taining careers, a living wage, worker safety and
5 voice to United States workers.

6 (c) ELIGIBILITY.—

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

9 (A) is a State, Tribe, locality, regional
10 group, nonprofit organization, labor organiza-
11 tion and labor-management organization, or
12 community group; and

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

15 (i) has been approved under section
16 201(k) of this Act; or

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

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

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

24 (1) represents a frontline community;

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

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

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

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

10 (A) frontline communities; and

11 (B) populations facing barriers to employ-
12 ment;

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

15 (5) demonstrates strong support from a front-
16 line community.

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

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

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

23 (3) Eliminate barriers to employment as speci-
24 fied in title V.

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

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

5 (2) an attestation that the applicant will adhere
6 to the minimum labor standards specified in section
7 401, and provide the Director at such time, in such
8 manner, and containing such information as the Di-
9 rector may reasonably require, to demonstrate com-
10 pliance with the requirements under section
11 401(a)(3);

12 (3) a plan to report to the Office aggregate
13 data on the sustainable jobs with community sup-
14 porting wages supported by grant funding and de-
15 mographic statistics of jobs created, disaggregated
16 by gender, race, age, education level, and number of
17 sustainable jobs with community supporting wages
18 hired from frontline communities and populations
19 facing barriers to employment; and

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

22 (g) REPORTING.—Not later than 6 months after re-
23 ceipt of a grant under this section, and every 6 months
24 thereafter until the termination of such grant, the recipi-

1 ent of such grant shall submit to the Director a report
2 that includes—

3 (1) aggregate data on workers and demographic
4 statistics of jobs created under this section, includ-
5 ing—

6 (A) the number of workers hired;

7 (B) non-identifying data on the race, gen-
8 der, and ZIP Code for workers hired; and

9 (C) the wages and benefits paid in those
10 jobs including income broken out by race and
11 gender, other benefits provided to persons em-
12 ployed in those jobs, broken out by race and
13 gender, weekly hours worked by workers em-
14 ployed through jobs created, and, if jobs are
15 time-limited, duration of employment;

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

19 (3) expenditures to date; and

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

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

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

1 (2) has had more than one substantiated com-
2 plaint against them for a violation of a provision
3 under the jurisdiction of the National Labor Rela-
4 tions Board, Equal Employment Opportunity Com-
5 mission, Wage and Hour Division, Department of
6 Justice’s Civil Rights Division, Occupational Safety
7 and Health Administration, Department of Labor’s
8 Climate Resilience Workers Commission or the Envi-
9 ronmental Protection Agency.

10 (i) REQUEST FOR APPLICATIONS.—Not later than
11 120 days after the date of enactment of this Act, the Of-
12 fice shall publish a request for applications for grants
13 under this section.

14 **SEC. 302. WORKFORCE DEVELOPMENT TRAINING AND HIR-**
15 **ING GRANTS.**

16 (a) ESTABLISHMENT.—Not later than 90 days after
17 the date of enactment of this Act, the Director of the Of-
18 fice of Climate Resilience shall, in coordination with the
19 Secretary of Labor, establish a Climate Resilience Work-
20 force Development, Apprenticeship and Pre-Apprentice-
21 ship Grant Program.

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

24 (1) establish new apprenticeship, pre-appren-
25 ticeship and workforce development programs that

1 prepare workers to immediately train for and access
2 jobs created through section 301 of this Act;

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

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

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

21 (5) establish or expand partnerships with orga-
22 nizations that provide program participants access
23 to financial planning, mentoring, and supportive
24 services that are necessary to enable an individual to
25 participate in and complete a program under the na-

1 tional apprenticeship system or the national work-
2 force development system;

3 (6) conduct targeted outreach and recruitment
4 to frontline communities and populations facing bar-
5 riers to employment;

6 (7) provide training services and workforce in-
7 vestment activities that expand the climate resilience
8 workforce;

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

12 (9) provide assistance in creating and obtaining
13 accreditations and licenses that demonstrate pro-
14 ficiency or specialized skills related to climate resil-
15 ience careers; and

16 (10) carry out the activities described in section
17 601(a) of this Act.

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

20 (1) A State workforce development board or
21 State workforce agency, a local government, or a
22 local workforce development board or local workforce
23 development agency.

24 (2) An education and training provider.

25 (3) A State apprenticeship agency.

1 (4) An Indian Tribe or Tribal organization.

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

6 (6) A Governor of a State.

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

9 (8) A qualified intermediary.

10 (9) A nonprofit organization.

11 (10) A co-operative.

12 (11) A public institution of higher education at
13 which the highest degree that is predominantly
14 awarded to students is an associate's degree, includ-
15 ing 2-year tribally controlled colleges under section
16 316 of the Higher Education Act (20 U.S.C. 1059c)
17 and public 2-year State institutions of higher edu-
18 cation.

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

21 (d) REQUIREMENTS.—

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

24 (A) Train individuals to work in climate
25 resilience jobs with community supporting

1 wages specified in local climate resilience plans
2 or for climate resilience disaster recovery and
3 rebuilding jobs, including through pre-appren-
4 ticeship or apprenticeship programs.

5 (B) Provide job placement assistance.

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

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

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

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

22 (1) demonstrates success serving populations
23 facing barriers to employment and frontline commu-
24 nities;

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

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

5 (4) provides a wide and flexible range of sup-
6 portive services to participants including direct fi-
7 nancial assistance, quality childcare services, housing
8 assistance, case management, and other assistance
9 that successfully addresses barriers to program com-
10 pletion.

11 (f) GRANT DURATION.—

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

14 (2) RENEWAL.—The Director may renew
15 grants under this section as the Director determines
16 appropriate.

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

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

22 (2) to recognize a program described in para-
23 graph (1).

24 (h) FEDERAL SHARE.—Not later than 120 days after
25 the date of enactment of this Act, the Office shall publish

1 a request for applications that, at minimum, reflects the
2 above requirements. There shall be no matching require-
3 ment for grants.

4 (i) REPORTING.—Not later than 6 months after re-
5 ceipt of a grant under this section, and every 6 months
6 thereafter until termination of such grant, the recipient
7 of such grant shall submit to the Director a report that
8 includes aggregate demographic statistics for program en-
9 trants and graduates, rates of program completion and job
10 placement, and demographics of populations enrolled in
11 and completing the program, including rates of recruit-
12 ment, program completion and job placement for popu-
13 lations facing barriers to employment.

14 **SEC. 303. VIRTUAL TECHNICAL ASSISTANCE AND CAPACITY**
15 **BUILDING.**

16 (a) TECHNICAL ASSISTANCE.—

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

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

25 (B) a grassroots community group;

1 (C) a co-operative;

2 (D) a Tribal government or Tribal organi-
3 zations; or

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

6 (2) LETTER OF INTENT.—Entities seeking
7 technical assistance support with the grant applica-
8 tion process must submit a letter of intent to the Of-
9 fice detailing the grant for which they wish to apply,
10 along with proof of tax-exempt 501(c)(3) status,
11 worker co-op status or proof of population size of
12 municipality.

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

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

20 (b) CAPACITY BUILDING.—

21 (1) IN GENERAL.—The Director may provide
22 entities seeking to apply for grants under sections
23 201, 301, and 302 up to 10 percent of grant funds
24 to build the capacity of the organization to apply for
25 Federal grants, conduct the administrative and fi-

1 nancial management of grants, and conduct nec-
2 essary reporting.

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

9 **TITLE IV—LABOR STANDARDS** 10 **AND ENFORCEMENT**

11 **SEC. 401. MINIMUM LABOR STANDARDS FOR CLIMATE RE-** 12 **SILIENCE WORKERS.**

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

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

21 (2) MONITORING COMPLIANCE.—Not later than
22 90 days after the date of enactment of this Act, the
23 Director, in coordination with the Secretary, shall—

24 (A) develop a process to monitor compli-
25 ance with the labor standards specified in this

1 section, including coordination with the Climate
2 Resilience Workers Commission, that requires
3 entities receiving funding through the grant
4 program established in section 301 to provide
5 information to demonstrate compliance at any
6 time during the grant period;

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

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

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

15 (A) The entity shall ensure that—

16 (i) all laborers and mechanics em-
17 ployed on projects funded directly, or as-
18 sisted in whole or in part, by this Act shall
19 be paid wages at rates not less than those
20 prevailing on projects of a character simi-
21 lar in the locality as determined by the
22 Secretary of Labor in accordance with sub-
23 chapter IV of chapter 31 of part A of sub-
24 title II of title 40, United States Code

1 (commonly referred to as the “Davis-
2 Bacon Act”);

3 (ii) all individuals employed using
4 funds under this Act in the manufacture or
5 furnishing of materials, supplies, articles,
6 or equipment under the contract will be
7 paid wages at rates not less than employ-
8 ees performing similar work or in the par-
9 ticular or similar industries or groups of
10 industries currently operating in the local-
11 ity in which the materials, supplies, arti-
12 cles, or equipment are to be manufactured
13 or furnished as determined by the Sec-
14 retary of Labor in accordance with sections
15 6501 through 6511 of title 41, United
16 States Code (commonly referred to as the
17 “Public Contracts Act”); and

18 (iii) all individuals employed in the
19 various classes of service employees using
20 funds under this Act are paid wages at
21 rates not less than the employees per-
22 forming similar work in the locality as de-
23 termined by the Secretary under chapter
24 67 of title 41, United States Code (com-

1 monly known as the “Service Contract
2 Act”).

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

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

22 (i) the Fair Labor Standards Act of
23 1938 (29 U.S.C. 201 et seq.);

1 (ii) the Occupational Safety and
2 Health Act of 1970 (29 U.S.C. 651 et
3 seq.);

4 (iii) the Migrant and Seasonal Agri-
5 cultural Worker Protection Act (29 U.S.C.
6 1801 et seq.);

7 (iv) the National Labor Relations Act
8 (29 U.S.C. 151 et seq.);

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

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

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

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

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

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

24 (xi) the Family and Medical Leave
25 Act of 1993 (29 U.S.C. 2601 et seq.);

1 (xii) title VII of the Civil Rights Act
2 of 1964 (42 U.S.C. 2000e et seq.);

3 (xiii) the Americans with Disabilities
4 Act of 1990 (42 U.S.C. 12101 et seq.);

5 (xiv) the Age Discrimination in Em-
6 ployment Act of 1967 (29 U.S.C. 621 et
7 seq.);

8 (xv) sick leave for Federal contractors
9 Executive order;

10 (xvi) leave provided under section
11 5102 of the Emergency Paid Sick Leave
12 Act (29 U.S.C. 2601 note);

13 (xvii) Executive Order 14026 (relating
14 to the minimum wage for Federal contrac-
15 tors); or

16 (xviii) State laws with protections
17 equivalent to the protections listed under
18 this subparagraph, as defined in guidance
19 issued by the Secretary of Labor not later
20 than 90 days after the date of enactment
21 of this Act.

22 (D) The entity, and all contractors and
23 subcontractors in the performance of the
24 project, may not require arbitration for any dis-
25 pute involving an employee described in sub-

1 paragraph (E) engaged in a service for the enti-
2 ty or any contractor and subcontractor, or enter
3 into any agreement with such employee requir-
4 ing arbitration of any such dispute, unless such
5 employee is covered by a collective bargaining
6 agreement that provides otherwise.

7 (E) For purposes of compliance with the
8 National Labor Relations Act (29 U.S.C. 151
9 et seq.), the Fair Labor Standards Act of 1938
10 (29 U.S.C. 201 et seq.), and the requirements
11 under this section, the entity, and all contrac-
12 tors and subcontractors in the performance of
13 any project, shall consider an individual per-
14 forming any service in such performance as an
15 employee (and not an independent contractor)
16 of the entity, contractor, or subcontractor, re-
17 spectively, unless—

18 (i) the individual is free from control
19 and direction in connection with the per-
20 formance of the service, both under the
21 contract for the performance of the service
22 and in fact;

23 (ii) the service is performed outside
24 the usual course of the business of the en-

1 tity, contractor, or subcontractor, respec-
2 tively; and

3 (iii) the individual is customarily en-
4 gaged in an independently established
5 trade, occupation, profession, or business
6 of the same nature as that involved in such
7 service.

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

15 (G) The entity shall require all contractors,
16 subcontractors, successors in interest of the en-
17 tity, and other entities that may acquire the en-
18 tity, in the performance or acquisition of any
19 project, to have and abide by an explicit neu-
20 trality policy on any issue involving the exercise
21 by employees of the entity as described in para-
22 graph (5), and of all contractors and sub-
23 contractors in the performance of any project,
24 of the right to organize and bargain collectively
25 through representatives of their own choosing.

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

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

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

11 (4) INCREASE IN MINIMUM WAGE.—

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

16 (i) increased by the annual percentage
17 increase, if any, in the median hourly wage
18 of all employees as determined by the Bu-
19 reau of Labor Statistics; and

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

22 (B) RULE OF CONSTRUCTION.—Nothing in
23 this section shall be construed preempt the ap-
24 plication of higher wage scales determined by

1 Federal, State, or municipal law or regulation
2 or collective bargaining agreements.

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

6 (A) PRIVATE RIGHT OF ACTION FOR VIO-
7 LATIONS.—

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

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

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

21 (III) such legal or equitable relief
22 as may be appropriate to effectuate
23 the purposes of these sections, includ-
24 ing without limitation employment, re-
25 instatement, promotion, and the pay-

1 ment of wages lost and an additional
2 equal amount as liquidated damages.

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

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

19 (B) WHISTLEBLOWER PROTECTIONS.—It
20 shall be unlawful for any person to discharge or
21 in any other manner discriminate against any
22 employee because such employee has filed any
23 complaint or instituted or caused to be insti-
24 tuted any proceeding under or related to this
25 chapter, or has testified or is about to testify in

1 any such proceeding, or has served or is about
2 to serve on an industry committee.

3 (C) JOINT AND SEVERAL LIABILITY.—
4 Each entity, including grantees, contractors and
5 subcontractors, will be joint and severally liable
6 for all violations of minimum labor standards
7 under this title, regardless of current regula-
8 tions and court decisions related to standards
9 for joint employment. It shall not be a defense
10 that the work was subcontracted.

11 (D) HEALTH INSURANCE REQUIRE-
12 MENT.—In the case of an absence of a collective
13 bargaining agreement, the minimum health in-
14 surance requirement for workers under this title
15 is fully employer-paid health insurance coverage
16 that at least meets the level of a Silver plan as
17 defined by the Affordable Care Act.

18 (E) LEAVE PROVISIONS.—Paid vacation,
19 paid holidays, sick leave, and family leave in an
20 amount equivalent to that received by com-
21 parably employed Federal employees and safe
22 leave equivalent to subsection (b)(2) shall be
23 provided to each worker, depending upon the
24 years of employment with the entity.

25 (6) UNION REPRESENTATION.—

1 (A) IN GENERAL.—No employer shall re-
2 ceive funds under this Act unless employees
3 who perform or will perform work funded under
4 this Act (including employees of an entity with
5 which the employer contracts for the perform-
6 ance of work funded under this Act) are rep-
7 resented for purposes of collective bargaining by
8 a labor organization.

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

11 (i) the employer certifies that such
12 employees are covered by a labor harmony
13 agreement or that no labor organization
14 represents or has expressed interest in rep-
15 resenting such employees;

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

18 (iii) the Department of Labor pub-
19 lishes the certification required under
20 clause (i); and

21 (iv) after a reasonable period of not
22 less than 90 days following the publication
23 under clause (ii), no labor organization dis-
24 puts the certification and the employer
25 again certifies that such employees are cov-

1 ered by a labor harmony agreement or that
2 no labor organization represents or has ex-
3 pressed interest in representing such em-
4 ployees for the purposes of collective bar-
5 gaining.

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

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

19 (E) LABOR HARMONY AGREEMENT DE-
20 FINED.—In this paragraph, the term “labor
21 harmony agreement” means a written agree-
22 ment between an employer and a labor organi-
23 zation representing, or seeking to represent,
24 employees that contains, at a minimum, a pro-
25 vision prohibiting the labor organization and its

1 members from engaging in any work stoppage
2 or other economic interference with the employ-
3 er's funded operations for the duration of the
4 funded work.

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

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

16 (d) NATIONAL EMERGENCIES.—Eligible entities shall
17 not fail to comply with the standards put forth in this
18 title even in case of natural disaster or other national
19 emergency. Suspensions of worker protections including
20 but not limited to suspensions of section 1 of the Davis-
21 Bacon Act of March 3, 1931 (46 Stat. 1494, as amended,
22 40 U.S.C. 3147) shall not constitute permissible cir-
23 cumstances for failure by eligible entities to comply with
24 this title.

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

5 **SEC. 402. GOOD CLIMATE RESILIENCE JOBS GRANT PRO-**
6 **GRAM.**

7 (a) ESTABLISHMENT.—Not later than 90 days after
8 the enactment of this Act, the Department of Labor Sec-
9 retary shall establish a Good Climate Resilience Jobs
10 Grant program.

11 (b) PURPOSE.—The purpose of the grant program is
12 to incentivize entities receiving Federal funds from exist-
13 ing Federal programs that fund climate disaster recovery
14 and rebuilding activities to adhere to the minimum labor
15 standards outlined in section 401 in employing workers
16 hired using Federal funds.

17 (c) ELIGIBILITY.—

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

21 (A) Community Development Block Grant
22 of the Department of Housing and Urban De-
23 velopment, including but not limited to amounts
24 appropriated for disaster relief.

25 (B) National Flood Insurance Program.

1 (C) Federal Highway Emergency Funds.

2 (D) United States Army Corps of Engi-
3 neers Disaster Relief Funds.

4 (E) The Infrastructure and Communities
5 Grant Program of the Federal Emergency Man-
6 agement Administration.

7 (F) The Coastal Resilience Grant Program
8 of the National Oceanic and Atmospheric Ad-
9 ministration.

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

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

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

22 (A) Payment of the non-Federal share re-
23 quired in connection with a Federal grant-in-aid
24 program undertaken as part of the programs
25 listed in subsection (c)(1).

1 (B) Payment of the premium for the Na-
2 tional Flood Insurance Program.

3 (C) For the projects for which entities
4 have received funding through the grant pro-
5 grams named in subsection (c)(1).

6 (d) NOTIFICATION.—Not later than 90 days after the
7 enactment of this Act, the Secretary of Housing and
8 Urban Development, Federal Emergency Management
9 Administrator, Secretary of Department of Transpor-
10 tation, the Administrator of the National Oceanic and At-
11 mospheric Administration, and Director of the United
12 States Army Corps must amend the application processes
13 pertaining to the programs named in subsection (c)(1) to
14 include information about the Good Climate Resilience
15 Jobs Grant program. Existing applicants and recipients
16 to the programs listed in subsection (c)(1) shall be notified
17 of the grant program and given the opportunity to apply
18 with 60 days of notification.

19 (e) GRANT PROCESS, COMPLIANCE AND ENFORCE-
20 MENT.—

21 (1) IN GENERAL.—The Department of Labor
22 Secretary shall establish processes for reviewing
23 grant applications, notifying applicants of award de-
24 cisions, administering grant funds, verifying compli-
25 ance with the minimum labor standards outlined in

1 section 401 of this Act, and penalties for noncompli-
2 ance.

3 (2) MAINTENANCE OF RECORDS.—The Admin-
4 istrator of the Federal Emergency Management
5 Agency shall direct companies participating in the
6 Write Your Own Program to maintain records per-
7 taining to the labor standards outlined in section
8 401 of this Act for all workers hired using National
9 Flood Insurance Program funds.

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

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

15 (b) AUTHORITY.—The Commission shall be author-
16 ized to—

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

23 (2) identify, recommend and implement a prac-
24 tice by which to provide warnings to entities in viola-
25 tion of minimum labor standards and workers’

1 rights, to notify the Office of the Secretary of any
2 entities that violate standards and rights, and make
3 recommendations on penalties and transfer of grant
4 funding, jobs, and workers funded through non-
5 compliant entities to other eligible entities without
6 any job loss for climate resilience workers;

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

11 (4) make recommendations on regulations and
12 subregulatory guidances;

13 (5) convene climate resilience stakeholders for
14 meetings and forums, including the Climate Resil-
15 ience Worker Safety Committee program described
16 in section 601(d)(2);

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

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

22 (c) COMMISSION MEMBERSHIP.—

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

1 (A) MEMBERS.—The Commission shall be
2 composed of not less than 20 additional individ-
3 uals, selected by the Chair of the Commission
4 from nominees proposed pursuant to subpara-
5 graph (B), as follows:

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

9 (ii) Not less than 8 members shall be
10 individuals who are members of, or advo-
11 cate on behalf of, or both, populations fac-
12 ing barriers to employment.

13 (iii) The Commission shall include a
14 broad and representative group of labor,
15 worker and workforce development stake-
16 holders.

17 (iv) The Commission shall include
18 representatives from relevant Federal
19 agencies including the Department of La-
20 bor’s Occupational Safety and Health Ad-
21 ministration and Wage and Hour Division,
22 the Department of Homeland Security’s
23 United States Citizenship and Immigration
24 Services and Federal Emergency Manage-
25 ment Agency, the Department of Justice,

1 and the Equal Employment Opportunity
2 Commission.

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

6 (C) REPORT.—Upon selection of members
7 of the Commission, the Commission shall sub-
8 mit a report to Congress identifying the mem-
9 bers selected and demonstration of compliance
10 with the provisions of this subsection.

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

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

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

20 (4) RULE OF CONSTRUCTION.—The agencies
21 implementing this Act shall construe this Act in a
22 manner that facilitates and encourage the full par-
23 ticipation of Commission members and shall consider
24 the barriers faced by frontline communities and pop-

1 ulations facing barriers to employment and shall en-
2 deavor to overcome such barriers to participation.

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

7 **SEC. 404. WORKERS EMPLOYED USING STAFFORD ACT**
8 **FUNDS.**

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

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

22 “(B) Subparagraph (A) shall apply to workers em-
23 ployed by contractors or subcontractors who are financed
24 with the assistance of any contributions of Federal funds
25 made by the Administrator through PA Grants (42 U.S.C.

1 5172), BRIC (42 U.S.C. 5133), or Hazard Mitigation
2 Grants (42 U.S.C. 5170e), including the Flood Mitigation
3 Assistance Grant Program (42 U.S.C. 4104c).

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

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

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

12 **“§ 6329d. Leave for victims of domestic violence, sex-**
13 **ual assault, or stalking**

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

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

21 “(1) For the employee to seek legal or law en-
22 forcement assistance or remedies to ensure the
23 health and safety of the employee or the employee’s
24 family member or household member including pre-
25 paring for, or participating in, any civil or criminal

1 legal proceeding related to or derived from domestic
2 violence, sexual assault, or stalking.

3 “(2) For the employee to seek treatment by a
4 health care provider for physical or mental injuries
5 caused by domestic violence, sexual assault, or stalk-
6 ing, or to attend to health care treatment for a vic-
7 tim who is the employee’s family member or house-
8 hold member.

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

14 “(4) For the employee to obtain, or assist a
15 family or household member in obtaining, mental
16 health counseling related to an incident of domestic
17 violence, sexual assault, or stalking, in which the
18 employee or the employee’s family member or house-
19 hold member was a victim of domestic violence, sex-
20 ual assault, or stalking.

21 “(5) For the employee to participate in safety
22 planning, temporarily or permanently relocate, or
23 take other actions to increase the safety of the em-
24 ployee or employee’s family member or household

1 member from future domestic violence, sexual as-
2 sault, or stalking.

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

5 “(A) accrue one hour for each 40-hour work-
6 week (or equivalent) and shall accumulate for use in
7 succeeding years;

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

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

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

18 “(3) If an employee uses paid leave under this section
19 for a period of three consecutive days or longer, the em-
20 ploying agency may require that the employee provide cer-
21 tification supporting the absence, including a written
22 statement by the employee, a police report, a court order,
23 or a written statement by an advocate (including an attor-
24 ney representing the employee, a member of clergy, a med-

1 ical professional, or an advocate for victims of domestic
2 violence, sexual assault, or stalking).

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

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

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

10 “(5) An employee shall not directly or indirectly in-
11 timidate, threaten, or coerce, or attempt to intimidate,
12 threaten, or coerce, any other employee for the purpose
13 of interfering with the exercise of any rights which such
14 other employee may have under this section. In this para-
15 graph, the term ‘intimidate, threaten, or coerce’ has the
16 meaning given that term in section 6385(b)(1).

17 “(d) In this section—

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

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

23 “(B) an officer or employee of the Federal
24 Aviation Authority or the Transportation Secu-
25 rity Administration; and

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

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

8 “(3) the term ‘household member’ means a
9 former spouse of an employee, a former domestic
10 partner of an employee, any individual who has a
11 child in common with the employee (regardless of
12 whether they have been married or have lived to-
13 gether at any time), any adult individual related to
14 the employee by blood or marriage, any individual
15 16 years of age or older who is residing with the em-
16 ployee or who has resided with the employee, any in-
17 dividual who has a biological or legal parent-child re-
18 lationship with the employee, and any individual
19 with whom the employee has a dating relationship;
20 and

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

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

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

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

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

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

11 (2) rate of pay;

12 (3) hours worked;

13 (4) worker concerns and issues; and

14 (5) work-related injuries and illnesses.

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

20 **TITLE V—REMOVING BARRIERS**
21 **TO EMPLOYMENT**

22 **SEC. 501. IMMIGRATION BARRIERS.**

23 (a) TEMPORARY RELIEF FROM REMOVAL.—Notwith-
24 standing any other provision of law, an alien seeking em-
25 ployment or training in the climate resilience sector is eli-

1 gible for status under this section. An alien with status
2 under this section may not be removed, and the Secretary
3 of Homeland Security shall provide such alien with em-
4 ployment authorization. Such status shall be valid for a
5 period of 2 years, and may not be renewed. The Secretary
6 shall provide an eligible alien with such status if the alien
7 submits an affidavit of interest in employment or training
8 in a climate resilience sector, as defined in section 7 of
9 this Act, and thereafter submits further evidence to that
10 effect, including registration for relevant training courses
11 or applications for such employment.

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

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

22 (A) is an alien who has—

23 (i) been employed in a climate resil-
24 ience sector for at least 90 days in the past

1 year (including any employment while in-
2 carcerated);

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

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

9 or

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

13 (2) CONVERSION FROM TEMPORARY STATUS.—

14 An alien with temporary status under subsection (a)
15 may convert such status to CRW status, and the
16 spouse, child, son, daughter, or parent of that alien
17 shall also be accorded CRW status.

18 (3) EVIDENTIARY REQUIREMENT.—An alien
19 who adjusts status under paragraph (1) or (2) shall
20 submit a petition for CRW status, which shall in-
21 clude the following:

22 (A) Proof of presence in the United States
23 for a period of not less than 1 year ending on
24 the date of application.

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

4 (i) Employer certification of employ-
5 ment in a climate resilience sector.

6 (ii) Employment records of such em-
7 ployment.

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

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

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

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

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

21 (4) TERM OF STATUS.—CRW status under this
22 subsection shall be valid for a period of 2 years, and
23 may be renewed for not less than a total period of
24 10 years.

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

5 (c) ADJUSTMENT TO LAWFUL PERMANENT RESI-
6 DENCE.—

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

13 (2) WAIVERS OF INADMISSIBILITY.—Notwith-
14 standing any other provision of law and for purposes
15 of this section, the Secretary of Homeland Security
16 or the Attorney General may waive the operation of
17 any one or more grounds of inadmissibility set forth
18 in section 212 of the Immigration and Nationality
19 Act for humanitarian purposes, to assure family
20 unity, or when it is otherwise in the public interest.

21 (3) WAIVERS OF DEPORTABILITY.—Notwith-
22 standing any other provision of law and for purposes
23 of this section, the Secretary of Homeland Security
24 or the Attorney General may waive the operation of
25 any one or more grounds of removal set forth in sec-

1 tion 237 of the Immigration and Nationality Act for
2 humanitarian purposes, to assure family unity, or
3 when it is otherwise in the public interest.

4 (d) NATURALIZATION.—

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

8 (2) EXCEPTIONS TO GENERAL RULES OF NATU-
9 RALIZATION.—Such person shall comply in all other
10 respects with the requirements of title III of the Im-
11 migration and Nationality Act, except that such per-
12 son may be naturalized not earlier than 3 years after
13 the date that person becomes a lawful permanent
14 resident, or 2 years in the case of such a person who
15 is married to a United States national.

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

21 (f) REMOVAL OF CITIZENSHIP REQUIREMENT FOR
22 CERTAIN EMPLOYMENT.—Nothing in section 303 or sec-
23 tion 622 of the Robert T. Stafford Disaster Relief and
24 Emergency Assistance Act may be construed to authorize

1 any prohibition on employment of any person who is other-
2 wise authorized for employment in the United States.

3 (g) ACCESS TO SERVICES.—Notwithstanding any
4 other provision of law, an alien with CRW status or status
5 under subsection (a) shall be considered lawfully present
6 in the United States for all purposes. Notwithstanding any
7 other provision of law, individuals with CRW status or sta-
8 tus under subsection (a) shall be considered lawfully
9 present for purposes of eligibility for Federal health care
10 programs (as defined in section 1128B(f) of the Social Se-
11 curity Act (42 U.S.C. 1320a–7b(f))).

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

15 **SEC. 502. CRIMINAL JUSTICE BARRIERS.**

16 (a) BAN THE BOX.—

17 (1) FEDERAL EMPLOYEES.—

18 (A) PRE-OFFER.—Application for appoint-
19 ment in the civil service in any position that
20 would be considered to be employment in a cli-
21 mate resilience sector if such position was with
22 a private employer shall be subject to the provi-
23 sions of section 9202 of title 5, United States
24 Code.

1 (B) POST-OFFER.—If an offer of such an
2 appointment in the civil service has been made
3 to an applicant, any record of conviction of such
4 applicant may not be taken into account there-
5 after for purposes of such an appointment, ex-
6 cept as provided in subparagraph (C).

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

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

12 (ii) the offense for which such record
13 of conviction was entered would have a
14 specific and particularized effect on the
15 ability of the person to discharge the du-
16 ties of the position.

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

22 (i) The appointing authority shall pro-
23 vide the applicant a written copy of any
24 background report, and shall identify each
25 item in the report that the authority has

1 determined pertains to the ability of the
2 applicant to discharge the duties of the po-
3 sition sought, and a written justification of
4 that determination.

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

11 (iii) If, after reviewing the submission
12 under clause (ii), the authority determines
13 that the record disqualifies the applicant,
14 the authority shall send a letter notifying
15 the applicant of that determination, and
16 explaining the reasons for that determina-
17 tion.

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

20 (A) in subsection (a)(1)—

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

23 (ii) in subparagraph (B), by striking
24 the period at the end and inserting “;
25 and”;

1 (iii) by inserting after subparagraph
2 (B) the following:

3 “(C) shall require, as a condition of receiv-
4 ing a Federal contract for work in a climate re-
5 siliience sector (as such term is defined section
6 7 of the Climate Resilience Workforce Act) and
7 receiving payments under such contract that
8 the contractor comply with the requirements of
9 subsection (d).”;

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

12 (C) by inserting after subsection (c) the
13 following:

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

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

19 “(2) In the case of a contractor who determines
20 to revoke a conditional offer to an applicant because
21 of that applicant’s criminal record, the contractor
22 shall submit a written justification of each such deci-
23 sion to the contractor monitor on a quarterly basis.

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

4 “(A) that is over 5 years old; and

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

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

17 “(5) For a period of 60 days beginning on the
18 date of the receipt of the materials under paragraph
19 (4), an applicant may submit to the contractor a
20 written disputation of the accuracy of the criminal
21 record and provide mitigating evidence or evidence
22 of rehabilitation. Such submission may also include
23 any relevant legal or other information
24 contextualizing or characterizing such criminal
25 record.

1 “(6) If, after reviewing the submission under
2 paragraph (5), the contractor determines that the
3 record disqualifies the applicant, the employer shall
4 send a letter notifying the applicant of that deter-
5 mination, and explaining the reasons for that deter-
6 mination.”.

7 (b) TANF ASSISTANCE AND SNAP BENEFITS.—

8 (1) REPEAL OF BAN ON ASSISTANCE.—Section
9 115 of the Personal Responsibility and Work Oppor-
10 tunity Reconciliation Act of 1996 (21 U.S.C. 862a)
11 is repealed.

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

14 (A) DEFINITIONS.—In this subsection—

15 (i) the term “State” has the meaning
16 given the term in section 115(e) of the
17 Personal Responsibility and Work Oppor-
18 tunity Reconciliation Act of 1996 (21
19 U.S.C. 862a(e)) (as in effect on the day
20 before the date of enactment of this Act);
21 and

22 (ii) the term “TANF assistance or
23 SNAP benefits” means assistance or bene-
24 fits referred to in section 115(a) of the
25 Personal Responsibility and Work Oppor-

1 tunity Reconciliation Act of 1996 (as in ef-
2 fect on the day before the date of enact-
3 ment of this Act).

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

16 (c) MODIFICATION OF DEFINITION OF HOUSEHOLD
17 FOR THE PURPOSE OF DETERMINING SNAP BENE-
18 FITS.—Section 3(m)(5) of the Food and Nutrition Act of
19 2008 (7 U.S.C. 2012(m)(5)) is amended by adding at the
20 end the following:

21 “(H) Incarcerated individuals who are
22 scheduled to be released from an institution
23 within 30 days.”.

1 **SEC. 503. DRUG TESTING BARRIERS.**

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

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

13 (a) ESTABLISHMENT.—There is established a
14 Taskforce on Worker Inclusion (hereinafter in this section
15 referred to as the “Taskforce”) within the Climate Resil-
16 ience Workers Commission established under section 403
17 of this Act, which shall be responsible for establishing pro-
18 grams and best practices to support workers who tradi-
19 tionally face barriers to employment.

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

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

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

3 (1) Not less than one representative of the De-
4 partment of Labor.

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

7 (3) Not less than one representative of the De-
8 partment of Justice.

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

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

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

15 (7) Not less than one formerly incarcerated in-
16 dividual.

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

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

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

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

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

5 (A) applying for status as a Certified Cli-
6 mate Resilience Worker under section 501 and
7 further adjusting their status to pursue citizen-
8 ship;

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

13 (C) seeking licensure in a field that has
14 barriers for immigrants or workers with crimi-
15 nal history records.

16 (2) conducting education and outreach, in mul-
17 tiple languages, on status as a Certified Climate Re-
18 silience Worker under section 501 and hiring oppor-
19 tunities for foreign-born workers, formerly incarcerated
20 ated workers, and workers with criminal history
21 records, and other benefits; and

22 (3) establishing training and best practices for
23 the hiring, recruitment, and retention of foreign-
24 born workers, formerly incarcerated workers, and
25 workers with criminal history records.

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

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

9 (2) seeking restoration of rights including
10 expungements, dismissals, record sealing, fee waiv-
11 ers, certificates of rehabilitation, diversion programs,
12 and pardons; and

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

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

1 **TITLE VI—PROVISIONS RELATED**
2 **TO CLIMATE RESILIENCE**
3 **WORKERS INVOLVED IN DIS-**
4 **ASTER RECOVERY AND RE-**
5 **BUILDING**

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

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

9 (1) TRAINING.—Entities receiving grants in
10 section 302 to support the training of disaster recov-
11 ery and rebuilding workers must ensure that such
12 training includes the following components, as the
13 Secretary determines relevant to such workers:

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

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

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

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

23 (E) Basic workplace rights.

1 (F) Any other training that the Secretary
2 determines appropriate to the circumstances of
3 climate-related disasters.

4 (G) Skill-based training focused on com-
5 munity recovery and rebuilding after disasters
6 must include training on rebuilding techniques
7 that increase community resilience.

8 (H) Training must be:

9 (i) Accessible to various levels of lit-
10 eracy.

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

14 (iii) Available during evenings and
15 weekends.

16 (2) HIRING HALLS.—Grant funds under section
17 302 to benefit climate resilience workers may be
18 used for the following purposes:

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

21 (B) To cover workers compensation, unem-
22 ployment, health insurance and bonding with
23 respect to workers hired through hiring halls to
24 incentivize employers to come to and use the
25 hiring halls.

1 (C) Grantees may create virtual hiring
2 halls for areas where brick and mortar hiring
3 halls are not available or feasible.

4 (b) ORGANIZATION AND REPRESENTATION.—

5 (1) IN GENERAL.—All rights and procedures
6 under the National Labor Relations Act (29 U.S.C.
7 151 et seq.) shall apply to all workers employed
8 using funds in this section in the private sector.

9 (2) FEDERAL GOVERNMENT APPLICATION.—All
10 rights under the title VII of the Civil Service Reform
11 Act of 1978 shall apply to all workers employed by
12 the Federal Government.

13 (3) SECTION 7 PROTECTIONS.—The rights to
14 engage in concerted activities for the purpose of col-
15 lective bargaining or other mutual aid or protection
16 under section 7 of the National Labor Relations Act
17 (29 U.S.C. 157) shall apply with respect to an em-
18 ployee who is employed by an employer who receives
19 funds under this Act and who is seeking to form or
20 is otherwise engaged with a worker association.

21 (c) HEALTH AND SAFETY.—

22 (1) HEALTH AND SAFETY FUND.—

23 (A) ESTABLISHMENT.—There is estab-
24 lished in the Treasury of the United States a
25 Climate Resilience Worker Health and Safety

1 Fund (in this section, referred to as the
2 ‘Fund’), which consists of sums that are appro-
3 priated to the Fund under this section.

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

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

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

13 (C) FEE COLLECTION.—

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

18 (ii) GUIDANCE.—Not later than 120
19 days after the date of enactment of this
20 Act, the Secretary shall issue guidance, in
21 consultation from the Center for the Cli-
22 mate Resilience Workforce, specifying the
23 fee amount, frequency and mechanism for
24 collection. The fee must be sufficient

1 enough to cover the potential expenses cli-
2 mate disaster recovery workers may incur.

3 (2) SAFETY COMMITTEE PROGRAM.—

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

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

17 (C) FUNCTIONS.—The Committees shall—

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

21 (ii) stop work when work conditions
22 are unsafe.

23 (D) FORMATION, STRUCTURE AND SUP-
24 PORT.—

1 (i) ELECTION.—The members of the
2 safety committees will be elected by resil-
3 ience workers in the labor market.

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

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

16 (iv) ENFORCEMENT.—A regional of-
17 fice may elevate violations to the Commis-
18 sion for further enforcement as needed.

19 (E) LABOR MARKET DEFINED.—The term
20 “labor market” means a disaster recovery area
21 as designated in a Federal major disaster dec-
22 laration.

23 (3) LIABILITY.—The employer and with the
24 general contractor shall be liable for all health prob-
25 lems caused in whole or in part by participation in

1 climate disaster response and recovery for all em-
2 ployees employed using funds under this section.

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

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

18 **SEC. 602. PILOT PROGRAM PROVIDING FEDERAL EMPLOY-**
19 **MENT OPPORTUNITIES FOR FORMERLY IN-**
20 **CARCERATED FIREFIGHTERS.**

21 (a) ESTABLISHMENT.—

22 (1) IN GENERAL.—Not later than 1 year after
23 the date of enactment of this section, the Secretaries
24 shall establish and operate a pilot program, in co-
25 ordination with eligible States, to provide formerly

1 incarcerated firefighters with the opportunity to be
2 hired to occupy Federal wildland firefighting posi-
3 tions.

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

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

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

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

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

20 (4) The number of formerly incarcerated fire-
21 fighters released by such State that have success-
22 fully secured employment in wildland or structural
23 firefighting.

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

4 (c) RECRUITMENT.—

5 (1) IN GENERAL.—The pilot program shall pro-
6 vide for the recruitment, in such form and manner
7 as the Secretaries may prescribe, in consultation
8 with the eligible State, of formerly incarcerated fire-
9 fighters to occupy Federal wildland firefighting posi-
10 tions. The following requirements shall apply to such
11 recruitment efforts:

12 (A) The participation in the recruitment
13 program by incarcerated firefighters to be vol-
14 untary.

15 (B) A presentation shall be made to incar-
16 cerated firefighters regarding an overview of
17 Federal wildland firefighting positions.

18 (C) The Secretaries shall—

19 (i) work with incarcerated firefighters
20 and the eligible State to identify the skills,
21 interests, and experience of candidates to
22 determine which Federal wildland fire-
23 fighting positions would be most suitable
24 for the individual;

1 (ii) work with incarcerated firefighters
2 and the eligible State to identify and ad-
3 dress any potential barriers to employment
4 as a Federal wildland firefighter, including
5 a lack of a driver's license, before the fire-
6 fighter is released from incarceration; and

7 (iii) collaborate with the eligible State
8 to ensure, to the greatest extent prac-
9 ticable, that a decision to hire an incarcer-
10 ated firefighter coincides with the release
11 of the individual from incarceration.

12 (D) The Secretaries and State agencies
13 shall ensure, to the greatest extent practicable,
14 that any needs that an incarcerated firefighter
15 or formerly incarcerated may have for voluntary
16 substance abuse, mental health, or other reha-
17 bitative programming are accommodated dur-
18 ing the hiring process and after the position has
19 been accepted by the individual.

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

24 (2) GRANTS.—Subject to the availability of
25 funds to carry out this section, the Secretaries shall

1 provide grants to eligible States participating in the
2 pilot program to support the State's collaboration
3 with the Secretaries to provide recruitment opportu-
4 nities for incarcerated firefighters or formerly incar-
5 cerated firefighters.

6 (3) WAIVER OF PAROLE AND PROBATION RE-
7 QUIREMENTS.—The Secretaries shall require, at a
8 minimum, that States waive parole and probation re-
9 quirements to ensure that a formerly incarcerated
10 firefighter can meet the requirements of the position
11 for which the individual is hired.

12 (d) REENTRY AND RETENTION SUPPORT.—

13 (1) IN GENERAL.—Subject to the availability of
14 funds to carry out this section, the pilot program
15 shall provide support services for formerly incarcer-
16 ated firefighters participating in the program to sup-
17 port the individual's financial stability and success-
18 ful reentry into and retention within the workforce.

19 (2) FINANCIAL SUPPORT.—

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

24 (B) DURATION AND AMOUNT.—Financial
25 assistance may be provided for up to 6 months

1 at an amount that ensures the individual's abil-
2 ity to secure stable housing, food, and other
3 basic needs and purchase any equipment, attire,
4 or supplies that may be needed to perform the
5 duties of the Federal wildland firefighting posi-
6 tion for which they have been hired.

7 (3) MENTORSHIP.—The pilot program shall in-
8 clude a mentorship program that pairs formerly in-
9 carcerated firefighters currently employed within the
10 Federal Government with newly hired formerly in-
11 carcerated firefighters to support job success and re-
12 tention.

13 (e) HIRING PREFERENCE.—During the period the
14 pilot program under this section is operational, with re-
15 spect to examinations for Federal wildland firefighting po-
16 sitions in the competitive service (as that term is defined
17 in section 2102 of title 5, United States Code), competi-
18 tion is restricted to formerly incarcerated firefighters par-
19 ticipating in the pilot program as long as such firefighters
20 are available.

21 (f) REPORTS.—Beginning on the date that is 1 year
22 after the date of enactment of this Act and annually there-
23 after for the duration of the pilot program, the Secretaries
24 shall submit a report to the Committees on the Judiciary
25 and Natural Resources of the House of Representatives

1 and the Committee on Homeland Security and Govern-
2 mental Affairs of the Senate and any other relevant con-
3 gressional committees detailing implementation of the
4 pilot program, including the rate at which formerly incar-
5 cerated firefighters have been hired by the Secretaries.

6 (g) DEFINITIONS.—In this section:

7 (1) ELIGIBLE STATE.—The term “eligible
8 State” means a State that trains and uses fire-
9 fighters incarcerated in a State correctional facility
10 to fight wildland fire.

11 (2) FEDERAL WILDLAND FIREFIGHTING POSI-
12 TIONS.—The term “Federal wildland firefighting po-
13 sitions” means full-time, permanent positions within
14 the United States Forest Service or in the Depart-
15 ment of Interior the duties of which consist of
16 wildland firefighting, including administrative sup-
17 port positions.

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

21 (A) who is no longer incarcerated in a
22 State correctional facility and has been trained
23 and used by the State to fight wildland fire;
24 and

1 (B) who the Secretaries determine are
2 qualified and suitable to occupy Federal
3 wildland firefighting positions.

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

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

9 (a) IN GENERAL.—Section 306 of the Robert T.
10 Stafford Disaster Relief and Emergency Assistance Act
11 (421 U.S.C. 5149) is amended by adding at the end the
12 following:

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

17 “(1) Debris cleanup.

18 “(2) Residential and commercial reconstruction
19 including rapid repair of partially damaged resi-
20 dences, and installation of tarps on structures with
21 roof damage.

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

24 “(4) Providing nutritional assistance to im-
25 pacted communities.

1 “(5) Providing counseling and assistance in ac-
2 cessing public benefits such as Federal Emergency
3 Management Agency grants, Disaster Unemploy-
4 ment Assistance, Disaster Supplemental Nutrition
5 Assistance Program.

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

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

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

16 (b) **ADDITIONAL REQUIREMENT.**—The Adminis-
17 trator of the Federal Emergency Management Agency
18 shall establish up to 15,000 new positions, as needed,
19 within the Cadre of On-Call Response/Recovery Employees
20 of the Federal Emergency Management Agency and ap-
21 point to such positions individuals with skills and experi-
22 ence necessary to carry out the duties described in section
23 306(d) of the Robert T. Stafford Disaster Relief and
24 Emergency Assistance Act (421 U.S.C. 5149(d)).

○