

116TH CONGRESS
1ST SESSION

H. R. 4732

To establish a Global Climate Change Resilience Strategy, to authorize the admission of climate-displaced persons, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

OCTOBER 17, 2019

Ms. VELÁZQUEZ (for herself, Mrs. NAPOLITANO, and Ms. ROYBAL-ALLARD) introduced the following bill; which was referred to the Committee on Foreign Affairs, and in addition to the Committees on the Judiciary, and Energy and Commerce, 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 Global Climate Change Resilience Strategy, to authorize the admission of climate-displaced persons, and for other purposes.

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

3 **SECTION 1. TABLE OF CONTENTS.**

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

- Sec. 1. Table of contents.
- Sec. 2. Findings; sense of Congress.
- Sec. 3. Definitions.
- Sec. 4. Required data collection and reporting.
- Sec. 5. Global Climate Change Resilience Strategy.
- Sec. 6. Training of Foreign Service Officers in climate change resilience.
- Sec. 7. Guidance on the humanitarian impacts of climate change.

Sec. 8. Admission of climate-displaced persons.

Sec. 9. Authorization of appropriations.

1 **SEC. 2. FINDINGS; SENSE OF CONGRESS.**

2 (a) FINDINGS.—Congress finds the following:

3 (1) According to the Intergovernmental Panel
4 on Climate Change, the Earth’s climate is now
5 changing faster than at any point in history.

6 (2) The October 2018 report entitled “Special
7 Report on Global Warming of 1.5° C” by the Inter-
8 governmental Panel on Climate Change and the No-
9 vember 2018 Fourth National Climate Assessment
10 report found that a changing climate is—

11 (A) causing sea levels to rise;

12 (B) contributing to an increase in wildfires
13 and temperature extremes in some parts of the
14 world; and

15 (C) contributing to an increase in heavy
16 precipitation in certain locations.

17 (3) Forced displacement and forced migration
18 are increasing in the context of environmental
19 changes and climate-induced disruptions, including
20 weather-related disasters, drought, famine, and ris-
21 ing sea levels.

22 (4) Climate-related events and disasters are
23 causing a person to be displaced from his or her
24 home every second.

1 (5) The United Nations Human Rights Council
2 has recognized that climate change poses an existen-
3 tial threat that has already had a negative impact on
4 the fulfilment of human rights, specifically noting
5 that—

6 (A) parties should, when taking action to
7 address climate change, respect, promote, and
8 consider their respective obligations on human
9 rights; and

10 (B) the adverse effects of climate change
11 are felt most acutely by those segments of the
12 population that are already in vulnerable situa-
13 tions owing to factors such as geography, pov-
14 erty, gender, age, indigenous or minority status,
15 national or social origin, birth, or other status
16 and disability.

17 (6) The Office of the United Nations High
18 Commissioner for Human Rights has suggested that
19 a person who cannot be reasonably expected to re-
20 turn to his or her country of origin—

21 (A) should be considered a victim of forced
22 displacement; and

23 (B) should be granted at least a temporary
24 stay in the country where they have found ref-
25 uge.

1 (7) The Intergovernmental Panel on Climate
2 Change affirms with high confidence that societal
3 adaptations in the near term can help reduce the
4 risks of climate change throughout the 21st century.

5 (8) Since 2013, typhoons and storms in the
6 Philippines have displaced nearly 15,000,000 people.

7 (9) Violence in Burma's Rakhine State has
8 forced nearly 1,000,000 Rohingya refugees into
9 Bangladesh, where they are exposed to the country's
10 vulnerability to the effects of extreme flooding and
11 landslides worsened by climate change.

12 (10) In 2019, extreme flooding in Northern and
13 Northeast India displaced at least 3,000,000 people,
14 including almost 2,000,000 people in the Northern
15 Indian state of Bihar and more than 1,700,000 peo-
16 ple in Northeastern Assam state.

17 (11) The small Pacific island Nation of Kiribati
18 is preparing for large swaths of the country to be
19 uninhabitable and for its people to migrate with the
20 skill to integrate into their new host nation.

21 (12) More than 150,000,000 people around the
22 world now live on land that will be below sea level
23 or regular flood levels by the end of the century un-
24 less adaptation measures are taken.

1 (13) The effects of climate change also exacer-
2 bate social, economic, and political tensions within
3 and among nations.

4 (14) In 2014, the Department of Defense
5 Quadrennial Defense Review cited the effects of cli-
6 mate change as a “threat multiplier” that could ag-
7 gravate stressors abroad.

8 (15) In 2016, a memorandum from the Na-
9 tional Intelligence Counsel entitled “Implications for
10 U.S. National Security of Anticipated Climate
11 Change” highlighted how climate change could cre-
12 ate or inflame tensions between nations in already
13 disputed regions, such as the Arctic.

14 (16) Continued climate change will drive fur-
15 ther displacement. According to the International
16 Organization for Migration, by 2050, there could be
17 as many as 200,000,000 climate-displaced persons,
18 including those who are internally displaced.

19 (17) The United States has not systematically
20 acted to address climate displacement or to provide
21 appropriate durable solutions to those who are dis-
22 placed.

23 (b) SENSE OF CONGRESS.—It is the sense of Con-
24 gress that the United States should—

1 (1) reduce its domestic greenhouse gas emis-
2 sions on a scale and rate proportionate to its histor-
3 ical responsibility and the urgency of the threat of
4 climate change;

5 (2) welcome the shared responsibility of climate
6 change adaptation, global disaster risk reduction, re-
7 siliency building, and disaster response and recovery;

8 (3) assist in providing durable solutions for cli-
9 mate-displaced persons;

10 (4) aid other countries in their climate change
11 mitigation efforts; and

12 (5) work with the international community—

13 (A) to establish a framework to share such
14 responsibilities; and

15 (B) to ensure that the human rights of cli-
16 mate-displaced persons are acknowledged, re-
17 spected, protected, and fulfilled.

18 **SEC. 3. DEFINITIONS.**

19 Section 101(a) of the Immigration and Nationality
20 Act (8 U.S.C. 1101(a)) is amended—

21 (1) by striking paragraph (8) and inserting the
22 following:

23 “(8) The term ‘climate-displaced person’ means any
24 person who, for reasons of sudden or progressive change

1 in the environment that adversely affects his or her life
2 or living conditions—

3 “(A) is obliged to leave his or her habitual
4 home, either within his or her country of nationality
5 or in another country;

6 “(B) is in need of a durable resettlement solu-
7 tion; and

8 “(C) whose government cannot or will not pro-
9 vide such durable resettlement solution.”; and

10 (2) by amending paragraph (34) to read as fol-
11 lows:

12 “(34) The term ‘designated application center’ means
13 any United States embassy or consulate, or other facility
14 as the Secretary of State may delegate to accept applica-
15 tions for climate-displaced person status.”.

16 **SEC. 4. REQUIRED DATA COLLECTION AND REPORTING.**

17 (a) DATA COLLECTION.—The President, in coordina-
18 tion with the Department of Commerce, the Environ-
19 mental Protection Agency, the Department of State, the
20 Director of National Intelligence, the Department of De-
21 fense, and other relevant agencies, shall collect and main-
22 tain data on displacement caused by climate change, in-
23 cluding information from—

24 (1) the International Organization for Migra-
25 tion;

1 (2) the United Nations High Commissioner for
2 Refugees;

3 (3) UNICEF; and

4 (4) other international organizations that are
5 collecting such data.

6 (b) ANNUAL REPORT.—Not later than 180 days after
7 the date of the enactment of this Act, and annually there-
8 after, the President shall submit a report to the appro-
9 priate congressional committees that details the collection
10 and analysis of the data described in subsection (a). The
11 report required under this subsection shall be submitted
12 in unclassified form, but may include a classified annex.

13 **SEC. 5. GLOBAL CLIMATE CHANGE RESILIENCE STRATEGY.**

14 Section 117 of the Foreign Assistance Act of 1961
15 (22 U.S.C. 2151p) is amended—

16 (1) in subsection (b)—

17 (A) by inserting “(1)” after “(b)”; and

18 (B) by adding at the end the following:

19 “(2)(A) The President is authorized to furnish assist-
20 ance to programs and initiatives that—

21 “(i) promote resilience among communities fac-
22 ing harmful impacts from climate change; and

23 “(ii) reduce the vulnerability of persons affected
24 by climate change.

1 “(B) There shall be, in the Department of State, a
2 Coordinator of Climate Change Resilience, who shall co-
3 ordinate the assistance authorized under this paragraph.”;
4 and

5 (2) by adding at the end the following:

6 “(d)(1) The Secretary of State, in coordination with
7 the Administrator of the United States Agency for Inter-
8 national Development, shall establish a comprehensive, in-
9 tegrated, 10-year strategy, which shall be referred to as
10 the ‘Global Climate Change Resilience Strategy’, to miti-
11 gate the impacts of climate change on displacement and
12 humanitarian emergencies.

13 “(2) The Global Climate Change Resilience Strategy
14 shall—

15 “(A) focus on addressing slow-onset and rapid-
16 onset effects of events caused by climate change;

17 “(B) consider the effects of events caused by
18 climate change;

19 “(C) describe the key features of successful
20 strategies to prevent such conditions;

21 “(D) include specific objectives and multisec-
22 toral approaches to the effects of events caused by
23 climate change;

24 “(E) describe approaches that ensure national
25 leadership, as appropriate, and substantively engage

1 with civil society, local partners, and the affected
2 communities, including marginalized populations and
3 underserved populations, in the design, implementa-
4 tion, and monitoring of climate change programs to
5 best safeguard the future of those subject to dis-
6 placement;

7 “(F) assign roles for relevant Federal agencies
8 to avoid duplication of efforts, while ensuring that—

9 “(i) the Department of State is responsible
10 for—

11 “(I) leading the Global Climate
12 Change Resilience Strategy;

13 “(II) establishing United States for-
14 eign policy;

15 “(III) advancing diplomatic and polit-
16 ical efforts;

17 “(IV) guiding security assistance and
18 related civilian security efforts to mitigate
19 climate change threats; and

20 “(V) providing overseas humanitarian
21 assistance to respond to international and
22 internal displacement caused by climate
23 change and to coordinate the pursuit of
24 durable solutions for climate-displaced per-

1 sons, including resettlement into the
2 United States;

3 “(ii) the United States Agency for Inter-
4 national Development is—

5 “(I) responsible for overseeing pro-
6 grams to prevent the effects of events
7 caused by climate change; and

8 “(II) the lead implementing agency
9 for development and related nonsecurity
10 program policy related to building resil-
11 ience and achieving recovery; and

12 “(iii) other Federal agencies support the
13 activities of the Department of State and the
14 United States Agency for International Devel-
15 opment, as appropriate, with the concurrence of
16 the Secretary of State and the Administrator of
17 the United States Agency for International De-
18 velopment;

19 “(G) describe programs that agencies will un-
20 dertake to achieve the stated objectives, including
21 descriptions of existing programs and funding by fis-
22 cal year and account;

23 “(H) identify mechanisms to improve coordina-
24 tion between the United States, foreign govern-
25 ments, and international organizations, including the

1 World Bank, the United Nations, regional organiza-
2 tions, and private sector organizations;

3 “(I) address efforts to expand public-private
4 partnerships and leverage private sector resources;

5 “(J) describe the criteria, metrics, and mecha-
6 nisms for monitoring and evaluation of programs
7 and objectives in the Global Climate Change Resil-
8 ience Strategy; and

9 “(K) describe how the Global Climate Change
10 Resilience Strategy will ensure that programs are
11 country-led and context-specific.

12 “(3) Not later than 270 days after the date of the
13 enactment of this subsection, and annually thereafter, the
14 President shall submit a report to the Committee on For-
15 eign Relations of the Senate and the Committee on For-
16 eign Affairs of the House of Representatives, based in part
17 on the information collected pursuant to this section, that
18 details the Global Climate Change Resilience Strategy.
19 The report shall be submitted in unclassified form, but
20 may include a classified annex, if necessary.

21 “(4) Not later than 180 days after the date of the
22 enactment of this subsection, the Secretary of State and
23 the Coordinator of Global Climate Change Resilience shall
24 brief the Committee on Foreign Relations of the Senate
25 and the Committee on Foreign Affairs of the House of

1 Representatives regarding the progress made by the Fed-
2 eral Government in implementing the Global Climate
3 Change Resilience Strategy.

4 “(5)(A) Not later than 270 days after the date of
5 the enactment of this subsection, and annually thereafter,
6 the Comptroller General of the United States, in coopera-
7 tion and consultation with the Secretary of State, shall
8 produce a report evaluating the progress that the Federal
9 Government has made toward incorporating climate
10 change into department and agency policies, including the
11 resources that have been allocated for such purpose.

12 “(B) The report required under subparagraph (A)
13 shall assess—

14 “(i) the degree to which the Department of
15 State and the United States Agency for Inter-
16 national Development (USAID) are—

17 “(I) developing climate change risk assess-
18 ments; and

19 “(II) providing guidance to missions on
20 how to include climate change risks in their in-
21 tegrated country strategies;

22 “(ii) whether the Department of State and
23 USAID have sufficient resources to fulfill the re-
24 quirements described in paragraph (2); and

1 “(iii) any areas in which the Department of
 2 State and USAID may lack sufficient resources to
 3 fulfill such requirements.”.

4 **SEC. 6. TRAINING OF FOREIGN SERVICE OFFICERS IN CLI-**
 5 **MATE CHANGE RESILIENCE.**

6 Section 708(a)(1) of the Foreign Service Act of 1980
 7 (22 U.S.C. 4028(a)(1)) is amended—

8 (1) in subparagraph (C), by striking “and” at
 9 the end;

10 (2) in subparagraph (D), by striking the period
 11 at the end and inserting “; and”; and

12 (3) by adding at the end the following:

13 “(E) for Foreign Service Officers who will
 14 be assigned to a country from which climate-
 15 displaced persons (as defined in section
 16 101(a)(8) of the Immigration and Nationality
 17 Act) have been displaced, instruction on climate
 18 displacement, including the Global Climate
 19 Change Resilience Strategy established under
 20 section 117(d) of the Foreign Assistance Act of
 21 1961 (22 U.S.C. 2151p(d)).”.

22 **SEC. 7. GUIDANCE ON THE HUMANITARIAN IMPACTS OF**
 23 **CLIMATE CHANGE.**

24 The Secretary of State shall provide guidance to each
 25 United States diplomatic mission, in accordance with Ex-

1 executive Order 13677 (79 Fed. Reg. 58229), addressing the
 2 humanitarian impacts associated with climate change.

3 **SEC. 8. ADMISSION OF CLIMATE-DISPLACED PERSONS.**

4 (a) ADMISSION OF CLIMATE-DISPLACED PERSONS.—

5 (1) IN GENERAL.—Chapter 4 of title II of the
 6 Immigration and Nationality Act (8 U.S.C. 1221 et
 7 seq.) is amended by adding at the end the following:

8 **“SEC. 244A. CLIMATE-DISPLACED PERSONS.**

9 “(a) ADMISSION GOAL.—

10 “(1) IN GENERAL.—Notwithstanding section
 11 207, the number of climate-displaced persons who
 12 may be admitted under this section in any fiscal
 13 year (beginning with fiscal year 2020) shall be not
 14 fewer than the greater of—

15 “(A) 50,000; or

16 “(B) the number that the President deter-
 17 mines, before the beginning of the fiscal year
 18 and after appropriate consultation with Con-
 19 gress, is justified by humanitarian concerns or
 20 is otherwise in the national interest.

21 “(2) EFFECT OF NUMERICAL ADJUSTMENT.—If
 22 the President determines that the number of cli-
 23 mate-displaced persons who may be admitted in a
 24 fiscal year based on humanitarian concerns or the

1 national interest is greater than the number set
2 forth in paragraph (1)(A), the President shall—

3 “(A) set the admissions level for climate-
4 displaced persons at the same time as the
5 President determines the number of refugees
6 who may be admitted in such fiscal year under
7 section 207; and

8 “(B) follow all of the procedures relating
9 to refugee admissions under section 207, in-
10 cluding the requirement to engage in an appro-
11 priate consultation with Congress.

12 “(b) ADMISSIBILITY; APPLICATIONS.—

13 “(1) IN GENERAL.—

14 “(A) ADMISSIBILITY.—Subject to the nu-
15 merical limitation under subsection (a), the Sec-
16 retary of Homeland Security, pursuant to such
17 regulations as the Secretary may prescribe, may
18 admit any climate-displaced person under this
19 section who—

20 “(i) is admissible;

21 “(ii) is not described in section
22 208(b)(2); and

23 “(iii) is not described in paragraph
24 (2).

1 “(B) APPLICATIONS.—Any alien described
2 in subparagraph (A), regardless of such alien’s
3 immigration status, may apply for admission as
4 a climate-displaced person if the alien—

5 “(i) is physically present in the
6 United States;

7 “(ii) arrives in the United States
8 (whether or not at a designated port of ar-
9 rival and including an alien who is brought
10 to the United States after having been
11 interdicted in international or United
12 States waters); or

13 “(iii) applies at a designated applica-
14 tion center.

15 “(2) LIMITATIONS.—Except as provided in
16 paragraph (3), an alien may not apply for status as
17 a climate-displaced person if—

18 “(A) the Secretary of Homeland Security
19 determines that the alien may be removed, pur-
20 suant to a bilateral or multilateral agreement,
21 to a country (other than the country of the
22 alien’s nationality or, in the case of an alien
23 having no nationality, the country of the alien’s
24 last habitual residence) that is outside of the
25 zone in which the sudden or progressive change

1 in the environment obliged the alien to leave his
2 or her residence, provided that such determina-
3 tion does not violate our Nation’s human rights
4 obligations;

5 “(B) the application is not filed within 1
6 year after the date of the alien’s arrival in the
7 United States; or

8 “(C) an earlier application by the alien for
9 climate-displaced person status has been denied.

10 “(3) EXCEPTIONS.—

11 “(A) UNACCOMPANIED ALIEN CHIL-
12 DREN.—Paragraph (2) shall not apply to unac-
13 companied alien children (as defined in section
14 462(g) of the Homeland Security Act of 2002
15 (6 U.S.C. 279(g))).

16 “(B) CHANGED CIRCUMSTANCES.—Sub-
17 paragraphs (B) and (C) of paragraph (2) shall
18 not apply if the alien demonstrates, to the satis-
19 faction of the Secretary of Homeland Security
20 that—

21 “(i) extraordinary circumstances pre-
22 vented the alien from filing an application
23 within the period specified in paragraph
24 (2)(B); or

1 “(ii) changed circumstances materially
2 affect the applicant’s eligibility for climate-
3 displaced person status.

4 “(C) REFERRALS AUTHORIZED.—The Sec-
5 retary of State may also accept applications
6 submitted on behalf of eligible applicants for
7 climate-displaced person status by qualified
8 international agencies.

9 “(4) CONTENTS.—Applications submitted under
10 this subsection shall contain such information as the
11 Secretary of State, in consultation with the Sec-
12 retary of Homeland Security, determines to be nec-
13 essary to determine whether the applicant is eligible
14 for admission as a climate-displaced person.

15 “(5) FEES.—

16 “(A) IN GENERAL.—Except as provided in
17 subparagraph (B), an applicant for climate-dis-
18 placed person status shall not be charged a fee.

19 “(B) EXCEPTION.—If an alien has applied
20 for, and been denied, climate-displaced person
21 status on 2 or more previous occasions, the Sec-
22 retary may charge a reasonable fee for any sub-
23 sequent applications, which shall be set at a
24 level equal to the average cost of adjudicating
25 such applications.

1 “(c) TREATMENT OF CLIMATE-DISPLACED PER-
2 SONS.—

3 “(1) IN GENERAL.—An alien who qualifies for
4 climate-displaced person status under this section
5 shall be eligible for resettlement assistance, entitle-
6 ment programs, and other benefits available to refu-
7 gees admitted under section 207.

8 “(2) TREATMENT OF CHILDREN AND
9 SPOUSE.—

10 “(A) IN GENERAL.—A spouse or a child
11 (as defined in subparagraph (A), (B), (C), (D),
12 or (E) of section 101(b)(1)) of an alien who is
13 granted climate-displaced person status under
14 this section may, if not otherwise eligible for
15 such status, be granted the same status as the
16 climate-displaced person if accompanying, or
17 following to join, such alien.

18 “(B) TREATMENT OF CHILDREN.—An un-
19 married alien who seeks to accompany, or follow
20 to join, a parent granted climate-displaced per-
21 son status under this section, and who was
22 younger than 21 years of age on the date on
23 which such parent applied for such status, shall
24 continue to be classified as a child for purposes
25 of this subsection and section 209(b)(3), if the

1 alien attains 21 years of age while such applica-
2 tion is pending.

3 “(d) GROUNDS FOR INELIGIBILITY.—An alien may
4 not be admitted as a climate-displaced person under this
5 section if the alien is described in section 208(b)(2).”.

6 (2) CLERICAL AMENDMENT.—The table of con-
7 tents for the Immigration and Nationality Act (8
8 U.S.C. 1101 note) is amended by inserting after the
9 item relating to section 244 the following:

“Sec. 244A. Climate-displaced persons.”.

10 (b) ADJUSTMENT OF STATUS.—Section 209(a)(1) of
11 the Immigration and Nationality Act (8 U.S.C. 1159(a))
12 is amended by inserting “or 244A” before the em dash
13 immediately preceding subparagraph (A).

14 (c) SAVINGS PROVISION.—

15 (1) IN GENERAL.—Nothing in section 244A of
16 the Immigration and Nationality Act, as added by
17 subsection (a)(1), may be construed to affect the
18 United States commitment to the United States Ref-
19 ugee Admissions Program.

20 (2) ADDITIONAL PROTECTIONS.—The protec-
21 tions described in such section 244A are in addition
22 to the refugee admissions goal established by the
23 Presidential determination described in subsection
24 (a)(1)(B) of such section.

1 **SEC. 9. AUTHORIZATION OF APPROPRIATIONS.**

2 There are authorized to be appropriated such sums
3 as may be necessary to carry out this Act.

○