

INSULAR AREA CLIMATE CHANGE ACT

DECEMBER 30, 2022.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

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

R E P O R T

together with

DISSENTING VIEWS

[To accompany H.R. 2780]

The Committee on Natural Resources, to whom was referred the bill (H.R. 2780) to provide for climate change planning, mitigation, adaptation, and resilience in the United States Territories and Freely Associated States, and for other purposes, having considered the same, reports favorably thereon with an amendment and recommends that the bill as amended do pass.

The amendment is as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the “Insular Area Climate Change Act”.

SEC. 2. TABLE OF CONTENTS.

The table of contents for this Act is as follows:

- Sec. 1. Short title.
- Sec. 2. Table of contents.
- Sec. 3. Definitions.
- Sec. 4. Findings.

TITLE I—GENERAL PROVISIONS

- Sec. 101. Insular Area Climate Change Interagency Task Force.
- Sec. 102. Non-Federal cost-share waiver.
- Sec. 103. Coral reefs prize competitions.

TITLE II—DEPARTMENT OF THE INTERIOR

- Sec. 201. Office of Insular Affairs Technical Assistance Program.
- Sec. 202. Runit Dome report and monitoring activities.

TITLE III—NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

- Sec. 301. Climate Change Insular Research Grant Program.
- Sec. 302. Coastal management technical assistance and report.

- Sec. 303. National Weather Service technical assistance and grants.
 Sec. 304. Ocean and Coastal Mapping Integration Act.

TITLE IV—DEPARTMENT OF ENERGY

- Sec. 401. Office of Insular Area Energy Policy and Programs.
 Sec. 402. Comprehensive energy plans.
 Sec. 403. Energy Efficient Product Rebate Program.
 Sec. 404. Renewable Energy Grant Program.
 Sec. 405. Offshore wind for the territories.
 Sec. 406. State Energy Program non-Federal cost-share waiver.

TITLE V—ENVIRONMENTAL PROTECTION AGENCY

- Sec. 501. Definitions.
 Sec. 502. Insular Area National Program Office.
 Sec. 503. Insular Area Sustainable Infrastructure Grant Program.
 Sec. 504. Insular Area Renewable Energy Grant Program.
 Sec. 505. Insular Area Technical Assistance Program.

TITLE VI—EMERGENCY MANAGEMENT

- Sec. 601. Community disaster loans repayment cancellation.
 Sec. 602. Disaster relief non-Federal cost-share waiver.

SEC. 3. DEFINITIONS.

In this Act, the following definitions apply:

(1) **ADAPTATION.**—The term “Adaptation” means the capacity of natural and human systems to adjust to climate change or its impacts in a matter that will reduce damage or take advantage of any beneficial aspects.

(2) **FREELY ASSOCIATED STATES.**—The term “Freely Associated States” means the Republic of the Marshall Islands, the Federated States of Micronesia, and the Republic of Palau.

(3) **INSULAR AREAS.**—The term “Insular Areas” means the territories and Freely Associated States.

(4) **MITIGATION.**—The term “Mitigation” means measures and initiatives that would limit or reduce greenhouse gas emissions.

(5) **RESILIENCE.**—The term “Resilience” means the capacity of natural and human systems to resist, assimilate, and recover from the effects of climate change in an efficient and timely manner, maintaining or restoring basic structures and essential functions.

(6) **RENEWABLE ENERGY.**—The term “renewable energy” means energy that has been derived from Earth’s natural resources that are not finite or exhaustible, including solar, wind, hydroelectric, geothermal, and ocean (thermal and mechanics).

(7) **RENEWABLE ENERGY SYSTEM.**—The term “renewable energy system” includes off-grid or stand-alone systems, microgrids, nano grids, and virtual power plants systems based on renewable energy sources, including storage and other related ancillary equipment. These may also be referred to as “eligible projects”. Waste to energy are not considered as eligible projects.

(8) **TERRITORIES.**—The term “territories” means American Samoa, the Commonwealth of the Northern Mariana Islands, Guam, Puerto Rico, and the Virgin Islands of the United States.

(9) **TERRITORY.**—The term “territory” means American Samoa, the Commonwealth of the Northern Mariana Islands, Guam, Puerto Rico, or the Virgin Islands of the United States.

SEC. 4. FINDINGS.

Congress finds as follows:

(1) The Insular Areas are topographically and environmentally diverse and treasured by millions of individuals who call them home.

(2) The territories in the Caribbean (Puerto Rico and the Virgin Islands of the United States) and the territories in the Pacific (American Samoa, the Commonwealth of the Northern Mariana Islands, and Guam) face many of the same climate change-related challenges. Freely Associated States face similar climate change-related vulnerabilities.

(3) Insular Areas are experiencing sea level rise, coastal erosion, and increasing storm impacts that threaten lives, critical infrastructure, ecosystems, and livelihood security.

(4) Temperature increases are likely to further create and intensify the length of droughts, reduce water supply, impact public health, and increase demand of freshwater in Insular Areas. In addition, temperature increases will drive coral reefs to extinction, eliminating a natural barrier against storm surge, increasing destruction of infrastructure, and threatening lives of the inhabitants of the islands.

(5) In 2017, two major storms, Hurricane Irma and Hurricane Maria, impacted Puerto Rico and the Virgin Islands of the United States. Hurricane

Maria caused thousands of deaths in Puerto Rico and the Virgin Islands of the United States and significant damage to their infrastructure, including Puerto Rico's energy system. Hurricane Maria destroyed millions of trees in Puerto Rico and the Virgin Islands of the United States, which has significantly increased erosion and sediment transport. As a result, reservoirs have lost significant storage capacity and coral reefs are severely impacted.

(6) In 2018, Typhoon Yutu impacted the Commonwealth of the Northern Mariana Islands and Guam, causing catastrophic destruction in those territories.

TITLE I—GENERAL PROVISIONS

SEC. 101. INSULAR AREA CLIMATE CHANGE INTERAGENCY TASK FORCE.

(a) ESTABLISHMENT OF TASK FORCE.—Not later than 90 days after the date of the enactment of this Act, the following shall jointly establish the “Insular Area Climate Change Interagency Task Force” (hereafter in this section referred to as the “Task Force”):

- (1) The Secretary of the Interior.
- (2) The Secretary of Energy.
- (3) The Secretary of State.
- (4) The Secretary of Housing and Urban Development.
- (5) The Secretary of Agriculture.
- (6) The Secretary of Commerce.
- (7) The Administrator of the Federal Emergency Management Agency.
- (8) The Administrator of the Environmental Protection Agency.

(b) CHAIRPERSON.—The Task Force shall be chaired by the Administrator of the Federal Emergency Management Agency.

(c) DUTIES.—The Task Force shall—

- (1) evaluate all Federal programs regarding ways to provide greater access to Federal programs and equitable baseline funding in relation to States, to territories for climate change planning, mitigation, adaptation, and resilience;
- (2) identify statutory barriers to providing territories greater access to Federal programs and equitable baseline funding; and
- (3) provide recommendations related to climate change in Insular Areas, in consultation with local governments and non-governmental organizations in Insular Areas with expertise on climate change.

(d) COMPREHENSIVE REPORT.—Not later than 1 year after the establishment of the Task Force, the Task Force, in consultation with Insular Areas governments, shall issue a comprehensive report that—

- (1) identifies Federal programs that have an impact on climate change planning, mitigation, adaptation, and resilience, but exclude territories in regard to eligibility, funding, and assistance, or do not provide equitable baseline funding in relation to States; and
- (2) provides advice and recommendations related to climate change in Insular Areas, such as new suggested Federal programs or initiatives.

(e) PUBLICATION; PUBLIC AVAILABILITY.—The Administrator of the Federal Emergency Management Agency shall ensure that the report required under subsection (d) is—

- (1) submitted to the Committees on Energy and Commerce and Natural Resources of the House of Representatives, and Energy and Natural Resources of the Senate;
- (2) published in the Federal Register for public comment for a period of at least 60 days; and
- (3) made available on a public website along with any comments received during the public comment period required under paragraph (2).

SEC. 102. NON-FEDERAL COST-SHARE WAIVER.

Section 501 of the Omnibus Territories Act of 1977 (48 U.S.C. 1469a), is amended by adding at the end the following:

“(e) Notwithstanding any other provision of law, in the case of the Insular Areas, any department or agency shall waive any requirement for non-Federal matching funds under \$750,000 (including in-kind contributions) required by law to be provided by those jurisdictions.”.

SEC. 103. CORAL REEFS PRIZE COMPETITIONS.

(a) PRIZE COMPETITIONS.—The Director of the Office of Science and Technology Policy shall work with the head of each Federal agency represented on the U.S. Coral Reef Task Force established under Executive Order 13089 (63 Fed. Reg. 32701) to establish prize competitions, in accordance with section 24 of the Steven-

son-Wylder Technology Innovation Act of 1980 (15 U.S.C. 3719), that promote coral reef research and conservation in the Insular Areas.

(b) WAIVER OF MATCHING REQUIREMENT.—Section 204(b) of the Coral Reef Conservation Act of 2000 (16 U.S.C. 6403(b)) is amended—

(1) by striking the enumerator and heading for paragraph (2) and inserting the following:

“(2) WAIVERS.—

“(A) NEED AND BENEFIT.—”; and

(2) by adding at the end of paragraph (2) the following:

“(B) SUSTAINING CORAL REEF MANAGEMENT AND MONITORING.—The Secretary shall waive all of the matching requirement under paragraph (1) for grants to implement State and territorial coral reef conservation cooperative agreements to sustain coral reef management and monitoring in Florida, Hawaii, American Samoa, the Commonwealth of the Northern Mariana Islands, Guam, Puerto Rico, and the Virgin Islands of the United States.”.

TITLE II—DEPARTMENT OF THE INTERIOR

SEC. 201. OFFICE OF INSULAR AFFAIRS TECHNICAL ASSISTANCE PROGRAM.

(a) IN GENERAL.—The Secretary of the Interior, acting through the Office of Insular Affairs Technical Assistance Program, shall provide technical assistance for climate change planning, mitigation, adaptation, and resilience to Insular Areas under the jurisdiction of such Program.

(b) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary of the Interior to carry out this section \$5,000,000 for each of the fiscal years 2022 through 2026.

SEC. 202. RUNIT DOME REPORT AND MONITORING ACTIVITIES.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary of the Interior shall submit to the Committees on Natural Resources and Energy and Commerce of the House of Representatives, and to the Committee on Energy and Natural Resources of the Senate, a report, prepared by independent experts not employed by the U.S. government, on the impacts of climate change on the “Runit Dome” nuclear waste disposal site in Enewetak Atoll, Marshall Islands, and on other environmental hazards in the vicinity thereof. The report shall include the following:

(1) A detailed scientific analysis of any threats to the environment, and to the health and safety of Enewetak Atoll residents, posed by each of the following:

(A) The “Runit Dome” nuclear waste disposal site.

(B) Crypts used to contain nuclear waste and other toxins on Enewetak Atoll.

(C) Radionuclides and other toxins present in the lagoon of Enewetak Atoll, including areas in the lagoon where nuclear waste was dumped.

(D) Radionuclides and other toxins, including beryllium, which may be present on the islands of Enewetak Atoll as a result of nuclear tests and other activities of the U.S. government, including tests of chemical and biological warfare agents, rocket tests, contaminated aircraft landing on Enewetak Island, and nuclear cleanup activities.

(E) Radionuclides and other toxins that may be present in the drinking water on Enewetak Island or in the water source for the desalination plant.

(F) Radionuclides and other toxins that may be present in the groundwater under and in the vicinity of the nuclear waste disposal facility on Runit Island.

(2) A detailed scientific analysis of the extent to which rising sea levels, severe weather events and other effects of climate change might exacerbate any of the threats identified above.

(3) A detailed plan, including costs, to relocate all of the nuclear waste and other toxic waste contained in—

(A) the “Runit Dome” nuclear waste disposal site;

(B) all of the crypts on Enewetak Atoll containing such waste; and

(C) the three dumping areas in Enewetak’s lagoon to a safe, secure facility to be constructed in an uninhabited, unincorporated territory of the United States.

(b) MARSHALLESE PARTICIPATION.—The Secretary of the Interior shall allow scientists or other experts selected by the Republic of the Marshall Islands to participate in all aspects of the preparation of the report required by subsection (a), including, without limitation, developing the work plan, identifying questions, conducting research, and collecting and interpreting data.

(c) PUBLICATION.—The report required in subsection (a) shall be published in the Federal Register for public comment for a period of not fewer than 60 days.

(d) PUBLIC AVAILABILITY.—The Secretary of the Interior shall publish the study required under subsection (a) and results submitted under subsection (b) on a public website.

(e) AUTHORIZATION OF APPROPRIATION FOR REPORT.—It is hereby authorized to be appropriated to the Department of the Interior, Office of Insular Affairs, for fiscal year 2022 such sums as may be necessary to produce the report required in subsection (a).

(f) INDEFINITE AUTHORIZATION OF APPROPRIATION FOR RUNIT DOME MONITORING ACTIVITIES.—It is hereby authorized to be appropriated to the Department of Energy such sums as may be necessary to comply with the requirements of 48 U.S.C. 1921b(f)(1)(B).

TITLE III—NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

SEC. 301. CLIMATE CHANGE INSULAR RESEARCH GRANT PROGRAM.

(a) IN GENERAL.—The Administrator of the National Oceanic and Atmospheric Administration shall establish a Climate Change Insular Research Grant Program to provide grants to institutions of higher education, as such term is defined in section 101(a) of the Higher Education Act of 1965 (20 U.S.C. 1001(a)), and nonprofit organizations in Insular Areas for monitoring, collecting, synthesizing, analyzing, and publishing local climate change data, including ocean temperature, sea level rise, ocean acidification, and altered ocean currents data.

(b) AUTHORIZATION OF APPROPRIATIONS.—To carry out this section there is authorized to be appropriated to the Administrator \$5,000,000 for each of the fiscal years 2022 through 2026.

SEC. 302. COASTAL MANAGEMENT TECHNICAL ASSISTANCE AND REPORT.

(a) TECHNICAL ASSISTANCE.—

(1) IN GENERAL.—The Administrator of the National Oceanic and Atmospheric Administration, acting through the Director of the Office for Coastal Management, shall provide technical assistance to Insular Areas to enhance such entities' coastal management and climate change programs.

(2) AUTHORIZATION OF APPROPRIATIONS.—To carry out this subsection there is authorized to be appropriated to the Administrator of the National Oceanic and Atmospheric Administration \$5,000,000 for each of the fiscal years 2022 through 2026.

(b) ANNUAL REPORT.—The Administrator of the National Oceanic and Atmospheric Administration, acting through the Director of the Office for Coastal Management, shall submit an annual report to the Committee on Natural Resources of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate on the status of—

(1) wetland, mangrove, and estuary conditions in Insular Areas; and

(2) climate change impacts, including ecological, economic, and cultural impacts, in Insular Areas.

SEC. 303. NATIONAL WEATHER SERVICE TECHNICAL ASSISTANCE AND GRANTS.

(a) TECHNICAL ASSISTANCE.—

(1) IN GENERAL.—The Administrator of the National Oceanic and Atmospheric Administration, acting through the Director of the National Weather Service, shall provide technical assistance and outreach to Insular Areas through the San Juan, Tiyan, and Pago Pago Weather Forecast Offices of the National Weather Service. For the purposes of this section, the Administrator may also employ other agency entities as the Administrator deems necessary, in order to improve weather data collection and provide science, data, information, and impact-based decision support services to reduce hurricane, typhoon, droughts, tsunamis, tides, and sea level rise impacts in the Insular Areas.

(2) AUTHORIZATION OF APPROPRIATIONS.—To carry out this subsection there is authorized to be appropriated to the Administrator \$5,000,000 for each of the fiscal years 2022 through 2026.

(b) GRANTS.—

(1) IN GENERAL.—The Administrator of the National Oceanic and Atmospheric Administration may provide grants to academic, nonprofit, and local entities to conduct climate change research to improve weather data collection and provide science, data, information, and impact-based decision support services to reduce

hurricane, typhoon, droughts, tsunamis, tides, and sea level rise impacts in the Insular Areas.

(2) AUTHORIZATION OF APPROPRIATIONS.—To carry out this subsection there is authorized to be appropriated to the Administrator \$5,000,000 for each of the fiscal years 2022 through 2026.

SEC. 304. OCEAN AND COASTAL MAPPING INTEGRATION ACT.

Section 12204 of the Ocean and Coastal Mapping Integration Act (33 U.S.C. 3503) is amended—

- (1) in paragraph (12) by striking “and”;
- (2) in paragraph (13) by striking the period at the end and inserting “; and”;
- and
- (3) by adding at the end the following:
“(14) The study of Insular Areas and the effects of climate change.”.

TITLE IV—DEPARTMENT OF ENERGY

SEC. 401. OFFICE OF INSULAR AREA ENERGY POLICY AND PROGRAMS.

(a) IN GENERAL.—Title II of the Department of Energy Organization Act (42 U.S.C. 7131 et seq.) is amended by adding at the end the following:

“SEC. 218. OFFICE OF INSULAR AREA ENERGY POLICY AND PROGRAMS.

“(a) ESTABLISHMENT.—There is established within the Department an Office of Insular Area Energy Policy and Programs (referred to in this section as the ‘Office’). The Office shall be headed by a Director, who shall be appointed by the Secretary and compensated at a rate equal to that of level IV of the Executive Schedule under section 5315 of title 5, United States Code.

“(b) DUTIES.—The Office shall—

- “(1) direct, coordinate, implement, and monitor energy planning, education, management, conservation, and delivery programs of the Department to—
 - “(A) assist Insular Areas in developing comprehensive energy plans;
 - “(B) expand renewable energy and energy efficiency in Insular Areas;
 - “(C) reduce or stabilize energy costs in Insular Areas;
 - “(D) enhance and strengthen energy infrastructure in Insular Areas to withstand natural disasters; and
 - “(E) work with Insular Areas to develop improved regulatory and oversight conditions; and
- “(2) centralize and align all ongoing Department of Energy efforts in the Insular Areas.

“(c) ANNUAL REPORT.—The Director shall submit an annual report to the Committee on Natural Resources and the Committee on Energy and Commerce of the House of Representatives and the Committee on Energy and Natural Resources of the Senate on the status of all projects undertaken and grants approved by the Office.

“(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary to carry out this section \$20,000,000 for each of the fiscal years 2022 through 2026.

“(e) NON-FEDERAL COST-SHARE WAIVER.—Any funding made available to Insular Areas by the Office of Insular Area Energy Policy and Programs under this or any other Federal law shall not be subject to a non-Federal share funding requirement.”.

(b) CONFORMING AMENDMENTS.—

- (1) TABLE OF CONTENTS.—The table of contents of the Department of Energy Organization Act is amended by inserting after the item relating to section 217 the following:

“Sec. 218. Office of Insular Area Energy Policy and Programs.”.

- (2) POSITIONS AT LEVEL IV.—Section 5315 of title 5, United States Code, is amended by inserting after the item relating to the Director, Office of Science, Department of Energy the following new item:

“Director, Office of Insular Area Energy Policy and Programs, Department of Energy.”.

SEC. 402. COMPREHENSIVE ENERGY PLANS.

(a) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, the Office of Insular Area Energy Policy and Programs in the Department of Energy, in consultation with the Office of Insular Affairs of the Department of the Interior, shall submit to the Committees on Energy and Commerce and Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a report containing—

(1) the results of a study of the execution of the comprehensive energy plans required by section 9 of Public Law 113–235 (48 U.S.C. 1492a), including—

- (A) initial, planned, and current sources of renewable energy;
 - (B) initial, planned, and current energy imports; and
 - (C) projected and actual energy needs during calendar year 2020 for each Insular Area;
- (2) the lessons learned from the preparation of these plans;
- (3) the date on which each plan was most recently updated; and
- (4) recommendations with respect to each Insular Area, on the need to update such plans.

(b) PUBLICATION; PUBLIC AVAILABILITY.—The Secretary of Energy shall ensure that—

- (1) the report required by subsection (a) is published in the Federal Register for public comment for a period of not fewer than 60 days; and
- (2) the report required by subsection (a) and any comments received under subsection (b) are made available on a public website.

SEC. 403. ENERGY EFFICIENT PRODUCT REBATE PROGRAM.

(a) DEFINITIONS.—In this section:

(1) ELIGIBLE TERRITORY.—The term “eligible territory” means a territory that meets the requirements of subsection (c).

(2) ENERGY STAR PROGRAM.—The term “Energy Star program” means the program established by section 324A of the Energy Policy and Conservation Act (42 U.S.C. 6294a).

(3) RESIDENTIAL ENERGY STAR PRODUCT.—The term “residential Energy Star product” means a product for a residence that is rated for energy efficiency under the Energy Star program.

(4) ENERGY OFFICE.—The term “energy office” means the government agency within the territory responsible for developing an energy conservation plan under section 362 of the Energy Policy and Conservation Act (42 U.S.C. 6322).

(5) REBATE PROGRAM.—The term “rebate program” means an energy efficient product rebate program described in subsection (c)(1).

(b) ESTABLISHMENT.—The Secretary of Energy shall establish a program, to be known as the “Energy Efficient Product Rebate Program”, under which the Director of the Office of Insular Area Energy Policy Programs shall provide allocations to eligible territories in accordance with this section.

(c) ELIGIBLE TERRITORIES.—A territory shall be eligible to receive an allocation under subsection (d) if the territory—

(1) establishes (or has established) an energy efficient product rebate program to provide rebates to residential consumers for the purchase of residential Energy Star products to replace used products of the same type;

(2) establishes clear requirements to prevent illegal dumping of old products and the overflow of landfills, and ensure environmental justice;

(3) submits an application for the allocation at such time, in such form, and containing such information as the Director of the Office of Insular Area Energy Policy and Programs may require; and

(4) provides assurances satisfactory to the Director of the Office of Insular Area Energy Policy and Programs that the territory will use the allocation to supplement, but not supplant, funds made available to carry out the rebate program.

(d) AMOUNT OF ALLOCATIONS.—

(1) IN GENERAL.—Subject to paragraph (2), for each of fiscal years 2022 through 2026, the Director of the Office of Insular Area Energy Policy and Programs shall allocate to the energy office of each eligible territory to carry out subsection (e) an amount equal to the product obtained by multiplying the amount made available under subsection (g) for the fiscal year by the ratio that the population of the territory in the most recent calendar year for which data are available bears to the total population of all eligible territories in that calendar year.

(2) MINIMUM ALLOCATIONS.—For each fiscal year, the amounts allocated under this subsection shall be adjusted proportionately so that no eligible territory is allocated a sum that is less than an amount determined by the Director.

(e) USE OF ALLOCATED FUNDS.—An allocation to an energy office under subsection (d) may be used to pay not more than 75 percent of the cost of establishing and carrying out a rebate program.

(f) ISSUANCE OF REBATES.—The amount of a rebate provided under a rebate program shall be determined by the applicable energy office, taking into consideration—

- (1) the amount of the allocation to the energy office under subsection (d);

(2) the amount of any tax incentive available for the purchase of the residential Energy Star product; and

(3) the difference between the cost of the residential Energy Star product and the cost of a product that is not a residential Energy Star product, but is of the same type as, and is the nearest capacity, performance, and other relevant characteristics (as determined by the energy office) to, the residential Energy Star product.

(g) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section \$5,000,000 for each of the fiscal years 2022 through 2026.

SEC. 404. RENEWABLE ENERGY GRANT PROGRAM.

(a) DEFINITIONS.—In this section:

(1) COVERED ENTITY.—The term “covered entity” means a not-for-profit organization determined eligible by the Secretary for purposes of this section.

(2) DEPARTMENT OF ENERGY NATIONAL LABORATORIES.—The term “Department of Energy national laboratories” has the same meaning as the term “National Laboratory” under section 2 of the Energy Policy Act of 2005 (42 U.S.C. 15801).

(3) MICROGRID.—The term “microgrid” means an electric system—

(A) that serves the local community with a power generation and distribution system; and

(B) that has the ability—

(i) to disconnect from a traditional electric grid; and

(ii) to operate autonomously when disconnected.

(4) PROGRAM.—The term “Program” means the Renewable Energy Grant Program established under subsection (b).

(5) SMART GRID.—The term “smart grid” means an intelligent electric grid that uses digital communications technology, information systems, and automation to, while maintaining high system reliability—

(A) detect and react to local changes in usage;

(B) improve system operating efficiency; and

(C) reduce spending costs.

(b) ESTABLISHMENT.—Not later than 180 days after the date of the enactment of this Act, the Director of the Office of Insular Area Energy Policy and Programs shall establish a Renewable Energy Grant Program under which the Director may award grants to covered entities to facilitate projects in Insular Areas described in subsection (d).

(c) APPLICATIONS.—To be eligible for a grant under the Program, a covered entity shall submit to the Director an application at such time, in such form, and containing such information as the Secretary may require.

(d) USE OF FUNDS.—

(1) IN GENERAL.—A covered entity receiving a grant under the Program may use grant funds for a project, in territories of the United States—

(A) to develop or construct a renewable energy system;

(B) to carry out an activity to increase energy efficiency;

(C) to develop or construct an energy storage system or device for—

(i) a system developed or constructed under subparagraph (A); or

(ii) an activity carried out under subparagraph (B);

(D) to develop or construct—

(i) a smart grid; or

(ii) a microgrid; or

(E) to train residents of territories of the United States to develop, construct, maintain, or operate a renewable energy system.

(2) LIMITATION.—A covered entity receiving a grant under the Program may not use grant funds to develop or construct a facility that generates electricity using energy derived from—

(A) fossil fuels; or

(B) nuclear power.

(e) TECHNICAL ASSISTANCE.—The Director shall ensure that Department of Energy national laboratories offer to provide technical assistance to each covered entity carrying out a project assisted with a grant under the Program.

(f) REPORT.—Not later than two years after the establishment of the Program, and on an annual basis thereafter, the Secretary shall submit to Congress a report containing—

(1) an estimate of the amount of funds disbursed under the Program;

(2) an estimate of the energy conservation achieved as a result of the Program;

(3) a description of challenges encountered in implementing projects described in subsection (d)(1); and

(4) any recommendations as to additional legislative measures to increase the use of renewable energy in territories of the United States, as appropriate.

(g) GAO STUDY AND REPORT.—

(1) STUDY AND REPORT.—Not later than 180 days after the date of the enactment of this section, the Comptroller General of the United States shall—

(A) conduct a study regarding renewable energy and energy efficiency in territories of the United States; and

(B) submit to Congress a report containing—

(i) the findings of the study; and

(ii) related recommendations.

(2) COMPONENTS.—The study conducted under paragraph (1) shall consider, in relation to territories of the United States, the potential—

(A) to modify existing electric power systems to use renewable energy sources;

(B) to expand the use of microgrids; and

(C) to improve energy resiliency.

SEC. 405. OFFSHORE WIND FOR THE TERRITORIES.

(a) APPLICATION OF OUTER CONTINENTAL SHELF LANDS ACT WITH RESPECT TO TERRITORIES OF THE UNITED STATES.—

(1) IN GENERAL.—Section 2 of the Outer Continental Shelf Lands Act (43 U.S.C. 1331) is amended—

(A) in subsection (a) by inserting “or lying within the exclusive economic zone of the United States and the Outer Continental Shelf adjacent to any territory of the United States, except that such term shall not include any area conveyed by Congress to a territorial government for administration” after “control”;

(B) in subsection (p), by striking “and” after the semicolon at the end;

(C) in subsection (q), by striking the period at the end and inserting “; and”;

(D) by adding at the end the following:

“(r) The term ‘State’ means the several States, the Commonwealth of Puerto Rico, Guam, American Samoa, the Virgin Islands of the United States, and the Commonwealth of the Northern Mariana Islands.”

(2) EXCLUSIONS.—Section 18 of the Outer Continental Shelf Lands Act (43 U.S.C. 1344) is amended by adding at the end the following:

“(i) This section shall not apply to the scheduling of lease sales in the Outer Continental Shelf adjacent to the Territories of the United States.”

(b) WIND LEASE SALES FOR AREAS OF OUTER CONTINENTAL SHELF.—The Outer Continental Shelf Lands Act (43 U.S.C. 1331 et seq.) is amended by adding at the end the following:

“SEC. 33. WIND LEASE SALES FOR AREAS OF OUTER CONTINENTAL SHELF.

“(a) AUTHORIZATION.—The Secretary may conduct wind lease sales on the Outer Continental Shelf.

“(b) WIND LEASE SALE PROCEDURE.—Any wind lease sale conducted under this section shall be considered a lease under section 8(p).

“(c) WIND LEASE SALES OFF COASTS OF TERRITORIES OF THE UNITED STATES.—

“(1) STUDY ON FEASIBILITY OF CONDUCTING WIND LEASE SALES.—

“(A) IN GENERAL.—The Secretary shall conduct a study on the feasibility, including the technological and long-term economic feasibility, and the potential environmental effects of, conducting wind lease sales on an area of the Outer Continental Shelf within the territorial jurisdiction of American Samoa, Guam, the Commonwealth of the Northern Mariana Islands, Puerto Rico, and the Virgin Islands of the United States.

“(B) CONSULTATION.—In conducting the study required in subparagraph (A), the Secretary shall consult—

“(i) the National Laboratories, that term is defined in section 2 of the Energy Policy Act of 2005;

“(ii) the National Oceanic and Atmospheric Administration, including the Office of National Marine Sanctuaries and National Marine Fisheries Service; and

“(iii) the Governor of each of American Samoa, Guam, the Northern Mariana Islands, Puerto Rico, and the Virgin Islands of the United States.

“(C) PUBLICATION.—The study required in subparagraph (A) shall be published in the Federal Register for public comment for a period of not fewer than 60 days.

“(D) SUBMISSION OF RESULTS.—Not later than 18 months after the date of the enactment of this section, the Secretary shall submit the results of the study conducted under subparagraph (A) to—

“(i) the Committee on Energy and Natural Resources of the Senate;
“(ii) the Committee on Natural Resources of the House of Representatives; and

“(iii) each Delegate or Resident Commissioner to the House of Representatives from American Samoa, Guam, the Northern Mariana Islands, Puerto Rico, and the Virgin Islands of the United States.

“(E) PUBLIC AVAILABILITY.—The Secretary shall publish the study required under subparagraph (A) and results submitted under subparagraph (D) on a public website.

“(2) CALL FOR INFORMATION AND NOMINATIONS.—The Secretary shall issue a call for information and nominations for proposed wind lease sales for areas determined to be feasible under the study conducted under paragraph (1).

“(3) CONDITIONAL WIND LEASE SALES.—

“(A) IN GENERAL.—For each territory, the Secretary shall conduct not less than 1 wind lease sale on an area of the Outer Continental Shelf within the territorial jurisdiction of such territory that meets each of the following criteria:

“(i) The study required under paragraph (1)(A) concluded that a wind lease sale on the area is feasible.

“(ii) The Secretary has determined that the call for information has generated sufficient interest for the area.

“(iii) The Secretary has consulted with the Secretary of Defense and other relevant Federal agencies regarding such a sale.

“(iv) The Secretary has consulted with the Governor of the territory regarding the suitability of the area for wind energy development.

“(B) EXCEPTION.—If no area of the Outer Continental Shelf within the territorial jurisdiction of a territory meets each of the criteria in clauses (i) through (iv) of subparagraph (A), the requirement under subparagraph (A) shall not apply to such territory.”.

SEC. 406. STATE ENERGY PROGRAM NON-FEDERAL COST-SHARE WAIVER.

Funding made available to a territory under the Department of Energy’s State Energy Program (42 U.S.C. 6321 et seq.) shall not be subject to a non-Federal share funding requirement.

TITLE V—ENVIRONMENTAL PROTECTION AGENCY

SEC. 501. DEFINITIONS.

In this title:

(1) ADMINISTRATOR.—The term “Administrator” means the Administrator of the Environmental Protection Agency.

(2) DIRECTOR.—The term “Director” means the Director of the Insular Area National Program Office.

(3) ELIGIBLE ENTITY.—The term “eligible entity” means each of the following:

(A) A government, municipality, agency, or instrumentality of a territory.

(B) A private, nonprofit organization or institution.

(C) An institution of higher education (as defined in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001), except that such term does not include private, nonprofit institutions of higher education).

(D) Any combination of entities described in subparagraphs (A) through (C), including partnerships and consortiums of local governments.

(4) OFFICE.—The term “Office” means the Insular Area National Program Office established by section 502.

(5) RENEWABLE ENERGY.—The term “renewable energy” means energy that has been derived from Earth’s natural resources that are not finite or exhaustible, including solar, wind, hydroelectric, geothermal, ocean (thermal and mechanics).

SEC. 502. INSULAR AREA NATIONAL PROGRAM OFFICE.

(a) ESTABLISHMENT.—There is established within the Environmental Protection Agency an office, to be known as the Insular Area National Program Office. The Office shall be headed by a Director, who shall be appointed by the Administrator and compensated at a rate equal to that of level IV of the Executive Schedule under section 5315 of title 5, United States Code.

(b) DUTIES.—The Director shall—

(1) direct, coordinate, implement, and monitor programs of the Environmental Protection Agency to—

- (A) build, enhance, and strengthen infrastructure in Insular Areas to withstand natural disasters;
- (B) expand renewable energy and energy efficiency in Insular Areas; and
- (C) provide technical assistance in Insular Areas.

(2) centralize and align all ongoing Environmental Protection Agency efforts in the Insular Areas.

(c) ANNUAL REPORT.—The Director shall submit an annual report to the Committee on Natural Resources and the Committee on Energy and Commerce of the House of Representatives, and the Committee on Energy and Natural Resources of the Senate on the status of all projects undertaken and grants approved by the Office.

(d) AUTHORIZATION OF APPROPRIATIONS.—For the Insular Area National Program Office, there is authorized to be appropriated to the Administrator \$20,000,000 for each of the fiscal years 2022 through 2026.

(e) NON-FEDERAL COST-SHARE WAIVER.—Any funding made available to Insular Areas by the Office shall not be subject to a non-Federal share funding requirement.

SEC. 503. INSULAR AREA SUSTAINABLE INFRASTRUCTURE GRANT PROGRAM.

(a) ESTABLISHMENT.—Not later than 180 days after the date of the enactment of this Act, the Director of the Insular Area National Program Office shall establish and carry out a program, to be known as the Insular Area Sustainable Infrastructure Grant Program to provide grants to eligible entities in the Insular Areas to build, enhance, and strengthen infrastructure systems in Insular Areas to withstand natural disasters, including drinking water systems, septic systems, stormwater systems, and solid waste systems.

(b) USE OF FUNDS.—An eligible entity that receives a grant for infrastructure system projects under the Insular Areas Sustainable Infrastructure Grant Program may use such funds for—

- (1) development-phase activities, including planning, feasibility analysis (including any related analysis necessary to carry out an eligible project), revenue forecasting, environmental review, permitting, preliminary engineering and design work, and other preconstruction activities;
- (2) construction, reconstruction, rehabilitation, and replacement activities; and
- (3) the acquisition of real property or an interest in real property (including land relating to the project, and improvements to land), environmental mitigation, construction contingencies, and acquisition of equipment.

(c) APPLICATIONS.—

(1) INCLUSIONS.—An application under this subsection shall include—

- (A) a description of the project proposed by the eligible entity;
- (B) an evaluation (using methodology approved by the Director) of the quantifiable and unquantifiable benefits of the proposed project;
- (C) an estimate of the cost of the proposed project; and
- (D) a description of the age and expected lifetime of the infrastructure system funded by the project.

(2) PRIORITY.—In providing grants under this section, the Director shall give priority to proposed projects that, as determined by the Director—

- (A) maximize public health benefits;
- (B) are the most cost effective;
- (C) serve areas with environmental justice communities—
 - (i) in rural remote areas; or
 - (ii) that have challenged environmental conditions.

(3) APPLICATION GUIDANCE AND PROCESSES.—The Director shall provide Insular Areas—

- (A) guidance for use in applying for grant funds under this section, including information regarding—
 - (i) the process and forms for applications;
 - (ii) permissible uses of funds received; and
 - (iii) an annual deadline for submission of the applications;
- (B) a process by which the Director shall approve or disapprove each application; and
- (C) a streamlined process by which an Insular Area may renew an application described in subparagraph (A) for subsequent fiscal years.

(d) LIMITATION ON USE OF FUNDS.—

(1) OFFICE.—The Director shall use 100 percent of the funds made available to carry out this section to provide grants, on a competitive basis, to eligible entities in Insular Areas.

(2) GRANT RECIPIENT.—An eligible entity may use not more than 10 percent of a grant provided under this section for administrative expenses of an approved project.

(e) AUTHORIZATION OF APPROPRIATIONS.—To carry out this section there is authorized to be appropriated to the Administrator \$50,000,000 for each of the fiscal years 2022 through 2026.

SEC. 504. INSULAR AREA RENEWABLE ENERGY GRANT PROGRAM.

(a) ESTABLISHMENT.—Not later than 180 days after the date of the enactment of this Act, the Director of the Insular Area National Program Office shall establish and carry out a program, to be known as the Insular Area Renewable Energy Grant Program to provide grants to eligible entities in the Insular Areas to expand renewable energy and energy efficiency in the Insular Areas.

(b) ELIGIBILITY.—

(1) PROJECTS ELIGIBLE FOR ASSISTANCE.—The following projects may be carried out with amounts made available under this section:

(A) Construction of a new renewable energy system.

(B) A project for energy redundancy and resilience based on renewable energy and for hurricane and storm damage reduction on renewable energy systems that the Director determines is technically sound, economically justified, and environmentally acceptable.

(C) A project for enhanced energy efficiency in the operation of infrastructure that belongs to an eligible entity.

(D) A project for repair, rehabilitation, or replacement of a renewable energy system.

(E) A project to prevent, reduce, or mitigate the effects of hurricanes or storms, including projects that enhance the resilience of renewable energy systems.

(F) Acquisition of real property or an interest in real property—

(i) if the acquisition is integral to a project described in subparagraphs (A) through (D); or

(ii) pursuant to an existing plan that, in the judgment of the Director, as applicable, would mitigate the environmental impacts of renewable energy system infrastructure projects.

(G) A combination of projects under subparagraphs (A) through (F).

(2) ACTIVITIES ELIGIBLE FOR ASSISTANCE.—An eligible entity may use a grant provided under this section for, with respect to an eligible project—

(A) development-phase activities, including planning, feasibility analysis (including any related analysis necessary to carry out an eligible project), revenue forecasting, environmental review, permitting, preliminary engineering and design work, and other preconstruction activities;

(B) construction, reconstruction, rehabilitation, and replacement activities; and

(C) the acquisition of real property or an interest in real property (including land relating to the project, and improvements to land), environmental mitigation, construction contingencies, and acquisition of equipment.

(c) APPLICATIONS.—

(1) INCLUSIONS.—An application under this subsection shall include—

(A) a description of the project proposed by the eligible entity;

(B) an evaluation (using methodology approved by the Director) of the quantifiable and unquantifiable benefits of the proposed project;

(C) an estimate of the cost of the proposed project; and

(D) a description of the age and expected lifetime of a renewable energy or energy efficiency system funded by the project.

(2) PRIORITY.—In providing grants under this section, the Director shall give priority to proposed projects that, as determined by the Director—

(A) maximize public health benefits;

(B) are the most cost effective;

(C) serve areas with environmental justice communities—

(i) in rural remote areas; or

(ii) that are poor air quality areas.

(3) APPLICATION GUIDANCE AND PROCESSES.—The Director shall provide Insular Areas—

(A) guidance for use in applying for grant funds under this section, including information regarding—

(i) the process and forms for applications;

- (ii) permissible uses of funds received; and
- (iii) an annual deadline for submission of the applications;
- (B) a process by which the Director shall approve or disapprove each application; and
- (C) a streamlined process by which an Insular Area may renew an application described in subparagraph (A) for subsequent fiscal years.
- (d) LIMITATION ON USE OF FUNDS.—
 - (1) OFFICE.—The Director shall use 100 percent of the funds made available to carry out this section to provide grants, on a competitive basis, to eligible entities in Insular Areas.
 - (2) GRANT RECIPIENT.—An eligible entity may use not more than 10 percent of a grant provided under this section to fund administrative expenses of an approved project.
- (e) AUTHORIZATION OF APPROPRIATIONS.—To carry out this section, there is authorized to be appropriated to the Administrator \$50,000,000 for each of the fiscal years 2022 through 2026.

SEC. 505. INSULAR AREA TECHNICAL ASSISTANCE PROGRAM.

- (a) IN GENERAL.—The Insular Area National Program Office Director shall establish a program, to be known as the Insular Area Technical Assistance Program, to provide technical assistance to Insular Areas relating to climate change planning, mitigation, adaptation, and resilience.
- (b) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Administrator to carry out this section \$5,000,000 for each of the fiscal years 2022 through 2026.

TITLE VI—EMERGENCY MANAGEMENT

SEC. 601. COMMUNITY DISASTER LOANS REPAYMENT CANCELLATION.

Notwithstanding any other provision of law, repayment of a loan made to a local government in an Insular Area under section 417 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5184), including any interest on such loan, shall be canceled.

SEC. 602. DISASTER RELIEF NON-FEDERAL COST-SHARE WAIVER.

Funding made available to an Insular Area for disaster relief, long-term recovery, restoration of infrastructure and housing, economic revitalization, and mitigation pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) shall not be subject to a non-Federal share funding requirement.

PURPOSE OF THE BILL

The purpose of H.R. 2780 is to provide for climate change planning, mitigation, adaptation, and resilience in the United States Territories and Freely Associated States.

BACKGROUND AND NEED FOR LEGISLATION

The *Insular Area Climate Change Act* seeks to assist the U.S. Territories and Freely Associated States, where over 3.5 million U.S. citizens and U.S. nationals reside. Puerto Rico, the U.S. Virgin Islands, Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, as well as the Federated States of Micronesia, the Republic of the Marshall Islands, and the Republic of Palau, have been severely impacted by climate change. Unfortunately, current federal policies disproportionately restrict these areas' access to federal programs that help build climate resiliency.

In 2017, Hurricane Irma and Hurricane Maria devastated Puerto Rico and the U.S. Virgin Islands, causing thousands of deaths and significant damage to local infrastructure, including Puerto Rico's fragile power grid. A year later, Typhoon Yutu struck the Northern Mariana Islands and Guam, also causing multiple deaths and destroying thousands of homes. These extreme weather events ex-

posed the insular areas' need for modernized infrastructure that meets new hazard mitigation codes and can withstand the increased severity of the natural disasters caused by climate change.

These infrastructure deficiencies resulted in local governments, climate change experts, organizations, and communities contributing to the development of the *Insular Area Climate Change Act*.

The Inflation Reduction Act, signed into law in August 2022, included language from the *Insular Area Climate Change Act* directing the Department of the Interior's Office of Insular Affairs to provide technical assistance for climate change planning to the U.S. Insular Areas.

COMMITTEE ACTION

On March 4, 2021, full Committee on Natural Resources held a hearing on a discussion draft of the *Insular Area Climate Change Act*. H.R. 2780 was introduced on April 22, 2021, by Representative Raúl M. Grijalva (D-AZ). The bill was referred to the Committee on Natural Resources, and in addition to the Committees on Energy and Commerce, Transportation and Infrastructure, and Science, Space, and Technology. Within the Committee on Natural Resources, the bill was held at full committee. On July 14, 2021, the Natural Resources Committee met to consider the bill. Chair Grijalva offered an amendment designated Grijalva #1. The amendment was agreed to by voice vote. By unanimous consent, Rep. Cliff Bentz (R-OR) offered an amendment on behalf of Ranking Member Bruce Westerman (R-AR) designated Westerman #1. The amendment was not agreed to by a roll call vote of 19 yeas and 22 nays, as follows:

Date: July 14, 2021

**COMMITTEE ON NATURAL RESOURCES
117TH CONGRESS — ROLL CALL**

Bill / Motion: H.R. 2780

Amendment: Rep. Westerman amendment #1

Disposition: Not agreed to by a roll call vote of 19 yeas and 22 nays.

| | DEM. MEMBERS (26) | YEAS | NAYS | PRESENT |
|----|-------------------------------------|-------------|-------------|----------------|
| 1 | Ms. Brownley, CA | | | |
| 2 | Mr. Case, HI | | X | |
| 3 | Mr. Cohen, TN | | X | |
| 4 | Mr. Costa, CA | | X | |
| 5 | Ms. DeGette, CO | | X | |
| 6 | Mrs. Dingell, MI | | X | |
| 7 | Mr. Gallego, AZ | | | |
| 8 | Mr. García, IL | | X | |
| 9 | Mr. Grijalva, AZ (Chair) | | X | |
| 10 | Mr. Huffman, CA | | X | |
| 11 | Ms. Leger Fernández, NM | | X | |
| 12 | Mr. Levin, CA | | X | |
| 13 | Mr. Lowenthal, CA | | X | |
| 14 | Ms. McCollum, MN | | X | |
| 15 | Mr. McEachin, VA | | | |
| 16 | Mrs. Napolitano, CA | | X | |
| 17 | Mr. Neguse, CO | | X | |
| 18 | Ms. Porter, CA | | X | |
| 19 | Mr. Sablan, MP | | X | |
| 20 | Mr. San Nicolas, GU | | | |
| 21 | Mr. Soto, FL | | X | |
| 22 | Ms. Stansbury, NM | | X | |
| 23 | Ms. Tlaib, MI | | X | |
| 24 | Mr. Tonko, NY | | X | |
| 25 | Ms. Trahan, MA | | X | |
| 26 | Ms. Velázquez, NY | | X | |
| | REP. MEMBERS (22) | Y | N | P |
| 1 | Mr. Bentz, OR | X | | |
| 2 | Mrs. Boebert, CO | X | | |
| 3 | Mr. Carl, AL | X | | |
| 4 | Mr. Fulcher, ID | X | | |
| 5 | Mr. Gohmert, TX | X | | |
| 6 | Miss González-Colón, PR | X | | |
| 7 | Mr. Gosar, AZ | | | |
| 8 | Mr. Graves, LA | X | | |
| 9 | Ms. Herrell, NM | X | | |
| 10 | Mr. Hice, GA | X | | |
| 11 | Mr. Lamborn, CO | X | | |
| 12 | Mr. McClintock, CA | X | | |
| 13 | Mr. Moore, UT | X | | |
| 14 | Mr. Oberholte, CA | X | | |
| 15 | Mrs. Radewagen, AS | X | | |
| 16 | Mr. Rosendale, MT | X | | |
| 17 | Mr. Stauber, MN | X | | |
| 18 | Mr. Tiffany, WI | X | | |
| 19 | Mr. Webster, FL | X | | |
| 20 | Mr. Westerman, AR (RM) | | | |
| 21 | Mr. Wittman, VA | X | | |
| 22 | Mr. Young, AK | | | |
| | Total: 48 / Quorum: 16 / Report: 25 | 19 | 22 | |
| | TOTALS | YEAS | NAYS | PRESENT |

By unanimous consent, Rep. Thomas P. Tiffany (R-WI) offered an amendment on behalf of Rep. Jay Obernolte (R-CA) designated Obernolte #1. The amendment was withdrawn. By unanimous consent, Rep. Garret Graves (R-LA) offered amendments designated Graves #1, Graves #2, and Graves #3 *en bloc*. The *en bloc* amendments were not agreed to by voice vote. By unanimous consent, Rep. Pete Stauber (R-MN) offered an amendment on behalf of Rep. Lauren Boebert (R-CO) designated Boebert #1. The amendment was not agreed to by a roll call vote of 19 yeas and 23 nays, as follows:

Date: July 14, 2021

**COMMITTEE ON NATURAL RESOURCES
117TH CONGRESS — ROLL CALL**

Bill / Motion: H.R. 2780**Amendment:** Rep. Boebert amendment #1 revised.**Disposition:** Not agreed to by a roll call vote of 19 yeas and 23 nays.

| | DEM. MEMBERS (26) | YEAS | NAYS | PRESENT |
|----|-------------------------------------|-------------|-------------|----------------|
| 1 | Ms. Brownley, CA | | X | |
| 2 | Mr. Case, HI | | X | |
| 3 | Mr. Cohen, TN | | X | |
| 4 | Mr. Costa, CA | | X | |
| 5 | Ms. DeGette, CO | | X | |
| 6 | Mrs. Dingell, MI | | X | |
| 7 | Mr. Gallego, AZ | | | |
| 8 | Mr. Garcia, IL | | X | |
| 9 | Mr. Grijalva, AZ (<i>Chair</i>) | | X | |
| 10 | Mr. Huffman, CA | | X | |
| 11 | Ms. Leger Fernández, NM | | X | |
| 12 | Mr. Levin, CA | | X | |
| 13 | Mr. Lowenthal, CA | | X | |
| 14 | Ms. McCollum, MN | | X | |
| 15 | Mr. McEachin, VA | | | |
| 16 | Mrs. Napolitano, CA | | X | |
| 17 | Mr. Neguse, CO | | X | |
| 18 | Ms. Porter, CA | | X | |
| 19 | Mr. Sablan, MP | | X | |
| 20 | Mr. San Nicolas, GU | | | |
| 21 | Mr. Soto, FL | | X | |
| 22 | Ms. Stansbury, NM | | X | |
| 23 | Ms. Tlaib, MI | | X | |
| 24 | Mr. Tonko, NY | | X | |
| 25 | Ms. Trahan, MA | | X | |
| 26 | Ms. Velázquez, NY | | X | |
| | REP. MEMBERS (22) | Y | N | P |
| 1 | Mr. Bentz, OR | X | | |
| 2 | Mrs. Boebert, CO | X | | |
| 3 | Mr. Carl, AL | X | | |
| 4 | Mr. Fulcher, ID | X | | |
| 5 | Mr. Gohmert, TX | X | | |
| 6 | Miss González-Colón, PR | X | | |
| 7 | Mr. Gosar, AZ | | | |
| 8 | Mr. Graves, LA | X | | |
| 9 | Ms. Herrell, NM | X | | |
| 10 | Mr. Hice, GA | X | | |
| 11 | Mr. Lamborn, CO | X | | |
| 12 | Mr. McClintock, CA | X | | |
| 13 | Mr. Moore, UT | X | | |
| 14 | Mr. Oberholte, CA | X | | |
| 15 | Mrs. Radewagen, AS | X | | |
| 16 | Mr. Rosendale, MT | X | | |
| 17 | Mr. Stauber, MN | X | | |
| 18 | Mr. Tiffany, WI | X | | |
| 19 | Mr. Webster, FL | X | | |
| 20 | Mr. Westerman, AR (RM) | | | |
| 21 | Mr. Wittman, VA | X | | |
| 22 | Mr. Young, AK | | | |
| | Total: 48 / Quorum: 16 / Report: 25 | 19 | 23 | |
| | TOTALS | YEAS | NAYS | PRESENT |

Rep. Stauber offered an amendment designated Stauber #1. The amendment was not agreed to by a roll call vote of 18 and 23 nays, as follows:

Date: July 14, 2021

**COMMITTEE ON NATURAL RESOURCES
117TH CONGRESS — ROLL CALL**

Bill / Motion: H.R. 2780**Amendment:** Rep. Stauber amendment #1**Disposition:** Not agreed to by a roll call vote of 18 yeas and 23 nays.

| | DEM. MEMBERS (26) | YEAS | NAYS | PRESENT |
|----|-------------------------------------|-------------|-------------|----------------|
| 1 | Ms. Brownley, CA | | X | |
| 2 | Mr. Case, HI | | X | |
| 3 | Mr. Cohen, TN | | X | |
| 4 | Mr. Costa, CA | | X | |
| 5 | Ms. DeGette, CO | | X | |
| 6 | Mrs. Dingell, MI | | X | |
| 7 | Mr. Gallego, AZ | | | |
| 8 | Mr. Garcia, IL | | X | |
| 9 | Mr. Grijalva, AZ (Chair) | | X | |
| 10 | Mr. Huffman, CA | | X | |
| 11 | Ms. Leger Fernández, NM | | X | |
| 12 | Mr. Levin, CA | | X | |
| 13 | Mr. Lowenthal, CA | | X | |
| 14 | Ms. McCollum, MN | | X | |
| 15 | Mr. McEachin, VA | | | |
| 16 | Mrs. Napolitano, CA | | X | |
| 17 | Mr. Neguse, CO | | X | |
| 18 | Ms. Porter, CA | | X | |
| 19 | Mr. Sablan, MP | | X | |
| 20 | Mr. San Nicolas, GU | | | |
| 21 | Mr. Soto, FL | | X | |
| 22 | Ms. Stansbury, NM | | X | |
| 23 | Ms. Tlaib, MI | | X | |
| 24 | Mr. Tonko, NY | | X | |
| 25 | Ms. Trahan, MA | | X | |
| 26 | Ms. Velázquez, NY | | X | |
| | REP. MEMBERS (22) | Y | N | P |
| 1 | Mr. Bentz, OR | X | | |
| 2 | Mrs. Boebert, CO | X | | |
| 3 | Mr. Carl, AL | X | | |
| 4 | Mr. Fulcher, ID | X | | |
| 5 | Mr. Gohmert, TX | X | | |
| 6 | Miss González-Colón, PR | X | | |
| 7 | Mr. Gosar, AZ | | | |
| 8 | Mr. Graves, LA | X | | |
| 9 | Ms. Herrell, NM | X | | |
| 10 | Mr. Hice, GA | X | | |
| 11 | Mr. Lamborn, CO | X | | |
| 12 | Mr. McClintock, CA | X | | |
| 13 | Mr. Moore, UT | | | |
| 14 | Mr. Obernolte, CA | X | | |
| 15 | Mrs. Radewagen, AS | X | | |
| 16 | Mr. Rosendale, MT | X | | |
| 17 | Mr. Stauber, MN | X | | |
| 18 | Mr. Tiffany, WI | X | | |
| 19 | Mr. Webster, FL | X | | |
| 20 | Mr. Westerman, AR (RM) | | | |
| 21 | Mr. Wittman, VA | X | | |
| 22 | Mr. Young, AK | | | |
| | Total: 48 / Quorum: 16 / Report: 25 | 18 | 23 | |
| | TOTALS | YEAS | NAYS | PRESENT |

By unanimous consent, Rep. Blake Moore (R-UT) offered on behalf of Ranking Member Westerman an amendment on designated Westerman #2. The amendment was not agreed to by a roll call vote of 17 yeas and 25 nays, as follows:

Date: July 14, 2021

COMMITTEE ON NATURAL RESOURCES
117TH CONGRESS — ROLL CALL

Bill / Motion: H.R. 2780

Amendment: Rep. Westerman amendment #2

Disposition: Not agreed to by a roll call vote of 17 yeas and 25 nays.¹

| | DEM. MEMBERS (26) | YEAS | NAYS | PRESENT |
|----|-------------------------------------|-------------|-------------|----------------|
| 1 | Ms. Brownley, CA | | X | |
| 2 | Mr. Case, HI | | X | |
| 3 | Mr. Cohen, TN | | X | |
| 4 | Mr. Costa, CA | | X | |
| 5 | Ms. DeGette, CO | | X | |
| 6 | Mrs. Dingell, MI | | X | |
| 7 | Mr. Gallego, AZ | | | |
| 8 | Mr. García, IL | | X | |
| 9 | Mr. Grijalva, AZ (Chair) | | X | |
| 10 | Mr. Huffman, CA | | X | |
| 11 | Ms. Leger Fernández, NM | | X | |
| 12 | Mr. Levin, CA | | X | |
| 13 | Mr. Lowenthal, CA | | X | |
| 14 | Ms. McCollum, MN | | X | |
| 15 | Mr. McEachin, VA | | | |
| 16 | Mrs. Napolitano, CA | | X | |
| 17 | Mr. Neguse, CO | | X | |
| 18 | Ms. Porter, CA | | X | |
| 19 | Mr. Sablan, MP | | X | |
| 20 | Mr. San Nicolas, GU | | | |
| 21 | Mr. Soto, FL | | X | |
| 22 | Ms. Stansbury, NM | | X | |
| 23 | Ms. Tlaib, MI | | X | |
| 24 | Mr. Tonko, NY | | X | |
| 25 | Ms. Trahan, MA | | X | |
| 26 | Ms. Velázquez, NY | | X | |
| | REP. MEMBERS (22) | Y | N | P |
| 1 | Mr. Bentz, OR | X | | |
| 2 | Mrs. Boebert, CO | X | | |
| 3 | Mr. Carl, AL | X | | |
| 4 | Mr. Fulcher, ID | X | | |
| 5 | Mr. Gohmert, TX | X | | |
| 6 | Miss González-Colón, PR | | X | |
| 7 | Mr. Gosar, AZ | | | |
| 8 | Mr. Graves, LA | X | | |
| 9 | Ms. Herrell, NM | X | | |
| 10 | Mr. Hice, GA | X | | |
| 11 | Mr. Lamborn, CO | X | | |
| 12 | Mr. McClintock, CA | X | | |
| 13 | Mr. Moore, UT | X | | |
| 14 | Mr. Oberholte, CA | X | | |
| 15 | Mrs. Radewagen, AS | | X | |
| 16 | Mr. Rosendale, MT | X | | |
| 17 | Mr. Stauber, MN | X | | |
| 18 | Mr. Tiffany, WI | X | | |
| 19 | Mr. Webster, FL | X | | |
| 20 | Mr. Westerman, AR (RM) | | | |
| 21 | Mr. Wittman, VA | X | | |
| 22 | Mr. Young, AK | | | |
| | Total: 48 / Quorum: 16 / Report: 25 | 17 | 25 | |
| | TOTALS | YEAS | NAYS | PRESENT |

¹ During the markup, the total on this vote was announced incorrectly. The numbers above are accurate and authoritative.

Rep. Jenniffer González-Colón (R-PR) offered an amendment designated González-Colón #1. The amendment was not agreed to by a roll call vote of 20 yeas and 22 nays, as follows:

Date: July 14, 2021

**COMMITTEE ON NATURAL RESOURCES
117TH CONGRESS — ROLL CALL**

Bill / Motion: H.R. 2780

Amendment: Rep. González-Colón amendment #1

Disposition: Not agreed to by a roll call vote of 20 yeas and 22 nays.

| | DEM. MEMBERS (26) | YEAS | NAYS | PRESENT |
|-------------------------------------|--------------------------|-------------|-------------|----------------|
| 1 | Ms. Brownley, CA | | X | |
| 2 | Mr. Case, HI | | X | |
| 3 | Mr. Cohen, TN | | X | |
| 4 | Mr. Costa, CA | | X | |
| 5 | Ms. DeGette, CO | | X | |
| 6 | Mrs. Dingell, MI | | X | |
| 7 | Mr. Gallego, AZ | | | |
| 8 | Mr. García, IL | | X | |
| 9 | Mr. Grijalva, AZ (Chair) | | X | |
| 10 | Mr. Huffman, CA | | X | |
| 11 | Ms. Leger Fernández, NM | | X | |
| 12 | Mr. Levin, CA | | X | |
| 13 | Mr. Lowenthal, CA | | X | |
| 14 | Ms. McCollum, MN | | X | |
| 15 | Mr. McEachin, VA | | | |
| 16 | Mrs. Napolitano, CA | | X | |
| 17 | Mr. Neguse, CO | | X | |
| 18 | Ms. Porter, CA | | X | |
| 19 | Mr. Sablan, MP | X | | |
| 20 | Mr. San Nicolas, GU | | | |
| 21 | Mr. Soto, FL | X | | |
| 22 | Ms. Stansbury, NM | | X | |
| 23 | Ms. Tlaib, MI | | X | |
| 24 | Mr. Tonko, NY | | X | |
| 25 | Ms. Trahan, MA | | X | |
| 26 | Ms. Velázquez, NY | | X | |
| REP. MEMBERS (22) | | | | |
| 1 | Mr. Bentz, OR | X | | |
| 2 | Mrs. Boebert, CO | X | | |
| 3 | Mr. Carl, AL | X | | |
| 4 | Mr. Fulcher, ID | X | | |
| 5 | Mr. Gohmert, TX | X | | |
| 6 | Miss González-Colón, PR | X | | |
| 7 | Mr. Gosar, AZ | | | |
| 8 | Mr. Graves, LA | X | | |
| 9 | Ms. Herrell, NM | X | | |
| 10 | Mr. Hice, GA | X | | |
| 11 | Mr. Lamborn, CO | X | | |
| 12 | Mr. McClintock, CA | X | | |
| 13 | Mr. Moore, UT | X | | |
| 14 | Mr. Obernolte, CA | X | | |
| 15 | Mrs. Radewagen, AS | X | | |
| 16 | Mr. Rosendale, MT | | X | |
| 17 | Mr. Stauber, MN | X | | |
| 18 | Mr. Tiffany, WI | X | | |
| 19 | Mr. Webster, FL | X | | |
| 20 | Mr. Westerman, AR (RM) | | | |
| 21 | Mr. Wittman, VA | X | | |
| 22 | Mr. Young, AK | | | |
| Total: 48 / Quorum: 16 / Report: 25 | | 20 | 22 | |
| TOTALS | | YEAS | NAYS | PRESENT |

The bill, as amended, was adopted and ordered favorably reported to the House of Representatives by a roll call vote of 25 yeas and 17 nays, as follows:

Date: July 14, 2021

**COMMITTEE ON NATURAL RESOURCES
117TH CONGRESS — ROLL CALL**

Bill / Motion: H.R. 2780

Amendment:

Disposition: Final Passage: H.R. 2780, as amended, was adopted and ordered favorably reported to the House of Representatives by a roll call vote of 25 yeas and 17 nays.

| | DEM. MEMBERS (26) | YEAS | NAYS | PRESENT |
|----|-------------------------------------|-------------|-------------|----------------|
| 1 | Ms. Brownley, CA | X | | |
| 2 | Mr. Case, HI | X | | |
| 3 | Mr. Cohen, TN | X | | |
| 4 | Mr. Costa, CA | X | | |
| 5 | Ms. DeGette, CO | X | | |
| 6 | Mrs. Dingell, MI | X | | |
| 7 | Mr. Gallego, AZ | | | |
| 8 | Mr. Garcia, IL | X | | |
| 9 | Mr. Grijalva, AZ (Chair) | X | | |
| 10 | Mr. Huffman, CA | X | | |
| 11 | Ms. Leger Fernández, NM | X | | |
| 12 | Mr. Levin, CA | X | | |
| 13 | Mr. Lowenthal, CA | X | | |
| 14 | Ms. McCollum, MN | X | | |
| 15 | Mr. McEachin, VA | | | |
| 16 | Mrs. Napolitano, CA | X | | |
| 17 | Mr. Neguse, CO | X | | |
| 18 | Ms. Porter, CA | X | | |
| 19 | Mr. Sablan, MP | X | | |
| 20 | Mr. San Nicolas, GU | | | |
| 21 | Mr. Soto, FL | X | | |
| 22 | Ms. Stansbury, NM | X | | |
| 23 | Ms. Tlaib, MI | X | | |
| 24 | Mr. Tonko, NY | X | | |
| 25 | Ms. Trahan, MA | X | | |
| 26 | Ms. Velázquez, NY | X | | |
| | REP. MEMBERS (22) | Y | N | P |
| 1 | Mr. Bentz, OR | | X | |
| 2 | Mrs. Boebert, CO | | X | |
| 3 | Mr. Carl, AL | | X | |
| 4 | Mr. Fulcher, ID | | X | |
| 5 | Mr. Gohmert, TX | | X | |
| 6 | Miss González-Colón, PR | X | | |
| 7 | Mr. Gosar, AZ | | | |
| 8 | Mr. Graves, LA | | X | |
| 9 | Ms. Herrell, NM | | X | |
| 10 | Mr. Hice, GA | | X | |
| 11 | Mr. Lamborn, CO | | X | |
| 12 | Mr. McClintock, CA | | X | |
| 13 | Mr. Moore, UT | | X | |
| 14 | Mr. Oberholte, CA | | X | |
| 15 | Mrs. Radewagen, AS | X | | |
| 16 | Mr. Rosendale, MT | | X | |
| 17 | Mr. Stauber, MN | | X | |
| 18 | Mr. Tiffany, WI | | X | |
| 19 | Mr. Webster, FL | | X | |
| 20 | Mr. Westerman, AR (RM) | | | |
| 21 | Mr. Wittman, VA | | X | |
| 22 | Mr. Young, AK | | | |
| | Total: 49 / Quorum: 16 / Report: 25 | 25 | 17 | |
| | TOTALS | YEAS | NAYS | PRESENT |

HEARINGS

For the purposes of clause 3(c)(6) of House rule XIII, the following hearing was used to develop or consider this measure: hearing by the full Committee on Natural Resources held on March 4, 2021.

SECTION-BY-SECTION ANALYSIS

Section 1. Short Title—Insular Area Climate Change Act.

Section 2. Table of Contents—The table of contents for this Act.

Section 3. Definitions—Applicable definitions for this Act.

Section 4. Findings—Describes the climate-related vulnerabilities faced by the Insular Areas, including sea level rise, coastal erosion, increasing storm impacts, temperature increases, and damage from recent natural disasters.

TITLE I—GENERAL PROVISIONS

Section 101. Insular Area Climate Change Interagency Task Force

Establishes a task force to evaluate and identify ways to provide greater access to climate change-related Federal programs to the territories.

Section 102. Non-federal cost-share waiver

Amends the Omnibus Territories Act of 1977 to waive requirements for non-federal matching funds under \$750,000 in the Insular Areas.

Section 103. Coral Reefs prize competitions

Directs the Director of the Office of Science and Technology Policy and any federal agencies represented on the U.S. Coral Reef Task Force to establish prize competitions that promote coral reef research and conservation in the Insular Areas.

TITLE II—DEPARTMENT OF THE INTERIOR

Section 201. Office of Insular Affairs Technical Assistance Program

Directs the Secretary of the Interior, via the Office of Insular Affairs Technical Assistance Program, to provide technical assistance for climate change planning, mitigation, adaptation, and resilience to the Insular Areas. Authorizes \$5 million a year for FY 2022 through FY 2026 to carry out this title.

Section 202. Runit Dome Report and monitoring activities

Requires the creation of a report by the Secretary of the Interior and other experts that includes an analysis of nuclear waste and other toxins within the Enewetak Atoll, including in the “Runit Dome” nuclear waste disposal site and the dumping areas in Enewetak’s lagoon, and plans to relocate this waste to a secure facility.

TITLE III—NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

Section 301. Climate change insular research grant program

Establishes a program to provide grants to higher education institutions and nonprofit organizations in the Insular Areas for

monitoring, collecting, synthesizing, analyzing, and publishing local climate change data. Authorizes \$5 million for each fiscal years 2022 through 2026 to carry out these activities.

Section 302. Coastal management technical assistance and report

Requires the National Oceanic and Atmospheric Association (NOAA) to provide technical assistance to Insular Areas and submit an annual report to Congress on wetland, mangrove, and estuary conditions, and the impacts of climate change in Insular Areas. Authorizes \$5 million for each fiscal years 2022 through 2026 to carry out these activities.

Section 303. National Weather Service technical assistance grants

Authorizes \$5 million for each fiscal years 2022 through 2026 for NOAA to provide technical assistance and outreach to National Weather Service offices to improve weather data collection and tropical weather forecasts and reduce climate change-related impacts in the Insular Areas. Also, allows NOAA to provide grants to conduct climate change research and authorizes \$5 million a year for FY 2022 through FY 2026 to carry out this activity.

Section 304. Ocean and Coastal Mapping Integration Act

Amends the Ocean and Coastal Mapping Integration Act to include study of Insular Areas and the effects of climate change.

TITLE IV—DEPARTMENT OF ENERGY

Section 401. Office of Insular Area energy policy and programs

Establishes an Office within the Department of Energy (DOE) charged with assisting Insular Areas in developing energy plans, expanding renewable energy and energy efficiency, stabilizing energy costs, strengthening energy infrastructure, developing regulatory and oversight conditions, and centralizing departmental efforts. Authorizes \$20 million for each fiscal years 2022 through 2026 to carry out these activities and waives non-federal share funding requirement.

Section 402. Comprehensive energy plans

Requires the Office of Insular Area Energy Policy Programs submit a report to Congress on the results of the execution of comprehensive energy plans, as well as the details of current or planned sources of renewable energy, energy imports, or 2020 energy needs, and recommendations for each Insular Area regarding these plans.

Section 403. Energy efficient product rebate program

Directs the Office of Insular Area Energy Policy Programs to establish a program to supplement funds for eligible territories so that they may provide rebates to residential consumers for the purchase of Energy Star products. Authorizes \$5 million for each of fiscal years 2022–2026 to carry out this program.

Section 404. Renewable energy grant program

Establishes a program to award grants to covered entities to facilitate projects to develop or construct a renewable energy system,

an energy storage system or device, a smart grid, or a microgrid; to increase energy efficiency; or to train residents of territories to develop or operate a renewable energy system.

Section 405. Offshore wind for the territories

Amends the Outer Continental Shelf Lands Act to allow the Secretary of Energy to conduct wind lease sales on areas of the outer Continental Shelf within jurisdiction of the territories, to require the Secretary study the feasibility and potential environment effects of wind lease sales and publish and submit results to Congress, and to require that at least one wind lease sale is conducted in territories that meet specific criteria.

Section 406. State energy program non-federal cost share waiver

Requires funding made available to a territory under the Department of Energy's State Energy Program not be subject to a non-federal share funding requirement.

TITLE V—ENVIRONMENTAL PROTECTION AGENCY

Section 501. Definitions

Defines applicable terms for this title.

Section 502. Insular Area National Program Office

Establishes an Office within the Environmental Protection Agency (EPA) to direct programs focused on strengthening infrastructure to withstand natural disasters, expanding renewable energy and energy efficiency, providing technical assistance, and centralizing EPA efforts in the Insular Areas. Authorizes \$20 million a year for FY 2022 through FY 2026 to carry out this section and waives non-federal share funding requirement for any funds made available by the Office.

Section 503. Insular Area Sustainable Infrastructure Grant Program

Authorizes \$50 million for each fiscal year 2022 through 2026 to provide grants to eligible entities in the Insular Areas to strengthen infrastructure systems to withstand natural disasters.

Section 504. Insular Area Renewable Energy Grant Program

Authorizes \$50 million for each fiscal year 2022 through 2026 to provide grants to eligible entities in the Insular Areas to expand renewable energy and energy efficiency in the Insular Areas.

Section 505. Insular Area Technical Assistance Program

Authorizes \$5 million a year for FY 2022 through FY 2026 to provide technical assistance to Insular Areas relating to climate change planning, mitigation, adaptation, and resilience.

TITLE VI—EMERGENCY MANAGEMENT

Section 601. Community Disaster Loans Repayment Cancellation

Cancels repayment of a loan (including interest) made to a local government in an Insular Area under the Robert T. Stafford Disaster Relief and Emergency Act.

Section 602. Disaster Relief Non-Federal Cost Share Waiver

Waives non-federal share funding requirement for funding made available to an Insular Areas pursuant to the Robert T. Stafford Disaster Relief and Emergency Act.

COMMITTEE OVERSIGHT FINDINGS AND RECOMMENDATIONS

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

COMPLIANCE WITH HOUSE RULE XIII AND CONGRESSIONAL BUDGET ACT

1. *Cost of Legislation and the Congressional Budget Act.* With respect to the requirements of clause 3(c)(2) of rule XIII of the Rules of the House of Representatives and section 308(a) of the Congressional Budget Act of 1974 and with respect to requirements of clause (3)(c)(3) and clause 3(d) of rule XIII of the Rules of the House of Representatives and section 402 of the Congressional Budget Act of 1974, the Committee has requested but not received a cost estimate for this bill from the Director of Congressional Budget Office. The Committee adopts as its own cost estimate the forthcoming cost estimate of the Director of the Congressional Budget Office, should such cost estimate be made available before House passage of the bill. The Committee has requested but not received from the Director of the Congressional Budget Office a statement as to whether this bill contains any new budget authority, spending authority, credit authority, or an increase or decrease in revenues or tax expenditures.

2. *General Performance Goals and Objectives.* As required by clause 3(c)(4) of rule XIII, the general performance goals and objectives of this bill are to provide for climate change planning, mitigation, adaptation, and resilience in the United States Territories and Freely Associated States.

EARMARK STATEMENT

This bill does not contain any Congressional earmarks, limited tax benefits, or limited tariff benefits as defined under clause 9(e), 9(f), and 9(g) of rule XXI of the Rules of the House of Representatives.

UNFUNDED MANDATES REFORM ACT STATEMENT

An estimate of federal mandates prepared by the Director of the Congressional Budget Office pursuant to section 423 of the Unfunded Mandates Reform Act was not made available to the Committee in time for the filing of this report. The Chair of the Committee shall cause such estimate to be printed in the Congressional Record upon its receipt by the Committee, if such estimate is not publicly available on the Congressional Budget Office website.

EXISTING PROGRAMS

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

APPLICABILITY TO LEGISLATIVE BRANCH

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

PREEMPTION OF STATE, LOCAL, OR TRIBAL LAW

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

CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

In compliance with clause 3(e) of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italics, and existing law in which no change is proposed is shown in roman):

OMNIBUS TERRITORIES ACT OF 1977

* * * * *

TITLE V

SEC. 501. In order to minimize the burden caused by existing application and reporting procedures for certain grant-in-aid programs available to the Virgin Islands, Guam, American Samoa, the Trust Territory of the Pacific Islands, and the Government of the Northern Mariana Islands (hereafter referred to as "Insular Areas") it is hereby declared to be the policy of the Congress, notwithstanding any provision of law to the contrary, that:

(a) Any department or agency of the Government of the United States which administers any Act of Congress which specifically provides for making grants to any Insular Area under which payments received may be used by such Insular Area only for certain specified purposes (other than direct payments to classes of individuals) may, acting through appropriate administrative authorities of such department or agency, consolidate any or all grants made to such area for any fiscal year or years.

(b) Any consolidated grant for any insular area shall not be less than the sum of all grants which such area would otherwise be entitled to receive for such year.

(c) The funds received under a consolidated grant shall be expended in furtherance of the programs and purposes authorized for any of the grants which are being consolidated, which are authorized under any of the Acts administered by the department or agency making the grant, and which would be applicable to grants for such programs and purposes in the absence of the consolidation, but the Insular Areas shall determine the proportion of the funds granted which shall be allocated to such programs and purposes.

(d) Each department or agency making grants-in-aid shall, by regulations published in the Federal Register, provide the method by which any Insular Area may submit (i) a single application for

a consolidated grant for any fiscal year period, but not more than one such application for a consolidated grant shall be required by any department or agency unless notice of such requirement is transmitted to the appropriate committees of the United States Congress together with a complete explanation of the necessity for requiring such additional applications and (ii) a single report to such department or agency with respect to each such consolidated grant: *Provided*, That nothing in this paragraph shall preclude such department or agency from providing adequate procedures for accounting, auditing, evaluating, and reviewing any programs or activities receiving benefits from any consolidated grant. The administering authority of any department or agency, in its discretion, may (i) waive any requirement for matching funds otherwise required by law to be provided by the Insular Area involved and (ii) waive the requirement that any Insular Area submit an application or report in writing with respect to any consolidated grant.

(e) Notwithstanding any other provision of law, in the case of the Insular Areas, any department or agency shall waive any requirement for non-Federal matching funds under \$750,000 (including in-kind contributions) required by law to be provided by those jurisdictions.

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CORAL REEF CONSERVATION ACT OF 2000

* * * * *

TITLE II—CORAL REEF CONSERVATION

* * * * *

SEC. 204. CORAL REEF CONSERVATION PROGRAM.

(a) GRANTS.—The Secretary, through the Administrator and subject to the availability of funds, shall provide grants of financial assistance for projects for the conservation of coral reefs (hereafter in this title referred to as “coral conservation projects”), for proposals approved by the Administrator in accordance with this section.

(b) MATCHING REQUIREMENTS.—

(1) FIFTY PERCENT.—Except as provided in paragraph (2), Federal funds for any coral conservation project under this section may not exceed 50 percent of the total cost of such project. For purposes of this paragraph, the non-Federal share of project costs may be provided by in-kind contributions and other noncash support.

(2) ~~【WAIVER.—】~~ WAIVERS.—

(A) *NEED AND BENEFIT.*—The Administrator may waive all or part of the matching requirement under paragraph (1) if the Administrator determines that no reasonable means are available through which applicants can meet the matching requirement and the probable benefit of such project outweighs the public interest in such matching requirement.

(B) *SUSTAINING CORAL REEF MANAGEMENT AND MONITORING.*—*The Secretary shall waive all of the matching re-*

quirement under paragraph (1) for grants to implement State and territorial coral reef conservation cooperative agreements to sustain coral reef management and monitoring in Florida, Hawaii, American Samoa, the Commonwealth of the Northern Mariana Islands, Guam, Puerto Rico, and the Virgin Islands of the United States.

(c) ELIGIBILITY.—Any natural resource management authority of a State or other government authority with jurisdiction over coral reefs or whose activities directly or indirectly affect coral reefs, or coral reef ecosystems, or educational or nongovernmental institutions with demonstrated expertise in the conservation of coral reefs, may submit to the Administrator a coral conservation proposal under subsection (e).

(d) GEOGRAPHIC AND BIOLOGICAL DIVERSITY.—The Administrator shall ensure that funding for grants awarded under subsection (b) during a fiscal year are distributed in the following manner:

(1) No less than 40 percent of funds available shall be awarded for coral conservation projects in the Pacific Ocean within the maritime areas and zones subject to the jurisdiction or control of the United States.

(2) No less than 40 percent of the funds available shall be awarded for coral conservation projects in the Atlantic Ocean, the Gulf of Mexico, and the Caribbean Sea within the maritime areas and zones subject to the jurisdiction or control of the United States.

(3) Remaining funds shall be awarded for projects that address emerging priorities or threats, including international priorities or threats, identified by the Administrator. When identifying emerging threats or priorities, the Administrator may consult with the Coral Reef Task Force.

(e) PROJECT PROPOSALS.—Each proposal for a grant under this section shall include the following:

(1) The name of the individual or entity responsible for conducting the project.

(2) A description of the qualifications of the individuals who will conduct the project.

(3) A succinct statement of the purposes of the project.

(4) An estimate of the funds and time required to complete the project.

(5) Evidence of support for the project by appropriate representatives of States or other government jurisdictions in which the project will be conducted.

(6) Information regarding the source and amount of matching funding available to the applicant.

(7) A description of how the project meets one or more of the criteria in subsection (g).

(8) Any other information the Administrator considers to be necessary for evaluating the eligibility of the project for funding under this title.

(f) PROJECT REVIEW AND APPROVAL.—

(1) IN GENERAL.—The Administrator shall review each coral conservation project proposal to determine if it meets the criteria set forth in subsection (g).

(2) REVIEW; APPROVAL OR DISAPPROVAL.—Not later than 6 months after receiving a project proposal under this section, the Administrator shall—

(A) request and consider written comments on the proposal from each Federal agency, State government, or other government jurisdiction, including the relevant regional fishery management councils established under the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801 et seq.), or any National Marine Sanctuary, with jurisdiction or management authority over coral reef ecosystems in the area where the project is to be conducted, including the extent to which the project is consistent with locally-established priorities;

(B) provide for the merit-based peer review of the proposal and require standardized documentation of that peer review;

(C) after considering any written comments and recommendations based on the reviews under subparagraphs (A) and (B), approve or disapprove the proposal; and

(D) provide written notification of that approval or disapproval to the person who submitted the proposal, and each of those States and other government jurisdictions that provided comments under subparagraph (A).

(g) CRITERIA FOR APPROVAL.—The Administrator may not approve a project proposal under this section unless the project is consistent with the coral reef action strategy under section 203 and will enhance the conservation of coral reefs by—

(1) implementing coral conservation programs which promote sustainable development and ensure effective, long-term conservation of coral reefs;

(2) addressing the conflicts arising from the use of environments near coral reefs or from the use of corals, species associated with coral reefs, and coral products;

(3) enhancing compliance with laws that prohibit or regulate the taking of coral products or species associated with coral reefs or regulate the use and management of coral reef ecosystems;

(4) developing sound scientific information on the condition of coral reef ecosystems or the threats to such ecosystems, including factors that cause coral disease;

(5) promoting and assisting to implement cooperative coral reef conservation projects that involve affected local communities, nongovernmental organizations, or others in the private sector;

(6) increasing public knowledge and awareness of coral reef ecosystems and issues regarding their long term conservation;

(7) mapping the location and distribution of coral reefs;

(8) developing and implementing techniques to monitor and assess the status and condition of coral reefs;

(9) developing and implementing cost-effective methods to restore degraded coral reef ecosystems; or

(10) promoting ecologically sound navigation and anchorages near coral reefs.

(h) PROJECT REPORTING.—Each grantee under this section shall provide periodic reports as required by the Administrator. Each re-

port shall include all information required by the Administrator for evaluating the progress and success of the project.

(i) CORAL REEF TASK FORCE.—The Administrator may consult with the Coral Reef Task Force to obtain guidance in establishing coral conservation project priorities under this section.

(j) IMPLEMENTATION GUIDELINES.—Within 180 days after the date of the enactment of this Act, the Administrator shall promulgate necessary guidelines for implementing this section. In developing those guidelines, the Administrator shall consult with State, regional, and local entities involved in setting priorities for conservation of coral reefs and provide for appropriate public notice and opportunity for comment.

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OCEAN AND COASTAL MAPPING INTEGRATION ACT

* * * * *

TITLE XII—NOAA UNDERSEA RESEARCH PROGRAM ACT OF 2009

* * * * *

Subtitle B—Ocean and Coastal Mapping Integration Act

* * * * *

SEC. 12204. BIENNIAL REPORTS.

No later than 18 months after the date of enactment of this Act, and biennially thereafter, the co-chairmen of the Committee shall transmit to the Committees on Commerce, Science, and Transportation and Energy and Natural Resources of the Senate and the Committee on Natural Resources of the House of Representatives a report detailing progress made in implementing this subtitle, including—

- (1) an inventory of ocean and coastal mapping data within the territorial sea and the exclusive economic zone and throughout the Continental Shelf of the United States, noting the age and source of the survey and the spatial resolution (metadata) of the data;
- (2) identification of priority areas in need of survey coverage using present technologies;
- (3) a resource plan that identifies when priority areas in need of modern ocean and coastal mapping surveys can be accomplished;
- (4) the status of efforts to produce integrated digital maps of ocean and coastal areas;
- (5) a description of any products resulting from coordinated mapping efforts under this subtitle that improve public understanding of the coasts and oceans, or regulatory decision-making;

(6) documentation of minimum and desired standards for data acquisition and integrated metadata;

(7) a statement of the status of Federal efforts to leverage mapping technologies, coordinate mapping activities, share expertise, and exchange data;

(8) a statement of resource requirements for organizations to meet the goals of the program, including technology needs for data acquisition, processing, and distribution systems;

(9) a statement of the status of efforts to declassify data gathered by the Navy, the National Geospatial-Intelligence Agency, and other agencies to the extent possible without jeopardizing national security, and make it available to partner agencies and the public;

(10) a resource plan for a digital coast integrated mapping pilot project for the northern Gulf of Mexico that will—

(A) cover the area from the authorized coastal counties through the territorial sea;

(B) identify how such a pilot project will leverage public and private mapping data and resources, such as the United States Geological Survey National Map, to result in an operational coastal change assessment program for the subregion;

(11) the status of efforts to coordinate Federal programs with coastal state and local government programs and leverage those programs;

(12) a description of efforts of Federal agencies to increase contracting with nongovernmental entities; [and]

(13) an inventory and description of any new Federal or federally funded programs conducting shoreline delineation and ocean or coastal mapping since the previous reporting cycle[.]; and

(14) *The study of Insular Areas and the effects of climate change.*

* * * * *

DEPARTMENT OF ENERGY ORGANIZATION ACT

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the “Department of Energy Organization Act”.

TABLE OF CONTENTS

Sec. 2. Definitions.

* * * * *

TITLE II—ESTABLISHMENT OF THE DEPARTMENT

Sec. 201. Establishment.

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Sec. 218. *Office of Insular Area Energy Policy and Programs.*

* * * * *

TITLE II—ESTABLISHMENT OF THE DEPARTMENT

* * * * *

SEC. 218. OFFICE OF INSULAR AREA ENERGY POLICY AND PROGRAMS.

(a) *ESTABLISHMENT.*—There is established within the Department an Office of Insular Area Energy Policy and Programs (referred to in this section as the “Office”). The Office shall be headed by a Director, who shall be appointed by the Secretary and compensated at a rate equal to that of level IV of the Executive Schedule under section 5315 of title 5, United States Code.

(b) *DUTIES.*—The Office shall—

(1) direct, coordinate, implement, and monitor energy planning, education, management, conservation, and delivery programs of the Department to—

(A) assist Insular Areas in developing comprehensive energy plans;

(B) expand renewable energy and energy efficiency in Insular Areas;

(C) reduce or stabilize energy costs in Insular Areas;

(D) enhance and strengthen energy infrastructure in Insular Areas to withstand natural disasters; and

(E) work with Insular Areas to develop improved regulatory and oversight conditions; and

(2) centralize and align all ongoing Department of Energy efforts in the Insular Areas.

(c) *ANNUAL REPORT.*—The Director shall submit an annual report to the Committee on Natural Resources and the Committee on Energy and Commerce of the House of Representatives and the Committee on Energy and Natural Resources of the Senate on the status of all projects undertaken and grants approved by the Office.

(d) *AUTHORIZATION OF APPROPRIATIONS.*—There is authorized to be appropriated to the Secretary to carry out this section \$20,000,000 for each of the fiscal years 2022 through 2026.

(e) *NON-FEDERAL COST-SHARE WAIVER.*—Any funding made available to Insular Areas by the Office of Insular Area Energy Policy and Programs under this or any other Federal law shall not be subject to a non-Federal share funding requirement.

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TITLE 5, UNITED STATES CODE

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PART III—EMPLOYEES

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SUBPART D—PAY AND ALLOWANCES

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CHAPTER 53—PAY RATES AND SYSTEMS

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SUBCHAPTER II—EXECUTIVE SCHEDULE PAY RATES

* * * * *

§ 5315. Positions at level IV

Level IV of the Executive Schedule applies to the following positions, for which the annual rate of basic pay shall be the rate determined with respect to such level under chapter 11 of title 2, as adjusted by section 5318 of this title:

- Deputy Administrator of General Services.
- Associate Administrator of the National Aeronautics and Space Administration.
- Assistant Administrators, Agency for International Development (6).
- Regional Assistant Administrators, Agency for International Development (4).
- Assistant Secretaries of Agriculture (3).
- Assistant Secretaries of Commerce (11).
- Assistant Secretaries of Defense (14).
- Assistant Secretaries of the Air Force (5).
- Assistant Secretaries of the Army (5).
- Assistant Secretaries of the Navy (4).
- Assistant Secretaries of Health and Human Services (6).
- Assistant Secretaries of the Interior (6).
- Assistant Attorneys General (11).
- Assistant Secretaries of Labor (10), one of whom shall be the Assistant Secretary of Labor for Veterans' Employment and Training.
- Administrator, Wage and Hour Division, Department of Labor.
- Assistant Secretaries of State (24) and 4 other State Department officials to be appointed by the President, by and with the advice and consent of the Senate.
- Assistant Secretaries of the Treasury (10).
- Members, United States International Trade Commission (5).
- Assistant Secretaries of Education (10).
- General Counsel, Department of Education.
- Director of Civil Defense, Department of the Army.
- Deputy Director of the Office of Emergency Planning.
- Deputy Director of the Office of Science and Technology.
- Deputy Director of the Peace Corps.
- Assistant Directors of the Office of Management and Budget (3).
- General Counsel of the Department of Agriculture.
- General Counsel of the Department of Commerce.
- General Counsel of the Department of Defense.
- General Counsel of the Department of Health and Human Services.
- Solicitor of the Department of the Interior.
- Solicitor of the Department of Labor.
- General Counsel of the National Labor Relations Board.
- General Counsel of the Department of the Treasury.
- First Vice President of the Export-Import Bank of Washington.
- Members, Council of Economic Advisers.
- Members, Board of Directors of the Export-Import Bank of Washington.
- Members, Federal Communications Commission.

Member, Board of Directors of the Federal Deposit Insurance Corporation.

Directors, Federal Housing Finance Board.

Members, Federal Energy Regulatory Commission.

Members, Federal Trade Commission.

Members, Surface Transportation Board.

Members, National Labor Relations Board.

Members, Securities and Exchange Commission.

Members, Merit Systems Protection Board.

Members, Federal Maritime Commission.

Members, National Mediation Board.

Members, Railroad Retirement Board.

Director of Selective Service.

Associate Director of the Federal Bureau of Investigation, Department of Justice.

Members, Equal Employment Opportunity Commission (4).

Director, Community Relations Service.

Members, National Transportation Safety Board.

General Counsel, Department of Transportation.

Deputy Administrator, Federal Aviation Administration.

Assistant Secretaries of Transportation (5).

Deputy Federal Highway Administrator.

Administrator of the Great Lakes St. Lawrence Seaway Development Corporation.

Assistant Secretary for Science, Smithsonian Institution.

Assistant Secretary for History and Art, Smithsonian Institution.

Deputy Administrator of the Small Business Administration.

Assistant Secretaries of Housing and Urban Development (8).

General Counsel of the Department of Housing and Urban Development.

Commissioner of Interama.

Federal Insurance Administrator, Federal Emergency Management Agency.

Members, National Credit Union Administration Board (2).

Members, Postal Regulatory Commission (4).

Members, Occupational Safety and Health Review Commission.

Deputy Under Secretaries of the Treasury (or Assistant Secretaries of the Treasury) (2).

Members, Consumer Product Safety Commission (4).

Members, Commodity Futures Trading Commission.

Director of Nuclear Reactor Regulation, Nuclear Regulatory Commission.

Director of Nuclear Material Safety and Safeguards, Nuclear Regulatory Commission.

Director of Nuclear Regulatory Research, Nuclear Regulatory Commission.

Executive Director for Operations, Nuclear Regulatory Commission.

President, Government National Mortgage Association, Department of Housing and Urban Development.

Assistant Secretary of Commerce for Oceans and Atmosphere, the incumbent of which also serves as Deputy Adminis-

trator of the National Oceanic and Atmospheric Administration.

Director, Bureau of Prisons, Department of Justice.

Assistant Secretaries of Energy (8).

General Counsel of the Department of Energy.

Administrator, Economic Regulatory Administration, Department of Energy.

Administrator, Energy Information Administration, Department of Energy.

Director, Office of Indian Energy Policy and Programs, Department of Energy.

Director, Office of Science, Department of Energy.

Director, Office of Insular Area Energy Policy and Programs, Department of Energy.

Assistant Secretary of Labor for Mine Safety and Health.

Members, Federal Mine Safety and Health Review Commission.

President, National Consumer Cooperative Bank.

Special Counsel of the Merit Systems Protection Board.

Chairman, Federal Labor Relations Authority.

Assistant Secretaries, Department of Homeland Security.

Assistant Director for Cybersecurity, Cybersecurity and Infrastructure Security Agency.

Assistant Director for Infrastructure Security, Cybersecurity and Infrastructure Security Agency.

General Counsel, Department of Homeland Security.

Officer for Civil Rights and Civil Liberties, Department of Homeland Security.

Chief Financial Officer, Department of Homeland Security.

Chief Information Officer, Department of Homeland Security.

Deputy Director, Institute for Scientific and Technological Cooperation.

Director of the National Institute of Justice.

Director of the Bureau of Justice Statistics.

Chief Counsel for Advocacy, Small Business Administration.

Assistant Administrator for Toxic Substances, Environmental Protection Agency.

Assistant Administrator, Office of Solid Waste, Environmental Protection Agency.

Assistant Administrators, Environmental Protection Agency (8).

Director of Operational Test and Evaluation, Department of Defense.

Director of Cost Assessment and Program Evaluation, Department of Defense.

Special Representatives of the President for arms control, nonproliferation, and disarmament matters, Department of State.

Ambassadors at Large.

Assistant Secretary of Commerce and Director General of the United States and Foreign Commercial Service.

Assistant Secretaries, Department of Veterans Affairs (7).

General Counsel, Department of Veterans Affairs.

Commissioner of Food and Drugs, Department of Health and Human Services
 Chairman, Board of Veterans' Appeals.
 Administrator, Office of Juvenile Justice and Delinquency Prevention.
 Director, United States Marshals Service.
 Chairman, United States Parole Commission.
 Director, Bureau of the Census, Department of Commerce.
 Director of the Institute of Museum and Library Services.
 Chief Financial Officer, Department of Agriculture.
 Chief Financial Officer, Department of Commerce.
 Chief Financial Officer, Department of Education.
 Chief Financial Officer, Department of Energy.
 Chief Financial Officer, Department of Health and Human Services.
 Chief Financial Officer, Department of Housing and Urban Development.
 Chief Financial Officer, Department of the Interior.
 Chief Financial Officer, Department of Justice.
 Chief Financial Officer, Department of Labor.
 Chief Financial Officer, Department of State.
 Chief Financial Officer, Department of Transportation.
 Chief Financial Officer, Department of the Treasury.
 Chief Financial Officer, Department of Veterans Affairs.
 Chief Financial Officer, Environmental Protection Agency.
 Chief Financial Officer, National Aeronautics and Space Administration.
 Commissioner, Office of Navajo and Hopi Indian Relocation.
 Deputy Under Secretary of Defense for Research and Engineering.
 Deputy Under Secretary of Defense for Acquisition and Sustainment.
 Deputy Under Secretary of Defense for Policy.
 Deputy Under Secretary of Defense for Personnel and Readiness.
 Deputy Under Secretary of Defense (Comptroller).
 Deputy Under Secretary of Defense for Intelligence and Security.
 General Counsel of the Department of the Army.
 General Counsel of the Department of the Navy.
 General Counsel of the Department of the Air Force.
 Liaison for Community and Junior Colleges, Department of Education.
 Director of the Office of Educational Technology.
 Director of the International Broadcasting Bureau.
 The Commissioner of Labor Statistics, Department of Labor.
 Chief Information Officer, Department of Agriculture.
 Chief Information Officer, Department of Commerce.
 Chief Information Officer, Department of Defense (unless the official designated as the Chief Information Officer of the Department of Defense is an official listed under section 5312, 5313, or 5314 of this title).
 Chief Information Officer, Department of Education.
 Chief Information Officer, Department of Energy.

Chief Information Officer, Department of Health and Human Services.
 Chief Information Officer, Department of Housing and Urban Development.
 Chief Information Officer, Department of the Interior.
 Chief Information Officer, Department of Justice.
 Chief Information Officer, Department of Labor.
 Chief Information Officer, Department of State.
 Chief Information Officer, Department of Transportation.
 Chief Information Officer, Department of the Treasury.
 Chief Information Officer, Department of Veterans Affairs.
 Chief Information Officer, Environmental Protection Agency.
 Chief Information Officer, National Aeronautics and Space Administration.
 Chief Information Officer, Agency for International Development.
 Chief Information Officer, Federal Emergency Management Agency.
 Chief Information Officer, General Services Administration.
 Chief Information Officer, National Science Foundation.
 Chief Information Officer, Nuclear Regulatory Agency.
 Chief Information Officer, Office of Personnel Management.
 Chief Information Officer, Small Business Administration.
 Chief Information Officer of the Intelligence Community.
 General Counsel of the Central Intelligence Agency.
 Principal Deputy Administrator, National Nuclear Security Administration.
 Additional Deputy Administrators of the National Nuclear Security Administration (3), but if the Deputy Administrator for Naval Reactors is an officer of the Navy on active duty, (2).
 Deputy Under Secretary of Commerce for Intellectual Property and Deputy Director of the United States Patent and Trademark Office.
 General Counsel of the Office of the Director of National Intelligence.
 Chief Medical Officer, Department of Homeland Security.
 Director of the National Counterintelligence and Security Center.

* * * * *

OUTER CONTINENTAL SHELF LANDS ACT

* * * * *

SEC. 2. DEFINITIONS.—When used in this Act—

(a) The term “outer Continental Shelf” means all submerged lands lying seaward and outside of the area of lands beneath navigable waters as defined in section 2 of the Submerged Lands Act (Public Law 31, Eighty-third Congress, first session), and of which the subsoil and seabed appertain to the United States and are subject to its jurisdiction and control *or lying within the exclusive economic zone of the United States and the Outer Continental Shelf adjacent to any territory of the United States, except that such term shall not include any area conveyed by Congress to a territorial government for administration;*

(b) The term “Secretary” means the Secretary of the Interior, except that with respect to functions under this Act transferred to, or vested in, the Secretary of Energy or the Federal Energy Regulatory Commission by or pursuant to the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), the term “Secretary” means the Secretary of Energy, or the Federal Energy Regulatory Commission, as the case may be;

(c) The term “lease” means any form of authorization which is issued under section 8 or maintained under section 6 of this Act and which authorizes exploration for, and development and production of, minerals;

(d) The term “person” includes, in addition to a natural person, an association, a State, a political subdivision of a State, or a private, public, or municipal corporation;

(e) The term “coastal zone” means the coastal waters (including the lands therein and thereunder) and the adjacent shorelands (including the waters therein and thereunder), strongly influenced by each other and in proximity to the shorelines of the several coastal States, and includes islands, transition and intertidal areas, salt marshes, wetlands, and beaches, which zone extends seaward to the outer limit of the United States territorial sea and extends inland from the shorelines to the extent necessary to control shorelands, the uses of which have a direct and significant impact on the coastal waters, and the inward boundaries of which may be identified by the several coastal States, pursuant to the authority of section 305(b)(1) of the Coastal Zone Management Act of 1972 (16 U.S.C. 1454(b)(1));

(f) The term “affected State” means, with respect to any program, plan, lease sale, or other activity, proposed, conducted, or approved pursuant to the provisions of this Act, any State—

(1) the laws of which are declared, pursuant to section 4(a)(2) of this Act, to be the law of the United States for the portion of the outer Continental Shelf on which such activity is, or is proposed to be, conducted;

(2) which is, or is proposed to be, directly connected by transportation facilities to any artificial island or structure referred to in section 4(a)(1) of this Act;

(3) which is receiving, or in accordance with the proposed activity will receive, oil for processing, refining, or transshipment which was extracted from the outer Continental Shelf and transported directly to such State by means of vessels or by a combination of means including vessels;

(4) which is designated by the Secretary as a State in which there is a substantial probability of significant impact on or damage to the coastal, marine, or human environment, or a State in which there will be significant changes in the social, governmental, or economic infrastructure, resulting from the exploration, development, and production of oil and gas anywhere on the Outer Continental Shelf; or

(5) in which the Secretary finds that because of such activity there is, or will be, a significant risk of serious damage, due to factors such as prevailing winds and currents, to the marine or coastal environment in the event of any oilspill, blowout, or release of oil or gas from vessels, pipelines, or other transshipment facilities;

(g) The term “marine environment” means the physical, atmospheric, and biological components, conditions, and factors which interactively determine the productivity, state, condition, and quality of the marine ecosystem, including the waters of the high seas, the contiguous zone, transitional and intertidal areas, salt marshes, and wetlands within the coastal zone and on the outer Continental Shelf;

(h) The term “coastal environment” means the physical atmospheric, and biological components, conditions, and factors which interactively determine the productivity, state, condition, and quality of the terrestrial ecosystem from the shoreline inward to the boundaries of the coastal zone;

(i) The term “human environment” means the physical, social, and economic components, conditions, and factors which interactively determine the state, condition, and quality of living conditions, employment, and health of those affected, directly or indirectly, by activities occurring on the outer Continental Shelf;

(j) The term “Governor” means the Governor of a State, or the person or entity designated by, or pursuant to, State law to exercise the powers granted to such Governor pursuant to this Act;

(k) The term “exploration” means the process of searching for minerals, including (1) geophysical surveys where magnetic, gravity, seismic, or other systems are used to detect or imply the presence of such minerals, and (2) any drilling, whether on or off known geological structures, including the drilling of a well in which a discovery of oil or natural gas in paying quantities is made and the drilling of any additional delineation well after such discovery which is needed to delineate any reservoir and to enable the lessee to determine whether to proceed with development and production;

(l) The term “development” means those activities which take place following discovery of minerals in paying quantities, including geophysical activity, drilling, platform construction, and operation of all onshore support facilities, and which are for the purpose of ultimately producing the minerals discovered;

(m) The term “production” means those activities which take place after the successful completion of any means for the removal of minerals, including such removal, field operations, transfer of minerals to shore, operation monitoring, maintenance, and work-over drilling;

(n) The term “antitrust law” means—

- (1) the Sherman Act (15 U.S.C. 1 et seq.);
- (2) the Clayton Act (15 U.S.C. 12 et seq.);
- (3) the Federal Trade Commission Act (15 U.S.C. 41 et seq.);
- (4) the Wilson Tariff Act (15 U.S.C. 8 et seq.); or
- (5) the Act of June 19, 1936, chapter 592 (15 U.S.C. 13, 13a, 13b, and 21a);

(o) The term “fair market value” means the value of any mineral (1) computed at a unit price equivalent to the average unit price at which such mineral was sold pursuant to a lease during the period for which any royalty or net profit share is accrued or reserved to the United States pursuant to such lease, or (2) if there were no such sales, or if the Secretary finds that there were an insufficient number of such sales to equitably determine such value, computed at the average unit price at which such mineral was sold

pursuant to other leases in the same region of the outer Continental Shelf during such period, or (3) if there were no sales of such mineral from such region during such period, or if the Secretary finds that there are an insufficient number of such sales to equitably determine such value, at an appropriate price determined by the Secretary;

(p) The term “major Federal action” means any action or proposal by the Secretary which is subject to the provisions of section 102(2)(C) of the National Environmental Policy Act of 1969 (42 U.S.C. 4332(2)(C)); **and**

(q) The term “minerals” includes oil, gas, sulphur, geopressured-geothermal and associated resources, and all other minerals which are authorized by an Act of Congress to be produced from “public lands” as defined in section 103 of the Federal Land Policy and Management Act of 1976~~...~~; *and*

(r) *The term “State” means the several States, the Commonwealth of Puerto Rico, Guam, American Samoa, the Virgin Islands of the United States, and the Commonwealth of the Northern Mariana Islands.*

* * * * *

SEC. 18. OUTER CONTINENTAL SHELF LEASING PROGRAM.—(a) The Secretary, pursuant to procedures set forth in subsections (c) and (d) of this section, shall prepare and periodically revise, and maintain an oil and gas leasing program to implement the policies of this Act. The leasing program shall consist of a schedule of proposed lease sales indicating, as precisely as possible, the size, timing, and location of leasing activity which he determines will best meet national energy needs for the five-year period following its approval or reapproval. Such leasing program shall be prepared and maintained in a manner consistent with the following principles:

(1) Management of the outer Continental Shelf shall be conducted in a manner which considers economic, social, and environmental values of the renewable and nonrenewable resources contained in the outer Continental Shelf, and the potential impact of oil and gas exploration on other resource values of the outer Continental Shelf and the marine, coastal, and human environments.

(2) Timing and location of exploration, development, and production of oil and gas among the oil- and gas-bearing physiographic regions of the outer Continental Shelf shall be based on a consideration of—

(A) existing information concerning the geographical, geological, and ecological characteristics of such regions;

(B) an equitable sharing of developmental benefits and environmental risks among the various regions;

(C) the location of such regions with respect to, and the relative needs of, regional and national energy markets;

(D) the location of such regions with respect to other uses of the sea and seabed, including fisheries, navigation, existing or proposed sealanes, potential sites of deepwater ports, and other anticipated uses of the resources and space of the outer Continental Shelf;

(E) the interest of potential oil and gas producers in the development of oil and gas resources as indicated by exploration or nomination;

- (F) laws, goals, and policies of affected States which have been specifically identified by the Governors of such States as relevant matters for the Secretary's consideration;
- (G) the relative environmental sensitivity and marine productivity of different areas of the outer Continental Shelf; and
- (H) relevant environmental and predictive information for different areas of the outer Continental Shelf.
- (3) The Secretary shall select the timing and location of leasing, to the maximum extent practicable, so as to obtain a proper balance between the potential for environmental damage, the potential for the discovery of oil and gas, and the potential for adverse impact on the coastal zone.
- (4) Leasing activities shall be conducted to assure receipt of fair market value for the lands leased and the rights conveyed by the Federal Government.
- (b) The leasing program shall include estimates of the appropriations and staff required to—
- (1) obtain resource information and any other information needed to prepare the leasing program required by this section;
 - (2) analyze and interpret the exploratory data and any other information which may be compiled under the authority of this Act;
 - (3) conduct environmental studies and prepare any environmental impact statement required in accordance with this Act and with section 102(2)(C) of the National Environmental Policy Act of 1969 (42 U.S.C. 4332(2)(C)); and
 - (4) supervise operations conducted pursuant to each lease in the manner necessary to assure due diligence in the exploration and development of the lease area and compliance with the requirement of applicable laws and regulations, and with the terms of the lease.
- (c)(1) During the preparation of any proposed leasing program under this section, the Secretary shall invite and consider suggestions for such program from any interested Federal agency, including the Attorney General, in consultation with the Federal Trade Commission, and from the Governor of any State which may become an affected State under such proposed program. The Secretary may also invite or consider any suggestions from the executive of any affected local government in such an affected State, which have been previously submitted to the Governor of such State, and from any other person.
- (2) After such preparation and at least sixty days prior to publication of a proposed leasing program in the Federal Register pursuant to paragraph (3) of this subsection, the Secretary shall submit a copy of such proposed program to the Governor of each affected State for review and comment. The Governor may solicit comments from those executives of local governments in his State which he, in his discretion, determines will be affected by the proposed program. If any comment by such Governor is received by the Secretary at least fifteen days prior to submission to the Congress pursuant to such paragraph (3) and includes a request for any modification of such proposed program, the Secretary shall reply in writing, granting or denying such request in whole or in part, or

granting such request in such modified form as the Secretary considers appropriate, and stating his reasons therefor. All such correspondence between the Secretary and Governor of any affected State, together with any additional information and data relating thereto, shall accompany such proposed program when it is submitted to the Congress.

(3) Within nine months after the date of enactment of this section, the Secretary shall submit a proposed leasing program to the Congress, the Attorney General, and the Governors of affected States, and shall publish such proposed program in the Federal Register. Each Governor shall, upon request, submit a copy of the proposed leasing program to the executive of any local government affected by the proposed program.

(d)(1) Within ninety days after the date of publication of a proposed leasing program, the Attorney General may, after consultation with the Federal Trade Commission, submit comments on the anticipated effects of such proposed program upon competition. Any State, local government, or other person may submit comments and recommendations as to any aspect of such proposed program.

(2) At least sixty days prior to approving a proposed leasing program, the Secretary shall submit it to the President and the Congress, together with any comments received. Such submission shall indicate why any specific recommendation of the Attorney General or a State or local government was not accepted.

(3) After the leasing program has been approved by the Secretary, or after eighteen months following the date of enactment of this section, whichever first occurs, no lease shall be issued unless it is for an area included in the approved leasing program and unless it contains provisions consistent with the approved leasing program, except that leasing shall be permitted to continue until such program is approved and for so long thereafter as such program is under judicial or administrative review pursuant to the provisions of this Act.

(e) The Secretary shall review the leasing program approved under this section at least once each year. He may revise and reapprove such program, at any time, and such revision and reapproval, except in the case of a revision which is not significant, shall be in the same manner as originally developed.

(f) The Secretary shall, by regulation, establish procedures for—

(1) receipt and consideration of nominations for any area to be offered for lease or to be excluded from leasing;

(2) public notice of and participation in development of the leasing program;

(3) review by State and local governments which may be impacted by the proposed leasing;

(4) periodic consultation with State and local governments, oil and gas lessees and permittees, and representatives of other individuals or organizations engaged in activity in or on the outer Continental Shelf, including those involved in fish and shellfish recovery, and recreational activities; and

(5) consideration of the coastal zone management program being developed or administered by an affected coastal State pursuant to section 305 or section 306 of the Coastal Zone Management Act of 1972 (16 U.S.C. 1454, 1455).

Such procedures shall be applicable to any significant revision or reapproval of the leasing program.

(g) The Secretary may obtain from public sources, or purchase from private sources, any survey, data, report, or other information (including interpretations of such data, survey, report, or other information) which may be necessary to assist him in preparing any environmental impact statement and in making other evaluations required by this Act. Data of a classified nature provided to the Secretary under the provisions of this subsection shall remain confidential for such period of time as agreed to by the head of the department or agency from whom the information is requested. The Secretary shall maintain the confidentiality of all privileged or proprietary data or information for such period of time as is provided for in this Act, established by regulation, or agreed to by the parties.

(h) The heads of all Federal departments and agencies shall provide the Secretary with any nonprivileged or nonproprietary information he requests to assist him in preparing the leasing program and may provide the Secretary with any privileged or proprietary information he requests to assist him in preparing the leasing program. Privileged or proprietary information provided to the Secretary under the provisions of this subsection shall remain confidential for such period of time as agreed to by the head of the department or agency from whom the information is requested. In addition, the Secretary shall utilize the existing capabilities and resources of such Federal departments and agencies by appropriate agreement.

(i) *This section shall not apply to the scheduling of lease sales in the Outer Continental Shelf adjacent to the Territories of the United States.*

* * * * *

SEC. 33. WIND LEASE SALES FOR AREAS OF OUTER CONTINENTAL SHELF.

(a) *AUTHORIZATION.*—*The Secretary may conduct wind lease sales on the Outer Continental Shelf.*

(b) *WIND LEASE SALE PROCEDURE.*—*Any wind lease sale conducted under this section shall be considered a lease under section 8(p).*

(c) *WIND LEASE SALES OFF COASTS OF TERRITORIES OF THE UNITED STATES.*—

(1) *STUDY ON FEASIBILITY OF CONDUCTING WIND LEASE SALES.*—

(A) *IN GENERAL.*—*The Secretary shall conduct a study on the feasibility, including the technological and long-term economic feasibility, and the potential environmental effects of, conducting wind lease sales on an area of the Outer Continental Shelf within the territorial jurisdiction of American Samoa, Guam, the Commonwealth of the Northern Mariana Islands, Puerto Rico, and the Virgin Islands of the United States.*

(B) *CONSULTATION.*—*In conducting the study required in subparagraph (A), the Secretary shall consult—*

(i) *the National Laboratories, that term is defined in section 2 of the Energy Policy Act of 2005;*

(ii) the National Oceanic and Atmospheric Administration, including the Office of National Marine Sanctuaries and National Marine Fisheries Service; and

(iii) the Governor of each of American Samoa, Guam, the Northern Mariana Islands, Puerto Rico, and the Virgin Islands of the United States.

(C) PUBLICATION.—The study required in subparagraph (A) shall be published in the Federal Register for public comment for a period of not fewer than 60 days.

(D) SUBMISSION OF RESULTS.—Not later than 18 months after the date of the enactment of this section, the Secretary shall submit the results of the study conducted under subparagraph (A) to—

(i) the Committee on Energy and Natural Resources of the Senate;

(ii) the Committee on Natural Resources of the House of Representatives; and

(iii) each Delegate or Resident Commissioner to the House of Representatives from American Samoa, Guam, the Northern Mariana Islands, Puerto Rico, and the Virgin Islands of the United States.

(E) PUBLIC AVAILABILITY.—The Secretary shall publish the study required under subparagraph (A) and results submitted under subparagraph (D) on a public website.

(2) CALL FOR INFORMATION AND NOMINATIONS.—The Secretary shall issue a call for information and nominations for proposed wind lease sales for areas determined to be feasible under the study conducted under paragraph (1).

(3) CONDITIONAL WIND LEASE SALES.—

(A) IN GENERAL.—For each territory, the Secretary shall conduct not less than 1 wind lease sale on an area of the Outer Continental Shelf within the territorial jurisdiction of such territory that meets each of the following criteria:

(i) The study required under paragraph (1)(A) concluded that a wind lease sale on the area is feasible.

(ii) The Secretary has determined that the call for information has generated sufficient interest for the area.

(iii) The Secretary has consulted with the Secretary of Defense and other relevant Federal agencies regarding such a sale.

(iv) The Secretary has consulted with the Governor of the territory regarding the suitability of the area for wind energy development.

(B) EXCEPTION.—If no area of the Outer Continental Shelf within the territorial jurisdiction of a territory meets each of the criteria in clauses (i) through (iv) of subparagraph (A), the requirement under subparagraph (A) shall not apply to such territory.

FRANK PALLONE, JR., NEW JERSEY
CHAIRMAN

COMMITTEE CORRESPONDENCE

CATHY McMORRIS RODGERS, WASHINGTON
RANKING MEMBER

ONE HUNDRED SEVENTEENTH CONGRESS
Congress of the United States
House of Representatives
COMMITTEE ON ENERGY AND COMMERCE
2125 RAYBURN HOUSE OFFICE BUILDING
WASHINGTON, DC 20515-6115

Majority (202) 225-2927
Minority (202) 225-3641

December 8, 2022

The Honorable Raúl M. Grijalva
Chairman
Committee on Natural Resources
1324 Longworth House Office Building
Washington, DC 20515

Dear Chairman Grijalva:

I write concerning H.R. 2780, the "Insular Area Climate Change Act," which was additionally referred to the Committee on Energy and Commerce.

In recognition of the desire to expedite consideration of H.R.2780, the Committee agrees to waive formal consideration of the bill as to provisions that fall within the Rule X jurisdiction of the Committee. The Committee takes this action with the mutual understanding that we do not waive any jurisdiction over the subject matter contained in this or similar legislation, and that the Committee will be appropriately consulted and involved as this bill or similar legislation moves forward so that we may address any remaining issues within our jurisdiction. I also request that you support my request to name members of the Committee to any conference committee to consider such provisions.

Finally, I would appreciate the inclusion of this letter in the committee report on H.R. 2780.

Sincerely,



Frank Pallone, Jr.
Chairman

The Honorable Raúl M. Grijalva
December 8, 2022
Page 2

- cc. The Honorable Cathy McMorris Rodgers, Ranking Member, Committee on Energy and Commerce
The Honorable Bruce Westerman, Ranking Member, Committee on Natural Resources
The Honorable Jason Smith, Parliamentarian

RAÚL M. GRIJALVA OF ARIZONA
CHAIRMAN

DAVID WATKINS
STAFF DIRECTOR

U.S. House of Representatives
Committee on Natural Resources
Washington, DC 20515

BRUCE WESTERMAN OF ARKANSAS
RANKING REPUBLICAN

VIVIAN NCEGLEIN
REPUBLICAN STAFF DIRECTOR

December 8, 2022

The Honorable Frank Pallone Jr.
Chair
Committee on Energy and Commerce
U.S. House of Representatives
2125 Rayburn House Office Building
Washington, DC 20515

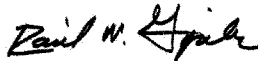
Dear Chair Pallone:

I write to you concerning H.R. 2780, the "Insular Area Climate Change Act."

I appreciate your willingness to work cooperatively on this legislation. I acknowledge that your Committee will not formally consider H.R. 2870 and agree that the inaction of your Committee with respect to the bill does not waive any future jurisdictional claim over the matters contained in the bill or similar legislation that falls within your Committee's Rule X jurisdiction. Additionally, the Committee on Natural Resources confirms our mutual understanding that the Committee on Energy and Commerce will be appropriately consulted and involved as the bill or similar legislation moves forward so that you may address any remaining issues within your jurisdiction. I am pleased to support your request to name members of the Committee on Energy and Commerce to any conference committee to consider such provisions.

I will ensure that our exchange of letters is included in the report on H.R. 2870. I appreciate your cooperation regarding this legislation and look forward to continuing to work with you as this measure moves through the legislative process.

Sincerely,



Raúl M. Grijalva
Chair
House Natural Resources Committee

Cc: The Honorable Cathy McMorris Rodgers, Ranking Member, Committee on Energy and Commerce
The Honorable Bruce Westerman, Ranking Member, Committee on Natural Resources
The Honorable Jason Smith, Parliamentarian



Committee on Transportation and Infrastructure
U.S. House of Representatives
Washington DC 20515

Peter A. DeFazio
Chair
Katherine W. Dedrick
Staff Director

Sam Graves
Ranking Member
Jack Ruddy
Republican Staff Director

December 12, 2022

The Honorable Raúl Grijalva
Chair, Committee on Natural Resources
U.S. House of Representatives
1324 Longworth House Office Building
Washington, DC 20515

Dear Chair Grijalva:

I write concerning H.R. 2021, *Environmental Justice for All Act*, H.R. 2780, *Insular Area Climate Change Act*, and H.R. 3764, *Ocean-Based Climate Solutions Act*. There are certain provisions in all three pieces of legislation that fall within the Rule X jurisdiction of the Committee on Transportation and Infrastructure.

In order to allow the Committee on Natural Resources to file committee reports on H.R. 2021, H.R. 2780, and H.R. 3764 for legislative history purposes, the Committee on Transportation and Infrastructure (Committee) agrees to forgo action on these bills. However, this is conditional on our mutual understanding that these bills will not be considered on the House floor during the 117th Congress. In addition, by forgoing consideration of these bills it will not prejudice the Committee to any future jurisdictional claim over the subject matters contained in these bills or similar legislation that fall within the Committee's Rule X jurisdiction.

Please place a copy of this letter and your response acknowledging our jurisdictional interest into the committee reports for H.R. 2021, H.R. 2780, and H.R. 3764. Thank you for your cooperation.

Sincerely,

A handwritten signature in black ink, appearing to read "Peter A. DeFazio".

Peter A. DeFazio
Chair

cc: The Honorable Sam Graves
The Honorable Bruce Westerman

RAÚL M. GRIJALVA OF ARIZONA
CHAIRMAN

DAVID WATKINS
STAFF DIRECTOR

BRUCE WESTERMAN OF ARKANSAS
RANKING REPUBLICAN

VIVIAN MOEGLEIN
REPUBLICAN STAFF DIRECTOR

U.S. House of Representatives
Committee on Natural Resources
Washington, DC 20515

December 14, 2022

The Honorable Peter A. DeFazio
Chair
Committee on Transportation and Infrastructure
U.S. House of Representatives
2134 Rayburn House Office Building
Washington, DC 20515

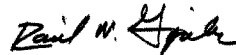
Dear Chair DeFazio,

I write to you concerning H.R. 2021, the *Environmental Justice for All Act*, H.R. 2780, the *Insular Area Climate Change Act*, and H.R. 3764, the *Ocean-Based Climate Solutions Act*.

I appreciate your willingness to work cooperatively on these bills. I recognize that they contain provisions that fall within the jurisdiction of the Committee on Transportation and Infrastructure, and I agree that the inaction of your Committee with respect to the bills does not waive any future jurisdictional claim over the matters contained in the bills that fall within your Committee's Rule X jurisdiction. I also acknowledge our mutual understanding that these bills will not be considered on the House floor during the 117th Congress without further consultation with and clear, separate signoff from the Committee on Transportation and Infrastructure.

I will ensure that our exchange of letters is included in the committee reports for H.R. 2021, H.R. 2780, and H.R. 3764. I appreciate your cooperation and look forward to continuing to work with you on the measures.

Sincerely,



Raúl M. Grijalva
Chair
House Natural Resources Committee

Cc: The Honorable Bruce Westerman, Ranking Member, Committee on Natural Resources
The Honorable Sam Graves, Ranking Member, Committee on Transportation and Infrastructure
The Honorable Jason Smith, Parliamentarian

EDDIE BERNICE JOHNSON, Texas
CHAIRWOMAN

FRANK D. LUCAS, Oklahoma
RANKING MEMBER

Congress of the United States
House of Representatives

COMMITTEE ON SCIENCE, SPACE, AND TECHNOLOGY

2321 RAYBURN HOUSE OFFICE BUILDING

WASHINGTON, DC 20515-6301

(202) 225-6375
www.science.house.gov

December 1, 2022

Chairman Raúl M. Grijalva
Committee on Natural Resources
U.S. House of Representatives
1324 Longworth House Office Building
Washington, DC 20515

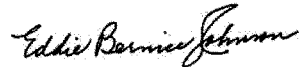
Dear Chairman Grijalva,

I am writing you concerning H.R. 2780, the "Insular Area Climate Change Act," which was which was referred to the Committee on Natural Resources and in addition to the Committees on Energy and Commerce, Transportation and Infrastructure, and Science, Space, and Technology ("Science Committee").

As a result of consultations with the Science Committee and in the interest an expedient consideration of H.R. 2780 before the House of Representatives, I will waive formal consideration of this bill. I take this action with a mutual understanding between our two Committees that by foregoing consideration of H.R. 2780, the Science Committee does not waive any jurisdiction over its subject matter in this, or in similar, legislation.

I request a letter confirming this understanding and that this exchange of letters be included in the *Congressional Record*. Finally, I ask that you support the appointment of Science Committee conferees during any House-Senate conference convened on this legislation. I am grateful for your cooperation.

Sincerely,



Eddie Bernice Johnson
Chairwoman
Committee on Science, Space, and Technology

cc: Ranking Member Frank D. Lucas, Committee on Science, Space, and Technology
Ranking Member Bruce Westerman, Committee on Natural Resources
Chair Frank Pallone, Committee on Energy and Commerce
Ranking Member Cathy McMorris Rodgers, Committee on Energy and Commerce
Chair Peter DeFazio, Committee on Transportation and Infrastructure
Ranking Member Sam Graves, Committee on Transportation and Infrastructure
Jason Smith, Parliamentarian

RAÚL M. GRIJALVA OF ARIZONA
CHAIRMAN

DAVID WATKINS
STAFF DIRECTOR

BRUCE WESTERMAN OF ARKANSAS
RANKING REPUBLICAN

VIVIAN MOEGLEIN
REPUBLICAN STAFF DIRECTOR

U.S. House of Representatives
Committee on Natural Resources
Washington, DC 20515

December 2, 2022

The Honorable Eddie Bernice Johnson
Chair
Committee on Science, Space, and Technology
U.S. House of Representatives
2321 Rayburn House Office Building
Washington, DC 20515

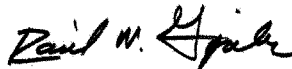
Dear Chair Johnson,

I write to you concerning H.R. 2780, the "Insular Area Climate Change Act."

I appreciate your willingness to work cooperatively on this legislation. I recognize that the bill contains provisions that fall within the jurisdiction of the Committee on Science, Space, and Technology. I acknowledge that your Committee will not formally consider H.R. 2780 and agree that the inaction of your Committee with respect to the bill does not waive any future jurisdictional claim over the matters contained in the bill that fall within your Committee's Rule X jurisdiction.

I am pleased to support the appointment of members of the Committee on Science, Space, and Technology to any conference committee to consider such provisions. I will ensure that our exchange of letters is included in the *Congressional Record* during floor consideration of the bill. I appreciate your cooperation regarding this legislation and look forward to continuing to work with you as this measure moves through the legislative process.

Sincerely,



Raúl M. Grijalva
Chair
House Natural Resources Committee

Cc: The Honorable Nancy Pelosi, Speaker of the House
The Honorable Bruce Westerman, Ranking Member, Committee on Natural Resources
The Honorable Frank Lucas, Ranking Member, Committee on Science, Space, and Technology
The Honorable Frank Pallone, Chair, Committee on Energy and Commerce
The Honorable Cathy McMorris Rodgers, Ranking Member, Committee on Energy and Commerce
The Honorable Peter DeFazio, Chair, Committee on Transportation and Infrastructure
The Honorable Sam Graves, Ranking Member, Committee on Transportation and Infrastructure
The Honorable Jason Smith, Parliamentarian

DISSENTING VIEWS

I strongly oppose H.R. 2780, the Insular Climate Change Act, as reported by the Committee on Natural Resources. H.R. 2780 would create duplicative and costly programs that would increase the size of the federal government and prevent the best solutions from rising to the top through an all-of-the-above energy approach.

The United States Territories and Freely Associated States are located in some of the most remote places on the planet. Each has individual needs and circumstances that should be given thoughtful consideration should Congress act. H.R. 2780 misses these marks in several ways.

H.R. 2780 would establish a multi-agency Insular Area climate change task force and establish an Insular Area National Program office within the Environmental Protection Agency (EPA) with the goal of expanding renewable energy and energy efficiency in the Insular Areas. H.R. 2780 would also authorize \$175 million to establish several new grant programs within the Department of the Interior (DOI), the Department of Commerce, the Department of Energy (DOE), and the EPA that would focus on addressing climate change in the U.S. territories and Freely Associated States.

Currently, all U.S. territories meet the majority of their energy needs through imported petroleum products, though many of the territories have set new goals for renewable energy in the coming decades.¹ Efforts to reduce carbon emissions are already underway in the Insular Areas. There are already several existing federal grants and loan programs available to Insular Areas to address issues such as climate research, improving energy security, coral reef mitigation efforts, energy efficiency, energy conservation and renewable energy resources. Rather than utilizing existing programs, H.R. 2780 would increase the size of the federal government by creating new offices within the National Oceanic and Atmospheric Administration (NOAA), EPA, and DOE, which will greatly increase federal bureaucracy. This bill would also force the U.S. territories to use solar, wind, hydroelectric, geothermal, and ocean energy while ignoring the proven reliability of liquefied natural gas (LNG), nuclear, biomass, and other energy options. Picking winners and losers in the energy sector is not the job of Congress.

Democrats in Congress continue to insist that legislatively mandating an “energy transition” is the only solution to combat climate change. Republicans support each U.S. territory exercising self-determination, including establishing their own energy goals. New mandatory spending will not be the cure-all for climate related challenges the Insular Areas face.

¹U.S. Energy Information Administration, December 17, 2020, <https://www.eia.gov/state/?sid=AQ>.

It is vital that we work with each of island's leaders and their delegates in Congress to address each island's specific goals and needs. Strengthening existing programs and grants available should come before we see an expansion of government and authorize additional federal funding. Instead of mandating the change House Democrats think will work, Congress should instead work to improve existing programs and functions that support resiliency in Insular Areas to meet the individual needs of each U.S. territory, promote innovation in their energy sectors, and embrace an all-of-the-above approach to meeting their energy needs.

For these reasons, I oppose H.R. 2780.

BRUCE WESTERMAN.

