

[DISCUSSION DRAFT]117TH CONGRESS
1ST SESSION**H. R.** _____

To provide for climate change planning, mitigation, adaptation, and resilience in the United States Territories and Freely Associated States, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Mr. GRIJALVA introduced the following bill; which was referred to the Committee on _____

A BILL

To provide for climate change planning, mitigation, adaptation, and resilience in the United States Territories and Freely Associated States, and for other purposes.

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

3 **SECTION 1. SHORT TITLE.**

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

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

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

Sec. 1. Short title.

Sec. 2. Table of contents.

Sec. 3. Definitions.

Sec. 4. 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.

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.

1 **SEC. 3. DEFINITIONS.**

2 In this Act, the following definitions apply:

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

1 (2) FREELY ASSOCIATED STATES.—The term
2 “Freely Associated States” means the Republic of
3 the Marshall Islands, the Federated States of Micro-
4 nesia, and the Republic of Palau.

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

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

11 (5) RESILIENCE.—The term “Resilience”
12 means the capacity of natural and human systems to
13 resist, assimilate, and recover from the effects of cli-
14 mate change in an efficient and timely manner,
15 maintaining or restoring basic structures and essen-
16 tial functions.

17 (6) RENEWABLE ENERGY.—The term “renew-
18 able energy” means energy that has been derived
19 from Earth’s natural resources that are not finite or
20 exhaustible, including solar, wind, hydroelectric, geo-
21 thermal, and ocean (thermal and mechanics).

22 (7) RENEWABLE ENERGY SYSTEM.—The term
23 “renewable energy system” includes off-grid or
24 stand-alone systems, microgrids, nano grids, and vir-
25 tual power plants systems based on renewable en-

1 ergy sources, including storage and other related an-
2 cillary equipment. These may also be referred to as
3 “eligible projects”. Waste to energy are not consid-
4 ered as eligible projects.

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

9 (9) TERRITORY.—The term “territory” means
10 American Samoa, the Commonwealth of the North-
11 ern Mariana Islands, Guam, Puerto Rico, or the Vir-
12 gin Islands of the United States.

13 **SEC. 4. FINDINGS.**

14 Congress finds as follows:

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

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

1 (3) Insular Areas are experiencing sea level
2 rise, coastal erosion, and increasing storm impacts
3 that threaten lives, critical infrastructure, eco-
4 systems, and livelihood security.

5 (4) Temperature increases are likely to further
6 create and intensify the length of droughts, reduce
7 water supply, impact public health, and increase de-
8 mand of freshwater in Insular Areas. In addition,
9 temperature increases will drive coral reefs to extinc-
10 tion, eliminating a natural barrier against storm
11 surge, increasing destruction of infrastructure, and
12 threatening lives of the inhabitants of the islands.

13 (5) In 2017, two major storms, Hurricane Irma
14 and Hurricane Maria, impacted Puerto Rico and the
15 Virgin Islands of the United States. Hurricane
16 Maria caused thousands of deaths in Puerto Rico
17 and the Virgin Islands of the United States and sig-
18 nificant damage to their infrastructure, including
19 Puerto Rico's energy system. Hurricane Maria de-
20 stroyed millions of trees in Puerto Rico and the Vir-
21 gin Islands of the United States, which has signifi-
22 cantly increased erosion and sediment transport. As
23 a result, reservoirs have lost significant storage ca-
24 pacity and coral reefs are severely impacted.

1 (6) In 2018, Typhoon Yutu impacted the Com-
2 monwealth of the Northern Mariana Islands and
3 Guam, causing catastrophic destruction in those ter-
4 ritories.

5 **TITLE I—GENERAL PROVISIONS**

6 **SEC. 101. INSULAR AREA CLIMATE CHANGE INTERAGENCY**

7 **TASK FORCE.**

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

13 (1) The Secretary of the Interior.

14 (2) The Secretary of Energy.

15 (3) The Secretary of State.

16 (4) The Secretary of Housing and Urban Devel-
17 opment.

18 (5) The Secretary of Agriculture.

19 (6) The Secretary of Commerce.

20 (7) The Administrator of the Federal Emer-
21 gency Management Agency.

22 (8) The Administrator of the Environmental
23 Protection Agency.

1 (b) CHAIRPERSON.—The Task Force shall be chaired
2 by the Administrator of the Federal Emergency Manage-
3 ment Agency.

4 (c) DUTIES.—The Task Force shall—

5 (1) evaluate all Federal programs regarding
6 ways to provide greater access to Federal programs
7 and equitable baseline funding in relation to States,
8 to territories for climate change planning, mitiga-
9 tion, adaptation, and resilience;

10 (2) identify statutory barriers to providing ter-
11 ritories greater access to Federal programs and eq-
12 uitable baseline funding; and

13 (3) provide recommendations to Congress re-
14 lated to climate change in Insular Areas.

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

19 (1) identifies Federal programs that have an
20 impact on climate change planning, mitigation, ad-
21 aptation, and resilience, but exclude territories in re-
22 gard to eligibility, funding, and assistance, or do not
23 provide equitable baseline funding in relation to
24 States; and

1 (2) provides advice and recommendations to
2 Congress related to climate change in Insular Areas,
3 such as new suggested Federal programs or initia-
4 tives.

5 (e) PUBLICATION; PUBLIC AVAILABILITY.—The Ad-
6 ministrators of the Federal Emergency Management Agen-
7 cy shall ensure that the report required under subsection
8 (d) is—

9 (1) submitted to the Committees on Energy and
10 Commerce and Natural Resources of the House of
11 Representatives, and Energy and Natural Resources
12 of the Senate;

13 (2) published in the Federal Register for public
14 comment for a period of at least 60 days; and

15 (3) made available on a public website along
16 with any comments received during the public com-
17 ment period required under paragraph (2).

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

19 Section 501 of the Omnibus Territories Act of 1977
20 (48 U.S.C. 1469a), is amended—

21 (1) in the matter before subsection (a), by in-
22 serting “Puerto Rico,” after “the Trust Territory of
23 the Pacific Islands,”; and

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

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

6 **SEC. 103. CORAL REEFS PRIZE COMPETITIONS.**

7 (a) PRIZE COMPETITIONS.—The Director of the Of-
8 fice of Science and Technology Policy shall work with the
9 head of each Federal agency represented on the U.S. Coral
10 Reef Task Force established under Executive Order 13089
11 (63 Fed. Reg. 32701) to establish prize competitions, in
12 accordance with section 24 of the Stevenson-Wydler Tech-
13 nology Innovation Act of 1980 (15 U.S.C. 3719), that pro-
14 mote coral reef research and conservation in the Insular
15 Areas.

16 (b) WAIVER OF MATCHING REQUIREMENT.—Section
17 204(b) of the Coral Reef Conservation Act of 2000 (16
18 U.S.C. 6403(b)) is amended—

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

21 “(2) WAIVERS.—

22 “(A) NEED AND BENEFIT.—”; and

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

1 “(B) SUSTAINING CORAL REEF MANAGE-
2 MENT AND MONITORING.—The Secretary shall
3 waive all of the matching requirement under
4 paragraph (1) for grants to implement State
5 and territorial coral reef conservation coopera-
6 tive agreements to sustain coral reef manage-
7 ment and monitoring in Florida, Hawaii, Amer-
8 ican Samoa, the Commonwealth of the North-
9 ern Mariana Islands, Guam, Puerto Rico, and
10 the Virgin Islands of the United States.”.

11 **TITLE II—DEPARTMENT OF THE** 12 **INTERIOR**

13 **SEC. 201. OFFICE OF INSULAR AFFAIRS TECHNICAL ASSIST-** 14 **ANCE PROGRAM.**

15 (a) IN GENERAL.—The Secretary of the Interior, act-
16 ing through the Office of Insular Affairs Technical Assist-
17 ance Program, shall provide technical assistance for cli-
18 mate change planning, mitigation, adaptation, and resil-
19 ience to Insular Areas under the jurisdiction of such Pro-
20 gram.

21 (b) AUTHORIZATION OF APPROPRIATIONS.—There is
22 authorized to be appropriated to the Secretary of the Inte-
23 rior to carry out this section \$5,000,000 for fiscal year
24 2022 and each fiscal year thereafter.

1 **TITLE III—NATIONAL OCEANIC**
2 **AND ATMOSPHERIC ADMINIS-**
3 **TRATION**

4 **SEC. 301. CLIMATE CHANGE INSULAR RESEARCH GRANT**
5 **PROGRAM.**

6 (a) IN GENERAL.—The Administrator of the Na-
7 tional Oceanic and Atmospheric Administration shall es-
8 tablish a Climate Change Insular Research Grant Pro-
9 gram to provide grants to institutions of higher education,
10 as such term is defined in section 101(a) of the Higher
11 Education Act of 1965 (20 U.S.C. 1001(a)), and nonprofit
12 organizations in Insular Areas for monitoring, collecting,
13 synthesizing, analyzing, and publishing local climate
14 change data, including ocean temperature, sea level rise,
15 ocean acidification, and altered ocean currents data.

16 (b) AUTHORIZATION OF APPROPRIATIONS.—To carry
17 out this section there is authorized to be appropriated to
18 the Administrator \$5,000,000 for each of fiscal years
19 2022 and 2023.

20 **SEC. 302. COASTAL MANAGEMENT TECHNICAL ASSISTANCE**
21 **AND REPORT.**

22 (a) TECHNICAL ASSISTANCE.—

23 (1) IN GENERAL.—The Administrator of the
24 National Oceanic and Atmospheric Administration,
25 acting through the Director of the Office for Coastal

1 Management, shall provide technical assistance to
2 Insular Areas to enhance such entities' coastal man-
3 agement and climate change programs.

4 (2) AUTHORIZATION OF APPROPRIATIONS.—To
5 carry out this subsection there is authorized to be
6 appropriated to the Administrator of the National
7 Oceanic and Atmospheric Administration
8 \$5,000,000 for fiscal year 2022 and each fiscal year
9 thereafter.

10 (b) ANNUAL REPORT.—The Administrator of the Na-
11 tional Oceanic and Atmospheric Administration, acting
12 through the Director of the Office for Coastal Manage-
13 ment, shall submit an annual report to the Committee on
14 Natural Resources of the House of Representatives and
15 the Committee on Commerce, Science, and Transportation
16 of the Senate on the status of—

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

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

21 **SEC. 303. NATIONAL WEATHER SERVICE TECHNICAL AS-**
22 **SISTANCE AND GRANTS.**

23 (a) TECHNICAL ASSISTANCE.—

24 (1) IN GENERAL.—The Administrator of the
25 National Oceanic and Atmospheric Administration,

1 acting through the Director of the National Weather
2 Service, shall provide technical assistance and out-
3 reach to Insular Areas through the San Juan,
4 Tiyan, and Pago Pago Weather Forecast Offices of
5 the National Weather Service. For the purposes of
6 this section, the Administrator may also employ
7 other agency entities as the Administrator deems
8 necessary, in order to improve weather data collec-
9 tion, produce more accurate tropical weather fore-
10 casts, and provide science, data, information, and
11 impact-based decision support services to reduce
12 hurricane, typhoon, droughts, tsunamis, tides, and
13 sea level rise impacts in the Insular Areas.

14 (2) AUTHORIZATION OF APPROPRIATIONS.—To
15 carry out this subsection there is authorized to be
16 appropriated to the Administrator \$5,000,000 for
17 fiscal year 2022 and each fiscal year thereafter.

18 (b) GRANTS.—

19 (1) IN GENERAL.—The Administrator of the
20 National Oceanic and Atmospheric Administration
21 may provide grants to academic, nonprofit, and local
22 entities to conduct climate change research to im-
23 prove weather data collection, produce more accurate
24 tropical weather forecasts, and provide science, data,
25 information, and impact-based decision support serv-

1 ices to reduce hurricane, typhoon, droughts,
2 tsunamis, tides, and sea level rise impacts in the In-
3 sular Areas.

4 (2) AUTHORIZATION OF APPROPRIATIONS.—To
5 carry out this subsection there is authorized to be
6 appropriated to the Administrator \$5,000,000 for
7 fiscal year 2022 and each fiscal year thereafter.

8 **SEC. 304. OCEAN AND COASTAL MAPPING INTEGRATION**
9 **ACT.**

10 Section 12204 of the Ocean and Coastal Mapping In-
11 tegration Act (33 U.S.C. 3503) is amended—

12 (1) in paragraph (12) by striking “and”;

13 (2) in paragraph (13) by striking the period at
14 the end and inserting “; and”; and

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

16 “(14) The study of Insular Areas and the ef-
17 fects of climate change”.

18 **TITLE IV—DEPARTMENT OF**
19 **ENERGY**

20 **SEC. 401. OFFICE OF INSULAR AREA ENERGY POLICY AND**
21 **PROGRAMS.**

22 (a) IN GENERAL.—Title II of the Department of En-
23 ergy Organization Act (42 U.S.C. 7131 et seq.) is amend-
24 ed by adding at the end the following:

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

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

10 “(b) DUTIES.—The Office shall—

11 “(1) direct, coordinate, implement, and monitor
12 energy planning, education, management, conserva-
13 tion, and delivery programs of the Department to—

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

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

18 “(C) reduce or stabilize energy costs in In-
19 sular Areas;

20 “(D) enhance and strengthen energy infra-
21 structure in Insular Areas to withstand natural
22 disasters; and

23 “(E) work with Insular Areas to develop
24 improved regulatory and oversight conditions;
25 and

1 “(2) centralize and align all ongoing Depart-
2 ment of Energy efforts in the Insular Areas.

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

9 “(d) AUTHORIZATION OF APPROPRIATIONS.—There
10 is authorized to be appropriated to the Secretary to carry
11 out this section \$20,000,000 for fiscal year 2022 and each
12 fiscal year thereafter.

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

18 (b) CONFORMING AMENDMENTS.—

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

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

23 (2) POSITIONS AT LEVEL IV.—Section 5315 of
24 title 5, United States Code, is amended by inserting
25 after the item related to the Director, Office of

1 Science, Department of Energy the following new
2 item: “Director, Office of Insular Area Energy Pol-
3 icy and Programs, Department of Energy.”.

4 **SEC. 402. COMPREHENSIVE ENERGY PLANS.**

5 (a) IN GENERAL.—Not later than 1 year after the
6 date of the enactment of this Act, the Office of Insular
7 Area Energy Policy and Programs in the Department of
8 Energy, in consultation with the Office of Insular Affairs
9 of the Department of the Interior, shall submit to the
10 Committees on Energy and Commerce and Natural Re-
11 sources of the House of Representatives and the Com-
12 mittee on Energy and Natural Resources of the Senate
13 a report containing—

14 (1) the results of a study of the execution of the
15 comprehensive energy plans required by section
16 604(c) of Public Law 96–597 (48 U.S.C. 1492(c)),
17 including—

18 (A) initial, planned, and current sources of
19 renewable energy;

20 (B) initial, planned, and current energy
21 imports; and

22 (C) projected and actual energy needs dur-
23 ing calendar year 2020 for each Insular Area;

24 (2) the lessons learned from the preparation of
25 these plans;

1 (3) the date on which each plan was most re-
2 cently updated; and

3 (4) recommendations with respect to each Insu-
4 lar Area, on the need to update such plans.

5 (b) PUBLICATION; PUBLIC AVAILABILITY.—The Sec-
6 retary of Energy shall ensure that—

7 (1) the report required by subsection (a) is pub-
8 lished in the Federal Register for public comment
9 for a period of not fewer than 60 days; and

10 (2) the report required by subsection (a) and
11 any comments received under subsection (b) are
12 made available on a public website.

13 **SEC. 403. ENERGY EFFICIENT PRODUCT REBATE PROGRAM.**

14 (a) DEFINITIONS.—In this section:

15 (1) ELIGIBLE TERRITORY.—The term “eligible
16 territory” means a territory that meets the require-
17 ments of subsection (c).

18 (2) ENERGY STAR PROGRAM.—The term “En-
19 ergy Star program” means the program established
20 by section 324A of the Energy Policy and Conserva-
21 tion Act (42 U.S.C. 6294a).

22 (3) RESIDENTIAL ENERGY STAR PRODUCT.—
23 The term “residential Energy Star product” means
24 a product for a residence that is rated for energy ef-
25 ficiency under the Energy Star program.

1 (4) ENERGY OFFICE.—The term “energy of-
2 fice” means the government agency within the terri-
3 tory responsible for developing an energy conserva-
4 tion plan under section 362 of the Energy Policy
5 and Conservation Act (42 U.S.C. 6322).

6 (5) REBATE PROGRAM.—The term “rebate pro-
7 gram” means an energy efficient product rebate pro-
8 gram described in subsection (c)(1).

9 (b) ESTABLISHMENT.—The Secretary of Energy
10 shall establish a program, to be known as the “Energy
11 Efficient Product Rebate Program”, under which the Di-
12 rector of the Office of Insular Area Energy Policy Pro-
13 grams shall provide allocations to eligible territories in ac-
14 cordance with this section.

15 (c) ELIGIBLE TERRITORIES.—A territory shall be eli-
16 gible to receive an allocation under subsection (d) if the
17 territory—

18 (1) establishes (or has established) an energy
19 efficient product rebate program to provide rebates
20 to residential consumers for the purchase of residen-
21 tial Energy Star products to replace used products
22 of the same type;

23 (2) establishes clear requirements to prevent il-
24 legal dumping of old products and the overflow of
25 landfills, and ensure environmental justice;

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

5 (4) provides assurances satisfactory to the Di-
6 rector of the Office of Insular Area Energy Policy
7 and Programs that the territory will use the alloca-
8 tion to supplement, but not supplant, funds made
9 available to carry out the rebate program.

10 (d) AMOUNT OF ALLOCATIONS.—

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

22 (2) MINIMUM ALLOCATIONS.—For each fiscal
23 year, the amounts allocated under this subsection
24 shall be adjusted proportionately so that no eligible

1 territory is allocated a sum that is less than an
2 amount determined by the Director.

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

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

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

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

15 (3) the difference between the cost of the resi-
16 dential Energy Star product and the cost of a prod-
17 uct that is not a residential Energy Star product,
18 but is of the same type as, and is the nearest capaci-
19 ty, performance, and other relevant characteristics
20 (as determined by the energy office) to, the residen-
21 tial Energy Star product.

22 (g) AUTHORIZATION OF APPROPRIATIONS.—There
23 are authorized to be appropriated to carry out this section
24 \$5,000,000 for each of the fiscal years 2022 through
25 2026.

1 **SEC. 404. RENEWABLE ENERGY GRANT PROGRAM.**

2 (a) DEFINITIONS.—In this section:

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

6 (2) DEPARTMENT OF ENERGY NATIONAL LAB-
7 ORATORIES.—The term “Department of Energy na-
8 tional laboratories” has the same meaning as the
9 term “National Laboratory” under section 2 of the
10 Energy Policy Act of 2005 (42 U.S.C. 15801).

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

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

15 (B) that has the ability—

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

18 (ii) to operate autonomously when dis-
19 connected.

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

23 (5) SMART GRID.—The term “smart grid”
24 means an intelligent electric grid that uses digital
25 communications technology, information systems,

1 and automation to, while maintaining high system
2 reliability—

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

5 (B) improve system operating efficiency;
6 and

7 (C) reduce spending costs.

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

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

19 (d) USE OF FUNDS.—

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

23 (A) to develop or construct a renewable en-
24 ergy system;

1 (B) to carry out an activity to increase en-
2 ergy efficiency;

3 (C) to develop or construct an energy stor-
4 age system or device for—

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

7 (ii) an activity carried out under sub-
8 paragraph (B);

9 (D) to develop or construct—

10 (i) a smart grid; or

11 (ii) a microgrid; or

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

15 (2) LIMITATION.—A covered entity receiving a
16 grant under the Program may not use grant funds
17 to develop or construct a facility that generates elec-
18 tricity using energy derived from—

19 (A) fossil fuels; or

20 (B) nuclear power.

21 (e) TECHNICAL ASSISTANCE.—The Director shall en-
22 sure that Department of Energy national laboratories
23 offer to provide technical assistance to each covered entity
24 carrying out a project assisted with a grant under the Pro-
25 gram.

1 (f) REPORT.—Not later than two years after the es-
2 tablishment of the Program, and on an annual basis there-
3 after, the Secretary shall submit to Congress a report con-
4 taining—

5 (1) an estimate of the amount of funds dis-
6 bursed under the Program;

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

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

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

15 (g) GAO STUDY AND REPORT.—

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

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

22 (B) submit to Congress a report con-
23 taining—

24 (i) the findings of the study; and

25 (ii) related recommendations.

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

4 (A) to modify existing electric power sys-
5 tems to use renewable energy sources;

6 (B) to expand the use of microgrids; and

7 (C) to improve energy resiliency.

8 **SEC. 405. OFFSHORE WIND FOR THE TERRITORIES.**

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

12 (1) IN GENERAL.—Section 2 of the Outer Con-
13 tinental Shelf Lands Act (43 U.S.C. 1331) is
14 amended—

15 (A) in subsection (a) by inserting “or lying
16 within the exclusive economic zone of the
17 United States and the Outer Continental Shelf
18 adjacent to any territory or possession of the
19 United States, except that such term shall not
20 include any area conveyed by Congress to a ter-
21 ritorial government for administration” after
22 “control”;

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

1 (C) in subsection (q), by striking the pe-
2 riod at the end and inserting “; and”; and

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

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

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

11 “(i) This section shall not apply to the
12 scheduling of lease sales in the Outer Con-
13 tinental Shelf adjacent to the Territories
14 and possessions of the United States.”.

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

19 **“SEC. 33. WIND LEASE SALES FOR AREAS OF OUTER CONTI-
20 NENTAL SHELF.**

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

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

1 “(c) WIND LEASE SALES OFF COASTS OF TERRI-
2 TORIES OF THE UNITED STATES.—

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

5 “(A) IN GENERAL.—The Secretary shall
6 conduct a study on the feasibility, including the
7 technological and long-term economic feasibility,
8 and the potential environmental effects of, con-
9 ducting wind lease sales on an area of the
10 Outer Continental Shelf within the territorial
11 jurisdiction of American Samoa, Guam, the
12 Commonwealth of the Northern Mariana Is-
13 lands, Puerto Rico, and the Virgin Islands of
14 the United States.

15 “(B) CONSULTATION.—In conducting the
16 study required in subparagraph (A), the Sec-
17 retary shall consult—

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

21 “(ii) the National Oceanic and Atmos-
22 pheric Administration, including the Office
23 of National Marine Sanctuaries and Na-
24 tional Marine Fisheries Service; and

1 “(iii) the Governor of each of Amer-
2 ican Samoa, Guam, the Northern Mariana
3 Islands, Puerto Rico, and the Virgin Is-
4 lands of the United States.

5 “(C) PUBLICATION.—The study required
6 in subparagraph (A) shall be published in the
7 Federal Register for public comment for a pe-
8 riod of not fewer than 60 days.

9 “(D) SUBMISSION OF RESULTS.—Not later
10 than 18 months after the date of the enactment
11 of this section, the Secretary shall submit the
12 results of the study conducted under subpara-
13 graph (A) to—

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

16 “(ii) the Committee on Natural Re-
17 sources of the House of Representatives;
18 and

19 “(iii) each Delegate or Resident Com-
20 missioner to the House of Representatives
21 from American Samoa, Guam, the North-
22 ern Mariana Islands, Puerto Rico, and the
23 Virgin Islands of the United States.

24 “(E) PUBLIC AVAILABILITY.—The Sec-
25 retary shall publish the study required under

1 subparagraph (A) and results submitted under
2 subparagraph (D) on a public website.

3 “(2) CALL FOR INFORMATION AND NOMINA-
4 TIONS.—The Secretary shall issue a call for informa-
5 tion and nominations for proposed wind lease sales
6 for areas determined to be feasible under the study
7 conducted under paragraph (1).

8 “(3) CONDITIONAL WIND LEASE SALES.—

9 “(A) IN GENERAL.—For each territory,
10 the Secretary shall conduct not less than 1 wind
11 lease sale on an area of the Outer Continental
12 Shelf within the territorial jurisdiction of such
13 territory that meets each of the following cri-
14 teria:

15 “(i) The study required under para-
16 graph (1)(A) concluded that a wind lease
17 sale on the area is feasible.

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

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

1 “(iv) The Secretary has consulted
2 with the Governor of the territory regard-
3 ing the suitability of the area for wind en-
4 ergy development.

5 “(B) EXCEPTION.—If no area of the Outer
6 Continental Shelf within the territorial jurisdic-
7 tion of a territory meets each of the criteria in
8 clauses (i) through (iv) of subparagraph (A),
9 the requirement under subparagraph (A) shall
10 not apply to such territory.”.

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

13 Funding made available to a territory under the De-
14 partment of Energy’s State Energy Program (42 U.S.C.
15 6321 et seq.) shall not be subject to a non-Federal share
16 funding requirement.

17 **TITLE V—ENVIRONMENTAL**
18 **PROTECTION AGENCY**

19 **SEC. 501. DEFINITIONS.**

20 In this title:

21 (1) ADMINISTRATOR.—The term “Adminis-
22 trator” means the Administrator of the Environ-
23 mental Protection Agency.

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

4 (3) ELIGIBLE ENTITY.—The term “eligible enti-
5 ty” means each of the following:

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

8 (B) A private, nonprofit organization or in-
9 stitution.

10 (C) An institution of higher education (as
11 defined in section 101 of the Higher Education
12 Act of 1965 (20 U.S.C. 1001), except that such
13 term does not include private, nonprofit institu-
14 tions of higher education).

15 (D) Any combination of entities described
16 in subparagraphs (A) through (C), including
17 partnerships and consortiums of local govern-
18 ments.

19 (4) OFFICE.—The term “Office” means the In-
20 sular Area National Program Office established by
21 section 502.

22 (5) RENEWABLE ENERGY.—The term “renew-
23 able energy” means energy that has been derived
24 from Earth’s natural resources that are not finite or

1 exhaustible, including solar, wind, hydroelectric, geo-
2 thermal, ocean (thermal and mechanics).

3 **SEC. 502. INSULAR AREA NATIONAL PROGRAM OFFICE.**

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

11 (b) DUTIES.—The Director shall—

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

15 (A) build, enhance, and strengthen infra-
16 structure in Insular Areas to withstand natural
17 disasters;

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

20 (C) provide technical assistance in Insular
21 Areas.

22 (2) centralize and align all ongoing Environ-
23 mental Protection Agency efforts in the Insular
24 Areas.

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

7 (d) AUTHORIZATION OF APPROPRIATIONS.—For the
8 Insular Area National Program Office, there is authorized
9 to be appropriated to the Administrator \$20,000,000 for
10 fiscal year 2022 and each fiscal year thereafter.

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

15 **SEC. 503. INSULAR AREA SUSTAINABLE INFRASTRUCTURE**
16 **GRANT PROGRAM.**

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

1 water systems, septic systems, stormwater systems, and
2 solid waste systems.

3 (b) USE OF FUNDS.—An eligible entity that receives
4 a grant for infrastructure system projects under the Insu-
5 lar Areas Sustainable Infrastructure Grant Program may
6 use such funds for—

7 (1) development-phase activities, including plan-
8 ning, feasibility analysis (including any related anal-
9 ysis necessary to carry out an eligible project), rev-
10 enue forecasting, environmental review, permitting,
11 preliminary engineering and design work, and other
12 preconstruction activities;

13 (2) construction, reconstruction, rehabilitation,
14 and replacement activities; and

15 (3) the acquisition of real property or an inter-
16 est in real property (including land relating to the
17 project, and improvements to land), environmental
18 mitigation, construction contingencies, and acquisi-
19 tion of equipment.

20 (c) APPLICATIONS.—

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

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

1 (B) an evaluation (using methodology ap-
2 proved by the Director) of the quantifiable and
3 unquantifiable benefits of the proposed project;

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

6 (D) a description of the age and expected
7 lifetime of the infrastructure system funded by
8 the project.

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

12 (A) maximize public health benefits;

13 (B) are the most cost effective;

14 (C) serve areas with environmental justice
15 communities—

16 (i) in rural remote areas; or

17 (ii) that have challenged environ-
18 mental conditions.

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

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

24 (i) the process and forms for applica-
25 tions;

- 1 (ii) permissible uses of funds received;
2 and
3 (iii) an annual deadline for submission
4 of the applications;
- 5 (B) a process by which the Director shall
6 approve or disapprove each application; and
- 7 (C) a streamlined process by which an In-
8 sular Area may renew an application described
9 in subparagraph (A) for subsequent fiscal
10 years.

11 (d) LIMITATION ON USE OF FUNDS.—

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

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

20 (e) AUTHORIZATION OF APPROPRIATIONS.—To carry
21 out this section there is authorized to be appropriated to
22 the Administrator \$50,000,000 for fiscal year 2022 and
23 each fiscal year thereafter.

1 **SEC. 504. INSULAR AREA RENEWABLE ENERGY GRANT PRO-**
2 **GRAM.**

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

10 (b) ELIGIBILITY.—

11 (1) PROJECTS ELIGIBLE FOR ASSISTANCE.—

12 The following projects may be carried out with
13 amounts made available under this section:

14 (A) Construction of a new renewable en-
15 ergy system.

16 (B) A project for energy redundancy and
17 resilience based on renewable energy and for
18 hurricane and storm damage reduction on re-
19 newable energy systems that the Director deter-
20 mines is technically sound, economically justi-
21 fied, and environmentally acceptable.

22 (C) A project for enhanced energy effi-
23 ciency in the operation of infrastructure that
24 belongs to an eligible entity.

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

1 (E) A project to prevent, reduce, or miti-
2 gate the effects of hurricanes or storms, includ-
3 ing projects that enhance the resilience of re-
4 newable energy systems.

5 (F) Acquisition of real property or an in-
6 terest in real property—

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

10 (ii) pursuant to an existing plan that,
11 in the judgment of the Director, as appli-
12 cable, would mitigate the environmental
13 impacts of renewable energy system infra-
14 structure projects.

15 (G) A combination of projects under sub-
16 paragraphs (A) through (F).

17 (2) ACTIVITIES ELIGIBLE FOR ASSISTANCE.—

18 An eligible entity may use a grant provided under
19 this section for, with respect to an eligible project—

20 (A) development-phase activities, including
21 planning, feasibility analysis (including any re-
22 lated analysis necessary to carry out an eligible
23 project), revenue forecasting, environmental re-
24 view, permitting, preliminary engineering and

1 design work, and other preconstruction activi-
2 ties;

3 (B) construction, reconstruction, rehabili-
4 tation, and replacement activities; and

5 (C) the acquisition of real property or an
6 interest in real property (including land relating
7 to the project, and improvements to land), envi-
8 ronmental mitigation, construction contin-
9 gencies, and acquisition of equipment.

10 (c) APPLICATIONS.—

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

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

15 (B) an evaluation (using methodology ap-
16 proved by the Director) of the quantifiable and
17 unquantifiable benefits of the proposed project;

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

20 (D) a description of the age and expected
21 lifetime of a renewable energy or energy effi-
22 ciency system funded by the project.

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

- 1 (A) maximize public health benefits;
- 2 (B) are the most cost effective;
- 3 (C) serve areas with environmental justice
- 4 communities—
- 5 (i) in rural remote areas; or
- 6 (ii) that are poor air quality areas.

7 (3) APPLICATION GUIDANCE AND PROCESSES.—

8 The Director shall provide Insular Areas—

- 9 (A) guidance for use in applying for grant
- 10 funds under this section, including information
- 11 regarding—
- 12 (i) the process and forms for applica-
- 13 tions;
- 14 (ii) permissible uses of funds received;
- 15 and
- 16 (iii) an annual deadline for submission
- 17 of the applications;
- 18 (B) a process by which the Director shall
- 19 approve or disapprove each application; and
- 20 (C) a streamlined process by which an In-
- 21 sular Area may renew an application described
- 22 in subparagraph (A) for subsequent fiscal
- 23 years.
- 24 (d) LIMITATION ON USE OF FUNDS.—

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

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

9 (e) AUTHORIZATION OF APPROPRIATIONS.—To carry
10 out this section, there is authorized to be appropriated to
11 the Administrator \$50,000,000 for fiscal year 2022 and
12 each fiscal year thereafter.

13 **SEC. 505. INSULAR AREA TECHNICAL ASSISTANCE PRO-**
14 **GRAM.**

15 (a) IN GENERAL.—The Insular Area National Pro-
16 gram Office Director shall establish a program, to be
17 known as the Insular Area Technical Assistance Program,
18 to provide technical assistance to Insular Areas relating
19 to climate change planning, mitigation, adaptation, and
20 resilience.

21 (b) AUTHORIZATION OF APPROPRIATIONS.—There is
22 authorized to be appropriated to the Administrator to
23 carry out this section \$5,000,000 for fiscal year 2022 and
24 each fiscal year thereafter.

1 **TITLE VI—EMERGENCY**
2 **MANAGEMENT**

3 **SEC. 601. COMMUNITY DISASTER LOANS REPAYMENT CAN-**
4 **CELLATION.**

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

10 **SEC. 602. DISASTER RELIEF NON-FEDERAL COST-SHARE**
11 **WAIVER.**

12 Funding made available to an Insular Area for dis-
13 aster relief, long-term recovery, restoration of infrastruc-
14 ture and housing, economic revitalization, and mitigation
15 pursuant to the Robert T. Stafford Disaster Relief and
16 Emergency Assistance Act (42 U.S.C. 5121 et seq.) shall
17 not be subject to a non-Federal share funding require-
18 ment.