[DISCUSSION DRAFT]

117TH CONGRESS  H. R. ___
1ST SESSION

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.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Insular Area Climate 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.
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.
(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 en-
ergy 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.


(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.

(e) 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 to Congress related to climate change in Insular Areas.

(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 to Congress 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—

(1) in the matter before subsection (a), by inserting “Puerto Rico,” after “the Trust Territory of the Pacific Islands,”; and

(2) 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 Stevenson-Wydler 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 fiscal year 2022 and each fiscal year thereafter.
TITLE III—NATIONAL OCEANIC
AND ATMOSPHERIC ADMINIS-
TRATION

SEC. 301. CLIMATE CHANGE INSULAR RESEARCH GRANT
PROGRAM.

(a) IN GENERAL.—The Administrator of the Na-
tional Oceanic and Atmospheric Administration shall es-
tablish a Climate Change Insular Research Grant Pro-
gram 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 fiscal years
2022 and 2023.

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 fiscal year 2022 and each fiscal year thereafter.

(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, produce more accurate tropical weather forecasts, 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 fiscal year 2022 and each fiscal year thereafter.

(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, produce more accurate tropical weather forecasts, and provide science, data, information, and impact-based decision support serv-
ices 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 fiscal year 2022 and each fiscal year thereafter.

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”;

(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, conserva-
tion, 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 In-
sular Areas;

“(D) enhance and strengthen energy infra-
structure 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 fiscal year 2022 and each fiscal year thereafter.

“(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 related 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 604(e) of Public Law 96–597 (48 U.S.C. 1492(e)), 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
(c) 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) 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 or possession 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 per-
period at the end and inserting “; and”; and

(D) by adding at the end the following:

“(r) The term ‘State’ means the several States, the Common-wealth of Puerto Rico, Guam, American Samoa, the Virgin Islands of the United States, and the Common-
wealth 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 Con-tinental Shelf adjacent to the Territories and possessions of the United States.”.

(b) WIND LEASE SALES FOR AREAS OF OUTER CONTI-

NENTAL 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 CONTI-

NENTAL 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 paragraph (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 fiscal year 2022 and each fiscal year thereafter.

(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
(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 fiscal year 2022 and each fiscal year thereafter.
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 fiscal year 2022 and each fiscal year thereafter.

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 fiscal year 2022 and each fiscal year thereafter.
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.