118TH CONGRESS
1ST SESSION

S.

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

IN THE SENATE OF THE UNITED STATES

Mr. Markey introduced the following bill; which was read twice and referred to the Committee on

A BILL

To establish the Global Climate Change Resilience Strategy, to authorize the admission of climate-displaced persons into the United 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; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the “Climate Displaced Persons Act”.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.
Sec. 2. Findings; sense of Congress.
Sec. 3. Definitions.
Sec. 4. Required data collection and reporting.
Sec. 5. Global Climate Change Resilience Strategy.
Sec. 6. Training in climate change resilience.
Sec. 7. Guidance on the humanitarian impacts of climate change.
Sec. 8. Admission of climate-displaced persons.
Sec. 9. Authorization of appropriations.

1 SE C. 2. FINDINGS; SENSE OF CONGRESS.

(a) FINDINGS.—Congress finds the following:

(1) In the second study of the Sixth Assessment Report of the Intergovernmental Panel on Climate Change (IPCC), issued in February 2022, the IPCC stated, based on scientific evidence, that the Earth’s climate is now changing faster than at any point in human and recent geologic history.

(2) The Sixth Assessment Report of the IPCC and the Fourth National Climate Assessment, issued in November 2018, found that a changing climate is—

(A) causing sea levels to rise;

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

(C) contributing to an increase in heavy precipitation in certain locations; and

(D) intensifying drought in many regions of the world.

(3) Forced displacement and forced migration are increasing in the context of environmental changes and climate-induced disruptions, including
weather-related disasters, drought, food insecurity, and rising sea levels.

(4) In 2022, flooding events caused 6 out of 10 disaster displacements within countries, surpassing other types of disaster, according to the Internal Displacement Monitoring Centre. Such events include—

(A) the weather phenomena affected by El Niño and La Niña, which have recently led to record levels of flood displacement in many countries, including Brazil, Nigeria, Sudan, South Sudan, and Somalia;

(B) high-impact events, such as the August 2022 floods in Pakistan, which displaced millions of people; and

(C) floods impacting the most marginalized communities, such as refugees, internally displaced persons, and returnee populations in northern South Sudan.

(5) Sea level rise, both locally and globally, imperils low-lying communities around the world by threatening water supplies, accelerating coastal erosion and loss of arable land, and inundating coastal areas. This phenomenon affects—
(A) low-lying areas of countries, such as Bangladesh, are threatened with land erosion, land loss, salinization, and other effects of sea level rise and extreme weather events; and

(B) small-island-developing states, which are particularly vulnerable to sea level rise, which threatens their entire economies and territoriality.

(6) Climate change is intensifying drought events and conditions in both severity and duration, which imperils agriculture and other livelihoods and can force families and communities to relocate temporarily or permanently. Failed rainy seasons in the Horn of Africa have led to the worst drought conditions on record in Somalia, Ethiopia, and Kenya.

(7) A 2022 World Food Program report on the Dry Corridor, a strip of land located in Central America that includes Guatemala, El Salvador, Honduras, and Nicaragua, has found that in the region—

(A) temperatures have been rising, with climate change projections for the Dry Corridor estimating an increase in temperature of up to 5.4 degrees Fahrenheit by 2050 and 10.8 degrees Fahrenheit by 2100;
(B) rainfall has been dwindling and becoming violently sporadic, with long-term droughts projected to become more severe by 2100 and intensifying by 27 to 73 percent across all months;

(C) crop failure is becoming rampant with the expected intensification of heat waves, which are expected to affect basic grains and coffee production due to forest fires, lags in sowing, and increased pests; and

(D) approximately \( \frac{2}{3} \) of the rural population of the Dry Corridor live in poverty and roughly \( \frac{3}{4} \) of these people are living in extreme poverty with significant levels of malnutrition, with the average monthly income from farming and other livelihoods estimated at $177.60 per person, leaving little room to cover eventualities linked to droughts, pests, extreme weather events, or socioeconomic shocks.

(8) Tropical storms, including hurricanes, cyclones, and typhoons, are extreme weather events fueled by climate change that can generate widespread destruction and displacement.

(9) The National Oceanic and Atmospheric Administration reported that 30 tropical systems were
reported during the 2020 Atlantic hurricane season, making 2020—

(A) the highest-ever recorded Atlantic hurricane season;

(B) the fifth consecutive year with an above-normal Atlantic hurricane season; and

(C) 1 of the 18 above-normal seasons during a 26-year span.

(10) The negative effects of hurricanes on communities can linger for years, as demonstrated by the lasting impacts on parts of Central America caused by Hurricanes Eta and Iota, which both made landfall in the same area in November 2020.

(11) Combinations of extreme heat and humidity may create wet-bulb temperatures that may render certain regions of the world uninhabitable in the coming decades.

(12) In the second study of the Sixth Assessment Report, issued in February 2022, the Intergovernmental Panel on Climate Change affirmed with high-confidence that societal adaptations in the near term can help reduce the risks of climate change throughout the 21st century.

(13) In the “Synthesis Report: Climate Change 2023”, the IPCC concluded—
(A) “There is a rapidly closing window of opportunity to secure a livable and sustainable future for all”; and

(B) “Deep, rapid and sustained mitigation and accelerated implementation of adaptation actions in this decade would reduce projected losses and damages for humans and ecosystems”.

(14) The United States bears a disproportionate responsibility for climate change since an estimated ⅕ of all historical worldwide carbon dioxide emissions were released in the United States, which is greater than the amount of such emissions released in any other single country.

(15) In the “Synthesis Report: Climate Change 2023”, the IPCC concluded, with high confidence, “Vulnerable communities who have historically contributed the least to current climate change are disproportionately affected.”.

(16) According to the United Nations Refugee Agency (UNHCR)—

(A) 70 percent of refugees originate from countries on the front lines of the climate crisis;

(B) climate change affects people inside their own countries; and
climate change typically creates internal displacement before it begins displacing people across international borders.

(17) The Global Compact on Refugees recognizes that “climate, environmental degradation and natural disasters increasingly interact with the drivers of refugee movements.”

(18) The October 2021 White House Report on the Impact of Climate Change on Migration—

(A) recommends that Congress should explore “the need for additional protections for individuals who can establish that they are fleeing serious, credible threats to their life or physical integrity as a result of climate change;” and

(B) states “[t]he United States should identify ways to apply existing protection frameworks in the context of climate change-related displacement and to identify gaps where the United States should forge new legal pathways to protection.”

(19) As noted in a March 2023 report by the U.S. Committee for Refugees and Immigrants’ International Refugee Assistance Project and the Human Security Initiative, many asylum seekers
have cited the destruction of their homes, agricultural lands, and businesses due to climate-related causes as contributing to their decisions to flee, as these climate-related environmental disasters exacerbated their conditions of marginalization.

(20) The United Nations Human Rights Council has recognized that climate change poses an existential threat that has already negatively affected the fulfillment of human rights, specifically noting that—

(A) “all States should, when taking action to address climate change, respect, promote and consider their respective obligations on human rights”; and

(B) “the adverse effects of climate change are felt most acutely by those segments of the population that are already in vulnerable situations owing to factors such as geography, poverty, gender, age, indigenous or minority status, national or social origin, birth or other status and disability”.

(21) The effects of climate change also exacerbate social, economic, and political tensions within and among nations.
(22) The UNHCR Global Trends Report 2020 found, “95 percent of all conflict displacements in 2020 occurred in countries vulnerable or highly vulnerable to climate change. Disasters can also strike populations already uprooted by conflict, forcing them to flee multiple times, as was the case with [internally-displaced persons] in Yemen, Syria and Somalia and refugees in Bangladesh.”.

(23) Climate-vulnerable states experiencing protracted conflict, such as Afghanistan or Yemen, can be affected by multiple climate-related threats simultaneously, such as—

(A) drought and flooding events in Afghanistan; and

(B) drought, desertification, and cyclones affecting Yemen.

(24) In their 2022 report “Migration as a Climate Adaptation Strategy” USAID found—

(A) “Migration has the potential to serve as an important adaptation and risk management strategy for climate-impacted populations”;

(B) “Migration is not an adaptation strategy available to everyone due to pre-existing
vulnerabilities, a lack of resources, or systemic inequalities;” and

(C) “Voluntary and proactive migration can benefit migrants, their households, sending communities, and receiving communities. Benefits include livelihood diversification, increased income and remittances, and knowledge and skills transfer. Receiving communities can benefit from an increased labor pool and an influx of migrant spending and support services.”.

(25) The Office of the United Nations High Commissioner for Human Rights has suggested that a person displaced across borders due to climate related events—

(A) has the right to not be returned to a country where such person would have irreparable harm to their right to life;

(B) should be considered a victim of forced displacement; and

(C) should be granted at least a temporary stay in the country where they have found refuge.

(26) Displaced individuals, including individuals affected by climate change, can seek protective stay in third countries through humanitarian pathways,
family reunification processes, labor-based visas, and
other complementary pathways with a humanitarian
focus.

(27) Recognizing the human rights implications
of climate change, countries have begun to explore
humanitarian pathways for those displaced by cli-
mate-related environmental disasters, such as the
Kampala Ministerial Declaration on Migration, En-
vironment and Climate Change and Argentina’s re-
cently announced humanitarian visa program.

(28) A CARE International report, “Evicted by
Climate Change: Confronting the Gendered Impacts
of Climate-Induced Displacement”, which was pub-
ish ed in July 2020, notes that—

(A) “the climate crisis exacerbates gender
inequality and makes it harder to achieve gen-
der justice”;

(B) “in 2018, more than half of the 41
million people internally displaced were
women”;

(C) “[p]oor women and children are up to
14 times more likely to be killed than men by
a climate-fueled disaster, such as a hurricane,
typhoon, cyclone, or flood”; and
(D) “[w]omen who are displaced by climate change related impacts often have less access to relief resources”.

(29) Members of LGBTQ+ communities are disproportionately affected by institutional discrimination in the housing, employment, and health sectors, which reduces their capacity to cope with the impacts of climate change.

(30) Black immigrants and other immigrants of color face higher rates of displacement due to climate change, but are also more often discriminated against in immigration policies and systems.

(31) A December 2019 Oxfam International report found that climate-related events forced an estimated 20,000,000 people from their homes every year during the previous decade.

(32) A 2021 national intelligence estimate from the National Intelligence Council, entitled “Climate Change and International Responses Increasing Challenges to US National Security Through 2040”, predicted “cross-border migration probably will increase as climate effects put added stress on internally displaced populations”.

(33) A 2022 study by the Loss and Damage Collaboration found that an estimated 189,000,000
people in low income countries are impacted by extreme weather events exacerbated by climate change every year.

(34) An October 2023 United Nations International Children’s Emergency Fund study found that 43,100,000 children in 44 countries were displaced from 2016 to 2021 due to floods, storms, droughts, and wildfires.

(35) Ecological Threat Register 2020, which was published by the Institute for Economics & Peace—

(A) projects that climate-related threats will continue to cause significant displacement worldwide during the coming decades; and

(B) stated that 19 countries, with a combined population of 2,100,000,000 people, are most at risk for displacement given population growth, water stress, food insecurity, droughts, floods, cyclones, and rising temperature and sea levels.

(b) Sense of Congress.—It is the sense of Congress that the United States should—

(1) reduce its domestic greenhouse gas emissions on a scale and rate proportionate to its histor-
ical responsibility and in recognition of the urgency of the threat of climate change;

(2) welcome the shared responsibility of climate change adaptation, global disaster risk reduction, resiliency building, and disaster response and recovery;

(3) assist in providing durable solutions for climate-displaced persons;

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

(5) work with the international community—

(A) to establish a framework to share the responsibilities described in paragraphs (2) through (4); and

(B) to ensure that the human rights of climate-displaced persons are acknowledged, respected, protected, and fulfilled.

SEC. 3. DEFINITIONS IN THE IMMIGRATION AND NATIONALITY ACT.

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

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

“(8) The term ‘climate-displaced person’ means any person who—
“(A) is compelled to leave his or her habitual home, either within his or her country of nationality or in another country, due to—

“(i) a climate-related environmental disaster; or

“(ii) the interaction of a climate-related environmental disaster with other factors, including resource constraints, food insecurity, discrimination, persecution, or human rights abuses; and

“(B) is unable to otherwise access a durable solution, such as local integration or safe and voluntary returns to his or her habitual place of residence due to a climate-related environmental disaster that—

“(i) has rendered his or her habitual place of residence uninhabitable; or

“(ii) has prevented safe integration or voluntary returns, including through targeted violence, discrimination, human rights abuses, food insecurity, and other forms of harm.

“(8A) The term ‘climate-related environmental disaster’—

“(A) means a hydro-meteorological or other climatic event related to the Earth’s climate that ad-
versely affects persons’ lives, livelihoods, or living
conditions; and
“(B) includes—
“(i) sudden-onset hydro-meteorological
events, including—
“(I) flooding;
“(II) windstorms;
“(III) heatwaves;
“(IV) extreme wet-bulb temperatures;
“(V) violent storms, such as blizzards;
and
“(VI) hurricanes, typhoons, or cy-
clones;
“(ii) sudden-onset events that are exacer-
bated by conditions related to climate change,
including wildfires, mudslides, and avalanches;
“(iii) slow-onset events, including—
“(I) sea level rise or coastal inunda-
tion;
“(II) drought;
“(III) desertification;
“(IV) salinization;
“(V) ocean acidification;
“(VI) erosion; and
“(VII) permafrost thaw; and
“(iv) slow- and sudden-onset events with a relationship to climate change that is subsequently attributed by further scientific research.”; and

(2) by amending paragraph (34) to read as follows:

“(34) The term ‘designated application center’ means any United States embassy or consulate or other facility delegated by the Secretary of State to accept applications for climate-displaced person status under section 244A.”.

SEC. 4. REQUIRED DATA COLLECTION AND REPORTING.

(a) Data Collection.—

(1) In general.—The President shall ensure that the Department of Commerce, the Environmental Protection Agency, the Department of State, the United States Agency for International Development, the Office of the Director of National Intelligence, the Department of Defense, the Department of Homeland Security, and other relevant Federal agencies collect, maintain, and publish data on displacement caused by climate change.

(2) Sources.—Sources of the data described in paragraph (1) shall include information from—

(A) the International Organization for Migration;
(B) the United Nations Refugee Agency (UNHCR);

(C) the United Nations Children’s Fund;

and

(D) other international organizations that are collecting such data.

(3) DISAGGREGATION.—Data shall be collected, maintained, and published pursuant to paragraph (1) at sufficient levels of disaggregation to assess the disparities of the impacts of climate change on a variety of groups and populations, including disaggregation by race, ethnicity, pregnancy status, parental status, socioeconomic status, country of residence, and other relevant demographics to assess and ensure the equitable application of this Act and the amendments made by this Act.

(4) MITIGATION.—The data described in this subsection shall be used to mitigate externally-influenced disparities in other countries to the extent feasible.

(b) ANNUAL REPORT.—Not later than 180 days after the date of the enactment of this Act, and annually thereafter, the President shall submit a report, in unclassified form, to the Committee on Foreign Relations of the Sen-
ate and the Committee on Foreign Affairs of the House of Representatives that—

(1) details the collection and analysis of the data described in subsection (a); and

(2) may include a classified annex.

(c) LIST OF CLIMATE-VULNERABLE COUNTRIES.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, and every 5 years thereafter, the Secretary of State, in consultation with the Department of Homeland Security, the United States Agency for International Development, and the National Oceanic and Atmospheric Administration, shall compile a list of the 100 most climate-vulnerable countries and other administrative entities through notice and comment rule-making.

(2) METHODOLOGY.—In compiling the list of climate-vulnerable countries pursuant to paragraph (1), the Secretary shall—

(A) use the best available scientific resources, including relevant data—

(i) published by the Intergovernmental Panel on Climate Change;

(ii) available through the World Bank’s Climate Risk Country Profiles; and
(iii) available through the Notre Dame Global Adaptation Initiative (ND-GAIN) Country Index;

(B) consider the frequency and severity of climate-related environmental disasters;

(C) consider the impact of both slow- and sudden-onset climate-related environmental disasters;

(D) consider the interaction of these climate-related environmental disasters with each country’s preparedness and resilience capacity, including physical and social infrastructure; and

(E) consult with a committee of agency experts, including climate scientists, immigration and refugee lawyers, and adaptation specialists.

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

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

(1) in subsection (b)—

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

(B) by adding at the end the following:

“(2)(A) The President is authorized to furnish assistance to programs and initiatives, including multilateral initiatives and funds that—
“(i) promote resilience among communities facing harmful impacts from climate change;

“(ii) reduce the vulnerability of persons affected by climate change;

“(iii) address permanent loss and damage faced by affected marginalized communities;

“(iv) provide support for community recovery, reconstruction, and rehabilitation after climate-related environmental disasters;

“(v) promote sustainable peace through cooperation on efforts to protect the earth against environmental threats and to address and minimize climate change; and

“(vi) support climate-resilient programming that promotes peacebuilding to avert conflict due to scarcity of resources caused by climate change, including scarcity of water, food, and grazing areas.

“(B) There shall be, in the Department of State, a Coordinator of Climate Change Resilience, who shall coordinate the assistance authorized under subparagraph (A).”; and

(2) by adding at the end the following:

“(d)(1) The Secretary of State, in coordination with the Administrator of the United States Agency for International Development (referred to in this subsection as
‘USAID’) and the Special Presidential Envoy for Climate, shall establish a 10-year, comprehensive, integrated strategy, which shall be known as the ‘Global Climate Change Resilience Strategy’, to mitigate the impacts of climate change on displacement and humanitarian emergencies.

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

“(A) focus on addressing slow-onset and rapid-onset effects of climate change;

“(B) consider the effects of climate change;

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

“(D) include specific objectives and multisectoral approaches to the effects of climate change;

“(E) describe approaches that ensure national leadership, as appropriate, and substantively engage with civil society, local partners, and the affected communities, including marginalized populations and underserved populations, in the design, implementation, and monitoring of climate change programs to best safeguard the future of those subject to displacement;

“(F) assign roles for relevant Federal agencies to avoid duplication of efforts, while ensuring that—
“(i) the Department of State is responsible for—

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

“(II) establishing United States foreign policy with respect to such strategy;

“(III) advancing diplomatic and political efforts with respect to such strategy;

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

“(V) providing overseas humanitarian assistance—

“(aa) to respond to international displacement caused by climate change; and

“(bb) to coordinate the pursuit of protection and durable solutions for climate-displaced persons, including resettlement into the United States;

“(ii) USAID is—

“(I) responsible for overseeing programs to prevent the effects of climate change; and
“(II) the lead implementing agency for—

“(aa) providing overseas humanitarian assistance to respond to internal displacement and food insecurity caused by climate change; and

“(bb) developing a related non-security program policy related to building resilience and achieving recovery; and

“(iii) other Federal agencies support the activities of the Department of State and USAID, as appropriate, with the concurrence of the Secretary of State and the USAID Administrator;

“(G) describe programs that Federal agencies will undertake to achieve the stated objectives, including descriptions of existing programs and funding by fiscal year and account;

“(H) identify mechanisms to improve coordination between the United States, foreign governments, and international organizations, including the World Bank, the United Nations, regional organizations, and private sector organizations;
“(I) address efforts to expand public-private partnerships and leverage private sector resources;

“(J) describe the criteria, metrics, and mechanisms for monitoring and evaluating the programs and objectives in the Global Climate Change Resilience Strategy;

“(K) describe how the Global Climate Change Resilience Strategy will ensure that programs are conflict-sensitive, country-led and context-specific; and

“(L) describe how the Global Climate Change Resilience Strategy is a means for peacebuilding, and is incorporated into peacebuilding, and post-conflict plans and programs.

“(3) Not later than 270 days after the date of the enactment of the Climate Displaced Persons Act, and annually thereafter, the President shall submit a report to the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representaties, based in part on the information collected pursuant to this section, that details the Global Climate Change Resilience Strategy. The report shall be submitted in unclassified form, but may include a classified annex, if necessary.
“(4) Not later than 180 days after the date of the enactment of the Climate Displaced Persons Act, the Secretary of State and the Coordinator of Global Climate Change Resilience shall brief the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives on the progress made towards implementing the Global Climate Change Resilience Strategy.

“(5)(A) Not later than 270 days after the date of the enactment of the Climate Displaced Persons Act, and annually thereafter, the Comptroller General of the United States, in cooperation and consultation with the Secretary of State, shall publish a report evaluating the progress that the Federal Government has made toward incorporating climate change into policies of the Department of State and USAID and describing the resources that have been allocated for such purpose.

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

“(i) the degree to which the Department of State and USAID are—

“(I) developing climate change risk assessments; and
“(II) providing guidance to missions on how to include climate change risks in their integrated country strategies;

“(ii) whether the Department of State and USAID have sufficient resources to fulfill the requirements described in paragraph (2); and

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

SEC. 6. TRAINING IN CLIMATE CHANGE RESILIENCE.

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

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

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

(3) by adding at the end the following:

“(E) for Foreign Service Officers who will be assigned to a country from which climate-displaced persons (as defined in section 101(a)(8) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(8)) have been displaced, instruction on climate displacement, including the Global Climate Change Resilience Strategy
established pursuant to section 117(d) of the Foreign Assistance Act of 1961 (22 U.S.C. 2151p(d)).”.

(b) USCIS OFFICERS.—The Secretary of Homeland Security shall require U.S. Citizenship and Immigration Services officers who review applications for admission as a climate-displaced person (as defined in section 101(a)(8) of the Immigration and Nationality Act, as amended by section 3) to receive instruction on climate displacement, including the Global Climate Change Resilience Strategy established pursuant to section 117(d) of the Foreign Assistance Act of 1961, as added by section 5.

SEC. 7. GUIDANCE ON THE HUMANITARIAN IMPACTS OF CLIMATE CHANGE.

Not later than 180 days after the date of the enactment of this Act, and annually thereafter, the Secretary of State shall provide guidance to each United States diplomatic mission, in accordance with Executive Order 13677 (79 Fed. Reg. 58229; relating to climate-resilient international development), to address the humanitarian impacts associated with climate change.

SEC. 8. ADMISSION OF CLIMATE-DISPLACED PERSONS.

(a) ADMISSION OF CLIMATE-DISPLACED PERSONS.—

(1) IN GENERAL.—Chapter 1 of title II of the Immigration and Nationality Act (8 U.S.C. 1151 et
seq.) is amended by inserting after section 207 the following:

“SEC. 207A. CLIMATE-DISPLACED PERSONS.

“(a) ADMISSION GOAL.—

“(1) IN GENERAL.—In addition to the refugees admitted pursuant to section 207, the number of climate-displaced persons who may be admitted to the United States under this section in any fiscal year (beginning with fiscal year 2024) shall be not fewer than the greater of—

“(A) 100,000; or

“(B) the number that the President determines pursuant to paragraph (2), before the beginning of each such fiscal year, after appropriate consultation with Congress, to be justified by—

“(i) the data collected through the process established pursuant to section 4 of the Climate Displaced Persons Act;

“(ii) other humanitarian concerns; or

“(iii) other national interests.

“(2) EFFECT OF NUMERICAL ADJUSTMENT.—If a significant climate-related environmental disaster occurs in 1 or more of the climate-vulnerable countries included on the most recent list compiled pur-
suant to section 4(c) of the Climate Displaced Persons Act or if the President determines that the number of climate-displaced persons who should be admitted to the United States in a fiscal year based on humanitarian concerns or other national interests is greater than the number set forth in paragraph (1)(A), the President shall—

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

“(B) follow all of the procedures relating to refugee admissions under section 207, including determinations of the President, after appropriate consultation with Congress, to fix the number of refugees to be admitted to the United States during the current period (not to exceed 12 months) in response to an emergency refugee situation.

“(3) EQUITABLE ALLOCATION.—The President, in consultation with the Department of State, the Department of Homeland Security, the United States Agency for International Development, the National Oceanic and Atmospheric Administration,
and other relevant Federal agencies, shall establish a process by which admissions authorized under this section shall be allocated in an equitable manner, taking into consideration the list of 100 most climate-vulnerable countries and other administrative entities compiled pursuant to section 4(c) of the Climate Displaced Persons Act and the demographic data described in section 4(a) of such Act.

“(b) ADMISSIBILITY; APPLICATIONS.—

“(1) IN GENERAL.—

“(A) ADMISSIBILITY.—Subject to the numerical limitation set forth in subsection (a), the Secretary of Homeland Security, pursuant to such regulations as the Secretary may prescribe, may admit any climate-displaced person under this section who—

“(i) is admissible;

“(ii) is not described in paragraph (2); and

“(iii) is not described in section 208(b)(2).

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

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

“(ii) arrives in the United States
(whether or not at a designated port of ar-
ival and including a noncitizen who is
brought to the United States after having
been interdicted in international or United
States waters); or

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

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

“(A) the Secretary of Homeland Security
determines that such noncitizen may be re-
moved, pursuant to a bilateral or multilateral
agreement, to a country (other than the country
of the noncitizen’s nationality or, in the case of
a noncitizen having no nationality, the country
of the noncitizen’s last habitual residence) that
is outside of the zone in which the sudden or
progressive change in the environment obliged
the noncitizen to leave their residence, provided
that such determination does not violate the
human rights obligations of the United States;

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

“(C) an earlier application by the noncit-
izen for climate-displaced person status has
been denied.

“(3) EXCEPTIONS.—

“(A) UNACCOMPANIED NONCITIZEN CHIL-
DREN.—Paragraph (2) shall not apply to an
unaccompanied alien child (as defined in section
462(g) of the Homeland Security Act of 2002
(6 U.S.C. 279(g))).

“(B) CHANGED CIRCUMSTANCES.—Sub-
paragraphs (B) and (C) of paragraph (2) shall
not apply if the noncitizen demonstrates, to the
satisfaction of the Secretary of Homeland Secu-

“(i) extraordinary circumstances pre-
vented the noncitizen from filing an appli-
cation within the period specified in para-
graph (2)(B); or
“(ii) changed circumstances materially affect the applicant’s eligibility for climate-displaced person status.

“(C) Referrals Authorized.—The Secretary of State may accept applications submitted on behalf of eligible applicants for climate-displaced person status by qualified international agencies.

“(4) Contents.—Each application submitted under this subsection shall contain such information as the Secretary of State, in consultation with the Secretary of Homeland Security, determines to be necessary to determine whether the applicant is eligible for admission as a climate-displaced person.

“(5) Fees.—

“(A) In General.—Except as provided in subparagraph (B), an applicant for climate-displaced person status shall not be charged a fee.

“(B) Exception.—If a noncitizen has applied for, and been denied, climate-displaced person status on 2 or more previous occasions, the Secretary of Homeland Security may charge a reasonable fee for a third application and any subsequent applications, which shall set at a
level equal to the average cost of adjudicating
such applications.

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

“(1) IN GENERAL.—A noncitizen who qualifies
for climate-displaced person status under this sec-
tion shall be eligible for resettlement assistance, en-
titlement programs, and other benefits available to
refugees and asylees admitted pursuant to section
207.

“(2) TREATMENT OF CHILDREN AND
SPOUSE.—

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

“(B) TREATMENT OF CHILDREN.—An un-
married noncitizen who seeks to accompany, or
follow to join, a parent or guardian granted cli-
mate-displaced person status under this section,
and who was younger than 21 years of age on
the date on which such parent or guardian applied for such status, shall continue to be classified as a child for purposes of this subsection and section 209(b)(3), if the noncitizen reaches 21 years of age while such application is pending.

“(d) DEFINED TERM.—In this section, the term ‘noncitizen’ means any person who is not a citizen or national of the United States.”.

(2) CLERICAL AMENDMENT.—The table of contents for the Immigration and Nationality Act (8 U.S.C. 1101 note) is amended by inserting after the item relating to section 207 the following:

“Sec. 207A. Climate-displaced persons.”.

(b) ADJUSTMENT OF STATUS.—Section 209(a)(1) of the Immigration and Nationality Act (8 U.S.C. 1159(a)) is amended, in the matter preceding subparagraph (A), by inserting “or 207A” after “207”.

(e) SAVINGS PROVISION.—

(1) IN GENERAL.—Nothing in section 207A of the Immigration and Nationality Act, as added by subsection (a)(1), may be construed to affect the United States commitment to the United States Refugee Admissions Program.

(2) ADDITIONAL PROTECTIONS.—The protections described in such section 207A are in addition
to the refugee admissions goal established by the
Presidential determination described in subsection (a)(1)(B) of such section.

SEC. 9. AUTHORIZATION OF APPROPRIATIONS.

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