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Expressing the sense of Congress that there is a climate emergency which demands a massive-scale mobilization to halt, reverse, and address its consequences and causes.

IN THE SENATE OF THE UNITED STATES

APRIL 27, 2023

Mr. SANDERS (for himself, Ms. WARREN, Mr. MERKLEY, Mr. MARKEY, Mr. BOOKER, and Mr. WELCH) submitted the following concurrent resolution; which was referred to the Committee on Environment and Public Works

CONCURRENT RESOLUTION

Expressing the sense of Congress that there is a climate emergency which demands a massive-scale mobilization to halt, reverse, and address its consequences and causes.

Whereas the 8 warmest years on record have now occurred since 2014, with 2016 as the hottest year recorded, and each of the past 4 decades have been warmer than the one preceding;

Whereas global atmospheric concentrations of the primary global warming pollutant, carbon dioxide—

(1) have increased, primarily due to human activities, including the burning of fossil fuels and deforestation, by 40 percent since preindustrial times, from 280 parts per million to 415 parts per million;

(2) are rising at a rate of 2 to 3 parts per million annually; and

(3) must be reduced to not more than 350 parts per million, and likely lower, “if humanity wishes to preserve a planet similar to that on which civilization developed and to which life on Earth is adapted”, according to former National Aeronautics and Space Administration climatologist Dr. James Hansen;

Whereas global atmospheric concentrations of other global warming pollutants, including methane, nitrous oxide, and hydrofluorocarbons, have also increased substantially since preindustrial times, primarily due to human activities, including the burning of fossil fuels;

Whereas climate science and observations of climate change impacts, including ocean warming, ocean acidification, floods, droughts, wildfires, and extreme weather, demonstrate that a global rise in concentrations of global warming pollutants is already having dangerous impacts on human populations and the environment;

Whereas, with the current 1.1 degrees Celsius of warming above preindustrial levels, the National Oceanic and Atmospheric Administration finds that climate change is already increasing the frequency of extreme weather and other climate-related disasters, including drought, wildfire, and storms that include precipitation;

Whereas the overall costs of these disasters for the United States in 2022 was roughly \$165,000,000,000, the third highest recorded total costs, including 18 separate weather and climate disasters which cost at least \$1,000,000,000 each and caused at least 474 direct or indirect known fatalities;

Whereas the Centers for Disease Control and Prevention finds that there are wide-ranging, acute, and fatal public health consequences from climate change that impact communities across the United States;

Whereas, according to the National Climate and Health Assessment of the United States Global Change Research Program, climate change is a significant threat to the health of the people of the United States, leading to increased—

- (1) temperature-related deaths and illnesses;
- (2) air quality impacts;
- (3) extreme weather events;
- (4) numbers of vector-borne diseases;
- (5) waterborne illnesses;
- (6) food safety, nutrition, and distribution complications; and
- (7) mental health and well-being concerns;

Whereas environmental and public health threats from climate change and climate disasters are not randomly distributed and disproportionately affect low-income communities and communities of color;

Whereas the consequences of climate change are felt most severely by frontline communities and endanger populations made especially vulnerable by existing exposure to extreme weather events, such as children, the elderly, and individuals with pre-existing disabilities and health conditions;

Whereas individuals and families on the frontlines of climate change across the United States, including territories, living with income inequality and poverty, institutional racism, inequity on the basis of gender and sexual orientation, poor infrastructure, and lack of access to health

care, housing, clean water, and food security are often in close proximity to environmental stressors or sources of pollution, particularly communities of color, indigenous communities, and low-income communities, which—

(1) are often the first exposed to the impacts of climate change;

(2) experience outsized risk because of the close proximity of the community to environmental hazards and stressors, in addition to collocation with waste and other sources of pollution; and

(3) have the fewest resources to mitigate those impacts or to relocate, which will exacerbate preexisting challenges;

Whereas climate change holds grave and immediate consequences not just for the population of the United States, including territories, but for communities across the world, particularly those communities in the Global South on the frontlines of the climate crisis that are at risk of forced displacement;

Whereas the Department of State, the Department of Defense, and the intelligence community have identified climate change as a threat to national security, and the Department of Homeland Security views climate change as a top national security risk;

Whereas the climatic changes resulting from global warming above 1.5 degrees Celsius above preindustrial levels, including changes resulting from global warming of more than 2 degrees Celsius above preindustrial levels, are projected to result in irreversible, catastrophic changes to public health, livelihoods, quality of life, food security, water supplies, human security, and economic growth;

Whereas, even with global warming up to 1.5 degrees Celsius above preindustrial levels, the planet is projected to experience—

- (1) a significant rise in sea levels;
- (2) extraordinary loss of biodiversity; and
- (3) intensifying droughts, floods, wildfires, and other extreme weather events;

Whereas, according to climate scientists, addressing the climate emergency will require a just phase-out of the use of oil, gas, and coal in order to keep the carbon that is the primary constituent of fossil fuels in the ground and out of the atmosphere;

Whereas, in 2022, some of the largest oil and gas companies in the world reported record annual profits and rewarded shareholders with buybacks while knowingly exacerbating the ongoing climate crisis;

Whereas the United Nations Intergovernmental Panel on Climate Change has determined that limiting warming through emissions reduction and carbon sequestration will require rapid and immediate acceleration and proliferation of “far-reaching, multilevel, and cross-sectoral climate mitigation” and “transitions in energy, land, urban and rural infrastructure (including transport and buildings), and industrial systems”;

Whereas, in August 2022, the United States took its single most aggressive action to tackle the climate crisis and transition to create renewable energy solutions when Public Law 117–169 (commonly known as the Inflation Reduction Act of 2022 and referred to in this preamble as the “IRA”) was signed into law by President Biden;

Whereas the IRA includes \$369,000,000,000 for energy security and climate change, including investments in disadvantaged communities, projects that repurpose retired fossil fuel infrastructure and employ displaced workers, and setting the United States on course for a renewable energy transition as soon as possible;

Whereas the IRA creates new environmental justice block grants, establishes renewable energy financing, provides funding for Tribal communities to boost climate resilience, makes it more affordable to purchase energy efficient and electric appliances, incentivizes domestic manufacturing of renewable energy technologies, and will boost the renewable energy economy;

Whereas the passage of the IRA is projected to reduce global warming emissions in the United States between 31 percent to 44 percent below 2005 levels by 2030;

Whereas the United Nations Environment Programme still found in October 2022 that the existing commitments made in the Nationally Determined Contributions since the 2015 Paris Climate Conference are insufficient to limit warming to 1.5 degrees Celsius;

Whereas urgent governmental action is still required to address the severe environmental, economic, social, public health, and national security threats posed by the climate crisis;

Whereas the massive scope and scale of action necessary to stabilize the climate will continue to require unprecedented levels of public awareness, engagement, and deliberation to develop and implement effective, just, and equitable policies to address the climate crisis;

Whereas the United States has a proud history of collaborative, constructive, massive-scale Federal mobilizations of resources and labor in order to solve great challenges, such as the Interstate Highway System, the Apollo 11 moon landing, Reconstruction, the New Deal, and World War II;

Whereas the Constitution of the United States protects the fundamental rights to life, liberty, property, and equal protection of the laws, and a climate system capable of sustaining human life is fundamental to a free and ordered society and the preservation of those fundamental rights;

Whereas 18 national governments across the world and the European Union have declared a climate emergency, as well as the State of Hawaii and more than 190 cities, counties, and local jurisdictions in the United States;

Whereas the United States maintains existing resources and international commitments for bilateral and multilateral assistance to support economically emerging countries, including the Green Climate Fund, the Clean Technology Fund, the Adaptation Fund, the Least Developed Countries Fund, and the International Sustainable Landscapes programs, which should be supported with robust funding levels;

Whereas President Biden also maintains existing Executive authority under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), the Mineral Leasing Act (30 U.S.C. 181 et seq.), the Outer Continental Shelf Lands Act (43 U.S.C. 1331 et seq.), the Naval Petroleum Reserves Production Act of 1976 (42 U.S.C. 6501 et seq.), the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.), the various Acts concerning rivers

and harbors, the Natural Gas Act (15 U.S.C. 717 et seq.), and the Clean Air Act (42 U.S.C. 7401 et seq.) that can be used to address the ongoing climate crisis;

Whereas, under these existing authorities, the President can phase down the rate of fossil fuel production on Federal lands and in Federal waters, limit gas exports, halt approval of new fossil fuel infrastructure projects, establish national limits for greenhouse gases, and decarbonize transportation;

Whereas a national climate emergency declaration would further unlock the broad powers of the National Emergencies Act (50 U.S.C. 1601 et seq.), the Defense Production Act of 1950 (50 U.S.C. 4501 et seq.), and the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.);

Whereas such a declaration can be used to further reduce greenhouse gas emissions, address environmental injustice, invest in large scale mitigation and resiliency projects, create additional jobs with family-sustaining wages and benefits, and ensure a just transition to a renewable energy economy;

Whereas such a declaration will allow the United States to further mobilize domestic industry, ramp up domestic manufacturing of renewable energy technologies, and deploy resilient energy infrastructure;

Whereas such a declaration can also reinstate the ban on crude oil exports, suspend offshore fossil fuel leases, curb fossil fuel imports, and stop the hundreds of billions of dollars in investments in fossil fuel projects abroad while taking additional steps toward strengthening our emer-

gency preparedness for thousands of high-risk communities;

Whereas such a declaration necessitates the adoption of policies and processes rooted in principles of racial equity, self-determination, and democracy, as well as the fundamental human rights of all people to clean air and water, healthy food, and adequate land, education, and shelter, as promulgated in the 1991 Principles of Environmental Justice;

Whereas frontline communities, Tribal governments and communities, people of color, and labor unions must be equitably and actively engaged in a national climate emergency declaration, in such a way that aligns with the 1996 Jemez Principles of Democratic Organizing, and prioritized through local climate mitigation and adaptation planning, policy, and program delivery so that workers in the United States, and the communities of those workers, are guaranteed a strong, viable economic future; and

Whereas the United States has an obligation, as a primary driver of accelerated climate change, to mobilize at emergency speed to ensure the safest climate and environment possible, not just for communities of the United States but for communities across the world, particularly those on the frontlines of the climate crisis which have least contributed to the crisis, and to account for global and community impacts of any actions the United States takes in response to the climate crisis: Now, therefore, be it

1 *Resolved by the Senate (the House of Representatives*
 2 *concurring)*, That it is the sense of Congress that—

1 (1) climate change caused by human activities,
2 which increase emissions of greenhouse gases, con-
3 stitutes a climate emergency that—

4 (A) severely and urgently impacts the eco-
5 nomic and social well-being, health, safety, and
6 national security of the United States; and

7 (B) demands that the President wield both
8 existing authorities and emergency powers to
9 ensure a national, social, industrial, and eco-
10 nomic mobilization of the resources and labor of
11 the United States at a massive scale to mitigate
12 and prepare for the consequences of the climate
13 emergency for current and future generations;
14 and

15 (2) nothing in this concurrent resolution con-
16 stitutes a declaration of a national emergency for
17 the purposes of any Act of Congress authorizing the
18 exercise, during the period of a national emergency
19 or other type of declared emergency, of any special
20 or extraordinary power.

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