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(Original Signature of Member)

119TH CONGRESS
1ST SESSION

H. R. _____

To require certain States to submit a continuity of operations plan for elections in the event of a major disaster, to require the Comptroller General of the United States to report on assistance for election administration in the event of a major disaster, and to require the Election Assistance Commission to award grants to strengthen elections against climate change-driven disasters, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

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

A BILL

To require certain States to submit a continuity of operations plan for elections in the event of a major disaster, to require the Comptroller General of the United States to report on assistance for election administration in the event of a major disaster, and to require the Election Assistance Commission to award grants to strengthen elections against climate change-driven disasters, and for other purposes.

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

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Climate Resilient Elec-
3 tions Act”.

4 **SEC. 2. FINDINGS.**

5 Congress makes the following findings:

6 (1) In January 2017, the Department of Home-
7 land Security determined that the Nation’s election
8 infrastructure qualifies as critical infrastructure for
9 national security purposes.

10 (2) According to the Department of Homeland
11 Security, “[t]his designation recognizes that the
12 United States’ election infrastructure is of such vital
13 importance to the American way of life that its inca-
14 pacitation or destruction would have a devastating
15 effect on the country”.

16 (3) Election administration consistently faces
17 substantial threats because of severe natural disas-
18 ters. Delayed elections or damaged or destroyed poll-
19 ing places, voting machines, ballots, or transpor-
20 tation and utility infrastructure may disenfranchise
21 voters, undermine confidence in elections, or even
22 alter election outcomes.

23 (4) Hurricane Sandy made landfall just days
24 before the 2012 presidential election, displacing as
25 many as 776,000 residents and causing unprece-
26 dented election administration challenges. The juris-

1 dictions most affected by Hurricane Sandy saw sig-
2 nificantly worse voter turnout in the 2012 presi-
3 dential election than those unaffected by the storm.

4 (5) In 2016, California experienced 12 major
5 fires in the three months leading up to Election
6 Day. In 2018, the State experienced 15 major fires
7 leading up to Election Day. These fires displaced
8 voters, burned residences, and damaged polling sta-
9 tions. Climate change has extended wildfire season
10 in the American west into the late Fall: On Novem-
11 ber 8, 2018, just two days after Election Day, the
12 Camp Fire ignited, eventually claiming 85 lives and
13 destroying over 18,000 structures—the deadliest fire
14 in California history. Evacuation orders because of
15 wildfires displace hundreds of thousands of voters
16 each year, well into the days leading up to the elec-
17 tion.

18 (6) In 2018, Hurricane Michael hit the Florida
19 panhandle just 27 days before the midterm elections,
20 causing at least 16 deaths, damaging or destroying
21 an estimated 40,000 homes, and resulting in ap-
22 proximately \$25 billion in damages. The destruction
23 displaced tens of thousands of voters and forced the
24 closure of polling places, significantly depressing
25 turnout amongst voters recovering from the hurri-

1 cane who were forced to travel longer distances to
2 cast a ballot.

3 (7) In 2021, Hurricane Ida forced the Governor
4 of Louisiana to delay several elections, scheduled for
5 October, and relocate and consolidate polling places
6 due to devastating damage. In the hardest hit parts
7 of the State, some voters had to cast their ballots in
8 large tents because of the significant damage.

9 (8) In 2022, voters in Kentucky displaced by
10 tornadoes that ravaged the State in the months lead-
11 ing up to the primary election had to vote absentee
12 in order to cast a ballot in their home counties.

13 (9) Hurricane Helene caused significant dam-
14 age and devastation throughout the southeastern
15 United States—particularly in Florida, Georgia,
16 North Carolina, South Carolina, Tennessee, and Vir-
17 ginia—when it made landfall in September 2024.
18 The hurricane’s destruction was extreme, occurring
19 during the early and mail voting period for the No-
20 vember 2024 elections and displacing thousands
21 while disrupting mail services for countless voters
22 who rely on the United States Postal Service to cast
23 a ballot.

24 (10) Hurricane Milton caused billions of dollars
25 in damage, spawned numerous deadly tornadoes,

1 and displaced countless voters less than a month be-
2 fore the November 2024 elections.

3 (11) The United States Election Assistance
4 Commission has published a webpage on contingency
5 planning to help election officials prepare for unex-
6 pected circumstances, including natural and other
7 disasters.

8 (12) The United States Forest Service has de-
9 clared that “[i]n the past 20 years, many States
10 have had record catastrophic wildfires, harming peo-
11 ple, communities and natural resources and causing
12 billions of dollars in damage. In running 5-year av-
13 erage number of structures destroyed by wildfires
14 each year rose from 2,873 in 2014 to 12,255 in
15 2020 – a fourfold increase in just six years”. As
16 these trends continue, the impacts of climate change
17 on American lives and American infrastructure will
18 grow.

19 (13) The National Oceanic and Atmospheric
20 Administration has cautioned that “extreme weather
21 events [caused by climate change] that bring heavy
22 rains, floods, wind, snow, or temperature changes
23 can stress existing structures and facilities. In-
24 creased temperatures require more indoor cooling,
25 which can put stress on an energy grid. Sudden

1 heavy rainfall can lead to flooding that shuts down
2 highways and major business areas”. Each of these
3 factors may strain election infrastructure if they
4 occur during a voting period.

5 (14) The Department of Defense has declared
6 that “[r]ising temperatures, changing precipitation
7 patterns, and more frequent, extreme, and unpre-
8 dictable weather conditions caused by climate change
9 are worsening existing security risks and creating
10 new challenges for the United States”. These secu-
11 rity risks and challenges are amplified when they
12 threaten the elections that form the bedrock of our
13 Republic.

14 (15) The Department of Energy has noted that
15 “severe weather—the leading cause of power outages
16 and fuel supply disruption in the United States—is
17 projected to worsen, with eight of the 10 most de-
18 structive hurricanes of all time having happened in
19 the last 10 years”. The catastrophic effects of severe
20 weather threaten the sanctity of American elections,
21 and we must ensure that our election systems are
22 prepared for worsening climate change-based weath-
23 er events.

24 (16) The Department of the Interior has clari-
25 fied that “the climate crisis disproportionately af-

1 fects underserved communities”. These communities
2 already face significant barriers to the ballot.

3 (17) President Trump’s budget request pro-
4 poses the elimination of the Election Security Grants
5 funding program that supports State and local elec-
6 tion administration, in addition to drastic cuts to the
7 Election Assistance Commission—cuts that would
8 harm States’ ability to conduct secure, safe, and fair
9 elections in the face of natural disasters.

10 (18) It is incumbent upon election administra-
11 tors nationwide to ensure the resiliency of our elec-
12 tions—and through our elections, our very democ-
13 racy—in the face of the worsening climate crisis.

14 **SEC. 3. ENSURING ELECTION ADMINISTRATORS PREPARE**
15 **AND RETAIN CONTINUITY OF OPERATIONS**
16 **PLANS FOR USE IN THE EVENT OF DISASTER.**

17 (a) REQUIREMENT.—Title IX of the Help America
18 Vote Act of 2002 (52 U.S.C. 21141 et seq.) is amended
19 by adding at the end the following:

20 **“SEC. 907. CONTINUITY OF OPERATIONS PLAN REQUIRE-**
21 **MENT.**

22 “(a) IN GENERAL.—Each State that receives a grant
23 or other payment under this Act after the date of the en-
24 actment of this section—

1 “(1) shall, not later than September 30, 2028,
2 submit to the Commission a continuity of operations
3 plan to ensure the successful administration of elec-
4 tions in the event of disaster, accounting for the dis-
5 asters most likely to occur in the jurisdiction of such
6 recipient, including a major disaster (as defined in
7 section 102 of the Robert T. Stafford Disaster Relief
8 and Emergency Assistance Act (42 U.S.C. 5122));

9 “(2) shall, not later than September 30, 2033,
10 and not less frequently than every 5 years thereafter
11 until September 30, 2043, update such plan to re-
12 flect evolving risks or changing conditions and
13 promptly submit the updated version of such plan to
14 the Commission;

15 “(3) may, after September 30, 2043, update
16 such plan to reflect evolving risks or changing condi-
17 tions and submit the updated version of such plan
18 to the Commission;

19 “(4) shall retain each plan submitted under
20 paragraph (1), (2), or (3) until the date that is 5
21 years after the date such plan was submitted to the
22 Commission; and

23 “(5) may coordinate with the Commission,
24 other States, Tribal governments, units of local gov-

1 ernment, or other resources or entities when pre-
2 paring such plan.

3 “(b) PUBLICATION.—The Commission shall dissemi-
4 nate to the public (through the internet, published reports,
5 and other methods the Commission considers appropriate)
6 any continuity of operations plan received pursuant to this
7 section, except that no information so disseminated may
8 expose personally identifiable information or endanger na-
9 tional security, public infrastructure, or public safety.”.

10 (b) CLERICAL AMENDMENT.—The table of contents
11 of such Act is amended by inserting after the item relating
12 to section 906 the following new item:

“Sec. 907. Continuity of operations plan requirement.”.

13 **SEC. 4. REPORT ON VOTER REGISTRATION AND FEDERAL**
14 **ASSISTANCE FOR ELECTION ADMINISTRA-**
15 **TION IN THE EVENT OF A MAJOR DISASTER.**

16 (a) IN GENERAL.—The Comptroller General of the
17 United States shall conduct—

18 (1) an analysis of the effect of natural disasters
19 on voter registration rates in areas affected by such
20 disasters;

21 (2) an analysis of ways that the Federal Gov-
22 ernment may better assist States and units of local
23 government in the administration of elections in the
24 event of a covered major disaster, including the ways
25 existing Federal resources in regions potentially af-

1 the resiliency of State voting systems against potential
2 covered major disasters to improve the quality, reliability,
3 accuracy, accessibility, affordability, and security of voting
4 equipment, election systems, and voting technology.

5 (b) USE OF FUNDS.—A State shall use the funds
6 provided under a grant made under this section to carry
7 out one or more of the following activities:

8 (1) Improving the administration of elections
9 for Federal office with specific regard to disaster
10 preparedness.

11 (2) Educating voters concerning State plans for
12 election administration during or immediately after
13 a covered major disaster.

14 (3) Training election officials, poll workers, and
15 election volunteers with respect to disaster prepared-
16 ness.

17 (4) Developing or publishing the continuity of
18 operation plan required by section 3 of this Act.

19 (5) Improving, acquiring, leasing, modifying, or
20 replacing voting systems and technology and meth-
21 ods for casting and counting votes, provided that
22 such improvements, acquisitions, leases, modifica-
23 tions, or replacements will enhance the resiliency of
24 a Federal election in the State.

1 (6) Establishing or modifying a toll-free hotline
2 that voters may use to obtain information on how
3 and where to vote in the event of a covered major
4 disaster.

5 (c) LIMITATION.—A State may not use the funds pro-
6 vided under a grant made under this section—

7 (1) to pay the costs associated with any litiga-
8 tion, except to the extent that such costs otherwise
9 constitute permitted uses of a grant under this sec-
10 tion;

11 (2) for the payment of any judgment; or

12 (3) for any use that would violate a State or
13 Federal court order.

14 (d) AUTHORIZATION OF APPROPRIATIONS.—There
15 are authorized to be appropriated for grants under this
16 section—

17 (1) \$20,000,000 for fiscal year 2026;

18 (2) \$20,000,000 for fiscal year 2027;

19 (3) \$20,000,000 for fiscal year 2028;

20 (4) \$20,000,000 for fiscal year 2029; and

21 (5) \$20,000,000 for fiscal year 2030.

22 **SEC. 6. DEFINITIONS.**

23 In this Act:

24 (1) COVERED MAJOR DISASTER.—The term
25 “covered major disaster” means a major disaster de-

1 clared by the President during the voting period of
2 a Federal election pursuant to section 401 of the
3 Robert T. Stafford Disaster Relief and Emergency
4 Assistance Act (42 U.S.C. 5170) in response to—

5 (A) a natural catastrophe, including hurri-
6 cane, tornado, storm, high water, wind-driven
7 water, tidal wave, tsunami, earthquake, volcanic
8 eruption, landslide, mudslide, snowstorm, ex-
9 treme heat, and drought;

10 (B) a fire, flood, or explosion, regardless of
11 cause; or

12 (C) an act of terrorism.

13 (2) STATE.—The term “State” has the mean-
14 ing given such term in section 901 of the Help
15 America Vote Act of 2002 (52 U.S.C. 21141).