**The Legal Justice Coalition (facilitated by UUSC and the Lowlander Center) and the Rising Voices Community Relocation & Site Expansion Working Group policy guidelines to advance community-led solutions to climate-forced displacement in the United States**

The climate crisis is ravaging communities nationwide, particularly Indigenous Peoples and communities of color, who are at extreme risk of climate-forced displacement. Recurrent flooding, extreme weather and water events, wildfires, and other climate-induced disasters have claimed hundreds of lives, destroyed thousands of homes, forcibly displaced many communities, and caused tens of billions of dollars in economic damage. However, federal climate adaptation and disaster relief programs are not designed to assist communities with the greatest need, but, instead, have disproportionately benefited white and more affluent communities. This disparity is made worse because the government lacks a coordinated response—or dedicated proper funding—to support communities who wish to remain in their homes or move out of harm’s way.

The conclusion is clear: We need both Congressional and executive action to provide a more equitable and just response to the human costs of climate change, particularly for communities that have been disproportionately affected by climate change impacts, extreme weather and water events, and recovery responses. We propose the following actions, which would also support economic development and job creation in places that need it the most.

**Increase Resources for Frontline Communities**

Currently, many frontline communities struggle to overcome systemic institutional and cultural barriers to accessing resources to manage and adapt to the effects of climate change, in part because current federal programs require bureaucratic expertise to navigate, which privileges larger groups and communities with experts on staff, and disadvantages smaller communities and community groups. As such, Congress and the executive should:

1. Increase funding to current federal climate change programs and create new programs that identify and target frontline communities, particularly those run and managed by frontline communities;
2. Make it easier for community-based organizations to access resources by streamlining federal application processes, relaxing reporting requirements, practicing affirmative outreach, making language more accessible, removing cost-sharing burdens, expanding eligibility for programs and recognizing that bureaucratic processes privilege bureaucratic actors, not people most in need;
3. Provide funds based on social and economic need and eliminate competition-based grant programs that pit communities with few resources against those with significantly more.

**Grant Funds Directly to Communities**

Burdensome federal program requirements and the funneling of federal funding through state and local governments perpetuates systemic institutional barriers and delays the ability of affected communities to recover quickly and protect themselves from the ongoing impacts of the climate crisis and extreme weather and water events. This delay also limits communities’ access to public infrastructure, jobs, health care, safe housing, food, water, and other basic human needs. Granting funds directly to communities supports their agency and builds their capacities; it also supports tribal sovereignty for Indigenous Peoples. As much as possible, federal funding should flow directly to affected communities or to designated community-based organizations to address these urgent needs.

**Make FEMA More Equitable**

*Reform the Stafford Act*

The Stafford Act is the primary disaster relief and response legislation in the United States that governs the Federal Emergency Management Agency (FEMA). It does not adequately take into consideration the slow, ongoing climate-induced environmental changes, such as gradual sea-level rise and permafrost thaw, which are severely affecting many communities and, in some cases, forcibly displacing them from their homes. The Biden administration should push Congress to amend the Stafford Act to require FEMA to address the slow, ongoing impacts of climate change, making affected communities eligible to receive Presidential Disaster Declarations, which will mobilize FEMA.

*Improve Access To FEMA Funding*

Tribes rarely qualify for FEMA’s flood insurance, disaster recovery programs, or disaster mitigation grants because of their small populations and remote locations. Tribes also must navigate several different layers of government and face onerous application and paperwork requirements to apply. Tribes without federal recognition generally do not qualify for FEMA support during disasters. The federal government should make funding for Indigenous communities and other affected communities more flexible and expand existing programs to assist those without federal recognition.

*Ensure Affected Communities Get Assistance Quickly*

Currently, many communities do not receive FEMA assistance in a timely manner. This can drastically delay recovery for communities already struggling to deal with major challenges—such as high levels of poverty, environmental racism, and historical injustices. FEMA should proactively engage with local and state governments to prioritize assistance for those who are most affected and least able to access resources. In particular, FEMA should quickly provide resources to rebuild public infrastructure and homes in affected communities.

*Ensure Equitable Distribution of Federal Disaster Aid*

On average, Alaska Native and American Indian citizens receive only $3 per year from the federal government in disaster assistance, while other US citizens average $26 per year.1 This statistic does not include members of non-federally recognized Tribes, who may receive less. Other communities of color receive fewer disaster loans than white communities due to systemic inequities such as bad credit scores and endemic poverty. The executive should address racial disparities in disaster aid funding to ensure that federal funds are distributed equitably.

**Establish a just response to support Adaptation-in-Place and Relocation**

The US Government Accountability Office states that “unclear federal leadership is the key challenge to climate migration as a resilience strategy.”2 Yet, there is no dedicated funding for those who wish to adapt in place (i.e., make necessary changes in infrastructure to remain in place) and relocate when normative ecological conditions or coastlines change permanently. Developing and implementing preventative climate change adaptation measures to protect existing infrastructure in Tribal communities in Alaska and the contiguous United States over the next 50 years is estimated to cost at least $6 billion.3 However, this amount likely significantly underestimates the need due to the lack of community-specific risk assessments. While funding is important to address infrastructure protection and other material improvements, current funding does not adequately address the loss of cultural sites, burial grounds, social and health impacts, etc., which are not easily quantifiable. As such, the executive branch should establish a multidisciplinary, multijurisdictional working group to include community representatives and relevant federal agencies to guide the creation of a coordinated, flexible, and equitable federal government response to adaptation and relocation and to develop a budget for Congress to consider.

1 Allison Herrera, “U.S. citizens receive $26 per person in federal disaster aid. Tribal citizens get $3,” CrossCut, November 11, 2019, https://crosscut.com/2019/11/us-citizens-receive-26-person-federal-disaster-aid-tribal-citizens-get-3

2 US GAO, 2020. https://www.gao.gov/assets/gao-20-488.pdf

3 ATNI [Affiliated Tribes of Northwest Indians]. (2020). (Internal report) American Indian Communities in the Contiguous United States: Unmet infrastructure needs and the recommended pathway to address a fundamental threat to lives, livelihoods, and cultures; DOI Bureau of Indian Affairs Office of Trust Services Tribal Resilience Program (2020), Report on the unmet infrastructure needs of Tribal communities and Alaska Native villages in process of relocating to higher ground as a result of climate change. Submitted to the Subcommittee on Interior and Related Agencies Committee on Appropriations, U.S. House of Representatives (May 2020), 16 pp.