To amend the Clean Air Act to establish a grant program for supporting local communities in detecting, preparing for, communicating about, or mitigating the environmental and public health impacts of wildfire smoke and extreme heat, and for other purposes.

IN THE SENATE OF THE UNITED STATES

Mr. MERKLEY (for himself, Mr. BENNET, Mrs. FEINSTEIN, Mr. BLUMENTHAL, Mr. PADILLA, Mr. FETTERMAN, Mr. WYDEN, and Mr. SANDERS) introduced the following bill; which was read twice and referred to the Committee on __________________

A BILL

To amend the Clean Air Act to establish a grant program for supporting local communities in detecting, preparing for, communicating about, or mitigating the environmental and public health impacts of wildfire smoke and extreme heat, 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,

3 SECTION 1. SHORT TITLE.

4 This Act may be cited as the “Smoke and Heat
5 Ready Communities Act of 2023”.
SEC. 2. DEFINITIONS.

In this Act:

(1) ADMINISTRATOR.—The term “Administrator” means Administrator of the Environmental Protection Agency.

(2) EXTREME HEAT.—The term “extreme heat” has the meaning given the term through a rulemaking of the Administrator, in consultation with the heads of relevant Federal agencies.

(3) INDIAN TRIBE.—The term “Indian Tribe” has the meaning given the term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304).

(4) NATIVE HAWAIIAN ORGANIZATION.—The term “Native Hawaiian organization” has the meaning given the term in section 6207 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7517).

SEC. 3. SMOKE AND EXTREME HEAT-READY COMMUNITIES.

Part A of title I of the Clean Air Act (42 U.S.C. 7401 et seq.) is amended by adding at the end the following:

“SEC. 139. SMOKE AND EXTREME HEAT-READY COMMUNITIES.

“(a) DEFINITION OF EXTREME HEAT.—The term ‘extreme heat' has the meaning given the term in section
2 of the Smoke and Heat Ready Communities Act of 2023.

“(b) Establishment.—Subject to the availability of appropriations, the Administrator may make grants under this section to air pollution control agencies to support air pollution control agencies in developing and implementing programs that support local communities in detecting, preparing for, communicating with the public about, or mitigating the environmental and public health aspects of wildfire smoke and extreme heat.

“(c) Eligible Activities.—In carrying out a program described in subsection (b), an air pollution control agency may use funds from a grant received under this section for—

“(1) activities related to the monitoring of, the interpretation of, and communicating with the public about past, present, and future data related to ambient air quality conditions that are caused by wildfire smoke and extreme heat;

“(2) conducting community outreach in areas that may be prone to poor air quality that is attributable to elevated levels of particulate matter, ozone, and other harmful components of wildfire smoke and extreme heat;
“(3) the deployment of air quality monitoring equipment in a manner that is sufficient to evaluate an increased prevalence of poor air quality that is attributable to elevated levels of particulate matter, ozone, and other harmful components of wildfire smoke and extreme heat;

“(4) equipping public buildings with air filtration systems that are capable of removing particulate matter and other harmful components of wildfire smoke and extreme heat from the air so that the public buildings may serve as cleaner air spaces during wildfire smoke events and extreme heat events and other poor air quality events;

“(5) the purchase, storage, and distribution of face masks and personal protective equipment, including N–95 filtering facepiece respirators, portable air filtration systems, and other masks and equipment that are capable of removing or otherwise preventing the inhalation of particulate matter, ozone, and other harmful components of wildfire smoke and extreme heat from the air;

“(6) subgrants or providing other financing to private or other public entities with demonstrated financial need—

“(A) to acquire protective gear; or
“(B) to carry out weatherization measures to mitigate air infiltration; and
“(7) such other activities that the Administrator determines to be necessary to carry out the purposes of this section.
“(d) ALLOCATION OF FUNDS.—
“(1) IN GENERAL.—Subject to paragraph (2), the Administrator shall establish a formula to distribute grants under this section among air pollution control agencies.
“(2) CONSIDERATIONS.—In establishing the formula required under paragraph (1), the Administrator shall consider—
“(A) the vulnerability of communities within a State to wildfire smoke and extreme heat; and
“(B) the degree to which a State is prone to poor air quality that is attributable to elevated levels of particulate matter from wildfire smoke and extreme heat.
“(e) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as are necessary to carry out this section.”.
SEC. 4. RESEARCH ON WILDFIRE SMOKE AND EXTREME HEAT.

(a) Centers of Excellence.—

(1) In general.—Not later than 180 days after the date of enactment of this Act, the Administrator shall establish at institutions of higher education (as defined in section 101(a) of the Higher Education Act of 1965 (20 U.S.C. 1001(a))) 4 centers, each of which shall be known as a “Center of Excellence for Wildfire Smoke and Extreme Heat”, to carry out research relating to—

(A) the effects on public health, including the health of outdoor workers, of—

(i) smoke emissions from wildland fires; and

(ii) extreme heat; and

(B) means by which communities can better respond to the impacts of—

(i) emissions from wildland fires; and

(ii) extreme heat events.

(2) Priority.—In selecting institutions of higher education (as so defined) at which to establish a center under paragraph (1), the Administrator shall give priority to institutions of higher education (as so defined) that—
(A) have established expertise with respect to air quality or dedicated centers of air quality research;

(B) have experience with relevant outreach and extension work;

(C) have established relationships with relevant Federal, State, and local agencies, community organizations, Native Hawaiian organizations, and Indian Tribes; and

(D) are located in an area that is economically or environmentally impacted by wildfire smoke or extreme heat.

(3) **Authorization of Appropriations.**—

There is authorized to be appropriated to the Administrator to carry out this subsection $10,000,000 for fiscal year 2024 and each fiscal year thereafter.

(b) **Research.**—

(1) **In General.**—Not later than 180 days after the date of enactment of this Act, the Administrator shall begin to carry out research—

(A) to study the health effects of—

(i) smoke emissions from wildland fires; and

(ii) extreme heat;
(B) to develop and disseminate personal and community-based interventions to reduce exposure to and adverse health effects of—

(i) smoke emissions from wildland fires; and

(ii) extreme heat;

(C) to increase the quality of smoke and extreme heat monitoring and prediction tools and techniques; and

(D) to develop implementation and communication strategies.

(2) Authorization of Appropriations.—

There is authorized to be appropriated to the Administrator to carry out this subsection $20,000,000 for fiscal year 2024 and each fiscal year thereafter.

SEC. 5. COMMUNITY SMOKE AND EXTREME HEAT PLANNING.

(a) In General.—Not later than 180 days after the date of enactment of this Act, the Administrator shall establish a competitive grant program to assist eligible entities described in subsection (b) in developing and implementing collaborative community plans for mitigating the impacts of smoke emissions from wildland fires and extreme heat.
(b) **Eligible Entities.**—An entity that is eligible to submit an application for a grant under subsection (a) is—

(1) a State;

(2) a unit of local government (including any special district, such as an air quality management district or a school district);

(3) an Indian Tribe; or

(4) a Native Hawaiian organization.

(c) **Applications.**—To be eligible to receive a grant under subsection (a), an eligible entity described in subsection (b) shall submit to the Administrator an application at such time, in such manner, and containing such information as the Administrator may require, which shall include a plan to collaborate with a public institution of higher education (as defined in section 101(a) of the Higher Education Act of 1965 (20 U.S.C. 1001(a))) or other research institution that—

(1) has established expertise with respect to air quality or dedicated centers of air quality research;

(2) has experience with relevant outreach and extension work;

(3) has established relationships with relevant Federal, State, and local agencies, community orga-
nizations, Native Hawaiian organizations, and Indian Tribes; and

(4) is located in an area that is economically or environmentally impacted by wildfire smoke or extreme heat.

d) Technical Assistance.—The Administrator may use amounts made available to carry out this section to provide to eligible entities described in subsection (b) technical assistance in—

(1) submitting grant applications under subsection (c); or

(2) carrying out projects using a grant under this section.

e) Authorization of Appropriations.—There is authorized to be appropriated to the Administrator to carry out this section $50,000,000 for fiscal year 2024 and each fiscal year thereafter.