

118TH CONGRESS
1ST SESSION

H. R. 4733

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 HOUSE OF REPRESENTATIVES

JULY 19, 2023

Ms. ESHOO (for herself, Mr. THOMPSON of California, Mr. KHANNA, Mr. MORELLE, Mrs. NAPOLITANO, Mr. DESAULNIER, Ms. MATSUI, Ms. TITUS, and Mr. ROBERT GARCIA of California) introduced the following bill; which was referred to the Committee on Energy and Commerce, and in addition to the Committee on Science, Space, and Technology, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Smoke and Heat
3 Ready Communities Act of 2023”.

4 **SEC. 2. DEFINITIONS.**

5 In this Act:

6 (1) ADMINISTRATOR.—The term “Adminis-
7 trator” means Administrator of the Environmental
8 Protection Agency.

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

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

17 (4) NATIVE HAWAIIAN ORGANIZATION.—The
18 term “Native Hawaiian organization” has the mean-
19 ing given the term in section 6207 of the Elemen-
20 tary and Secondary Education Act of 1965 (20
21 U.S.C. 7517).

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

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

1 **“SEC. 139. SMOKE AND EXTREME HEAT-READY COMMU-**
2 **NITIES.**

3 “(a) DEFINITION OF EXTREME HEAT.—The term
4 ‘extreme heat’ has the meaning given the term in section
5 2 of the Smoke and Heat Ready Communities Act of
6 2023.

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

15 “(c) ELIGIBLE ACTIVITIES.—In carrying out a pro-
16 gram described in subsection (b), an air pollution control
17 agency may use funds from a grant received under this
18 section for—

19 “(1) activities related to the monitoring of, the
20 interpretation of, and communicating with the public
21 about past, present, and future data related to ambi-
22 ent air quality conditions that are caused by wildfire
23 smoke and extreme heat;

24 “(2) conducting community outreach in areas
25 that may be prone to poor air quality that is attrib-
26 utable to elevated levels of particulate matter, ozone,

1 and other harmful components of wildfire smoke and
2 extreme heat;

3 “(3) the deployment of air quality monitoring
4 equipment in a manner that is sufficient to evaluate
5 an increased prevalence of poor air quality that is
6 attributable to elevated levels of particulate matter,
7 ozone, and other harmful components of wildfire
8 smoke and extreme heat;

9 “(4) equipping public buildings with air filtra-
10 tion systems that are capable of removing particu-
11 late matter and other harmful components of wild-
12 fire smoke and extreme heat from the air so that the
13 public buildings may serve as cleaner air spaces dur-
14 ing wildfire smoke events and extreme heat events
15 and other poor air quality events;

16 “(5) the purchase, storage, and distribution of
17 face masks and personal protective equipment, in-
18 cluding N-95 filtering facepiece respirators, portable
19 air filtration systems, and other masks and equip-
20 ment that are capable of removing or otherwise pre-
21 venting the inhalation of particulate matter, ozone,
22 and other harmful components of wildfire smoke and
23 extreme heat from the air;

1 “(6) subgrants or providing other financing to
2 private or other public entities with demonstrated fi-
3 nancial need—

4 “(A) to acquire protective gear; or

5 “(B) to carry out weatherization measures
6 to mitigate air infiltration; and

7 “(7) such other activities that the Adminis-
8 trator determines to be necessary to carry out the
9 purposes of this section.

10 “(d) ALLOCATION OF FUNDS.—

11 “(1) IN GENERAL.—Subject to paragraph (2),
12 the Administrator shall establish a formula to dis-
13 tribute grants under this section among air pollution
14 control agencies.

15 “(2) CONSIDERATIONS.—In establishing the
16 formula required under paragraph (1), the Adminis-
17 trator shall consider—

18 “(A) the vulnerability of communities with-
19 in a State to wildfire smoke and extreme heat;
20 and

21 “(B) the degree to which a State is prone
22 to poor air quality that is attributable to ele-
23 vated levels of particulate matter from wildfire
24 smoke and extreme heat.

1 “(e) AUTHORIZATION OF APPROPRIATIONS.—There
 2 are authorized to be appropriated such sums as are nec-
 3 essary to carry out this section.”.

4 **SEC. 4. RESEARCH ON WILDFIRE SMOKE AND EXTREME**
 5 **HEAT.**

6 (a) CENTERS OF EXCELLENCE.—

7 (1) IN GENERAL.—Not later than 180 days
 8 after the date of enactment of this Act, the Adminis-
 9 trator shall establish at institutions of higher edu-
 10 cation (as defined in section 101(a) of the Higher
 11 Education Act of 1965 (20 U.S.C. 1001(a))) 4 cen-
 12 ters, each of which shall be known as a “Center of
 13 Excellence for Wildfire Smoke and Extreme Heat”,
 14 to carry out research relating to—

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

17 (i) smoke emissions from wildland
 18 fires; and

19 (ii) extreme heat; and

20 (B) means by which communities can bet-
 21 ter respond to the impacts of—

22 (i) emissions from wildland fires; and

23 (ii) extreme heat events.

24 (2) PRIORITY.—In selecting institutions of
 25 higher education (as so defined) at which to estab-

lish 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—

1 (i) smoke emissions from wildland
2 fires; and

3 (ii) extreme heat;

4 (B) to develop and disseminate personal
5 and community-based interventions to reduce
6 exposure to and adverse health effects of—

7 (i) smoke emissions from wildland
8 fires; and

9 (ii) extreme heat;

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

13 (D) to develop implementation and com-
14 munication strategies.

15 (2) AUTHORIZATION OF APPROPRIATIONS.—

16 There is authorized to be appropriated to the Ad-
17 ministrator to carry out this subsection \$20,000,000
18 for fiscal year 2024 and each fiscal year thereafter.

19 **SEC. 5. COMMUNITY SMOKE AND EXTREME HEAT PLAN-**
20 **NING.**

21 (a) IN GENERAL.—Not later than 180 days after the
22 date of enactment of this Act, the Administrator shall es-
23 tablish a competitive grant program to assist eligible enti-
24 ties described in subsection (b) in developing and imple-
25 menting collaborative community plans for mitigating the

1 impacts of smoke emissions from wildland fires and ex-
2 treme heat.

3 (b) ELIGIBLE ENTITIES.—An entity that is eligible
4 to submit an application for a grant under subsection (a)
5 is—

6 (1) a State;

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

10 (3) an Indian Tribe; or

11 (4) a Native Hawaiian organization.

12 (c) APPLICATIONS.—To be eligible to receive a grant
13 under subsection (a), an eligible entity described in sub-
14 section (b) shall submit to the Administrator an applica-
15 tion at such time, in such manner, and containing such
16 information as the Administrator may require, which shall
17 include a plan to collaborate with a public institution of
18 higher education (as defined in section 101(a) of the High-
19 er Education Act of 1965 (20 U.S.C. 1001(a))) or other
20 research institution that—

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

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

1 (3) has established relationships with relevant
2 Federal, State, and local agencies, community orga-
3 nizations, Native Hawaiian organizations, and In-
4 dian Tribes; and

5 (4) is located in an area that is economically or
6 environmentally impacted by wildfire smoke or ex-
7 treme heat.

8 (d) TECHNICAL ASSISTANCE.—The Administrator
9 may use amounts made available to carry out this section
10 to provide to eligible entities described in subsection (b)
11 technical assistance in—

12 (1) submitting grant applications under sub-
13 section (c); or

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

16 (e) AUTHORIZATION OF APPROPRIATIONS.—There is
17 authorized to be appropriated to the Administrator to
18 carry out this section \$50,000,000 for fiscal year 2024
19 and each fiscal year thereafter.

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