

118TH CONGRESS
1ST SESSION

S. 1948

To direct the Administrator of the Environmental Protection Agency to provide grants to air pollution control agencies to implement a cleaner air space program, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JUNE 13, 2023

Mr. BENNET (for himself, Mr. MERKLEY, Mr. BLUMENTHAL, Mr. WHITEHOUSE, Ms. CORTEZ MASTO, Mr. WYDEN, and Mrs. GILLIBRAND) introduced the following bill; which was read twice and referred to the Committee on Environment and Public Works

A BILL

To direct the Administrator of the Environmental Protection Agency to provide grants to air pollution control agencies to implement a cleaner air space program, 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 “Cleaner Air Spaces
5 Act of 2023”.

6 **SEC. 2. CLEANER AIR SPACE PROGRAM GRANTS.**

7 (a) DEFINITIONS.—In this section:

1 (1) ADMINISTRATOR.—The term “Adminis-
2 trator” means the Administrator of the Environ-
3 mental Protection Agency.

4 (2) AIR POLLUTION CONTROL AGENCY.—The
5 term “air pollution control agency” has the meaning
6 the term given in section 302 of the Clean Air Act
7 (42 U.S.C. 7602).

8 (3) CLEAN AIR CENTER.—The term “clean air
9 center” means 1 or more clean air rooms in a pub-
10 licly accessible building.

11 (4) CLEAN AIR ROOM.—The term “clean air
12 room” means a room that is designed to keep levels
13 of harmful air pollutants as low as possible during
14 wildland fire smoke events.

15 (5) COVERED HOUSEHOLD.—The term “covered
16 household” means a household that—

17 (A) is located in a low-income community;

18 and

19 (B) includes a person who—

20 (i) is at high-risk of experiencing a
21 wildland fire smoke event; and

22 (ii) is vulnerable to negative health ef-
23 fects caused by wildland fire smoke due to
24 factors such as an underlying health condi-
25 tion, a disability, or age.

1 (6) ELIGIBLE AIR FILTRATION UNIT.—The
2 term “eligible air filtration unit” means an air filtra-
3 tion unit that—

4 (A) is certified by the Association of Home
5 Appliance Manufacturers to have a Clean Air
6 Delivery Rate of at least 97 for smoke;

7 (B) is certified under the Energy Star pro-
8 gram established by section 324A of the Energy
9 Policy and Conservation Act (42 U.S.C.
10 6294a);

11 (C) does not emit ozone; and

12 (D) uses a true high-efficiency particulate
13 air filter rated to remove 99.97 percent of par-
14 ticles measuring 0.3 micrometers or greater.

15 (7) LOW-INCOME COMMUNITY.—The term “low-
16 income community” has the meaning given the term
17 in section 45D(e) of the Internal Revenue Code.

18 (b) GRANTS AUTHORIZED.—Subject to the avail-
19 ability of appropriations, the Administrator shall provide
20 grants to air pollution control agencies to implement a
21 cleaner air space program in accordance with this section.

22 (c) GRANT REQUIREMENTS.—

23 (1) AMOUNTS.—Under this section, the Admin-
24 istrator may not provide a grant to an air pollution

1 control agency in an amount that exceeds
2 \$3,000,000.

3 (2) GRANTS FOR TRIBES.—The Administrator
4 shall provide at least 1 grant under this section to
5 a Tribal agency that has jurisdiction over air qual-
6 ity.

7 (d) APPLICATION.—

8 (1) IN GENERAL.—To apply for a grant under
9 this section, an air pollution control agency shall
10 submit to the Administrator an application at such
11 time, in such manner, and containing such informa-
12 tion as the Administrator determines appropriate,
13 including a proposal for the implementation of a
14 cleaner air space program.

15 (2) PROPOSAL FOR CLEANER AIR SPACE PRO-
16 GRAM REQUIREMENTS.—A proposal for the imple-
17 mentation of a cleaner air space program of an air
18 pollution control agency under paragraph (1) shall
19 include the following:

20 (A) Certification of partnering with a com-
21 munity-based organization.

22 (B) Details on the responsibilities of all
23 parties involved with the cleaner air space pro-
24 gram, including the responsibilities of—

1 (i) the air pollution control agency;

2 and

3 (ii) any community-based organiza-
4 tions with which the air pollution control
5 agency is partnering under subparagraph
6 (A).

7 (C) Information with respect to which geo-
8 graphic population or community of covered
9 households may be receiving eligible air filtra-
10 tion units under the cleaner air space program.

11 (D) Information on how the air pollution
12 control agency plans—

13 (i) to distribute educational materials
14 related to eligible air filtration units; and

15 (ii) to advertise the availability of
16 clean air centers.

17 (E) Information on how the air pollution
18 control agency plans to establish a clean air
19 center, including—

20 (i) the facility in which a clean air
21 center may be established; and

22 (ii) the capacity and ventilation char-
23 acteristics of that facility.

1 (F) A description of the costs that may be
2 associated with the cleaner air space program,
3 including any administrative costs.

4 (e) CLEANER AIR SPACE PROGRAM REQUIRE-
5 MENTS.—Subject to satisfaction of the partnership re-
6 quirement described in subsection (f), an air pollution con-
7 trol agency implementing a cleaner air space program pur-
8 suant to a grant provided under subsection (b) shall—

9 (1) establish at least 1 clean air center that
10 is—

11 (A) located in an area at risk of being ex-
12 posed to wildland fire smoke;

13 (B) accessible to individuals that reside in
14 covered households;

15 (C) open, accessible, and staffed during
16 wildland fire smoke events with the option of
17 being open, accessible, and staffed before or
18 after wildland fire smoke events;

19 (2) advertise to the public—

20 (A) during a wildland fire smoke event, the
21 availability of a clean air center; and

22 (B) the cleaner air space program that the
23 air pollution control agency is implementing, in-
24 cluding information about the cleaner air space
25 program, the availability of free air filtration

1 units (if applicable), eligibility requirements to
2 receive those free air filtration units, and infor-
3 mation on who to contact for more information
4 with respect to the cleaner air space program;

5 (3) at no cost to covered households—

6 (A) distribute not less than 1,000 eligible
7 air filtration units to those covered households;
8 and

9 (B) provide 1 air filter replacement for
10 each eligible air filtration unit distributed under
11 subparagraph (A);

12 (4) distribute educational materials that include
13 information with respect to how to best utilize an el-
14 igible air filtration unit to create a clean air room
15 in a home;

16 (5) collect, and provide to the Administrator,
17 information on—

18 (A) each type of eligible air filtration unit
19 distributed under the cleaner air space pro-
20 gram;

21 (B) the number of eligible air filtration
22 units so distributed; and

23 (C) the cost of each type of eligible air fil-
24 tration unit so distributed; and

1 (6) not later than 6 months after providing an
2 eligible air filtration unit to a covered household,
3 conduct an anonymous survey of an individual of the
4 covered household that received the eligible air filtra-
5 tion unit through the cleaner air space program with
6 respect to—

7 (A) whether the individual understood how
8 to properly set up a clean air room and how to
9 utilize the air filtration unit;

10 (B) how often the individual utilized the
11 air filtration unit;

12 (C) the largest barriers to properly uti-
13 lizing the air filtration unit or creating a clean
14 air room;

15 (D) whether the individual reported better
16 air conditions in the clean air room compared
17 to other parts of the home of that individual;
18 and

19 (E) how the implementation of the cleaner
20 air space program could improve.

21 (f) PARTNERSHIP.—In implementing a cleaner air
22 space program pursuant to a grant provided under sub-
23 section (b), an air pollution control agency shall partner
24 with at least 1 community-based organization to carry out

1 the requirements of the cleaner air space program de-
2 scribed in subsection (e).

3 (g) REPORT.—Not later than 3 years after the date
4 of enactment of this Act, the Administrator shall submit
5 to Congress a report that includes—

6 (1) information on each cleaner air space pro-
7 gram implemented using a grant provided under
8 subsection (b), including—

9 (A) the name of the air pollution control
10 agency that received the grant; and

11 (B) the information described in subsection
12 (e)(5) collected by the air pollution control
13 agency;

14 (2) responses from the surveys described in
15 subsection (e)(6); and

16 (3) recommendations with respect to—

17 (A) whether the grant program under this
18 section should be expanded; and

19 (B) how the grant program under this sec-
20 tion can be improved.

21 (h) AUTHORIZATION OF APPROPRIATIONS.—

22 (1) IN GENERAL.—There is authorized to be
23 appropriated to the Administrator to carry out this
24 section \$30,000,000 for the period of fiscal years
25 2024 through 2026.

1 (2) ADMINISTRATIVE EXPENSES.—Of the funds
2 made available under paragraph (1), the Adminis-
3 trator may use not more than 10 percent for ex-
4 penses relating to administering the grant program
5 under this section.

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