

118TH CONGRESS
1ST SESSION

H. R. 4077

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 HOUSE OF REPRESENTATIVES

JUNE 13, 2023

Mr. PETERS (for himself, Ms. JACOBS, Ms. CLARKE of New York, Mr. PHILLIPS, Ms. TITUS, Mr. MOULTON, Mr. KHANNA, Ms. CROCKETT, Ms. CARAVEO, Mr. THOMPSON of California, Mr. PANETTA, Mr. COSTA, Ms. VELÁZQUEZ, Mr. NEGUSE, Mr. KRISHNAMOORTHY, Mr. BOWMAN, Ms. PETERSEN, and Mr. MULLIN) introduced the following bill; which was referred to the Committee on Energy and Commerce

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”.

1 **SEC. 2. CLEANER AIR SPACE PROGRAM GRANT.**

2 (a) IN GENERAL.—Subject to the availability of ap-
3 propriations, the Administrator shall provide grants to air
4 pollution control agencies to implement a cleaner air space
5 program in accordance with this section.

6 (b) GRANT REQUIREMENTS.—

7 (1) AMOUNTS.—Under this section, the Admin-
8 istrator may not provide a grant to an air pollution
9 control agency in an amount that exceeds
10 \$3,000,000.

11 (2) GRANTS FOR TRIBES.—The Administrator
12 shall provide at least one grant to a Tribal agency
13 that has jurisdiction over air quality.

14 (c) APPLICATION.—

15 (1) IN GENERAL.—To apply for a grant pro-
16 vided under this section, an air pollution control
17 agency shall submit to the Administrator an applica-
18 tion at such time, in such manner, and containing
19 such information as the Administrator determines
20 appropriate, including a proposal for the implemen-
21 tation of a cleaner air space program.

22 (2) PROPOSAL FOR CLEANER AIR SPACE PRO-
23 GRAM REQUIREMENTS.—A proposal for the imple-
24 mentation of a cleaner air space program under
25 paragraph (1) shall include the following:

1 (A) Certification of partnering with a com-
2 munity-based organization.

3 (B) Details on the responsibilities of all
4 parties involved with the cleaner air space pro-
5 gram, including the responsibilities of—

6 (i) the air pollution control agency;

7 and

8 (ii) any community-based organiza-
9 tions for which the air pollution control
10 agency is partnering with under subpara-
11 graph (A).

12 (C) Information regarding which geo-
13 graphic population or community of covered
14 households may be receiving eligible air filtra-
15 tion units under such cleaner air space pro-
16 gram.

17 (D) Information on how the air pollution
18 control agency plans to—

19 (i) distribute educational materials re-
20 lated to eligible air filtration units; and

21 (ii) advertise the availability of clean
22 air centers.

23 (E) Information on how such air pollution
24 control agency plans to establish a clean air
25 center, including—

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

3 (ii) the capacity and ventilation char-
4 acteristics of such facility.

5 (F) A description of the costs that may be
6 associated with the program, including any ad-
7 ministrative costs.

8 (d) CLEANER AIR SPACE PROGRAM REQUIRE-
9 MENTS.—Subject to partnership requirement under sub-
10 section (e), an air pollution control agency implementing
11 a cleaner air space program pursuant to subsection (a)
12 shall—

13 (1) establish at least one clean air center that
14 is—

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

17 (B) accessible to individuals that reside in
18 covered households;

19 (C) open, accessible, and staffed during
20 wildland fire smoke events with the option of
21 being open, accessible, and staffed before or
22 after wildland fire smoke events; and

23 (2) advertise to the public—

24 (A) during a wildland fire smoke event, the
25 availability of a clean air center;

1 (B) the local cleaner air space program
2 that such air pollution control agency is imple-
3 menting, including information about such local
4 cleaner air space program, the availability of
5 free air filtration units (if applicable), eligibility
6 requirements to receive such free air filtration
7 unit, and information on who to contact for
8 more information with respect to such local
9 cleaner air space program;

10 (3) at no cost to covered households—

11 (A) distribute a minimum of 1,000 eligible
12 air filtration units to such covered households;
13 and

14 (B) provide one air filter replacement for
15 each eligible air filtration unit distributed under
16 subparagraph (A);

17 (4) distribute educational materials that include
18 information on how to best utilize an eligible air fil-
19 tration unit to create a clean air room in a home;

20 (5) collect, and provide to the Administrator,
21 information on—

22 (A) each type of eligible air filtration unit
23 distributed under such cleaner air space pro-
24 gram;

1 (B) the number of eligible air filtration
2 unit so distributed; and

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

5 (6) not later than 6 months after providing an
6 eligible air filtration unit to a covered household,
7 conduct an anonymous survey of an individual of
8 such covered household that received the eligible air
9 filtration unit through the cleaner air space program
10 on—

11 (A) whether such individual understood
12 how to properly set up a clean air room and
13 how to utilize the air filtration unit;

14 (B) how often such individual utilized the
15 air filtration unit;

16 (C) the largest barriers to properly uti-
17 lizing the air filtration unit or creating a clean
18 air room;

19 (D) whether such individual reported bet-
20 ter air conditions in the clean air room of such
21 individual compared to other parts of the home
22 of such individual; and

23 (E) how the implementation of the cleaner
24 air space program could improve.

1 (e) PARTNERSHIP.—In implementing a cleaner air
2 space program under subsection (a), an air pollution con-
3 trol agency shall partner with at least one community-
4 based organization to carry out the requirements of such
5 cleaner air space program under subsection (d).

6 (f) REPORT.—Not later than 3 years after the date
7 of the enactment of this Act, the Administrator shall sub-
8 mit to Congress a report that includes—

9 (1) information on each cleaner air space pro-
10 gram implemented using a grant provided under
11 subsection (a), including—

12 (A) the name of the air pollution control
13 agency that received such grant; and

14 (B) the information described in subsection
15 (d)(5) collected by such air pollution control
16 agency;

17 (2) responses from the survey described in sub-
18 section (d)(6); and

19 (3) recommendations on—

20 (A) whether the cleaner air space program
21 should be expanded; and

22 (B) how the cleaner air space program can
23 be improved.

24 (g) 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 given such term 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 one 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 Association of Home Ap-
5 pliance Manufacturers to have a Clean Air De-
6 livery 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 such
17 term in section 45D of the Internal Revenue Code
18 (26 U.S.C. 45D).

19 (h) AUTHORIZATION OF APPROPRIATIONS.—

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

24 (2) ADMINISTRATIVE EXPENSES.—Of the funds
25 made available under paragraph (1), the Adminis-

1 trator may use not more than 10 percent of such
2 funds on expenses relating to administering the
3 cleaner air space program.

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