

119TH CONGRESS
2D SESSION

S. 5145

To clarify the use of certain existing grants under the Clean Air Act to purchase air sensors, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JULY 28, 2026

Ms. ROSEN (for herself, Mr. BENNET, Ms. KLOBUCHAR, and Mr. MERKLEY) introduced the following bill; which was read twice and referred to the Committee on Environment and Public Works

A BILL

To clarify the use of certain existing grants under the Clean Air Act to purchase air sensors, 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 “Wildfire Air Quality
5 Sensor Expansion Act of 2026”.

6 **SEC. 2. FINDINGS.**

7 Congress finds that—

8 (1) wildfire smoke contains air pollutants that
9 have been associated with a range of negative health
10 outcomes, from upper respiratory tract irritation to

1 the exacerbation of cardiac, respiratory, and other
2 chronic conditions;

3 (2) the negative health outcomes described in
4 paragraph (1) can—

5 (A) lead to increased morbidity and mor-
6 tality; and

7 (B) present an additional economic burden
8 for affected populations;

9 (3) standard public health strategies for miti-
10 gating negative health outcomes from wildfire smoke
11 largely focus on risk assessment and communication
12 that is informed by available air quality data;

13 (4) wildfires tend to occur in rural areas
14 where—

15 (A) air quality monitoring may be absent
16 or scarce; and

17 (B) access to the internet and traditional
18 media may be limited, which curtails the reach
19 of risk communication and educational out-
20 reach;

21 (5) given the limitations described in paragraph
22 (4) and other possible limitations, there is a critical
23 need to understand how rural communities can in-
24 crease wildfire smoke risk mitigation as wildfire ac-

1 tivity continues to grow, particularly in the western
2 United States; and

3 (6) air sensors are—

4 (A) an important tool in providing rel-
5 atively quick or instant concentrations of air
6 pollutants for air quality monitoring purposes;
7 and

8 (B) often lower in cost, more portable, and
9 generally easier to operate than air monitors.

10 **SEC. 3. DEFINITIONS.**

11 In this Act:

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

15 (2) AIR MONITOR.—The term “air monitor”
16 has the meaning given the term “monitor” in section
17 58.1 of title 40, Code of Federal Regulations (as in
18 existence on the date of enactment of this Act).

19 (3) AIR POLLUTION CONTROL AGENCY.—The
20 term “air pollution control agency” has the meaning
21 given the term in section 302 of the Clean Air Act
22 (42 U.S.C. 7602).

23 (4) AIR SENSOR.—The term “air sensor”
24 means a non-regulatory device that—

(A) is not a monitor (as defined in section 58.1 of title 40, Code of Federal Regulations (as in effect on the date of enactment of this Act)); and

(B) uses 1 or more sensing elements to measure the concentration of—

(i) particulate matter with a diameter of 2.5 micrometers or less (commonly referred to as “PM2.5”);

(ii) ground-level ozone; or

(iii) other smoke pollutants originating from wildfire burning natural or human-made fuel sources.

(5) INDIAN TRIBE.—The term “Indian tribe” has the meaning given the term in section 302 of the Clean Air Act (42 U.S.C. 7602).

(6) WILDFIRE.—The term “wildfire” has the meaning given the term in section 50.1 of title 40, Code of Federal Regulations (as in effect on the date of enactment of this Act).

**SEC. 4. CLARIFICATION ON THE USE OF EXISTING FUND-
ING FOR AIR SENSORS.**

An air pollution control agency that receives a grant under section 103 or 105 of the Clean Air Act (42 U.S.C. 7403, 7405) may use those grant funds to purchase and

1 operate portable air sensors and related equipment nec-
2 essary for the placement and operation of those air sen-
3 sors.

4 **SEC. 5. AIR SENSOR GRANT AND LOAN PROGRAMS.**

5 (a) PORTABLE AIR SENSOR GRANTS.—

6 (1) IN GENERAL.—Subject to the availability of
7 appropriations, the Administrator shall, on a com-
8 petitive basis, award grants to air pollution control
9 agencies to purchase and operate portable air sen-
10 sors and related equipment necessary for the place-
11 ment and operation of those air sensors.

12 (2) REQUIREMENT.—An air pollution control
13 agency that receives a grant under paragraph (1)
14 shall coordinate with the Administrator with respect
15 to—

16 (A) the sharing of data from portable air
17 sensors purchased or operated using grant
18 funds; and

19 (B) the adjustment of data from portable
20 air sensors described in subparagraph (A) for
21 use in publicly available mapping of air quality,
22 including those operated by the Administrator,
23 such as the AirNow Fire and Smoke Map tool.

24 (3) PRIORITIZATION.—In selecting recipients of
25 grants under paragraph (1), the Administrator shall

1 give priority to air pollution control agencies that
2 would use grant funds to purchase and operate port-
3 able air sensors in—

4 (A) remote or rural locations that lack air
5 monitors and air sensors;

6 (B) areas in which air quality monitoring
7 or air quality data is absent or scarce; or

8 (C) communities that are affected, or are
9 expected to be affected, by wildfire and wildfire
10 smoke during the fiscal year within which the
11 grant is made.

12 (4) AIR MONITORS.—Portable air sensors pur-
13 chased and operated using grants under paragraph
14 (1) shall complement, but not replace, air monitors
15 that are otherwise eligible to be purchased or oper-
16 ated using grants awarded under sections 103 and
17 105 of the Clean Air Act (42 U.S.C. 7403, 7405).

18 (5) AUTHORIZATION OF APPROPRIATIONS.—
19 There is authorized to be appropriated to carry out
20 this subsection \$10,000,000 for each of fiscal years
21 2027 through 2032.

22 (b) AIR SENSOR LOAN PROGRAMS.—

23 (1) IN GENERAL.—The Administrator shall ex-
24 pand the existing air sensor loan programs of the
25 Environmental Protection Agency, including the re-

1 regional air sensor loan programs and the Wildfire
 2 Smoke Air Monitoring Response Technology pro-
 3 gram, into regions, States, and land under the juris-
 4 diction of Indian tribes that do not currently partici-
 5 pate in those programs, with a focus on providing
 6 funding under those programs for portable air sen-
 7 sors in areas that are most severely impacted by
 8 wildfires and wildfire smoke.

9 (2) AUTHORIZATION OF APPROPRIATIONS.—

10 There are authorized to be appropriated to the Ad-
 11 ministrator to carry out this subsection such sums
 12 as are necessary for each of fiscal years 2027
 13 through 2032.

14 **SEC. 6. ACCESS TO TECHNICAL ASSISTANCE.**

15 (a) IN GENERAL.—Subject to the availability of ap-
 16 propriations, the Administrator shall provide technical as-
 17 sistance for the purchase and operation of portable air
 18 sensors and related equipment necessary for the placement
 19 and operation of those portable air sensors to recipients
 20 of assistance under the programs described in section 5
 21 and the grant programs under sections 103 and 105 of
 22 the Clean Air Act (42 U.S.C. 7403, 7405).

23 (b) TECHNICAL ASSISTANCE DESCRIBED.—Technical
 24 assistance provided pursuant to subsection (a) shall in-
 25 clude assistance with respect to—

- 1 (1) air sensor placement;
- 2 (2) air sensor type selection;
- 3 (3) air sensor maintenance and care;
- 4 (4) maintenance and care of equipment nec-
- 5 essary for air sensor operation;
- 6 (5) air sensor data management; and
- 7 (6) quality assurance project plan development.

8 (c) PRIORITIZATION.—In selecting recipients of tech-
9 nical assistance provided pursuant to subsection (a), the
10 Administrator shall give priority to recipients of assistance
11 for the purchase of air sensors—

- 12 (1) in remote or rural locations that lack air
- 13 monitors and air sensors;
- 14 (2) in areas in which air quality monitoring or
- 15 air quality data is absent or scarce; or
- 16 (3) that serve communities that are affected, or
- 17 are expected to be affected, by wildfire and wildfire
- 18 smoke during the fiscal year in which the assistance
- 19 for the purchase of air sensors is provided.

20 (d) AUTHORIZATION OF APPROPRIATIONS.—There
21 are authorized to be appropriated to the Administrator to
22 carry out this section such sums as are necessary for each
23 of fiscal years 2027 through 2032.

1 **SEC. 7. QUALITY ASSURANCE PROJECT PLAN TEMPLATES**
2 **FOR AIR SENSOR PROGRAMS.**

3 Not later than 180 days after the date of enactment
4 of this Act, the Administrator shall develop, in consulta-
5 tion with the regional offices of the Environmental Protec-
6 tion Agency and relevant stakeholders, and make publicly
7 available quality assurance project plan templates for the
8 programs of the Administrator described in section 5
9 that—

10 (1) are nationally consistent; and

11 (2) meet the requirements of section 1500.12 of
12 title 2, Code of Federal Regulations (as in effect on
13 the date of enactment of this Act).

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