



September 28, 2026

Dear Member of Congress:

The undersigned health organizations cannot support S. 5045, the Wildfire Emissions Prevention Act, in its current form. We strongly support mitigating wildfire risk to protect public health from exposure to smoke and other impacts. However, as drafted, this bill contains provisions that could result in communities nationwide facing unnecessary pollution exposure with little to no accountability for cleanup.

Our concerns with this bill should not be taken as opposition to the use of prescribed fire, which we support as an effective tool for mitigating the frequency and severity of wildfires and wildfire smoke. For prescribed fire to happen in a way that is safe for communities, it must be implemented under the right conditions to ensure maximum health protection. It further must be conducted for the purpose of catastrophic wildfire mitigation, as opposed to agricultural burning or fires conducted for other purposes.

We support the inclusion of an authorization for the Smoke Ready Communities grant program, which would help eligible entities assess, prevent and control wildfire smoke hazards in certain buildings. The inclusion of the program would be made more effective if there were dedicated resources behind it. Unfortunately, the bill does not specify resources available for this program, nor does it identify any resources – funding or staffing – for the development of prescribed burning programs, which have consistently been named a top barrier to prescribed fire.

Most concerning, the bill includes a provision that would weaken the Clean Air Act with harmful changes to the Exceptional Events program. Under the Clean Air Act, EPA can exempt air quality data from counting toward whether an area complies with national air standards if those days with unhealthy air meet a set of criteria for designation as exceptional events. States petition EPA for this designation, and the EPA administrator then must respond for it to be granted. The existing process contains some safeguards to avoid its abuse, but also allows for prescribed burns to occur.

The bill, however, would require that state petitions for exceptional events be deemed approved if the EPA administrator does not act after one year. We are profoundly concerned that this could incentivize states to submit exceptional event petitions that lack quality analysis, knowing that the petitions could be automatically approved if the administrator does not act or intentionally decides not to act. This lack of official action would then not be eligible for judicial review, which could effectively silence communities that are subject to these increases in air pollution that now won't count towards requiring cleanup.

Congress should be cautious about creating a policy incentive to exclude data rather than reduce exposure. Alternative approaches, such as expanding prescribed fire guidance and technical assistance, increasing federal funding for prescribed fire programs, improving smoke management programs and establishing consistent and uniform national standards for prescribed fire, offer more health-protective ways to achieve the objective of the bill. We believe that these aims can be achieved without weakening the Clean Air Act or expanding opportunities to exclude measured air pollution exceedances from regulatory decision-making, both of which represent a clear risk to health.

We agree that it is imperative that the nation take action to reduce the likelihood of catastrophic wildfires. Prescribed fire is a key tool for wildfire mitigation and should be supported as such, with the goal of protecting the public from more harmful smoke and other impacts from uncontrolled fires. Weakening the Clean Air Act in the way currently included in the bill text is contrary to that mission.

Sincerely,

American Lung Association

Allergy & Asthma Network

Alliance of Nurses for Healthy Environments

American Public Health Association

American Thoracic Society

Asthma and Allergy Foundation of America

Climate for Health

Climate Psychiatry Alliance

Medical Students for a Sustainable Future

National Association of Pediatric Nurse Practitioners

Oncology Advocates United for Climate and Health – International

Physicians for Social Responsibility