

Union Calendar No. 12

117TH CONGRESS
1ST SESSION

H. R. 1893

[Report No. 117-25]

To direct the Transportation Security Administration to develop a transportation security preparedness plan in the event of a communicable disease outbreak, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 12, 2021

Mrs. WATSON COLEMAN (for herself, Mr. GIMENEZ, Mr. THOMPSON of Mississippi, and Mr. KATKO) introduced the following bill; which was referred to the Committee on Homeland Security

APRIL 30, 2021

Additional sponsors: Mrs. MILLER-MEEKS, Mr. CASE, and Mrs. LURIA

APRIL 30, 2021

Reported from the Committee on Homeland Security; committed to the Committee of the Whole House on the State of the Union and ordered to be printed

A BILL

To direct the Transportation Security Administration to develop a transportation security preparedness plan in the event of a communicable disease outbreak, 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 “Transportation Secu-
5 rity Preparedness Act of 2021”.

6 **SEC. 2. SURVEY OF THE TRANSPORTATION SECURITY AD-**
7 **MINISTRATION WORKFORCE REGARDING**
8 **COVID-19 RESPONSE.**

9 (a) SURVEY.—Not later than 1 year after the date
10 of the enactment of this Act, the Administrator of the
11 Transportation Security Administration (referred to in
12 this section as the “Administrator”), in consultation with
13 the labor organization certified as the exclusive represent-
14 ative of full- and part-time non-supervisory Administra-
15 tion personnel carrying out screening functions under sec-
16 tion 44901 of title 49, United States Code, shall conduct
17 a survey of the Transportation Security Administration
18 (referred to in this section as the “Administration”) work-
19 force regarding the Administration’s response to the
20 COVID-19 pandemic. Such survey shall be conducted in
21 a manner that allows for the greatest practicable level of
22 workforce participation.

23 (b) CONTENTS.—In conducting the survey required
24 under subsection (a), the Administrator shall solicit feed-
25 back on the following:

1 (1) The Administration’s communication and
2 collaboration with the Administration’s workforce re-
3 garding the Administration’s response to the
4 COVID–19 pandemic and efforts to mitigate and
5 monitor transmission of COVID–19 among its work-
6 force, including through—

7 (A) providing employees with personal pro-
8 tective equipment and mandating its use;

9 (B) modifying screening procedures and
10 Administration operations to reduce trans-
11 mission among officers and passengers and en-
12 suring compliance with such changes;

13 (C) adjusting policies regarding scheduling,
14 leave, and telework;

15 (D) outreach as a part of contact tracing
16 when an employee has tested positive for
17 COVID–19; and

18 (E) encouraging COVID–19 vaccinations
19 and efforts to assist employees that seek to be
20 vaccinated such as communicating the avail-
21 ability of duty time for travel to vaccination
22 sites and recovery from vaccine side effects.

23 (2) Any other topic determined appropriate by
24 the Administrator.

1 (c) REPORT.—Not later than 30 days after com-
2 pleting the survey required under subsection (a), the Ad-
3 ministration shall provide a report summarizing the re-
4 sults of the survey to the Committee on Homeland Secu-
5 rity of the House of Representatives and the Committee
6 on Commerce, Science, and Transportation of the Senate.

7 **SEC. 3. TRANSPORTATION SECURITY PREPAREDNESS**
8 **PLAN.**

9 (a) PLAN REQUIRED.—Section 114 of title 49,
10 United States Code, is amended by adding at the end the
11 following new subsection:

12 “(x) TRANSPORTATION SECURITY PREPAREDNESS
13 PLAN.—

14 “(1) IN GENERAL.—Not later than two years
15 after the date of the enactment of this subsection,
16 the Secretary of Homeland Security, acting through
17 the Administrator, in coordination with the Chief
18 Medical Officer of the Department of Homeland Se-
19 curity and in consultation with the partners identi-
20 fied under paragraphs (3)(A)(i) through (3)(A)(iv),
21 shall develop a transportation security preparedness
22 plan to address the event of a communicable disease
23 outbreak. The Secretary, acting through the Admin-
24 istrator, shall ensure such plan aligns with relevant

1 Federal plans and strategies for communicable dis-
2 ease outbreaks.

3 “(2) CONSIDERATIONS.—In developing the plan
4 required under paragraph (1), the Secretary, acting
5 through the Administrator, shall consider each of
6 the following:

7 “(A) The findings of the survey required
8 under section 2 of the Transportation Security
9 Preparedness Act of 2021.

10 “(B) All relevant reports and recommenda-
11 tions regarding the Administration’s response
12 to the COVID–19 pandemic, including any re-
13 ports and recommendations issued by the
14 Comptroller General and the Inspector General
15 of the Department of Homeland Security.

16 “(C) Lessons learned from Federal inter-
17 agency efforts during the COVID–19 pandemic.

18 “(3) CONTENTS OF PLAN.—The plan developed
19 under paragraph (1) shall include each of the fol-
20 lowing:

21 “(A) Plans for communicating and collabo-
22 rating in the event of a communicable disease
23 outbreak with the following partners:

24 “(i) Appropriate Federal departments
25 and agencies, including the Department of

1 Health and Human Services, the Centers
2 for Disease Control and Prevention, the
3 Department of Transportation, the De-
4 partment of Labor, and appropriate inter-
5 agency task forces.

6 “(ii) The workforce of the Administra-
7 tion, including through the labor organiza-
8 tion certified as the exclusive representa-
9 tive of full- and part-time non-supervisory
10 Administration personnel carrying out
11 screening functions under section 44901 of
12 this title.

13 “(iii) International partners, including
14 the International Civil Aviation Organiza-
15 tion and foreign governments, airports,
16 and air carriers.

17 “(iv) Public and private stakeholders,
18 as such term is defined under subsection
19 (t)(1)(C).

20 “(v) The traveling public.

21 “(B) Plans for protecting the safety of the
22 Transportation Security Administration work-
23 force, including—

24 “(i) reducing the risk of commu-
25 nicable disease transmission at screening

1 checkpoints and within the Administra-
2 tion’s workforce related to the Administra-
3 tion’s transportation security operations
4 and mission;

5 “(ii) ensuring the safety and hygiene
6 of screening checkpoints and other
7 workstations;

8 “(iii) supporting equitable and appro-
9 priate access to relevant vaccines, prescrip-
10 tions, and other medical care; and

11 “(iv) tracking rates of employee ill-
12 ness, recovery, and death.

13 “(C) Criteria for determining the condi-
14 tions that may warrant the integration of addi-
15 tional actions in the aviation screening system
16 in response to the communicable disease out-
17 break and a range of potential roles and re-
18 sponsibilities that align with such conditions.

19 “(D) Contingency plans for temporarily
20 adjusting checkpoint operations to provide for
21 passenger and employee safety while maintain-
22 ing security during the communicable disease
23 outbreak.

24 “(E) Provisions setting forth criteria for
25 establishing an interagency task force or other

1 standing engagement platform with other ap-
2 propriate Federal departments and agencies, in-
3 cluding the Department of Health and Human
4 Services and the Department of Transportation,
5 to address such communicable disease outbreak.

6 “(F) A description of scenarios in which
7 the Administrator should consider exercising
8 authorities provided under subsection (g) and
9 for what purposes.

10 “(G) Considerations for assessing the ap-
11 propriateness of issuing security directives and
12 emergency amendments to regulated parties in
13 various modes of transportation, including sur-
14 face transportation, and plans for ensuring
15 compliance with such measures.

16 “(H) A description of any potential obsta-
17 cles, including funding constraints and limita-
18 tions to authorities, that could restrict the abil-
19 ity of the Administration to respond appro-
20 priately to a communicable disease outbreak.

21 “(4) DISSEMINATION.—Upon development of
22 the plan required under paragraph (1), the Adminis-
23 trator shall disseminate the plan to the partners
24 identified under paragraph (3)(A) and to the Com-
25 mittee on Homeland Security of the House of Rep-

1 representatives and the Committee on Commerce,
2 Science, and Transportation of the Senate.

3 “(5) REVIEW OF PLAN.—Not later than two
4 years after the date on which the plan is dissemi-
5 nated under paragraph (4), and biennially there-
6 after, the Secretary, acting through the Adminis-
7 trator and in coordination with the Chief Medical
8 Officer of the Department of Homeland Security,
9 shall review the plan and, after consultation with the
10 partners identified under paragraphs (3)(A)(i)
11 through (3)(A)(iv), update the plan as appropriate.”.

12 (b) COMPTROLLER GENERAL REPORT.—Not later
13 than one year after the date on which the transportation
14 security preparedness plan required under subsection (x)
15 of section 114 of title 49, United States Code, as added
16 by subsection (a), is disseminated under paragraph (4) of
17 such subsection (x), the Comptroller General of the United
18 States shall submit to the Committee on Homeland Secu-
19 rity of the House of Representatives and the Committee
20 on Commerce, Science, and Transportation of the Senate
21 a report containing the results of a study assessing the
22 transportation security preparedness plan, including an
23 analysis of—

1 (1) whether such plan aligns with relevant Fed-
2 eral plans and strategies for communicable disease
3 outbreaks; and

4 (2) the extent to which the Transportation Se-
5 curity Administration is prepared to implement the
6 plan.

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