

Union Calendar No. 355

117TH CONGRESS
2^D SESSION

H. R. 884

[Report No. 117–458]

To direct the Secretary of Transportation to establish a national aviation preparedness plan for communicable disease outbreaks, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 5, 2021

Mr. LARSEN of Washington (for himself, Mr. BEYER, Ms. JOHNSON of Texas, Ms. NORTON, and Mr. CARSON) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

SEPTEMBER 13, 2022

Additional sponsors: Mr. PAYNE, Mr. KAHELE, Ms. DELBENE, Mr. SIRES, Mr. COHEN, Mr. CASE, Mr. LOWENTHAL, Mr. GARCÍA of Illinois, and Mr. LEVIN of California

SEPTEMBER 13, 2022

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in *italic*]

[For text of introduced bill, see copy of bill as introduced on February 5, 2021]

A BILL

To direct the Secretary of Transportation to establish a national aviation preparedness plan for communicable disease outbreaks, 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 “National Aviation Pre-*
5 *paredness Plan Act of 2022”.*

6 **SEC. 2. NATIONAL AVIATION PREPAREDNESS PLAN.**

7 (a) *IN GENERAL.*—Not later than 2 years after the
8 *date of enactment of this Act, the Secretary of Transpor-*
9 *tation, in coordination with the Secretary of Health and*
10 *Human Services, the Secretary of Homeland Security, and*
11 *the heads of such other Federal departments or agencies as*
12 *the Secretary of Transportation considers appropriate,*
13 *shall develop a national aviation preparedness plan for*
14 *communicable disease outbreaks.*

15 (b) *CONTENTS OF PLAN.*—The plan developed under
16 *subsection (a) shall, at a minimum—*

17 (1) *provide airports and air carriers with an*
18 *adaptable and scalable framework with which to align*
19 *the individual plans, including the emergency re-*
20 *sponse plans, of such airports and air carriers and*
21 *provide guidance as to each individual plan;*

22 (2) *improve coordination among airports, air*
23 *carriers, U.S. Customs and Border Protection, the*
24 *Centers for Disease Control and Prevention, other ap-*
25 *propriate Federal entities, and State and local gov-*

ernments and health agencies with respect to preparing for and responding to communicable disease outbreaks;

(3) to the extent practicable, improve coordination among relevant international entities;

(4) create a process to identify appropriate personal protective equipment, if any, for covered employees to reduce the likelihood of exposure to a covered communicable disease, and thereafter issue recommendations for the equipage of such employees;

(5) create a process to identify appropriate techniques, strategies, and protective infrastructure, if any, for the cleaning, disinfecting, and sanitization of aircraft and enclosed facilities owned, operated, or used by an air carrier or airport, and thereafter issue recommendations pertaining to such techniques, strategies, and protective infrastructure;

(6) identify and assign Federal agency roles in the deployment of emerging and existing technologies and solutions to reduce covered communicable diseases in the aviation ecosystem;

(7) clearly delineate the responsibilities of the sponsors and operators of airports, air carriers, and Federal agencies in responding to a covered communicable disease;

(8) incorporate, as appropriate, the recommendations made by the Comptroller General of the United States to the Secretary of Transportation contained in the report titled “Air Travel and Communicable Diseases: Comprehensive Federal Plan Needed for U.S. Aviation System’s Preparedness”, issued in December 2015 (GAO-16-127);

(9) consider the latest peer-reviewed scientific studies that address communicable disease with respect to air transportation; and

(10) consider funding constraints.

(c) CONSULTATION.—When developing the plan under subsection (a), the Secretary of Transportation shall consult with aviation industry and labor stakeholders, including representatives of—

(1) air carriers, which shall include domestic air carriers consisting of major air carriers, low-cost carriers, regional air carriers and cargo carriers;

(2) airport operators, including with respect to large hub, medium hub, small hub, and nonhub commercial service airports;

(3) labor organizations that represent airline pilots, flight attendants, air carrier airport customer service representatives, and air carrier maintenance, repair, and overhaul workers;

1 (4) *the labor organization certified under section*
2 *7111 of title 5, United States Code, as the exclusive*
3 *bargaining representative of air traffic controllers of*
4 *the Federal Aviation Administration;*

5 (5) *the labor organization certified under such*
6 *section as the exclusive bargaining representative of*
7 *airway transportation systems specialists and avia-*
8 *tion safety inspectors of the Federal Aviation Admin-*
9 *istration;*

10 (6) *trade associations representing air carriers*
11 *and airports;*

12 (7) *aircraft manufacturing companies; and*

13 (8) *such other stakeholders as the Secretary con-*
14 *siders appropriate.*

15 (d) *REPORT.*—*Not later than 30 days after the plan*
16 *is developed under subsection (a), the Secretary shall submit*
17 *to the Committee on Transportation and Infrastructure of*
18 *the House of Representatives and the Committee on Com-*
19 *merce, Science, and Transportation of the Senate a report*
20 *that includes such plan.*

21 (e) *REVIEW OF PLAN.*—*Not later than 1 year after the*
22 *date on which a report is submitted under subsection (d),*
23 *and again not later than 5 years thereafter, the Secretary*
24 *shall review the plan included in such report and, after con-*
25 *sultation with aviation industry and labor stakeholders,*

1 *make changes by rule as the Secretary considers appro-*
2 *priate.*

3 (f) *GAO STUDY.*—*Not later than 18 months after the*
4 *date of enactment of this Act, the Comptroller General shall*
5 *conduct and submit to the Committee on Transportation*
6 *and Infrastructure of the House of Representatives and the*
7 *Committee on Commerce, Science, and Transportation of*
8 *the Senate a study assessing the national aviation pre-*
9 *paredness plan developed under subsection (a), including—*

10 (1) *whether such plan—*

11 (A) *is responsive to any previous rec-*
12 *ommendations relating to aviation preparedness*
13 *with respect to an outbreak of a covered commu-*
14 *nicable disease or global health emergency made*
15 *by the Comptroller General; and*

16 (B) *meets the obligations of the United*
17 *States under international conventions and trea-*
18 *ties; and*

19 (2) *the extent to which the United States avia-*
20 *tion system is prepared to respond to an outbreak of*
21 *a covered communicable disease.*

22 (g) *DEFINITIONS.*—*In this section:*

23 (1) *COVERED EMPLOYEE.*—*The term “covered*
24 *employee” means—*

1 (A) an individual whose job duties require
2 interaction with air carrier passengers on a reg-
3 ular and continuing basis and who is an em-
4 ployee of—

5 (i) an air carrier;

6 (ii) an air carrier contractor;

7 (iii) an airport; or

8 (iv) the Federal Government; or

9 (B) an air traffic controller or systems safe-
10 ty specialist of the Federal Aviation Administra-
11 tion.

12 (2) COVERED COMMUNICABLE DISEASE.—The
13 term “covered communicable disease” means a com-
14 municable disease that has the potential to cause a fu-
15 ture epidemic or pandemic of infectious disease that
16 would constitute a public health emergency of inter-
17 national concern as declared, after the date of enact-
18 ment of this Act, by the Secretary of Health and
19 Human Services under section 319 of the Public
20 Health Service Act (42 U.S.C. 247d).

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