

117TH CONGRESS
1ST SESSION

H. R. 5357

To ensure the effective response by passenger air carrier personnel to an unruly passenger on an aircraft, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 23, 2021

Ms. VAN DUYNE introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

A BILL

To ensure the effective response by passenger air carrier personnel to an unruly passenger on an aircraft, 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 “Unruly Passenger Re-
5 straint Review Act”.

6 **SEC. 2. SENSE OF CONGRESS.**

7 It is the sense of Congress that—

8 (1) incidents of unruly passenger conduct pose
9 substantial operational and safety risks to passenger

1 air carrier (as defined in section 3(f)) personnel and
2 passengers on board an aircraft;

3 (2) the forcible restraint of unruly passengers,
4 while sometimes necessary, should only occur as a
5 last resort to ensure the safety of passenger air car-
6 rier personnel and passengers on board an aircraft;

7 (3) individuals who perpetrate such incidents,
8 especially those that require forcible restraint,
9 should be held fully accountable under all applicable
10 Federal and State laws;

11 (4) particular caution and judgement should be
12 exercised by passenger air carrier personnel when
13 determining whether a situation requires the forcible
14 restraint of an unruly minor passenger or passenger
15 experiencing mental distress;

16 (5) the Federal Aviation Administration, in co-
17 ordination with appropriate Federal Agencies, should
18 provide guidance and establish procedures for pas-
19 senger air carrier personnel to address incidents of
20 unruly passenger conduct, including the procedures,
21 equipment, and training requirements for passenger
22 air carrier personnel to—

23 (A) recognize and respond to an instance
24 of an unruly passenger behavior in a manner
25 that attempts to de-escalate a situation;

1 (B) properly and safely, if necessary, re-
2 strain an unruly passenger;

3 (C) appropriately differentiate between un-
4 ruly conduct from an adult passenger, a minor
5 passenger, and a passenger experiencing mental
6 distress and respond accordingly;

7 (D) facilitate the reporting of such inci-
8 dents to appropriate law enforcement agencies;

9 (E) communicate expectations of conduct
10 to air carrier passengers; and

11 (F) communicate the rights of air carrier
12 passengers with respect to passenger conduct
13 towards passenger air carrier personnel; and

14 (6) each passenger air carrier should have the
15 procedures, equipment, and training in place to com-
16 ply with the Federal Aviation Administration's guid-
17 ance and requirements described in paragraph (5).

18 **SEC. 3. GOVERNMENT ACCOUNTABILITY OFFICE REPORT.**

19 (a) IN GENERAL.—Not later than 90 days after the
20 date of enactment of this Act, the Comptroller General
21 of the United States shall initiate a study to review cur-
22 rent passenger air carrier procedures related to unruly
23 passengers, including all policies, training, and equipment
24 requirements put in place by the Federal Government and
25 provide recommendations to address and mitigate the im-

1 pacts of such incidents, including significant operational
2 disruptions, safety risks, and the need to restrain a disrup-
3 tive passenger aboard an aircraft.

4 (b) CONSIDERATIONS.—In carrying out the study re-
5 quired under subsection (a), the Comptroller General
6 shall, at a minimum—

7 (1) review current passenger air carrier proce-
8 dures and protocols for responding to unruly pas-
9 senger behavior;

10 (2) examine current passenger air carrier per-
11 sonnel training requirements as put in place by the
12 Federal Government and programs related to de-es-
13 calation techniques for passenger disruptions and
14 provide recommendations for improvement; and

15 (3) review current passenger air carrier and
16 Federal Government procedures for restraining an
17 unruly adult passenger, an unruly minor passenger,
18 and a passenger experiencing mental distress in a
19 situation in which Federal law enforcement is unable
20 to intervene.

21 (c) REPORT.—Upon completion of the study required
22 under subsection (a), the Comptroller General shall sub-
23 mit to the Committee of Transportation and Infrastruc-
24 ture of the House of Representatives and Committee on

1 Commerce, Science, and Transportation of the Senate a
2 report on the findings and recommendations of the study.

3 (d) BEST PRACTICES.—Not later than 1 year after
4 the completion of the study required under subsection (a),
5 the Administrator of the Federal Aviation Administration
6 shall—

7 (1) develop, in consultation with passenger air
8 carriers and labor unions representing passenger air
9 carrier personnel, best practices to address and miti-
10 gate the impacts of unruly passenger incidents; and

11 (2) take the findings and recommendations of
12 the report submitted under subsection (c) into con-
13 sideration when developing such best practices.

14 (e) CONSULTATION.—In developing best practices
15 under subsection (d), the Administrator shall consult with
16 the heads of such other Federal agencies as the Adminis-
17 trator determines appropriate.

18 (f) PASSENGER AIR CARRIER DEFINED.—In this
19 Act, the term “passenger air carrier” means an air carrier
20 that provides scheduled passenger air transportation.

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