

117TH CONGRESS
1ST SESSION

H. R. 884

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

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 2021”.

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

7 (a) IN GENERAL.—Not later than 1 year after the
8 date of enactment of this Act, the Secretary of Transpor-
9 tation, in coordination with the Secretary of Health and

1 Human Services, the Secretary of Homeland Security, and
2 the heads of such other Federal departments or agencies
3 as the Secretary of Transportation considers appropriate,
4 shall develop a national aviation preparedness plan for
5 communicable disease outbreaks.

6 (b) CONTENTS OF PLAN.—The plan developed under
7 subsection (a) shall, at a minimum—

8 (1) provide airports and air carriers with an
9 adaptable and scalable framework with which to
10 align the individual plans, including the emergency
11 response plans, of such airports and air carriers and
12 provide guidance as to each individual plan;

13 (2) improve coordination among airports, air
14 carriers, U.S. Customs and Border Protection, the
15 Centers for Disease Control and Prevention, other
16 appropriate Federal entities, and State and local
17 governments and health agencies with respect to de-
18 veloping policies that increase the effectiveness of
19 screening, testing, quarantining, and contact-tracing
20 with respect to air carrier passengers;

21 (3) to the extent practicable, improve coordina-
22 tion among relevant international entities;

23 (4) require that frontline at-risk employees are
24 equipped with appropriate personal protective equip-

1 ment to reduce the likelihood of exposure to a cov-
2 ered communicable disease;

3 (5) ensure that frontline at-risk employees are
4 appropriately considered for access to necessary and
5 available vaccines and therapeutics to reduce the ef-
6 fect and likelihood of exposure to and transmission
7 of a covered communicable disease;

8 (6) require that aircraft and enclosed facilities
9 owned, operated, or used by an air carrier or airport
10 are cleaned, disinfected, and sanitized, and can have
11 installed and maintained protective infrastructure
12 where appropriate, in accordance with CDC guide-
13 lines for preventing and containing the spread of
14 covered communicable diseases;

15 (7) identify and assign Federal agency roles in
16 the development and deployment of emerging and
17 existing technologies and solutions to reduce covered
18 communicable diseases in the aviation ecosystem;

19 (8) clearly delineate the responsibilities of the
20 sponsors and operators of airports, air carriers, and
21 Federal agencies in responding to a covered commu-
22 nicable disease;

23 (9) incorporate the recommendations made by
24 the Comptroller General of the United States to the
25 Secretary of Transportation contained in the report

1 titled “Air Travel and Communicable Diseases:
2 Comprehensive Federal Plan Needed for U.S. Avia-
3 tion System’s Preparedness” issued in December
4 2015 (GAO–16–127);

5 (10) consider the latest peer-reviewed scientific
6 studies that address communicable disease with re-
7 spect to air transportation; and

8 (11) consider funding constraints.

9 (c) CONSULTATION.—When developing the plan
10 under subsection (a), the Secretary of Transportation
11 shall consult with aviation industry and labor stake-
12 holders, including representatives of—

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

16 (2) airport operators, including with respect to
17 large hub, medium hub, small hub, and nonhub com-
18 mercial service airports;

19 (3) labor organizations that represent airline pi-
20 lots, flight attendants, air carrier airport customer
21 service representatives, and air carrier maintenance,
22 repair, and overhaul workers;

23 (4) the labor organization certified under sec-
24 tion 7111 of title 5, United States Code, as the ex-

1 exclusive bargaining representative of air traffic con-
2 trollers of the Federal Aviation Administration;

3 (5) the labor organization certified under such
4 section as the exclusive bargaining representative of
5 airway transportation systems specialists and avia-
6 tion safety inspectors of the Federal Aviation Ad-
7 ministration;

8 (6) trade associations representing air carriers
9 and airports;

10 (7) aircraft manufacturing companies; and

11 (8) such other stakeholders as the Secretary
12 considers appropriate.

13 (d) REPORT.—Not later than 30 days after the plan
14 is developed under subsection (a), the Secretary shall sub-
15 mit to the Committee on Transportation and Infrastruc-
16 ture of the House of Representatives and the Committee
17 on Commerce, Science, and Transportation of the Senate
18 a report that includes such plan.

19 (e) REVIEW OF PLAN.—Not later than 1 year after
20 the date on which a report is submitted under subsection
21 (d), and biannually thereafter, the Secretary shall review
22 the plan included in such report and, after consultation
23 with aviation industry and labor stakeholders, make
24 changes by rule as the Secretary considers appropriate.

1 (f) GAO STUDY.—Not later than 18 months after the
2 date of enactment of this Act, the Comptroller General
3 shall conduct and submit to the Committee on Transpor-
4 tation and Infrastructure of the House of Representatives
5 and the Committee on Commerce, Science, and Transpor-
6 tation of the Senate a study assessing the national avia-
7 tion preparedness plan developed under subsection (a), in-
8 cluding—

9 (1) whether such plan—

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

15 (B) meets the obligations of the United
16 States under international conventions and
17 treaties; and

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

21 (g) DEFINITIONS.—In this section:

22 (1) FRONTLINE AT-RISK EMPLOYEE.—The term
23 “frontline at-risk employee” means—

24 (A) an individual whose job duties require
25 interaction with air carrier passengers on a reg-

1 ular and continuing basis and who is an em-
2 ployee of—

- 3 (i) an air carrier;
- 4 (ii) an air carrier contractor;
- 5 (iii) an airport; or
- 6 (iv) the Federal Government; or

7 (B) an air traffic controller or systems
8 safety specialist of the Federal Aviation Admin-
9 istration.

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

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