

117TH CONGRESS
1ST SESSION

H. R. 1893

IN THE SENATE OF THE UNITED STATES

JULY 21, 2021

Received; read twice and referred to the Committee on Commerce, Science,
and Transportation

AN ACT

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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Transportation Secu-
3 rity Preparedness Act of 2021”.

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

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

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

24 (1) The Administration’s communication and
25 collaboration with the Administration’s workforce re-
26 garding the Administration’s response to the

1 COVID–19 pandemic and efforts to mitigate and
2 monitor transmission of COVID–19 among its work-
3 force, including through—

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

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

10 (C) adjusting policies regarding scheduling,
11 leave, and telework;

12 (D) outreach as a part of contact tracing
13 when an employee has tested positive for
14 COVID–19; and

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

20 (2) Any other topic determined appropriate by
21 the Administrator.

22 (c) REPORT.—Not later than 30 days after com-
23 pleting the survey required under subsection (a), the Ad-
24 ministration shall provide a report summarizing the re-
25 sults of the survey to the Committee on Homeland Secu-

1 rity of the House of Representatives and the Committee
 2 on Commerce, Science, and Transportation of the Senate.

3 **SEC. 3. TRANSPORTATION SECURITY PREPAREDNESS**

4 **PLAN.**

5 (a) **PLAN REQUIRED.**—Section 114 of title 49,
 6 United States Code, is amended by adding at the end the
 7 following new subsection:

8 “(x) **TRANSPORTATION SECURITY PREPAREDNESS**
 9 **PLAN.**—

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

23 “(2) **CONSIDERATIONS.**—In developing the plan
 24 required under paragraph (1), the Secretary, acting

1 through the Administrator, shall consider each of
2 the following:

3 “(A) The findings of the survey required
4 under section 2 of the Transportation Security
5 Preparedness Act of 2021.

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

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

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

17 “(A) Plans for communicating and collabo-
18 rating in the event of a communicable disease
19 outbreak with the following partners:

20 “(i) Appropriate Federal departments
21 and agencies, including the Department of
22 Health and Human Services, the Centers
23 for Disease Control and Prevention, the
24 Department of Transportation, the De-

1 partment of Labor, and appropriate inter-
2 agency task forces.

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

10 “(iii) International partners, including
11 the International Civil Aviation Organiza-
12 tion and foreign governments, airports,
13 and air carriers.

14 “(iv) Public and private stakeholders,
15 as such term is defined under subsection
16 (t)(1)(C).

17 “(v) The traveling public.

18 “(B) Plans for protecting the safety of the
19 Transportation Security Administration work-
20 force, including—

21 “(i) reducing the risk of commu-
22 nicable disease transmission at screening
23 checkpoints and within the Administra-
24 tion’s workforce related to the Administra-

1 tion’s transportation security operations
2 and mission;

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

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

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

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

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

22 “(E) Provisions setting forth criteria for
23 establishing an interagency task force or other
24 standing engagement platform with other ap-
25 propriate Federal departments and agencies, in-

cluding the Department of Health and Human Services and the Department of Transportation, to address such communicable disease outbreak.

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

“(G) Considerations for assessing the appropriateness of issuing security directives and emergency amendments to regulated parties in various modes of transportation, including surface transportation, and plans for ensuring compliance with such measures.

“(H) A description of any potential obstacles, including funding constraints and limitations to authorities, that could restrict the ability of the Administration to respond appropriately to a communicable disease outbreak.

“(4) DISSEMINATION.—Upon development of the plan required under paragraph (1), the Administrator shall disseminate the plan to the partners identified under paragraph (3)(A) and to the Committee on Homeland Security of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate.

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

10 (b) COMPTROLLER GENERAL REPORT.—Not later
11 than 1 year after the date on which the transportation
12 security preparedness plan required under subsection (x)
13 of section 114 of title 49, United States Code, as added
14 by subsection (a), is disseminated under paragraph (4) of
15 such subsection (x), the Comptroller General of the United
16 States shall submit to the Committee on Homeland Secu-
17 rity of the House of Representatives and the Committee
18 on Commerce, Science, and Transportation of the Senate
19 a report containing the results of a study assessing the
20 transportation security preparedness plan, including an
21 analysis of—

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

(2) the extent to which the Transportation Security Administration is prepared to implement the plan.

Passed the House of Representatives July 20, 2021.

Attest: **CHERYL L. JOHNSON,**
Clerk.