

117TH CONGRESS
2D SESSION

H. R. 884

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 15, 2022

Received

SEPTEMBER 19, 2022

Read twice and referred to the Committee on Homeland Security and
Governmental Affairs

NOVEMBER 15, 2022

Committee discharged; referred to the Committee on Commerce, Science, and
Transportation

AN ACT

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-

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

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

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

14 (2) improve coordination among airports, air
15 carriers, U.S. Customs and Border Protection, the
16 Centers for Disease Control and Prevention, other
17 appropriate Federal entities, and State and local
18 governments and health agencies with respect to
19 preparing for and responding to communicable dis-
20 ease outbreaks;

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

23 (4) create a process to identify appropriate per-
24 sonal protective equipment, if any, for covered em-
25 ployees to reduce the likelihood of exposure to a cov-

1 ered communicable disease, and thereafter issue rec-
2 ommendations for the equipage of such employees;

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

10 (6) identify and assign Federal agency roles in
11 the deployment of emerging and existing tech-
12 nologies and solutions to reduce covered commu-
13 nicable diseases in the aviation ecosystem;

14 (7) clearly delineate the responsibilities of the
15 sponsors and operators of airports, air carriers, and
16 Federal agencies in responding to a covered commu-
17 nicable disease;

18 (8) incorporate, as appropriate, the rec-
19 ommendations made by the Comptroller General of
20 the United States to the Secretary of Transportation
21 contained in the report titled “Air Travel and Com-
22 municable Diseases: Comprehensive Federal Plan
23 Needed for U.S. Aviation System’s Preparedness”,
24 issued in December 2015 (GAO-16-127);

1 (9) consider the latest peer-reviewed scientific
2 studies that address communicable disease with re-
3 spect to air transportation; and

4 (10) consider funding constraints.

5 (c) CONSULTATION.—When developing the plan
6 under subsection (a), the Secretary of Transportation
7 shall consult with aviation industry and labor stake-
8 holders, including representatives of—

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

12 (2) airport operators, including with respect to
13 large hub, medium hub, small hub, and nonhub com-
14 mercial service airports;

15 (3) labor organizations that represent airline pi-
16 lots, flight attendants, air carrier airport customer
17 service representatives, and air carrier maintenance,
18 repair, and overhaul workers;

19 (4) the labor organization certified under sec-
20 tion 7111 of title 5, United States Code, as the ex-
21 clusive bargaining representative of air traffic con-
22 trollers of the Federal Aviation Administration;

23 (5) the labor organization certified under such
24 section as the exclusive bargaining representative of
25 airway transportation systems specialists and avia-

1 tion safety inspectors of the Federal Aviation Ad-
2 ministration;

3 (6) trade associations representing air carriers
4 and airports;

5 (7) aircraft manufacturing companies;

6 (8) general aviation; and

7 (9) such other stakeholders as the Secretary
8 considers appropriate.

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

15 (e) REVIEW OF PLAN.—Not later than 1 year after
16 the date on which a report is submitted under subsection
17 (d), and again not later than 5 years thereafter, the Sec-
18 retary shall review the plan included in such report and,
19 after consultation with aviation industry and labor stake-
20 holders, make changes by rule as the Secretary considers
21 appropriate.

22 (f) GAO STUDY.—Not later than 18 months after the
23 date of enactment of this Act, the Comptroller General
24 shall conduct and submit to the Committee on Transpor-
25 tation and Infrastructure of the House of Representatives

1 and the Committee on Commerce, Science, and Transpor-
2 tation of the Senate a study assessing the national avia-
3 tion preparedness plan developed under subsection (a), in-
4 cluding—

5 (1) whether such plan—

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

11 (B) meets the obligations of the United
12 States under international conventions and
13 treaties; and

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

17 (g) DEFINITIONS.—In this section:

18 (1) COVERED EMPLOYEE.—The term “covered
19 employee” means—

20 (A) an individual whose job duties require
21 interaction with air carrier passengers on a reg-
22 ular and continuing basis and who is an em-
23 ployee of—

24 (i) an air carrier;

25 (ii) an air carrier contractor;

- 1 (iii) an airport; or
2 (iv) the Federal Government; or
3 (B) an air traffic controller or systems
4 safety specialist of the Federal Aviation Admin-
5 istration.

6 (2) COVERED COMMUNICABLE DISEASE.—The
7 term “covered communicable disease” means a com-
8 municable disease that has the potential to cause a
9 future epidemic or pandemic of infectious disease
10 that would constitute a public health emergency of
11 international concern as declared, after the date of
12 enactment of this Act, by the Secretary of Health
13 and Human Services under section 319 of the Public
14 Health Service Act (42 U.S.C. 247d).

Passed the House of Representatives September 14,
2022.

Attest: CHERYL L. JOHNSON,
Clerk.