

116TH CONGRESS
2D SESSION

H. R. 8712

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

OCTOBER 30, 2020

Mr. LARSEN of Washington (for himself and Mr. BEYER) 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 2020”.

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) ensure that at-risk employees are equipped
24 with appropriate personal protective equipment to

1 reduce the likelihood of exposure to a covered com-
2 municable disease;

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

10 (6) identify and assign Federal agency roles in
11 the development and deployment of emerging and
12 existing solutions to reduce covered communicable
13 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 the recommendations made by
19 the Comptroller General of the United States to the
20 Secretary of Transportation contained in the report
21 titled “Air Travel and Communicable Diseases:
22 Comprehensive Federal Plan Needed for U.S. Avia-
23 tion System’s Preparedness” issued in December
24 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;

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

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

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

21 (5) the labor organization certified under such
22 section as the exclusive bargaining representative of
23 airway transportation systems specialists and avia-
24 tion safety inspectors of the Federal Aviation Ad-
25 ministration;

1 (6) trade associations representing air carriers
2 and airports; and

3 (7) such other stakeholders as the Secretary
4 considers appropriate.

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

11 (e) REVIEW OF PLAN.—Not later than 1 year after
12 the date on which a report is submitted under subsection
13 (d), and every year thereafter, the Secretary shall review
14 the plan included in such report and make changes by rule
15 as the Secretary considers appropriate.

16 (f) GAO STUDY.—Not later than 18 months after the
17 date of enactment of this Act, the Comptroller General
18 shall conduct and submit to the Committee on Transpor-
19 tation and Infrastructure of the House of Representatives
20 and the Committee on Commerce, Science, and Transpor-
21 tation of the Senate a study assessing the national avia-
22 tion preparedness plan developed under subsection (a), in-
23 cluding—

24 (1) whether such plan—

1 (A) is responsive to any previous rec-
 2 ommendations relating to aviation preparedness
 3 with respect to an outbreak of a covered com-
 4 municable disease or global health emergency
 5 made by the Comptroller General; and

6 (B) meets the obligations of the United
 7 States under international conventions and
 8 treaties; and

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

12 (g) DEFINITIONS.—In this section:

13 (1) AT-RISK EMPLOYEE.—The term “at-risk
 14 employee” means—

15 (A) an individual whose job duties require
 16 interaction with air carrier passengers on a reg-
 17 ular and continuing basis and who is an em-
 18 ployee of—

19 (i) an air carrier;

20 (ii) an air carrier contractor;

21 (iii) an airport; or

22 (iv) the Federal Government; and

23 (B) an air traffic controller or systems
 24 safety specialist of the Federal Aviation Admin-
 25 istration.

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

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