

**AMENDMENT IN THE NATURE OF A SUBSTITUTE**  
**TO H.R. 884**  
**OFFERED BY M** . \_\_\_\_\_

Strike all after the enacting clause and insert the following:

**1 SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “National Aviation Pre-  
3 paredness Plan Act of 2022”.

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

5 (a) IN GENERAL.—Not later than 2 years after the  
6 date of enactment of this Act, the Secretary of Transpor-  
7 tation, in coordination with the Secretary of Health and  
8 Human Services, the Secretary of Homeland Security, and  
9 the heads of such other Federal departments or agencies  
10 as the Secretary of Transportation considers appropriate,  
11 shall develop a national aviation preparedness plan for  
12 communicable disease outbreaks.

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

15 (1) provide airports and air carriers with an  
16 adaptable and scalable framework with which to  
17 align the individual plans, including the emergency

1 response plans, of such airports and air carriers and  
2 provide guidance as to each individual plan;

3 (2) improve coordination among airports, air  
4 carriers, U.S. Customs and Border Protection, the  
5 Centers for Disease Control and Prevention, other  
6 appropriate Federal entities, and State and local  
7 governments and health agencies with respect to  
8 preparing for and responding to communicable dis-  
9 ease outbreaks;

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

12 (4) create a process to identify appropriate per-  
13 sonal protective equipment, if any, for covered em-  
14 ployees to reduce the likelihood of exposure to a cov-  
15 ered communicable disease, and thereafter issue rec-  
16 ommendations for the equipage of such employees;

17 (5) create a process to identify appropriate  
18 techniques, strategies, and protective infrastructure,  
19 if any, for the cleaning, disinfecting, and sanitization  
20 of aircraft and enclosed facilities owned, operated, or  
21 used by an air carrier or airport, and thereafter  
22 issue recommendations pertaining to such tech-  
23 niques, strategies, and protective infrastructure;

24 (6) identify and assign Federal agency roles in  
25 the deployment of emerging and existing tech-

1 nologies and solutions to reduce covered commu-  
2 nicable diseases in the aviation ecosystem;

3 (7) clearly delineate the responsibilities of the  
4 sponsors and operators of airports, air carriers, and  
5 Federal agencies in responding to a covered commu-  
6 nicable disease;

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

14 (9) consider the latest peer-reviewed scientific  
15 studies that address communicable disease with re-  
16 spect to air transportation; and

17 (10) consider funding constraints.

18 (c) CONSULTATION.—When developing the plan  
19 under subsection (a), the Secretary of Transportation  
20 shall consult with aviation industry and labor stake-  
21 holders, including representatives of—

22 (1) air carriers, which shall include domestic air  
23 carriers consisting of major air carriers, low-cost  
24 carriers, regional air carriers and cargo carriers;

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

4           (3) labor organizations that represent airline pi-  
5           lots, flight attendants, air carrier airport customer  
6           service representatives, and air carrier maintenance,  
7           repair, and overhaul workers;

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

12          (5) the labor organization certified under such  
13          section as the exclusive bargaining representative of  
14          airway transportation systems specialists and avia-  
15          tion safety inspectors of the Federal Aviation Ad-  
16          ministration;

17          (6) trade associations representing air carriers  
18          and airports;

19          (7) aircraft manufacturing companies; and

20          (8) such other stakeholders as the Secretary  
21          considers appropriate.

22          (d) REPORT.—Not later than 30 days after the plan  
23          is developed under subsection (a), the Secretary shall sub-  
24          mit to the Committee on Transportation and Infrastruc-  
25          ture of the House of Representatives and the Committee

1 on Commerce, Science, and Transportation of the Senate  
2 a report that includes such plan.

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

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

18 (1) whether such plan—

19 (A) is responsive to any previous rec-  
20 ommendations relating to aviation preparedness  
21 with respect to an outbreak of a covered com-  
22 municable disease or global health emergency  
23 made by the Comptroller General; and

1 (B) meets the obligations of the United  
2 States under international conventions and  
3 treaties; and

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

7 (g) DEFINITIONS.—In this section:

8 (1) COVERED EMPLOYEE.—The term “covered  
9 employee” means—

10 (A) an individual whose job duties require  
11 interaction with air carrier passengers on a reg-  
12 ular and continuing basis and who is an em-  
13 ployee of—

14 (i) an air carrier;

15 (ii) an air carrier contractor;

16 (iii) an airport; or

17 (iv) the Federal Government; or

18 (B) an air traffic controller or systems  
19 safety specialist of the Federal Aviation Admin-  
20 istration.

21 (2) COVERED COMMUNICABLE DISEASE.—The  
22 term “covered communicable disease” means a com-  
23 municable disease that has the potential to cause a  
24 future epidemic or pandemic of infectious disease  
25 that would constitute a public health emergency of

1 international concern as declared, after the date of  
2 enactment of this Act, by the Secretary of Health  
3 and Human Services under section 319 of the Public  
4 Health Service Act (42 U.S.C. 247d).

