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(Original Signature of Member)

116TH CONGRESS
2D SESSION

H. R. _____

To require a joint task force on air travel during and after the COVID-19 Public Health Emergency, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Mr. LYNCH introduced the following bill; which was referred to the Committee
on _____

A BILL

To require a joint task force on air travel during and after the COVID-19 Public Health Emergency, 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 “Ensuring Health Safe-
5 ty in the Skies Act of 2020”.

6 **SEC. 2. JOINT TASK FORCE ON AIR TRAVEL.**

7 (a) IN GENERAL.—Not later than 30 days after the
8 date of enactment of this Act, the Secretary of Transpor-

1 tation, the Secretary of Homeland Security, and the Sec-
2 retary of Health and Human Services shall establish a
3 Joint Task Force on Air Travel During and After the
4 COVID–19 Public Health Emergency (in this section re-
5 ferred to as the “Joint Task Force”).

6 (b) DUTIES.—

7 (1) IN GENERAL.—The Joint Task Force shall
8 develop recommended requirements, plans, and
9 guidelines to address the health, safety, security, and
10 logistical issues relating to the continuation of air
11 travel during the COVID–19 Public Health Emer-
12 gency, and with respect to the resumption of full op-
13 erations at airports and increased passenger air
14 travel after the COVID–19 Public Health Emer-
15 gency ends. The Joint Task Force shall develop, at
16 a minimum, recommended requirements, plans, and
17 guidelines, as appropriate, with respect to each of
18 the applicable periods described in paragraph (2)
19 for—

20 (A) reforming airport, air carrier, security,
21 and other passenger air travel-related oper-
22 ations, including passenger queuing, passenger
23 security screening, boarding, deplaning, and
24 baggage handling procedures, as a result of—

1 (i) current and anticipated changes to
2 passenger air travel during the COVID–19
3 Public Health Emergency and after that
4 emergency ends; and

5 (ii) anticipated changes to passenger
6 air travel as a result of the projected sea-
7 sonal recurrence of the coronavirus;

8 (B) mitigating the public health and eco-
9 nomic impacts of the COVID–19 Public Health
10 Emergency and the projected seasonal recur-
11 rence of the coronavirus on airports and pas-
12 senger air travel, including through the use of
13 personal protective equipment for passengers
14 and employees, the implementation of strategies
15 to promote overall passenger and employee safe-
16 ty, and the accomodation of social distancing,
17 as necessary;

18 (C) addressing the privacy and civil liberty
19 concerns created by passenger health
20 screenings, contact-tracing, or any other proc-
21 ess for monitoring the health of individuals en-
22 gaged in health travel; and

23 (D) operating procedures to manage future
24 public health crises affecting air travel.

1 (2) APPLICABLE PERIODS.—For purposes of
2 paragraph (1), the applicable periods are the fol-
3 lowing:

4 (A) The period beginning with the date of
5 the first meeting of the Joint Task Force and
6 ending with the date on which the COVID–19
7 Public Health Emergency ends.

8 (B) The 1-year period beginning on the
9 day after the period described in subparagraph
10 (A) ends.

11 (c) REQUIREMENTS.—

12 (1) IN GENERAL.—In developing the rec-
13 ommended requirements, plans, and guidelines
14 under subsection (b), and prior to including them in
15 the final report required under subsection (f)(2), the
16 Joint Task Force shall—

17 (A) consider the consensus recommenda-
18 tions of the Advisory Committee established
19 under subsection (e);

20 (B) conduct cost-benefit evaluations;

21 (C) consider funding constraints; and

22 (D) use risk-based decision-making.

23 (2) INTERNATIONAL CONSULTATION.—The
24 Joint Task Force shall consult, as practicable, with
25 relevant international entities and operators, includ-

1 ing the International Civil Aviation Organization, to-
2 wards the goal of maximizing the harmonization of
3 recommended requirements, plans, and guidelines
4 for air travel during and after the COVID-19 Public
5 Health Emergency.

6 (d) MEMBERSHIP.—

7 (1) CHAIR.—The Secretary of Transportation
8 (or the Secretary's designee) shall serve as the Chair
9 of the Joint Task Force.

10 (2) VICE CHAIR.—The Secretary of Health and
11 Human Services (or the Secretary's designee) shall
12 serve as Vice Chair of the Joint Task Force.

13 (3) OTHER MEMBERS.—In addition to the
14 Chair and Vice Chair, the members of the Joint
15 Task Force shall include representatives of the fol-
16 lowing:

17 (A) The Department of Transportation.

18 (B) The Department of Homeland Secu-
19 rity.

20 (C) The Department of Health and
21 Human Services.

22 (D) The Federal Aviation Administration.

23 (E) The Transportation Security Adminis-
24 tration.

1 (F) United States Customs and Border
2 Protection.

3 (G) The Centers for Disease Control and
4 Prevention.

5 (H) The Occupational Safety and Health
6 Administration.

7 (I) The National Institute for Occupational
8 Safety and Health.

9 (J) The Pipeline and Hazardous Materials
10 Safety Administration.

11 (K) The Department of State.

12 (L) The Environmental Protection Agency.

13 (e) ADVISORY COMMITTEE.—

14 (1) ESTABLISHMENT.—Not later than 15 days
15 after the date on which the Joint Task Force is es-
16 tablished under subsection (a), the Secretary of
17 Transportation, in consultation with the Secretary of
18 Homeland Security and the Secretary of Health and
19 Human Services, shall establish a Joint Federal Ad-
20 visory Committee to advise the Joint Task Force (in
21 this section referred to as the “Advisory Com-
22 mittee”).

23 (2) MEMBERSHIP.—The members of the Advi-
24 sory Committee shall include representatives of the
25 following:

1 (A) Airport operators designated by the
2 Secretary of Transportation in consultation
3 with the Secretary of Homeland Security.

4 (B) Air carriers designated by the Sec-
5 retary of Transportation in consultation with
6 the Secretary of Homeland Security.

7 (C) Aircraft and aviation manufacturers
8 designated by the Secretary of Transportation.

9 (D) Labor organizations representing avia-
10 tion industry workers, including pilots, flight at-
11 tendants, maintenance, mechanics, air traffic
12 controllers, and safety inspectors, designated by
13 the Secretary of Transportation.

14 (E) Public health experts designated by
15 the Secretary of Health and Human Services.

16 (F) Consumers and air passenger rights
17 organizations designated by the Secretary of
18 Transportation in consultation with Secretary
19 of Homeland Security.

20 (G) Privacy and civil liberty organizations
21 designated by the Secretary of Homeland Secu-
22 rity.

23 (H) Manufacturers and integrators of air
24 passenger screening and identity verification

1 technologies designated by the Secretary of
2 Homeland Security.

3 (I) Trade associations representing air car-
4 riers, including, major air carriers, low cost car-
5 riers, regional air carriers, cargo air carriers,
6 and foreign air carriers, designated by the Sec-
7 retary of Transportation in consultation with the
8 Secretary of Homeland Security.

9 (J) Trade associations representing airport
10 operators designated by the Secretary of Trans-
11 portation in consultation with the Secretary of
12 Homeland Security.

13 (3) VACANCIES.—Any vacancy in the member-
14 ship of the Advisory Committee shall not affect its
15 responsibilities, but shall be filled in the same man-
16 ner as the original appointment and in accordance
17 with the Federal Advisory Committee Act (5 U.S.C.
18 App.).

19 (4) DUTIES.—

20 (A) IN GENERAL.—The Advisory Com-
21 mittee shall develop and submit policy rec-
22 ommendations to the Joint Task Force regard-
23 ing the recommended requirements, plans, and
24 guidelines to be developed by the Joint Task
25 Force under subsection (b).

1 (B) PUBLICATION.—Not later than 14
2 days after the date on which the Advisory Com-
3 mittee submits policy recommendations to the
4 Joint Task Force in accordance with subpara-
5 graph (A), the Secretary of Transportation
6 shall publish the policy recommendations on a
7 publicly accessible website.

8 (5) PROHIBITION ON COMPENSATION.—The
9 members of the Advisory Committee shall not re-
10 ceive any compensation from the Federal Govern-
11 ment by reason of their service on the Advisory
12 Committee.

13 (f) BRIEFINGS AND REPORTS.—

14 (1) PRELIMINARY BRIEFINGS.—As soon as
15 practicable, but not later than 6 months after the
16 establishment of the Joint Task Force, the Joint
17 Task Force shall begin providing preliminary brief-
18 ings for Congress on the status of the development
19 of the recommended requirements, plans, and guide-
20 lines under subsection (b). The preliminary briefings
21 shall include interim versions, if any, of the Joint
22 Task Force's recommendations.

23 (2) FINAL REPORT.—

24 (A) DEADLINE.—As soon as practicable,
25 but not later than 18 months after the date of

1 enactment of this Act, the Joint Task Force
2 shall submit to Congress a final report.

3 (B) CONTENT.—The final report under
4 subparagraph (A) shall include the following:

5 (i) All of the recommended require-
6 ments, plans, and guidelines developed by
7 the Joint Task Force.

8 (ii) A description of any actions taken
9 by the Federal Government as a result of
10 such recommendations.

11 (g) TERMINATION.—The Joint Task Force and Advi-
12 sory Committee shall terminate 30 days after the date on
13 which the Joint Task Force submits the final report re-
14 quired under subsection (f)(2).

15 (h) DEFINITION.—In this section, the term
16 “COVID–19 Public Health Emergency” means the public
17 health emergency first declared on January 31, 2020, by
18 the Secretary of Health and Human Services under sec-
19 tion 319 of the Public Health Service Act (42 U.S.C.
20 247d) with respect to COVID–19 and includes any re-
21 newal of such declaration pursuant to such section 319.