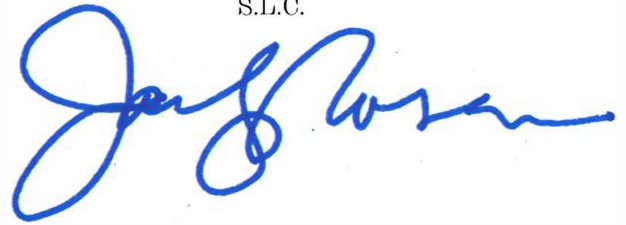


ROSEN ANS

MDM21K15 LJ6

S.L.C.



AMENDMENT NO. _____

Calendar No. _____

Purpose: In the nature of a substitute.

IN THE SENATE OF THE UNITED STATES—117th Cong., 1st Sess.

S. 3375

To promote travel and tourism in the United States, to improve the health safety and security of international flights entering the United States, and for other purposes.

Referred to the Committee on _____ and ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT IN THE NATURE OF A SUBSTITUTE intended to be proposed by Ms. ROSEN

Viz:

1 Strike all after the enacting clause and insert the following:
2

3 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

4 (a) SHORT TITLE.—This Act may be cited as the
5 “Omnibus Travel and Tourism Act of 2021”.

6 (b) TABLE OF CONTENTS.—The table of contents for
7 this Act is as follows:

- Sec. 1. Short title; table of contents.
- Sec. 2. Defined term.

TITLE I—TRAVEL PROMOTION

- Sec. 101. Short title.
- Sec. 102. Purposes.
- Sec. 103. Sense of Congress.
- Sec. 104. Assistant Secretary for Travel and Tourism.

Sec. 105. Responsibilities of the Assistant Secretary of Commerce for Travel and Tourism.

Sec. 106. Travel and tourism strategy.

Sec. 107. United States Travel and Tourism Advisory Board.

TITLE II—TRAVEL SAFETY

Subtitle A—Health Safety

Sec. 201. Study and report on effects of COVID–19 pandemic on travel and tourism industry in United States.

Sec. 202. Ensuring Health Safety in the Skies.

Sec. 203. Feasibility study on the use of canine units to detect COVID–19 at airports.

Subtitle B—One-Stop Security

Sec. 211. Short title.

Sec. 212. Definitions.

Sec. 213. Pilot Program for One-Stop Security.

1 **SEC. 2. DEFINED TERM.**

2 In this Act, the term “COVID–19 public health emer-
3 gency”—

4 (1) means the public health emergency first de-
5 clared on January 31, 2020, by the Secretary of
6 Health and Human Services under section 319 of
7 the Public Health Service Act (42 U.S.C. 247d) with
8 respect to COVID–19; and

9 (2) includes any renewal of such declaration
10 pursuant to such section 319.

11 **TITLE I—TRAVEL PROMOTION**

12 **SEC. 101. SHORT TITLE.**

13 This title may be cited as the “Visit America Act”.

14 **SEC. 102. PURPOSES.**

15 The purposes of this title are—

1 (1) to support the travel and tourism industry,
2 which produces economic impacts that are vital to
3 our national economy; and

4 (2) to establish national goals for international
5 visitors to the United States, including—

6 (A) recommendations for achieving such
7 goals and timelines for implementing such rec-
8 ommendations;

9 (B) coordination between Federal and
10 State agencies;

11 (C) the resources needed by each Govern-
12 ment agency to achieve such goals; and

13 (D) the number of international visitors
14 and the value of national travel exports.

15 **SEC. 103. SENSE OF CONGRESS.**

16 It is the sense of Congress that—

17 (1) setting a national goal for the number of
18 international visitors to the United States is vital for
19 aligning Federal tourism policy to support American
20 jobs and economic growth;

21 (2) setting a national goal for travel exports is
22 vital for aligning Federal tourism policy to support
23 American jobs, increase travel exports, and improve
24 our Nation's balance of trade;

1 (3) the travel industry is an essential part of
2 the United States' services exports with respect to
3 business, education, medical, and leisure travel;

4 (4) the promotion of travel and visitation by the
5 Corporation for Travel Promotion (doing business as
6 "Brand USA") is vital to increasing visitation and
7 articulating the visitation laws of the United States;
8 and

9 (5) there is an urgent need for a coordinated
10 travel and tourism industry response and strategy to
11 respond to the current state of such industry and fu-
12 ture unforeseen circumstances that may impact the
13 travel and tourism industry.

14 **SEC. 104. ASSISTANT SECRETARY FOR TRAVEL AND TOUR-**
15 **ISM.**

16 Section 2(d) of the Reorganization Plan Numbered
17 3 of 1979 (93 Stat. 1382; 5 U.S.C. App.) is amended—

18 (1) by striking "There shall be in the Depart-
19 ment two additional Assistant Secretaries" and in-
20 serting "(1) There shall be in the Department 3 ad-
21 ditional Assistant Secretaries, including the Assist-
22 ant Secretary of Commerce for Travel and Tour-
23 ism,"; and

24 (2) by adding at the end the following:

1 “(2) The Assistant Secretary of Commerce for Travel
2 and Tourism shall—

3 “(A) be appointed by the President, subject to
4 the advice and consent of the Senate; and

5 “(B) report directly to the Under Secretary for
6 International Trade.”.

7 **SEC. 105. RESPONSIBILITIES OF THE ASSISTANT SEC-**
8 **RETARY OF COMMERCE FOR TRAVEL AND**
9 **TOURISM.**

10 (a) VISITATION GOALS.—The Assistant Secretary of
11 Commerce for Travel and Tourism (referred to in this sec-
12 tion as the “Assistant Secretary”), appointed pursuant to
13 section 2(d) of the Reorganization Plan Numbered 3 of
14 1979, as amended by section 104, shall—

15 (1) establish an annual goal, consistent with the
16 goals of the travel and tourism strategy developed
17 pursuant to section 106(1), for—

18 (A) the number of international visitors to
19 the United States; and

20 (B) the value of travel exports;

21 (2) develop recommendations for achieving the
22 annual goals established pursuant to paragraph (1);

23 (3) ensure that travel and tourism policy is de-
24 veloped in consultation with—

25 (A) the Tourism Policy Council;

- 1 (B) the Secretary of Homeland Security;
- 2 (C) the National Travel and Tourism Of-
- 3 fice;
- 4 (D) Brand USA;
- 5 (E) the United States Travel and Tourism
- 6 Advisory Board; and
- 7 (F) travel industry partners, including
- 8 public and private destination marketing orga-
- 9 nizations, travel and tourism suppliers, and
- 10 labor representatives from these industries.
- 11 (4) establish short, medium, and long-term
- 12 timelines for implementing the recommendations de-
- 13 veloped pursuant to paragraph (2);
- 14 (5) conduct Federal agency needs assessments,
- 15 in consultation with the Office of Management and
- 16 Budget, to identify the resources, statutory or regu-
- 17 latory changes, and private sector engagement need-
- 18 ed to achieve the annual visitation goals; and
- 19 (6) provide assessments and recommendations
- 20 to—
- 21 (A) the Committee on Commerce, Science,
- 22 and Transportation of the Senate;
- 23 (B) the Committee on Energy and Com-
- 24 merce of the House of Representatives; and

1 (C) the public through a publicly accessible
2 website.

3 (b) VISA ADJUDICATION.—The Assistant Secretary,
4 in consultation with the Secretary of State and the Sec-
5 retary of Homeland Security, shall—

6 (1) explore strategies for improving visitor visa
7 processing with respect to—

8 (A) the maximum time for processing
9 visas, by visitation type;

10 (B) regulatory and policy changes needed
11 to meet the visa processing goals referred to in
12 subparagraph (A), including changes regarding
13 technology, processing centers, and training;
14 and

15 (C) streamlining visa applications and ad-
16 judications, including application design and
17 data collection procedures; and

18 (2) explore opportunities to establish pilot pro-
19 grams to integrate technology into the visitor visa
20 adjudication process, including video conferencing
21 and biometrics.

22 (c) DOMESTIC TRAVEL AND TOURISM.—The Assist-
23 ant Secretary, to the extent feasible, shall—

24 (1) evaluate, on an ongoing basis, domestic pol-
25 icy options for supporting competitiveness with re-

1 spect to the strengths, weaknesses, and growth of
2 the domestic travel industry;

3 (2) develop recommendations and goals to sup-
4 port and enhance domestic tourism, separated by
5 business and leisure; and

6 (3) engage public and private stakeholders to
7 support domestic tourism.

8 (d) WORKFORCE.—The Assistant Secretary shall—

9 (1) consult with the Secretary of Labor to de-
10 velop strategies and best practices for improving the
11 timeliness and reliability of travel and tourism work-
12 force data;

13 (2) work with the Secretary of Labor and the
14 Bureau of Economic Analysis to improve travel and
15 tourism industry data; and

16 (3) provide recommendations for policy en-
17 hancements and efficiencies.

18 (e) TRAVEL EXPORT PROMOTION.—The Assistant
19 Secretary, in coordination with the Assistant Secretary of
20 Commerce for Global Markets and the Director General
21 of the United States and Foreign Commercial Service,
22 shall work to promote and facilitate travel exports abroad
23 and ensure competitiveness by engaging in, at a min-
24 imum—

1 (1) promoting meetings, incentives, conferences,
2 and exhibitions;

3 (2) emphasizing rural and other destinations
4 rich in cultural heritage or ecological tourism,
5 among other uniquely American destinations; and

6 (3) promoting sports and recreation events and
7 activities, which shall be hosted in the United
8 States.

9 (f) TRAVEL SECURITY.—The Assistant Secretary
10 shall investigate and provide recommendations to the
11 Committee on Commerce, Science, and Transportation of
12 the Senate, the Committee on the Judiciary of the Senate,
13 the Committee on Homeland Security and Governmental
14 Affairs of the Senate, the Committee on Energy and Com-
15 merce of the House of Representatives, the Committee on
16 Homeland Security of the House of Representatives, and
17 the Committee on the Judiciary of the House of Rep-
18 resentatives regarding initiating, utilizing, or expanding
19 existing security programs to better meet the needs of the
20 United States travel and tourism industry, including—

21 (1) the Visa Waiver Program authorized under
22 section 217 of the Immigration and Nationality Act
23 (8 U.S.C. 1187);

24 (2) preclearance operations;

25 (3) the Trusted Traveler Program;

1 (4) the biometric entry-exit control system re-
2 quired under section 110 of the Illegal Immigration
3 Reform and Immigrant Responsibility Act of 1996
4 (division C of Public Law 104–208; 8 U.S.C. 1221
5 note); and

6 (5) the establishment of a system to provide in-
7 creased resilience to travel during pandemics.

8 (g) RECOVERY STRATEGY.—

9 (1) INITIAL RECOVERY STRATEGY.—Not later
10 than 1 year after amounts are appropriated to ac-
11 complish the purposes of this section, the Assistant
12 Secretary, in consultation with public and private
13 stakeholders identified in subsection (a)(3) and pub-
14 lic health officials, shall develop and implement a
15 COVID–19 public health emergency recovery strat-
16 egy to assist the United States travel and tourism
17 industry to quickly recover from the pandemic.

18 (2) FUTURE RECOVERY STRATEGIES.—After
19 assisting in the implementation of the strategy de-
20 veloped pursuant to paragraph (1), the Assistant
21 Secretary, in consultation with appropriate public
22 and private stakeholders, shall develop additional re-
23 covery strategies for the travel and tourism industry
24 in anticipation of other unforeseen catastrophic
25 events that would significantly affect the travel and

1 tourism industry, such as hurricanes, floods,
2 tsunamis, tornadoes, terrorist attacks, and
3 pandemics.

4 (h) REPORTING REQUIREMENTS.—

5 (1) ASSISTANT SECRETARY.—The Assistant
6 Secretary shall produce an annual forecasting report
7 on the travel and tourism industry, to the extent
8 feasible, which shall include current and antici-
9 pated—

10 (A) domestic employment needs;

11 (B) international inbound volume and
12 spending, taking into account the lasting effects
13 of the COVID-19 public health emergency and
14 the impact of the recovery strategy implemented
15 pursuant to subsection (g)(1);

16 (C) domestic volume and spending, includ-
17 ing Federal and State public land travel and
18 tourism data.

19 (2) BUREAU OF ECONOMIC ANALYSIS.—The Di-
20 rector of the Bureau of Economic Analysis should
21 annually update, to the extent feasible, the Travel
22 and Tourism Satellite Accounts, including—

23 (A) State level travel and tourism spending
24 data;

1 (B) travel and tourism workforce data for
2 full-time and part-time employment; and

3 (C) Federal and State public lands spend-
4 ing data.

5 (3) NATIONAL TRAVEL AND TOURISM OF-
6 FICE.—The Director of the National Travel and
7 Tourism Office—

8 (A) in partnership with the Bureau of Eco-
9 nomic Analysis, shall report international ar-
10 rival and spending data on a regular monthly
11 schedule, which shall be made available to the
12 Travel and Tourism Advisory Board and to the
13 public through a publicly available website; and

14 (B) shall include questions in the Survey
15 of International Air Travelers regarding wait-
16 times, visits to public lands, and State data, to
17 the extent applicable.

18 **SEC. 106. TRAVEL AND TOURISM STRATEGY.**

19 Not less frequently than once every 10 years, the Sec-
20 retary of Commerce, in consultation with the United
21 States Travel and Tourism Advisory Board, the Tourism
22 Policy Council, and the Secretary of Homeland Security,
23 shall develop and submit to Congress a 10-year travel and
24 tourism strategy, which shall include—

1 (1) the establishment of goals with respect to
2 the number of annual international visitors to the
3 United States and the annual value of travel exports
4 during such 10-year period;

5 (2) the resources needed to achieve the goals es-
6 tablished pursuant to paragraph (1); and

7 (3) recommendations for statutory or regulatory
8 changes that would be necessary to achieve such
9 goals.

10 **SEC. 107. UNITED STATES TRAVEL AND TOURISM ADVISORY**
11 **BOARD.**

12 Section 3 of the Act entitled “An Act to encourage
13 travel in the United States, and for other purposes” (15
14 U.S.C. 1546) is amended—

15 (1) by amending the section heading to read as
16 follows: “**UNITED STATES TRAVEL AND TOURISM**
17 **ADVISORY BOARD; ADVISORY COMMITTEE**”;
18 and

19 (2) by striking “The Secretary of Commerce is
20 authorized” and inserting the following:

21 “(a) **UNITED STATES TRAVEL AND TOURISM ADVI-**
22 **SORY BOARD.**—

23 “(1) **IN GENERAL.**—There is established the
24 United States Travel and Tourism Advisory Board
25 (referred to in this subsection as the ‘Board’), the

1 members of which shall be appointed by the Sec-
2 retary of Commerce for 2-year terms from among
3 companies and organizations in the travel and tour-
4 ism industry.

5 “(2) EXECUTIVE DIRECTOR.—The Assistant
6 Secretary for Travel and Tourism shall serve as the
7 Executive Director of the Board.

8 “(3) EXECUTIVE SECRETARIAT.—The Director
9 of the National Travel and Tourism Office of the
10 International Trade Administration shall serve as
11 the Executive Secretariat for the Board.

12 “(4) FUNCTIONS.—The Board’s Charter shall
13 specify that the Board will—

14 “(A) serve as the advisory body to the Sec-
15 retary of Commerce on matters relating to the
16 travel and tourism industry in the United
17 States;

18 “(B) advise the Secretary of Commerce on
19 government policies and programs that affect
20 the United States travel and tourism industry;

21 “(C) offer counsel on current and emerg-
22 ing issues;

23 “(D) provide a forum for discussing and
24 proposing solutions to problems related to the
25 travel and tourism industry; and

1 “(E) provide advice regarding the domestic
2 travel and tourism industry as an economic en-
3 gine.

4 “(5) RECOVERY STRATEGY.—The Board shall
5 assist the Assistant Secretary in the development
6 and implementation of the COVID–19 public health
7 emergency recovery strategy required under section
8 105(g)(1) of the Visit America Act.

9 “(b) ADVISORY COMMITTEE FOR PROMOTION OF
10 TOURIST TRAVEL.—The Secretary of Commerce is au-
11 thorized”.

12 **TITLE II—TRAVEL SAFETY**

13 **Subtitle A—Health Safety**

14 **SEC. 201. STUDY AND REPORT ON EFFECTS OF COVID-19** 15 **PANDEMIC ON TRAVEL AND TOURISM INDUS-** 16 **TRY IN UNITED STATES.**

17 (a) DEFINITIONS.—In this section:

18 (1) PANDEMIC PERIOD.—The term “pandemic
19 period” has the meaning given the term “emergency
20 period” in section 1135(g)(1)(B) of the Social Secu-
21 rity Act (42 U.S.C. 1320b–5(g)(1)(B)), excluding
22 any portion of such period after the date that is 1
23 year after the date of the enactment of this Act.

24 (2) SECRETARY.—The term “Secretary” means
25 the Secretary of Commerce.

1 (3) TRAVEL AND TOURISM INDUSTRY.—The
2 term “travel and tourism industry” means the travel
3 and tourism industry in the United States.

4 (b) INTERIM STUDY AND REPORT.—

5 (1) IN GENERAL.—Not later than 3 months
6 after the date of the enactment of this Act, the Sec-
7 retary, after consultation with relevant stakeholders,
8 including the United States Travel and Tourism Ad-
9 visory Board, shall—

10 (A) complete an interim study, which shall
11 be based on data available at the time the study
12 is conducted and provide a framework for the
13 study required under subsection (c), regarding
14 the effects of the COVID-19 pandemic on the
15 travel and tourism industry, including various
16 segments of the travel and tourism industry,
17 such as domestic, international, leisure, busi-
18 ness, conventions, meetings, and events; and

19 (B) submit a report containing the results
20 of such interim study to—

21 (i) the Committee on Commerce,
22 Science, and Transportation of the Senate;
23 and

1 (ii) the Committee on Energy and
2 Commerce of the House of Representa-
3 tives.

4 (2) AVAILABILITY.—The Secretary shall make
5 the report described in paragraph (1) publicly avail-
6 able on the website of the Department of Commerce.

7 (c) IN GENERAL.—Not later than 1 year after the
8 date of the enactment of this Act, the Secretary, in con-
9 sultation with the United States Travel and Tourism Advi-
10 sory Board and the head of any other Federal agency the
11 Secretary considers appropriate, shall complete a study on
12 the effects of the COVID–19 pandemic on the travel and
13 tourism industry, including various segments of the travel
14 and tourism industry, such as domestic, international, lei-
15 sure, business, conventions, meetings, and events.

16 (d) MATTERS FOR CONSIDERATION.—In conducting
17 the interim study required under subsection (b) and the
18 study required under subsection (c), the Secretary shall
19 consider—

20 (1) changes in employment rates in the travel
21 and tourism industry during the pandemic period;

22 (2) changes in revenues of businesses in the
23 travel and tourism industry during the pandemic pe-
24 riod;

1 (3) changes in employment and sales in indus-
2 tries related to the travel and tourism industry, and
3 changes in contributions of the travel and tourism
4 industry to such related industries, during the pan-
5 demic period;

6 (4) the effects attributable to the changes de-
7 scribed in paragraphs (1) through (3) in the travel
8 and tourism industry and such related industries on
9 the overall economy of the United States, includ-
10 ing—

11 (A) an analysis of regional economies (on
12 a per capita basis) during the pandemic period;
13 and

14 (B) the projected effects of such changes
15 on the regional and overall economy of the
16 United States following the pandemic period;

17 (5) the effects attributable to the changes de-
18 scribed in paragraphs (1) through (3) in the travel
19 and tourism industry and such related industries on
20 minority communities, including Native Americans,
21 Native Hawaiians, and Alaska Natives;

22 (6) reports on the economic impact of COVID-
23 19 issued by other Federal agencies; and

24 (7) any additional matters that the Secretary
25 considers appropriate.

1 (e) CONSULTATION AND PUBLIC COMMENT.—In con-
2 ducting the study required under subsection (c), the Sec-
3 retary shall—

4 (1) consult with representatives of—

5 (A) the small business sector;

6 (B) the restaurant or food service sector;

7 (C) the hotel and alternative accommoda-
8 tions sector;

9 (D) the attractions or recreation sector;

10 (E) the outdoor recreation sector

11 (F) travel distribution services sector;

12 (G) destination marketing organizations;

13 (H) State tourism offices;

14 (I) the passenger air, railroad, and rental
15 car sectors; and

16 (J) labor representatives for—

17 (i) the sectors referred to in subpara-
18 graph (I); and

19 (ii) security screening personnel des-
20 ignated by the Administrator of the Trans-
21 portation Security Administration; and

22 (2) provide an opportunity for public comment
23 and advice relevant to conducting the study.

24 (f) REPORT TO CONGRESS.—

1 (1) IN GENERAL.—Not later than 6 months
2 after the date on which the study required under
3 subsection (b) is completed, the Secretary, in con-
4 sultation with the United States Travel and Tourism
5 Advisory Board and the head of any other Federal
6 agency that the Secretary considers appropriate,
7 shall submit a report to the Committee on Com-
8 merce, Science, and Transportation of the Senate
9 and the Committee on Energy and Commerce of the
10 House of Representatives that contains—

11 (A) the results of such study;

12 (B) policy recommendations for promoting
13 and assisting the travel and tourism industry,
14 including in Native American, Native Hawaiian,
15 and Alaska Native communities, by fully imple-
16 menting the Native American Tourism and Im-
17 proving Visitor Experience Act (Public Law
18 114–221); and

19 (C) a description of the actions that should
20 be taken by the Federal Government to accel-
21 erate the implementation of travel and tourism
22 policies and programs authorized by law.

23 (2) AVAILABILITY.—The Secretary shall make
24 the report described in paragraph (1) publicly avail-
25 able on the website of the Department of Commerce.

1 **SEC. 202. ENSURING HEALTH SAFETY IN THE SKIES.**

2 (a) **SHORT TITLE.**—This section may be cited as the
3 “Ensuring Health Safety in the Skies Act of 2021”

4 (b) **DEFINITIONS.**—In this section:

5 (1) **ADVISORY COMMITTEE.**—The term “Advi-
6 sory Committee” means the Joint Federal Advisory
7 Committee established under subsection (d).

8 (2) **AIR TRAVEL.**—The term “air travel” in-
9 cludes international air travel.

10 (3) **JOINT TASK FORCE.**—The term “Joint
11 Task Force” means the Joint Task Force on Air
12 Travel During and After the COVID–19 Public
13 Health Emergency established under subsection
14 (c)(1).

15 (c) **JOINT TASK FORCE ON AIR TRAVEL DURING
16 AND AFTER THE COVID–19 PUBLIC HEALTH EMER-
17 GENCY.**—

18 (1) **IN GENERAL.**—Not later than 30 days after
19 the date of the enactment of this Act, the Secretary
20 of Transportation, the Secretary of Homeland Secu-
21 rity, and the Secretary of Health and Human Serv-
22 ices shall establish the Joint Task Force on Air
23 Travel During and After the COVID–19 Public
24 Health Emergency.

25 (2) **DUTIES.**—

1 (A) IN GENERAL.—The Joint Task Force
2 shall develop recommended requirements, plans,
3 and guidelines to address the health, safety, se-
4 curity, and logistical issues relating to—

5 (i) the continuation of air travel dur-
6 ing the COVID–19 public health emer-
7 gency; and

8 (ii) the resumption of full operations
9 at airports and increased passenger air
10 travel after the COVID–19 public health
11 emergency.

12 (B) RECOMMENDATIONS.—The rec-
13 ommendations developed under subparagraph
14 (A), with respect to the applicable periods de-
15 scribed in subparagraph (C), shall include—

16 (i) modifying airport, air carrier, secu-
17 rity (including passenger security screen-
18 ing), and other operations related to pas-
19 senger air travel, including passenger
20 queuing, boarding, deplaning, and baggage
21 handling procedures, as a result of—

22 (I) current and anticipated
23 changes to passenger air travel during
24 and after the COVID–19 public
25 health emergency; and

1 (II) anticipated changes to pas-
2 senger air travel resulting from any
3 seasonal recurrence of the
4 coronavirus;

5 (ii) mitigating the public health and
6 economic impacts of the COVID-19 public
7 health emergency and any seasonal recur-
8 rence of the coronavirus on airports and
9 passenger air travel (including through the
10 use of personal protective equipment, the
11 implementation of strategies to promote
12 overall passenger and employee safety, and
13 the accommodation of social distancing as
14 feasible and necessary);

15 (iii) addressing privacy and civil lib-
16 erty issues that may arise from passenger
17 health screenings, contact-tracing, or other
18 processes used to monitor the health of in-
19 dividuals engaged in air travel; and

20 (iv) operating procedures to manage
21 future public health crises that can be an-
22 ticipated, to the extent such public health
23 crises may impact air travel.

1 (C) APPLICABLE PERIODS.—The applica-
2 ble periods described in this subparagraph
3 are—

4 (i) the period beginning on the date of
5 the first meeting of the Joint Task Force
6 and ending on the last day of the COVID-
7 19 public health emergency; and

8 (ii) the 1-year period beginning on the
9 day after the end of the period described
10 in clause (i).

11 (3) ACTIVITIES OF THE JOINT TASK FORCE.—

12 (A) IN GENERAL.—In developing the rec-
13 ommended requirements, plans, and guidelines
14 under paragraph (2), and before including such
15 recommendations in the final report required
16 under subsection (e)(2), the Joint Task Force
17 shall—

18 (i) conduct cost-benefit evaluations re-
19 garding such recommendations, including
20 costs impacting air operations and impacts
21 on air travel;

22 (ii) consider funding constraints;

23 (iii) use risk-based decision-making;

24 and

1 (iv) consult with the Advisory Com-
2 mittee established under subsection (d)(1)
3 and consider any consensus policy rec-
4 ommendations of the Advisory Committee
5 submitted under subsection (d)(2).

6 (B) INTERNATIONAL CONSULTATION.—
7 The Joint Task Force shall consult, as prac-
8 ticable, with relevant international entities and
9 operators, including the International Civil
10 Aviation Organization, to harmonize (to the ex-
11 tent possible) recommended requirements,
12 plans, and guidelines for air travel during and
13 after the COVID-19 public health emergency.

14 (4) MEMBERSHIP.—

15 (A) CHAIR.—The Secretary of Transpor-
16 tation (or the Secretary's designee) shall serve
17 as Chair of the Joint Task Force.

18 (B) VICE-CHAIR.—The Secretary of Health
19 and Human Services (or the Secretary's des-
20 ignee) shall serve as Vice Chair of the Joint
21 Task Force.

22 (C) OTHER MEMBERS.—In addition to the
23 Chair and Vice Chair, the members of the Joint
24 Task Force shall include representatives of—

25 (i) the Department of Transportation;

- 1 (ii) the Department of Homeland Se-
2 curity;
- 3 (iii) the Department of Health and
4 Human Services;
- 5 (iv) the Federal Aviation Administra-
6 tion;
- 7 (v) the Transportation Security Ad-
8 ministration;
- 9 (vi) U.S. Customs and Border Protec-
10 tion;
- 11 (vii) the Centers for Disease Control
12 and Prevention;
- 13 (viii) the Occupational Safety and
14 Health Administration;
- 15 (ix) the National Institute for Occupa-
16 tional Safety and Health;
- 17 (x) the Pipeline and Hazardous Mate-
18 rials Safety Administration;
- 19 (xi) the Department of State; and
- 20 (xii) the Environmental Protection
21 Agency.

22 (d) JOINT FEDERAL ADVISORY COMMITTEE.—

- 23 (1) ESTABLISHMENT.—Not later than 15 days
24 after the date on which the Joint Task Force is es-
25 tablished pursuant to subsection (c)(1), the Sec-

1 retary of Transportation, in consultation with the
2 Secretary of Homeland Security and the Secretary
3 of Health and Human Services, shall establish a
4 Joint Federal Advisory Committee to advise the
5 Joint Task Force.

6 (2) DUTIES OF THE ADVISORY COMMITTEE.—
7 The Advisory Committee shall develop and submit
8 consensus policy recommendations to the Joint Task
9 Force for the Joint Task Force to consider when de-
10 veloping recommendations under subsection (c)(2).

11 (3) MEMBERSHIP.—The members of the Advi-
12 sory Committee shall include representatives of—

13 (A) airport operators designated by the
14 Secretary of Transportation in consultation
15 with the Secretary of Homeland Security;

16 (B) air carriers designated by the Sec-
17 retary of Transportation;

18 (C) aircraft and aviation manufacturers
19 designated by the Secretary of Transportation;

20 (D) labor organizations representing—

21 (i) aviation industry workers (includ-
22 ing pilots, flight attendants, engineers,
23 maintenance, mechanics, air traffic con-
24 trollers, safety inspectors, and workers per-
25 forming airport services such as security,

1 terminal and cabin cleaning, passenger as-
2 sistance, and aircraft loading) designated
3 by the Secretary of Transportation; and

4 (ii) security screening personnel des-
5 igned by the Secretary of Homeland Se-
6 curity;

7 (E) public health experts designated by the
8 Secretary of Health and Human Services;

9 (F) organizations designated by the Sec-
10 retary of Transportation that represent airline
11 passengers;

12 (G) privacy and civil liberty organizations
13 designated by the Secretary of Homeland Secu-
14 rity;

15 (H) manufacturers and integrators of pas-
16 senger screening and identity verification tech-
17 nologies designated by the Secretary of Home-
18 land Security;

19 (I) trade associations representing air car-
20 riers (including major passenger air carriers,
21 low-cost passenger air carriers, regional pas-
22 senger air carriers, cargo air carriers, and for-
23 eign passenger air carriers) designated by the
24 Secretary of Transportation, in consultation
25 with the Secretary of Homeland Security;

1 (J) trade associations representing airport
2 operators (including large hub, medium hub,
3 small hub, nonhub primary, and nonprimary
4 commercial service airports) designated by the
5 Secretary of Transportation, in consultation
6 with the Secretary of Homeland Security; and

7 (K) aviation contractors designated by the
8 Secretary of Transportation.

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

15 (5) PROHIBITION ON COMPENSATION.—The
16 members of the Advisory Committee shall not re-
17 ceive any compensation from the Federal Govern-
18 ment by reason of their service on the Advisory
19 Committee.

20 (6) PUBLICATION.—Not later than 14 days
21 after the date on which the Advisory Committee sub-
22 mits policy recommendations to the Joint Task
23 Force pursuant to paragraph (2), the Secretary of
24 Transportation shall publish such policy rec-
25 ommendations on a publicly accessible website.

1 (e) BRIEFINGS AND REPORTS.—

2 (1) PRELIMINARY BRIEFINGS.—As soon as
3 practicable, but not later than 6 months after the
4 date on which the Joint Task Force is established
5 pursuant to subsection (c)(1), the Joint Task Force
6 shall begin providing preliminary briefings to Con-
7 gress regarding the status of the development of the
8 recommended requirements, plan, and guidelines
9 under subsection (c)(2). The preliminary briefings
10 shall include interim versions, if any, of the rec-
11 ommendations of the Joint Task Force.

12 (2) FINAL REPORT.—

13 (A) DEADLINE.—As soon as practicable,
14 but not later than 18 months after the date of
15 enactment of this Act, the Joint Task Force
16 shall submit a final report to Congress.

17 (B) CONTENT.—The final report shall in-
18 clude—

19 (i)(I) all of the recommended require-
20 ments, plans, and guidelines developed by
21 the Joint Task Force pursuant to sub-
22 section (c)(2); and

23 (II) a description of any action taken
24 by the Federal Government as a result of

1 the recommendations referred to in sub-
2 clause (I); and

3 (ii)(I) consensus policy recommenda-
4 tions submitted by the Advisory Committee
5 pursuant to subsection (d)(2); and

6 (II) an explanation (including data
7 and risk analysis) of any action by the
8 Joint Task Force in response to the rec-
9 ommendations referred to in subclause (I).

10 (f) TERMINATION.—The Joint Task Force and the
11 Advisory Committee shall terminate on the date that is
12 30 days after the date on which the Joint Task Force sub-
13 mits the final report required under subsection (e)(2).

14 **SEC. 203. FEASIBILITY STUDY ON THE USE OF CANINE**
15 **UNITS TO DETECT COVID-19 AT AIRPORTS.**

16 (a) IN GENERAL.—The Administrator of the Trans-
17 portation Security Administration, in consultation with
18 the Secretary of Transportation, the Secretary of Home-
19 land Security, the Director of the Centers for Disease
20 Control and Prevention, and the Secretary of Defense,
21 shall conduct a study to assess—

22 (1) the feasibility of using canines to detect the
23 presence of SARS-CoV-2, the virus that causes the
24 coronavirus disease 2019 (commonly known as

1 “COVID-19”), in individuals infected with the
2 virus;

3 (2) if using canines to detect the presence of
4 SARS-CoV-2 is feasible, whether canine units could
5 be used at airports to screen passengers, individuals
6 accompanying passengers, crew members, and other
7 individuals who pass through airports and airport
8 security screening locations for SARS-CoV-2 infec-
9 tion; and

10 (3) if using canine units to conduct screening
11 described in paragraph (2) is feasible, how such
12 screening would be implemented and what metrics
13 would be used to monitor the efficacy of the screen-
14 ing.

15 (b) ASSESSMENT OF EFFICACY.—

16 (1) IN GENERAL.—In conducting the study re-
17 quired under subsection (a), the Administrator shall
18 conduct a comprehensive review and analysis of
19 SARS-CoV-2 detection solutions to determine the
20 efficacy of canines to detect SARS-CoV-2 in indi-
21 viduals.

22 (2) USE OF REVIEW.—The Administrator shall
23 use the results of the review and analysis required
24 under paragraph (1)—

1 (A) to determine the biological detection
2 capabilities of canines; and

3 (B) to inform the operational factors and
4 considerations necessary for the deployment of
5 canine units at airports to detect SARS-CoV-
6 2.

7 (c) ADDITIONAL ELEMENTS.—In conducting the as-
8 sessments required under subsections (a) and (b), the Ad-
9 ministrator shall—

10 (1) assess the probability of canines responding
11 to the presence of SARS-CoV-2;

12 (2) determine the specificity of response by ca-
13 nines to SARS-CoV-2 compared to their response to
14 a pool of similar viruses and controls;

15 (3) assess how close canine units must be to in-
16 dividuals to detect SARS-CoV-2 at a high sensi-
17 tivity and specificity;

18 (4) assess the effectiveness of canine units in
19 detecting SARS-CoV-2 in symptomatic carriers
20 compared to asymptomatic carriers;

21 (5) assess other valid measures to determine
22 the efficacy of using canine units to screen for
23 SARS-CoV-2 at airports, such as the accuracy of
24 detection and the risks of false positives and false
25 negatives;

1 (6) identify training and policy gaps that must
2 be addressed before implementing a program to use
3 canine units at airports to screen passengers, indi-
4 viduals accompanying passengers, crew members,
5 and other individuals who pass through airports and
6 airport security screening locations, for infection
7 with SARS-CoV-2; and

8 (7) assess—

9 (A) the number of canine units the Admin-
10 istrator would require in order to effectively im-
11 plement a program to use canine units at air-
12 ports to screen passengers, individuals accom-
13 panying passengers, crew members, and other
14 individuals who pass through airports and air-
15 port security screening locations for infection
16 with SARS-CoV-2; and

17 (B) the effect that such screenings would
18 have on the Transportation Security Adminis-
19 tration's existing pool of canine units.

20 (d) CONSIDERATIONS.—In conducting the study re-
21 quired under subsection (a), the Administrator shall con-
22 sider—

23 (1) opportunities to leverage established, pre-
24 existing scientific information regarding detection of
25 SARS-CoV-2 by canines;

1 (2) established programs in foreign countries
2 related to detection of SARS-CoV-2 by canine
3 units;

4 (3) detection approaches and solutions related
5 to the optimization of detection of SARS-CoV-2 by
6 canines; and

7 (4) private industry approaches aimed to facili-
8 tate detection of SARS-CoV-2 using canine units.

9 (e) THIRD-PARTY VALIDATION AND
10 VERIFICATION.—The Administrator shall ensure that any
11 screening solutions developed pursuant to the study re-
12 quired under subsection (a) undergo validation and
13 verification analysis by a third party with appropriate ex-
14 pertise to ensure accuracy of data obtained from the
15 study.

16 (f) REPORT REQUIRED.—Not later than 1 year after
17 the date of the enactment of this Act, the Administrator
18 shall submit a report to the Committee on Commerce,
19 Science, and Transportation of the Senate, the Committee
20 on Armed Services of the Senate, the Committee on
21 Health, Education, Labor, and Pensions of the Senate, the
22 Committee on Homeland Security of the House of Rep-
23 resentatives, the Committee on Armed Services of the
24 House of Representatives, and the Committee on Energy
25 and Commerce of the House of Representatives that—

1 (1) describes the results of the study required
2 under subsection (a), including the assessments re-
3 quired under subsections (b) and (c); and

4 (2) makes a recommendation with respect to
5 whether canine units at airports could be trained ef-
6 fectively and efficiently to screen passengers, individ-
7 uals accompanying passengers, crew members, and
8 other individuals who pass through airports and air-
9 port security screening locations, for infection with
10 SARS-CoV-2.

11 **Subtitle B—One-Stop Security**

12 **SEC. 211. SHORT TITLE.**

13 This subtitle may be cited as the “One-Stop Pilot
14 Program Act of 2021”.

15 **SEC. 212. DEFINITIONS.**

16 In this subtitle:

17 (1) **ADMINISTRATOR.**—The term “Adminis-
18 trator” means the Administrator of the Transpor-
19 tation Security Administration.

20 (2) **APPROPRIATE CONGRESSIONAL COMMIT-**
21 **TEES.**—The term “appropriate congressional com-
22 mittees” means—

23 (A) the Committee on Commerce, Science,
24 and Transportation of the Senate;

1 (B) the Committee on Homeland Security
2 and Governmental Affairs of the Senate; and

3 (C) the Committee on Homeland Security
4 of the House of Representatives.

5 (3) TSA.—The term “TSA” means the Trans-
6 portation Security Administration of the Depart-
7 ment of Homeland Security.

8 **SEC. 213. PILOT PROGRAM FOR ONE-STOP SECURITY.**

9 (a) IN GENERAL.—Notwithstanding 44901(a) of title
10 49, United States Code, the Administrator, in coordina-
11 tion with the Commissioner of U.S. Customs and Border
12 Protection, may establish a pilot program at not more
13 than 6 foreign last point of departure airports to permit
14 passengers and their accessible property arriving on direct
15 flights or flight segments originating at such participating
16 foreign airports to continue on additional flights or flight
17 segments originating in the United States without addi-
18 tional security re-screening if—

19 (1) the initial screening was conducted in ac-
20 cordance with an aviation security screening agree-
21 ment described in subsection (d);

22 (2) passengers arriving from participating for-
23 eign airports are unable to access their checked bag-
24 gage until the arrival at their final destination; and

1 (3) upon arrival in the United States, pas-
2 sengers arriving from participating foreign airports
3 do not come into contact with other arriving inter-
4 national passengers, those passengers' property, or
5 other persons who have not been screened or sub-
6 jected to other appropriate security controls required
7 for entry into the airport's sterile area.

8 (b) REQUIREMENTS FOR PILOT PROGRAM.—In car-
9 rying out this section, the Administrator shall ensure that
10 there is no reduction in the level of security or specific
11 TSA aviation security standards or requirements for
12 screening passengers and their property prior to boarding
13 an international flight bound for the United States, in-
14 cluding specific aviation security standards and require-
15 ments regarding—

16 (1) high risk passengers and their property;

17 (2) weapons, explosives, and incendiaries;

18 (3) screening passengers and property transfer-
19 ring at a foreign last point of departure airport from
20 another airport and bound for the United States,
21 and addressing any co-mingling of such passengers
22 and property with passengers and property screened
23 under the pilot program described in subsection (a);
24 and

1 (4) insider risk at foreign last point of depart-
2 ture airports.

3 (c) RE-SCREENING OF CHECKED BAGGAGE.—Sub-
4 ject to subsection (e), the Administrator may determine
5 whether checked baggage arriving from participating for-
6 eign airports referenced in subsection (a) that screen
7 using an explosives detection system must be rescreened
8 in the United States by an explosives detection system be-
9 fore such baggage continues on any additional flight or
10 flight segment.

11 (d) AVIATION SECURITY SCREENING AGREEMENT.—
12 An aviation security screening agreement described in this
13 subsection is a treaty, executive agreement, or other inter-
14 national arrangement that—

15 (1) is signed by the Administrator, without del-
16 egating such authority; and

17 (2) is entered into with a foreign country that
18 delineates and implements security standards and
19 protocols utilized at a foreign last point of departure
20 airport that are determined by the Administrator—

21 (A) to be comparable to those of the
22 United States; and

23 (B) sufficiently effective to enable pas-
24 sengers and their accessible property to deplane

1 into sterile areas of airports in the United
2 States without the need for re-screening.

3 (e) RE-SCREENING REQUIREMENT.—

4 (1) IN GENERAL.—If the Administrator deter-
5 mines that a foreign country participating in the
6 aviation security screening agreement has not main-
7 tained and implemented security standards and pro-
8 tocols comparable to those of the United States at
9 foreign last point of departure airports at which a
10 pilot program has been established in accordance
11 with this section, the Administrator shall ensure that
12 passengers and their property arriving from such
13 airports are re-screened in the United States, includ-
14 ing by using explosives detection systems in accord-
15 ance with section 44901(d)(1) of title 49, United
16 States Code, and implementing regulations, before
17 such passengers and their property are permitted
18 into sterile areas of airports in the United States.

19 (2) CONSULTATION.—If the Administrator has
20 reasonable grounds to believe that the other party to
21 an aviation security screening agreement has not
22 complied with such agreement, the Administrator
23 shall request immediate consultation with such
24 party.

1 (3) SUSPENSION OR TERMINATION OF AGREE-
2 MENT.—If a satisfactory agreement between TSA
3 and a foreign country is not reached within 45 days
4 after a consultation request under paragraph (2) or
5 in the case of the foreign country's continued or
6 egregious failure to maintain the security standards
7 and protocols described in paragraph (1), the Ad-
8 ministrators shall—

9 (A) suspend or terminate the aviation se-
10 curity screening agreement with such country,
11 as determined appropriate by the Adminis-
12 trator; and

13 (B) notify the appropriate congressional
14 committees of such consultation, suspension, or
15 termination, as the case may be, not later than
16 7 days after such consultation, suspension, or
17 termination.

18 (f) BRIEFINGS TO CONGRESS.—Not later than 45
19 days before an aviation security screening agreement de-
20 scribed in subsection (d) enters into force, the Adminis-
21 trator shall submit to the appropriate congressional com-
22 mittees—

23 (1) an aviation security threat assessment for
24 the country in which such foreign last point of de-
25 parture airport is located;

1 (2) information regarding any corresponding
2 mitigation efforts to address any security issues
3 identified in such threat assessment, including any
4 plans for joint covert testing;

5 (3) information on potential security
6 vulnerabilities associated with commencing such
7 agreements and mitigation plans to address such po-
8 tential security vulnerabilities;

9 (4) an assessment of the impacts that such
10 agreement will have on aviation security;

11 (5) an assessment by TSA of the screening per-
12 formed at foreign last point of departure airports,
13 including the feasibility of TSA personnel moni-
14 toring screening, security protocols, and standards;

15 (6) information regarding identifying the entity
16 or entities responsible for screening passengers and
17 property at the foreign last point of departure air-
18 port;

19 (7) the name of the entity or local authority
20 and any contractor or subcontractor party to the
21 agreement;

22 (8) information regarding the screening require-
23 ments under subsection (e);

24 (9) details regarding information sharing mech-
25 anisms between the Department of Homeland Secu-

1 rity and the foreign last point of departure airport,
2 screening authority, or entity responsible for screen-
3 ing, as required by law, regulation, or an aviation
4 screening agreement described in subsection (d); and

5 (10) a copy of the aviation security screening
6 agreement, which shall identify the foreign last point
7 of departure airport or airports at which a pilot pro-
8 gram under this section is to be established.

9 (g) CERTIFICATIONS RELATING TO THE PILOT PRO-
10 GRAM FOR ONE-STOP SECURITY.—For each aviation secu-
11 rity screening agreement described in subsection (d), the
12 Administrator shall submit to the appropriate congres-
13 sional committees—

14 (1)(A) a certification that such agreement satis-
15 fies all of the requirements specified in subsection
16 (b); or

17 (B) in the event that 1 or more of such require-
18 ments are not so satisfied, a description of the
19 unsatisfied requirement and information on what ac-
20 tions the Administrator will take to ensure that such
21 remaining requirements are satisfied before such
22 agreement enters into force;

23 (2) a certification that TSA and U.S. Customs
24 and Border Protection have ensured that any nec-
25 essary physical modifications or appropriate mitiga-

1 tions exist in the domestic one-stop security pilot
2 program airport prior to receiving international pas-
3 sengers from a last point of departure airport under
4 the aviation security screening agreement;

5 (3) a certification that a foreign last point of
6 departure airport covered by an aviation security
7 screening agreement has an operation to screen all
8 checked bags as required by law, regulation, or
9 international agreement, including the full utilization
10 of Explosives Detection Systems to the extent prac-
11 ticable;

12 (4) a certification that the Administrator con-
13 sulted with stakeholders, including air carriers, avia-
14 tion nonprofit labor organizations, airport operators,
15 relevant interagency partners, and other stake-
16 holders that the Administrator determines appro-
17 priate.

18 (h) REPORT TO CONGRESS.—Not later than 5 years
19 after the date of the enactment of this Act, the Secretary
20 of Homeland Security, in coordination with the Adminis-
21 trator, shall submit a report to the appropriate congres-
22 sional committees regarding the implementation of the
23 pilot program authorized under this section, including in-
24 formation relating to—

1 (1) the impact of such program on homeland
2 security and international aviation security, includ-
3 ing any benefits and challenges of such program;

4 (2) the impact of such program on passengers,
5 airports, and air carriers, including any benefits and
6 challenges of such program; and

7 (3) the impact and feasibility of continuing
8 such program or expanding it into a more perma-
9 nent program, including any benefits and challenges
10 of such continuation or expansion.

11 (i) RULE OF CONSTRUCTION.—Nothing in this sec-
12 tion may be construed as limiting the authority of U.S.
13 Customs and Border Protection to inspect persons and
14 baggage arriving in the United States in accordance with
15 applicable law.

16 (j) SUNSET.—The pilot program authorized under
17 this section shall terminate on the date that is 6 years
18 after the date of the enactment of this Act.