

117TH CONGRESS
1ST SESSION

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.

IN THE SENATE OF THE UNITED STATES

DECEMBER 9, 2021

Mr. WICKER (for himself, Ms. ROSEN, Ms. CORTEZ MASTO, Ms. KLOBUCHAR, Mr. KING, Mr. BLUNT, Mr. SULLIVAN, and Mr. SCOTT of Florida) introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

A BILL

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.

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; TABLE OF CONTENTS.**

4 (a) SHORT TITLE.—This Act may be cited as the
5 “Omnibus 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.

1 **TITLE I—TRAVEL PROMOTION**

2 **SEC. 101. SHORT TITLE.**

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

4 **SEC. 102. PURPOSES.**

5 The purposes of this title are—

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

9 (2) to address the recent decline in the number
10 of international travelers who visit the United
11 States; and

12 (3) to establish national goals for international
13 visitors to the United States, including—

14 (A) recommendations for achieving such
15 goals and timelines for implementing such rec-
16 ommendations;

17 (B) coordination between Federal and
18 State agencies;

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

21 (D) the number of international visitors
22 and the value of national travel exports.

23 **SEC. 103. SENSE OF CONGRESS.**

24 It is the sense of Congress that—

1 (1) setting a national goal for the number of
2 international visitors is vital for aligning Federal
3 tourism policy to support American jobs and eco-
4 nomic growth;

5 (2) setting a national goal for travel exports is
6 vital for aligning Federal tourism policy to support
7 American jobs, increase travel exports, and improve
8 our Nation’s balance of trade;

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

12 (4) the promotion of travel and visitation by the
13 Corporation for Travel Promotion (doing business as
14 “Brand USA”) is vital to increasing visitation and
15 articulating the visitation laws of the United States;
16 and

17 (5) there is an urgent need for a coordinated
18 travel and tourism industry response and strategy to
19 respond to the current state of such industry and fu-
20 ture unforeseen circumstances that may impact the
21 travel and tourism industry.

22 **SEC. 104. ASSISTANT SECRETARY FOR TRAVEL AND TOUR-**
23 **ISM.**

24 Section 2(d) of the Reorganization Plan Numbered
25 3 of 1979 (93 Stat. 1382; 5 U.S.C. App.) is amended—

1 (1) by striking “There shall be in the Depart-
 2 ment two additional Assistant Secretaries” and in-
 3 serting “(1) There shall be in the Department 3 ad-
 4 ditional Assistant Secretaries, including the Assist-
 5 ant Secretary of Commerce for Travel and Tour-
 6 ism,”; and

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

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

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

12 “(B) report directly to the Under Secretary for
 13 International Trade.”.

14 **SEC. 105. RESPONSIBILITIES OF THE ASSISTANT SEC-**
 15 **RETARY OF COMMERCE FOR TRAVEL AND**
 16 **TOURISM.**

17 (a) VISITATION GOALS.—The Assistant Secretary of
 18 Commerce for Travel and Tourism (referred to in this sec-
 19 tion as the “Assistant Secretary”), appointed pursuant to
 20 section 2(d) of the Reorganization Plan Numbered 3 of
 21 1979, as amended by section 104, shall—

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

1 (A) the number of international visitors to
2 the United States; and

3 (B) the value of travel exports;

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

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

8 (A) the Tourism Policy Council;

9 (B) the Secretary of Homeland Security;

10 (C) the National Travel and Tourism Of-
11 fice;

12 (D) Brand USA;

13 (E) the United States Travel and Tourism
14 Advisory Board; and

15 (F) travel industry partners, including
16 public and private destination marketing orga-
17 nizations, travel and tourism suppliers, and
18 labor representatives from these industries;

19 (4) establish short, medium, and long-term
20 timelines for implementing the recommendations de-
21 veloped pursuant to paragraph (2);

22 (5) conduct Federal agency needs assessments
23 to identify the resources, statutory or regulatory
24 changes, and private sector engagement needed to
25 achieve the annual visitation goals; and

1 (6) provide assessments and recommendations
2 to—

3 (A) the Committee on Commerce, Science,
4 and Transportation of the Senate;

5 (B) the Committee on Energy and Com-
6 merce of the House of Representatives; and

7 (C) the public through a publicly accessible
8 website.

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

12 (1) explore strategies for improving visitor visa
13 processing with respect to—

14 (A) the maximum time for processing
15 visas, by visitation type;

16 (B) regulatory and policy changes needed
17 to meet the visa processing goals referred to in
18 subparagraph (A), including changes regarding
19 technology, processing centers, and training;
20 and

21 (C) streamlining visa applications and ad-
22 judications, including application design and
23 data collection procedures; and

24 (2) explore opportunities to establish pilot pro-
25 grams to integrate technology into the visitor visa

1 adjudication process, including video conferencing
2 and biometrics.

3 (c) DOMESTIC TRAVEL.—The Assistant Secretary
4 shall—

5 (1) evaluate, on an ongoing basis, domestic pol-
6 icy options for supporting competitiveness with re-
7 spect to the strengths, weaknesses, and growth of
8 the domestic travel industry;

9 (2) develop recommendations and goals to sup-
10 port and enhance domestic tourism, separated by
11 business and leisure; and

12 (3) engage public and private stakeholders to
13 support domestic tourism.

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

15 (1) consult with the Secretary of Labor to de-
16 velop strategies and best practices for improving the
17 timeliness and reliability of travel and tourism work-
18 force data;

19 (2) work with the Secretary of Labor and the
20 Bureau of Economic Analysis to improve travel and
21 tourism industry data; and

22 (3) provide recommendations for policy en-
23 hancements and streamlining.

24 (e) TRAVEL EXPORT PROMOTION.—The Assistant
25 Secretary, in coordination with the Assistant Secretary of

1 Commerce for Global Markets and the Director General
2 of the United States and Foreign Commercial Service,
3 shall work to promote and facilitate travel exports abroad
4 and ensure competitiveness by—

5 (1) promoting meetings, incentives, conferences,
6 and exhibitions;

7 (2) emphasizing rural and other destinations
8 rich in cultural heritage or ecological tourism,
9 among other uniquely American destinations; and

10 (3) promoting sports and recreation events and
11 activities, which shall be hosted in the United
12 States.

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

1 (1) the Visa Waiver Program authorized under
2 section 217 of the Immigration and Nationality Act
3 (8 U.S.C. 1187);

4 (2) preclearance operations;

5 (3) the Trusted Traveler Program;

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

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

13 (g) RECOVERY STRATEGY.—

14 (1) INITIAL RECOVERY STRATEGY.—Not later
15 than 1 year after amounts are appropriated to ac-
16 complish the purposes of this section, the Assistant
17 Secretary, in consultation with the United States
18 Travel and Tourism Advisory Board and other rep-
19 resentatives of the travel industry, shall develop and
20 implement a COVID–19 public health emergency re-
21 covery strategy to assist the United States travel
22 and tourism industry to quickly recover from the
23 pandemic.

24 (2) FUTURE RECOVERY STRATEGIES.—After
25 assisting in the implementation of the strategy de-

1 developed pursuant to paragraph (1), the Assistant
 2 Secretary, in consultation with the entities referred
 3 to in such paragraph, shall develop additional recovery
 4 strategies for the travel and tourism industry in
 5 anticipation of other unforeseen catastrophic events
 6 that would significantly affect the travel and tourism
 7 industry, such as hurricanes, floods, tsunamis, tornadoes,
 8 terrorist attacks, and pandemics.

9 (h) REPORTING REQUIREMENTS.—

10 (1) ASSISTANT SECRETARY.—The Assistant
 11 Secretary shall produce an annual forecasting report
 12 on the travel and tourism industry, which shall include
 13 current and anticipated—

14 (A) domestic employment needs;

15 (B) international inbound volume and
 16 spending, taking into account the lasting effects
 17 of the COVID–19 public health emergency and
 18 the impact of the recovery strategy implemented
 19 pursuant to subsection (g)(1); and

20 (C) domestic volume and spending, including
 21 Federal and State public land travel and
 22 tourism data.

23 (2) BUREAU OF ECONOMIC ANALYSIS.—The Director
 24 of the Bureau of Economic Analysis should

1 annually update the Travel and Tourism Satellite
2 Accounts, including—

3 (A) State level travel and tourism spending
4 data;

5 (B) travel and tourism workforce data for
6 full-time and part-time employment; and

7 (C) Federal and State public lands spend-
8 ing data.

9 (3) NATIONAL TRAVEL AND TOURISM OF-
10 FICE.—The Director of the National Travel and
11 Tourism Office—

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

18 (B) shall include questions in the Survey
19 of International Air Travelers regarding wait-
20 times, visits to public lands, and State data, to
21 the extent applicable.

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

23 Not less frequently than once every 10 years, the Sec-
24 retary of Commerce, in consultation with the United
25 States Travel and Tourism Advisory Board, the Tourism

1 Policy Council, and the Secretary of Homeland Security,
 2 shall develop and submit to Congress a 10-year travel and
 3 tourism strategy, which shall include—

4 (1) the establishment of goals with respect to
 5 the number of annual international visitors to the
 6 United States and the annual amount of travel ex-
 7 ports during such 10-year period;

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

10 (3) recommendations for statutory or regulatory
 11 changes that would be necessary to achieve such
 12 goals.

13 **SEC. 107. UNITED STATES TRAVEL AND TOURISM ADVISORY**
 14 **BOARD.**

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

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

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

24 “(a) UNITED STATES TRAVEL AND TOURISM ADVI-
 25 SORY BOARD.—

1 “(1) IN GENERAL.—There is established the
 2 United States Travel and Tourism Advisory Board
 3 (referred to in this subsection as the ‘Board’), the
 4 members of which shall be appointed by the Sec-
 5 retary of Commerce for 2-year terms from among
 6 companies and organizations in the travel and tour-
 7 ism industry.

8 “(2) EXECUTIVE DIRECTOR.—The Assistant
 9 Secretary for Travel and Tourism shall serve as the
 10 Executive Director of the Board.

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

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

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

21 “(B) advise the Secretary of Commerce on
 22 government policies and programs that affect
 23 the United States travel and tourism industry;

24 “(C) offer counsel on current and emerg-
 25 ing issues;

1 “(D) provide a forum for discussing and
 2 proposing solutions to problems related to the
 3 travel and tourism industry; and

4 “(E) provide advice regarding the domestic
 5 travel and tourism industry as an economic en-
 6 gine.

7 “(5) RECOVERY STRATEGY.—The Board shall
 8 assist the Assistant Secretary in the development
 9 and implementation of the COVID–19 public health
 10 emergency recovery strategy required under section
 11 105(g)(1) of the Visit America Act.

12 “(b) ADVISORY COMMITTEE FOR PROMOTION OF
 13 TOURIST TRAVEL.—The Secretary of Commerce is au-
 14 thorized”.

15 **TITLE II—TRAVEL SAFETY**

16 **Subtitle A—Health Safety**

17 **SEC. 201. STUDY AND REPORT ON EFFECTS OF COVID–19**

18 **PANDEMIC ON TRAVEL AND TOURISM INDUS-**

19 **TRY IN UNITED STATES.**

20 (a) DEFINITIONS.—In this section:

21 (1) PANDEMIC PERIOD.—The term “pandemic
 22 period” has the meaning given the term “emergency
 23 period” in section 1135(g)(1)(B) of the Social Secu-
 24 rity Act (42 U.S.C. 1320b–5(g)(1)(B)), excluding

1 any portion of such period after the date that is 1
2 year after the date of the enactment of this Act.

3 (2) SECRETARY.—The term “Secretary” means
4 the Secretary of Commerce.

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

8 (b) INTERIM STUDY AND REPORT.—

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

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

23 (B) submit a report containing the results
24 of such interim study to—

1 (i) the Committee on Commerce,
2 Science, and Transportation of the Senate;
3 and

4 (ii) the Committee on Energy and
5 Commerce of the House of Representa-
6 tives.

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

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

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

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

1 (2) changes in revenues of businesses in the
2 travel and tourism industry during the pandemic pe-
3 riod;

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

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

14 (A) an analysis of regional economies (on
15 a per capita basis) during the pandemic period;
16 and

17 (B) the projected effects of such changes
18 on the regional and overall economy of the
19 United States following the pandemic period;

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

1 (6) reports on the economic impact of COVID—
 2 19 issued by other Federal agencies; and

3 (7) any additional matters that the Secretary
 4 considers appropriate.

5 (e) CONSULTATION AND PUBLIC COMMENT.—In con-
 6 ducting the study required under subsection (c), the Sec-
 7 retary shall—

8 (1) consult with representatives of—

9 (A) the small business sector;

10 (B) the restaurant or food service sector;

11 (C) the hotel and alternative accommoda-
 12 tions sector;

13 (D) the attractions or recreation sector;

14 (E) the outdoor recreation sector

15 (F) travel distribution services sector;

16 (G) destination marketing organizations;

17 (H) State tourism offices;

18 (I) the passenger air, railroad, and rental
 19 car sectors; and

20 (J) labor representatives for—

21 (i) the sectors referred to in subpara-
 22 graph (I); and

23 (ii) security screening personnel des-
 24 ignated by the Administrator of the Trans-
 25 portation Security Administration; and

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

3 (f) REPORT TO CONGRESS.—

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

14 (A) the results of such study;

15 (B) policy recommendations for promoting
16 and assisting the travel and tourism industry,
17 including in Native American, Native Hawaiian,
18 and Alaska Native communities, by fully imple-
19 menting the Native American Tourism and Im-
20 proving Visitor Experience Act (Public Law
21 114–221); and

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

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

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

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

7 (b) DEFINITIONS.—In this section:

8 (1) ADVISORY COMMITTEE.—The term “Advi-
 9 sory Committee” means the Joint Federal Advisory
 10 Committee established under subsection (d).

11 (2) AIR TRAVEL.—The term “air travel” in-
 12 cludes international air travel.

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

18 (c) JOINT TASK FORCE ON AIR TRAVEL DURING
 19 AND AFTER THE COVID–19 PUBLIC HEALTH EMER-
 20 GENCY.—

21 (1) IN GENERAL.—Not later than 30 days after
 22 the date of the enactment of this Act, the Secretary
 23 of Transportation, the Secretary of Homeland Secu-
 24 rity, and the Secretary of Health and Human Serv-
 25 ices shall establish the Joint Task Force on Air

1 Travel During and After the COVID–19 Public
2 Health Emergency.

3 (2) DUTIES.—

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

8 (i) the continuation of air travel dur-
9 ing the COVID–19 public health emer-
10 gency; and

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

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

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

1 (I) current and anticipated
2 changes to passenger air travel during
3 and after the COVID–19 public
4 health emergency; and

5 (II) anticipated changes to pas-
6 senger air travel resulting from any
7 seasonal recurrence of the
8 coronavirus;

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

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

24 (iv) operating procedures to manage
25 future public health crises that can be an-

1 anticipated, to the extent such public health
2 crises may impact air travel.

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

6 (i) the period beginning on the date of
7 the first meeting of the Joint Task Force
8 and ending on the last day of the COVID-
9 19 public health emergency; and

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

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

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

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

24 (ii) consider funding constraints;

- 1 (iii) use risk-based decision making;
2 and
3 (iv) consult with the Advisory Com-
4 mittee established under subsection (d)(1)
5 and consider any consensus policy rec-
6 ommendations of the Advisory Committee
7 submitted under subsection (d)(2).

8 (B) INTERNATIONAL CONSULTATION.—

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

16 (4) MEMBERSHIP.—

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

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

1 (C) OTHER MEMBERS.—In addition to the
2 Chair and Vice Chair, the members of the Joint
3 Task Force shall include representatives of—

4 (i) the Department of Transportation;

5 (ii) the Department of Homeland Se-
6 curity;

7 (iii) the Department of Health and
8 Human Services;

9 (iv) the Federal Aviation Administra-
10 tion;

11 (v) the Transportation Security Ad-
12 ministration;

13 (vi) U.S. Customs and Border Protec-
14 tion;

15 (vii) the Centers for Disease Control
16 and Prevention;

17 (viii) the Occupational Safety and
18 Health Administration;

19 (ix) the National Institute for Occupa-
20 tional Safety and Health;

21 (x) the Pipeline and Hazardous Mate-
22 rials Safety Administration;

23 (xi) the Department of State; and

24 (xii) the Environmental Protection
25 Agency.

1 (d) JOINT FEDERAL ADVISORY COMMITTEE.—

2 (1) ESTABLISHMENT.—Not later than 15 days
3 after the date on which the Joint Task Force is es-
4 tablished pursuant to subsection (c)(1), the Sec-
5 retary of Transportation, in consultation with the
6 Secretary of Homeland Security and the Secretary
7 of Health and Human Services, shall establish a
8 Joint Federal Advisory Committee to advise the
9 Joint Task Force.

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

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

17 (A) airport operators designated by the
18 Secretary of Transportation in consultation
19 with the Secretary of Homeland Security;

20 (B) air carriers designated by the Sec-
21 retary of Transportation;

22 (C) aircraft and aviation manufacturers
23 designated by the Secretary of Transportation;

24 (D) labor organizations representing—

1 (i) aviation industry workers (includ-
2 ing pilots, flight attendants, engineers,
3 maintenance, mechanics, air traffic con-
4 trollers, safety inspectors, and workers per-
5 forming airport services such as security,
6 terminal and cabin cleaning, passenger as-
7 sistance, and aircraft loading) designated
8 by the Secretary of Transportation; and

9 (ii) security screening personnel des-
10 ignated by the Secretary of Homeland Se-
11 curity;

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

14 (F) organizations designated by the Sec-
15 retary of Transportation that represent airline
16 passengers;

17 (G) privacy and civil liberty organizations
18 designated by the Secretary of Homeland Secu-
19 rity;

20 (H) manufacturers and integrators of pas-
21 senger screening and identity verification tech-
22 nologies designated by the Secretary of Home-
23 land Security;

24 (I) trade associations representing air car-
25 riers (including major passenger air carriers,

1 low-cost passenger air carriers, regional pas-
2 senger air carriers, cargo air carriers, and for-
3 eign passenger air carriers) designated by the
4 Secretary of Transportation, in consultation
5 with the Secretary of Homeland Security;

6 (J) trade associations representing airport
7 operators (including large hub, medium hub,
8 small hub, nonhub primary, and nonprimary
9 commercial service airports) designated by the
10 Secretary of Transportation, in consultation
11 with the Secretary of Homeland Security; and

12 (K) aviation contractors designated by the
13 Secretary of Transportation.

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

20 (5) PROHIBITION ON COMPENSATION.—The
21 members of the Advisory Committee shall not re-
22 ceive any compensation from the Federal Govern-
23 ment by reason of their service on the Advisory
24 Committee.

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

7 (e) BRIEFINGS AND REPORTS.—

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

18 (2) FINAL REPORT.—

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

23 (B) CONTENT.—The final report shall in-
24 clude—

1 (i)(I) all of the recommended require-
 2 ments, plans, and guidelines developed by
 3 the Joint Task Force pursuant to sub-
 4 section (c)(2); and

5 (II) a description of any action taken
 6 by the Federal Government as a result of
 7 the recommendations referred to in sub-
 8 clause (I); and

9 (ii)(I) consensus policy recommenda-
 10 tions submitted by the Advisory Committee
 11 pursuant to subsection (d)(2); and

12 (II) an explanation (including data
 13 and risk analysis) of any action by the
 14 Joint Task Force in response to the rec-
 15 ommendations referred to in subclause (I).

16 (f) TERMINATION.—The Joint Task Force and the
 17 Advisory Committee shall terminate on the date that is
 18 30 days after the date on which the Joint Task Force sub-
 19 mits the final report required under subsection (e)(2).

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

22 (a) IN GENERAL.—The Administrator of the Trans-
 23 portation Security Administration, in consultation with
 24 the Secretary of Transportation, the Secretary of Home-
 25 land Security, the Director of the Centers for Disease

1 Control and Prevention, and the Secretary of Defense,
2 shall conduct a study to assess—

3 (1) the feasibility of using canines to detect the
4 presence of SARS-CoV-2, the virus that causes the
5 coronavirus disease 2019 (commonly known as
6 “COVID-19”), in individuals infected with the
7 virus;

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

15 (3) if using canine units to conduct screening
16 described in paragraph (2) is feasible, how such
17 screening would be implemented and what metrics
18 would be used to monitor the efficacy of the screen-
19 ing.

20 (b) ASSESSMENT OF EFFICACY.—

21 (1) IN GENERAL.—In conducting the study re-
22 quired under subsection (a), the Administrator shall
23 conduct a comprehensive review and analysis of
24 SARS-CoV-2 detection solutions to determine the

1 efficacy of canines to detect SARS-CoV-2 in indi-
2 viduals.

3 (2) USE OF REVIEW.—The Administrator shall
4 use the results of the review and analysis required
5 under paragraph (1)—

6 (A) to determine the biological detection
7 capabilities of canines; and

8 (B) to inform the operational factors and
9 considerations necessary for the deployment of
10 canine units at airports to detect SARS-CoV-
11 2.

12 (c) ADDITIONAL ELEMENTS.—In conducting the as-
13 sessments required under subsections (a) and (b), the Ad-
14 ministrator shall—

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

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

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

23 (4) assess the effectiveness of canine units in
24 detecting SARS-CoV-2 in symptomatic carriers
25 compared to asymptomatic carriers;

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

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

13 (7) assess—

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

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

1 (d) CONSIDERATIONS.—In conducting the study re-
2 quired under subsection (a), the Administrator shall con-
3 sider—

4 (1) opportunities to leverage established, pre-
5 existing scientific information regarding detection of
6 SARS-CoV-2 by canines;

7 (2) established programs in foreign countries
8 related to detection of SARS-CoV-2 by canine
9 units;

10 (3) detection approaches and solutions related
11 to the optimization of detection of SARS-CoV-2 by
12 canines; and

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

15 (e) THIRD-PARTY VALIDATION AND
16 VERIFICATION.—The Administrator shall ensure that any
17 screening solutions developed pursuant to the study re-
18 quired under subsection (a) undergo validation and
19 verification analysis by a third party with appropriate ex-
20 pertise to ensure accuracy of data obtained from the
21 study.

22 (f) REPORT REQUIRED.—Not later than 1 year after
23 the date of the enactment of this Act, the Administrator
24 shall submit a report to the Committee on Commerce,
25 Science, and Transportation of the Senate, the Committee

1 on Armed Services of the Senate, the Committee on
 2 Health, Education, Labor, and Pensions of the Senate, the
 3 Committee on Homeland Security of the House of Rep-
 4 resentatives, the Committee on Armed Services of the
 5 House of Representatives, and the Committee on Energy
 6 and Commerce of the House of Representatives that—

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

10 (2) makes a recommendation with respect to
 11 whether canine units at airports could be trained ef-
 12 fectively and efficiently to screen passengers, individ-
 13 uals accompanying passengers, crew members, and
 14 other individuals who pass through airports and air-
 15 port security screening locations, for infection with
 16 SARS-CoV-2.

17 **Subtitle B—One-Stop Security**

18 **SEC. 211. SHORT TITLE.**

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

21 **SEC. 212. DEFINITIONS.**

22 In this subtitle:

23 (1) **ADMINISTRATOR.**—The term “Adminis-
 24 trator” means the Administrator of the Transpor-
 25 tation Security Administration.

1 (2) APPROPRIATE CONGRESSIONAL COMMIT-
2 TEES.—The term “appropriate congressional com-
3 mittees” means—

4 (A) the Committee on Commerce, Science,
5 and Transportation of the Senate;

6 (B) the Committee on Homeland Security
7 and Governmental Affairs of the Senate; and

8 (C) the Committee on Homeland Security
9 of the House of Representatives.

10 (3) TSA.—The term “TSA” means the Trans-
11 portation Security Administration of the Depart-
12 ment of Homeland Security.

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

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

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

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

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

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

22 (1) high-risk passengers and their property;

23 (2) weapons, explosives, and incendiaries;

24 (3) screening passengers and property transfer-
25 ring at a foreign last point of departure airport from

1 another airport and bound for the United States,
2 and addressing any co-mingling of such passengers
3 and property with passengers and property screened
4 under the pilot program described in subsection (a);
5 and

6 (4) insider risk at foreign last point of depar-
7 ture airports.

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

16 (d) AVIATION SECURITY SCREENING AGREEMENT.—
17 An aviation security screening agreement described in this
18 subsection is a treaty, executive agreement, or other inter-
19 national arrangement that—

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

22 (2) is entered into with a foreign country that
23 delineates and implements security standards and
24 protocols utilized at a foreign last point of departure
25 airport that are determined by the Administrator—

1 (A) to be comparable to those of the
2 United States; and

3 (B) sufficiently effective to enable pas-
4 sengers and their accessible property to deplane
5 into sterile areas of airports in the United
6 States without the need for re-screening.

7 (e) RE-SCREENING REQUIREMENT.—

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

23 (2) CONSULTATION.—If the Administrator has
24 reasonable grounds to believe that the other party to
25 an aviation security screening agreement has not

1 complied with such agreement, the Administrator
2 shall request immediate consultation with such
3 party.

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

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

16 (B) notify the appropriate congressional
17 committees of such consultation, suspension, or
18 termination, as the case may be, not later than
19 7 days after such consultation, suspension, or
20 termination.

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

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

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

8 (3) information on potential security
9 vulnerabilities associated with commencing such
10 agreements and mitigation plans to address such po-
11 tential security vulnerabilities;

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

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

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

22 (7) the name of the entity or local authority
23 and any contractor or subcontractor party to the
24 agreement;

1 (8) information regarding the screening require-
2 ments under subsection (e);

3 (9) details regarding information sharing mech-
4 anisms between the Department of Homeland Secu-
5 rity and the foreign last point of departure airport,
6 screening authority, or entity responsible for screen-
7 ing, as required by law, regulation, or an aviation
8 screening agreement described in subsection (d); and

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

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

18 (1)(A) a certification that such agreement satis-
19 fies all of the requirements specified in subsection
20 (b); or

21 (B) in the event that 1 or more of such require-
22 ments are not so satisfied, a description of the
23 unsatisfied requirement and information on what ac-
24 tions the Administrator will take to ensure that such

1 remaining requirements are satisfied before such
2 agreement enters into force;

3 (2) a certification that TSA and U.S. Customs
4 and Border Protection have ensured that any nec-
5 essary physical modifications or appropriate mitiga-
6 tions exist in the domestic one-stop security pilot
7 program airport prior to receiving international pas-
8 sengers from a last point of departure airport under
9 the aviation security screening agreement;

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

17 (4) a certification that the Administrator con-
18 sulted with stakeholders, including air carriers, avia-
19 tion nonprofit labor organizations, airport operators,
20 relevant interagency partners, and other stake-
21 holders that the Administrator determines appro-
22 priate.

23 (h) REPORT TO CONGRESS.—Not later than 5 years
24 after the date of the enactment of this Act, the Secretary
25 of Homeland Security, in coordination with the Adminis-

1 trator, shall submit a report to the appropriate congres-
2 sional committees regarding the implementation of the
3 pilot program authorized under this section, including in-
4 formation relating to—

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

8 (2) the impact of such program on passengers,
9 airports, and air carriers, including any benefits and
10 challenges of such program; and

11 (3) the impact and feasibility of continuing
12 such program or expanding it into a more perma-
13 nent program, including any benefits and challenges
14 of such continuation or expansion.

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

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

○