

Calendar No. 229

117TH CONGRESS }
2d Session }

SENATE

{ REPORT
117-191

OMNIBUS TRAVEL AND TOURISM ACT OF
2021

R E P O R T

OF THE

COMMITTEE ON COMMERCE, SCIENCE, AND
TRANSPORTATION

ON

S. 3375



OCTOBER 18, 2022.—Ordered to be printed
Filed, under authority of the order of the Senate of October 14, 2022

U.S. GOVERNMENT PUBLISHING OFFICE

39-010

WASHINGTON : 2022

SENATE COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

ONE HUNDRED SEVENTEENTH CONGRESS

SECOND SESSION

MARIA CANTWELL, Washington, *Chair*

AMY KLOBUCHAR, Minnesota	ROGER WICKER, Mississippi
RICHARD BLUMENTHAL, Connecticut	JOHN THUNE, South Dakota
BRIAN SCHATZ, Hawaii	ROY BLUNT, Missouri
EDWARD MARKEY, Massachusetts	TED CRUZ, Texas
GARY PETERS, Michigan	DEB FISCHER, Nebraska
TAMMY BALDWIN, Wisconsin	JERRY MORAN, Kansas
TAMMY DUCKWORTH, Illinois	DAN SULLIVAN, Alaska
JON TESTER, Montana	MARSHA BLACKBURN, Tennessee
KYRSTEN SINEMA, Arizona	TODD YOUNG, Indiana
JACKY ROSEN, Nevada	MIKE LEE, Utah
BEN RAY LUJAN, New Mexico	RON JOHNSON, Wisconsin
JOHN HICKENLOOPER, Colorado	SHELLEY MOORE CAPITO, West Virginia
RAPHAEL WARNOCK, Georgia	RICK SCOTT, Florida
	CYNTHIA LUMMIS, Wyoming

LILA HELMS, *Staff Director*

JOHN KEAST, *Minority Staff Director*

Calendar No. 229

117TH CONGRESS }
2d Session }

SENATE

{ REPORT
{ 117-191

OMNIBUS TRAVEL AND TOURISM ACT OF 2021

—————
OCTOBER 18, 2022.—Ordered to be printed

Filed, under authority of the order of the Senate of October 14, 2022

—————

Ms. CANTWELL, from the Committee on Commerce, Science, and
Transportation, submitted the following

R E P O R T

[To accompany S. 3375]

[Including cost estimate of the Congressional Budget Office]

The Committee on Commerce, Science, and Transportation, to which was referred the bill (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, having considered the same, reports favorably thereon with an amendment (in the nature of a substitute) and recommends that the bill (as amended) do pass.

PURPOSE OF THE BILL

The purpose of the bill is to promote travel and tourism in the United States, to improve the health, safety, and security of international travelers entering the United States, and to establish coordination between government agencies to achieve national travel goals, as well as other purposes.

BACKGROUND AND NEEDS

The COVID-19 public health emergency has significantly impacted the U.S. travel and tourism industry. The travel and tourism industry is a vital component of the U.S. economy; in 2019, the industry represented 2.9 percent of the U.S. GDP, generated \$1.9

trillion in economic output, and supported 9.5 million U.S. jobs.¹ It is important that Federal policy support the restoration, future growth, and resiliency of the industry and establish a coordinated travel and tourism strategy to respond to unforeseen circumstances that may impact the industry.

SUMMARY OF PROVISIONS

S. 3375 would do the following:

- Establish an Assistant Secretary of Commerce for Travel and Tourism in the Department of Commerce. The Assistant Secretary of Commerce for Travel and Tourism would support and enhance domestic travel and tourism by, among other responsibilities, creating goals for international visitation and travel and tourism exports.
- Establish the United States Travel and Tourism Advisory Board with membership comprised of representatives from companies and organizations in the travel and tourism industry who would be appointed for 2-year terms and would advise the Secretary of Commerce on travel and tourism industry-related matters.
- Direct the Secretary of Commerce, in consultation with the U.S. Travel and Tourism Advisory Board, the Tourism Policy Council, and the Secretary of Homeland Security, to submit to Congress a 10-year travel and tourism strategy, not less frequently than once every 10 years.
- Direct the Secretary of Commerce to study the effects of the pandemic on the travel and tourism industry and submit a report on the final study to Congress.
- Establish the Joint Task Force on Air Travel During and After the COVID–19 Public Health Emergency, which would develop recommended requirements, plans, and guidelines to address issues relating to air travel and airport operations during and after the COVID–19 public health emergency and report its recommendations to Congress.
- Direct the Secretary of Transportation to establish a Joint Federal Advisory Committee to develop policy recommendations for the Joint Task Force on Air Travel During and After the COVID–19 Public Health Emergency to consider in developing its recommendations.
- Direct the Administrator of the Transportation Security Administration to conduct a study of the feasibility of using canines to detect the virus that causes COVID–19; and if it is feasible, whether and how airports can use canines to screen passengers, aircraft crew members, and other individuals who pass through airports.
- Authorize the Administrator of the Transportation Security Administration, in coordination with the Commissioner of U.S. Customs and Border Protection, to conduct a 6-year pilot program, at up to six foreign last point of departure (LPD) airports, where passengers departing those airports could continue on additional flights or flight segments originating in the United States without additional security rescreening if their

¹ International Trade Administration, “Travel and Tourism Industry” (<https://www.trade.gov/travel-tourism-industry>).

initial screening at the LPD airport was conducted in accordance with an aviation screening agreement and if other security requirements are met.

LEGISLATIVE HISTORY

S. 3375 was introduced on December 9, 2021, by Senator Wicker (for himself and Senators Rosen, Cortez Masto, Klobuchar, King, Blunt, Sullivan, and Scott [of Florida]) and was referred to the Committee on Commerce, Science, and Transportation of the Senate. Senators Sinema, Warnock, and Murkowski are additional co-sponsors. On December 15, 2021, the Committee met in open Executive Session and, by voice vote, ordered S. 3375 reported favorably with an amendment (in the nature of a substitute with amendments).

ESTIMATED COSTS

In accordance with paragraph 11(a) of rule XXVI of the Standing Rules of the Senate and section 403 of the Congressional Budget Act of 1974, the Committee provides the following cost estimate, prepared by the Congressional Budget Office:

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, July 14, 2022.

Hon. MARIA CANTWELL,
Chair, Committee on Commerce, Science, and Transportation,
U.S. Senate, Washington, DC.

DEAR MADAM CHAIR: The Congressional Budget Office has prepared the enclosed cost estimate for S. 3375, the Omnibus Travel and Tourism Act of 2021.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is David Hughes.

Sincerely,

PHILLIP L. SWAGEL,
Director.

Enclosure.

At a Glance			
S. 3375, Omnibus Travel and Tourism Act of 2021			
As reported by the Senate Committee on Commerce, Science, and Transportation on December 17, 2021			
By Fiscal Year, Millions of Dollars	2022	2022-2027	2022-2032
Direct Spending (Outlays)	0	0	0
Revenues	0	0	0
Increase or Decrease (-) in the Deficit	0	0	0
Spending Subject to Appropriation (Outlays)	*	88	not estimated
Statutory pay-as-you-go procedures apply?	No	Mandate Effects	
Increases on-budget deficits in any of the four consecutive 10-year periods beginning in 2033?	No	Contains intergovernmental mandate?	No
		Contains private-sector mandate?	No
* = between zero and \$500,000.			

The bill would:

- Establish an Assistant Secretary of Commerce for Travel and Tourism to oversee a new office within the Department of Commerce (DOC)
 - Require DOC to complete additional reports, expand existing surveys, and develop a tourism strategy
 - Require the Transportation Security Administration (TSA) to conduct two studies and implement a pilot program
- Estimated budgetary effects would mainly stem from:
- Spending subject to appropriation to implement the bill's requirements for DOC and TSA

Bill summary: S. 3375 would establish a new office of the Assistant Secretary of Commerce for Travel and Tourism within the Department of Commerce (DOC) to recommend ways to enhance and develop support for domestic tourism and to report annually on the forecast for the travel and tourism industry. The bill also would require DOC to collect and report additional data on travel in the United States, develop a 10-year travel and tourism strategy, establish a board to advise it on matters related to the travel industry, and study the effects of the COVID-19 pandemic on the travel and tourism industry.

S. 3375 also would affect several transportation programs. Specifically, the bill would:

- Require the Departments of Health and Human Services, Homeland Security, and Transportation to establish a joint task force to study air travel during and after the COVID-19 pandemic and report any recommendations to the Congress;
- Require the Transportation Security Administration (TSA) to study the feasibility of using canines at airport security checkpoints to screen passengers, crew members, and other people for coronavirus infections; and
- Authorize a pilot program to allow passengers and baggage arriving from up to six foreign airports to bypass security screening before boarding a subsequent transfer flight, under conditions specified in the bill.

Estimated federal cost: The estimated budgetary effect of S. 3375 is shown in Table 1. The costs of the legislation largely fall within budget functions 370 (commerce and housing credit) and 400 (transportation).

TABLE 1.—ESTIMATED INCREASES IN SPENDING SUBJECT TO APPROPRIATION UNDER S. 3375

	By fiscal year, millions of dollars—						
	2022	2023	2024	2025	2026	2027	2022–2027
Department of Commerce:							
Estimated Authorization	0	18	19	17	18	19	91
Estimated Outlays	0	15	18	16	17	18	84
Transportation Programs:							
Estimated Authorization	0	3	*	*	*	*	4
Estimated Outlays	0	3	*	*	*	*	4
Total Changes:							
Estimated Authorization	0	21	19	17	18	19	95
Estimated Outlays	0	18	18	16	17	18	88

Components may not sum to totals due to rounding; * = between zero and \$500,000.

Basis of estimate: CBO assumes that S. 3375 will be enacted near the end of fiscal year 2022. Some activities required under the bill are already being fully or partially carried out by DOC, such as the requirement to establish annual goals for the number of international visitors and the value of U.S. goods and services purchased by such visitors. The costs of implementing those responsibilities are excluded from CBO's analysis of federal costs.

Using information from the affected agencies, CBO estimates that implementing S. 3375 would cost \$88 million over the 2022–2027 period. Spending would be subject to the availability of appropriated funds.

Department of Commerce: Using information from DOC, CBO estimates that it would cost the department \$84 million to implement the bill's requirements over the 2022–2027 period, assuming appropriation of the estimated amounts.

CBO estimates the required responsibilities of the new Assistant Secretary of Commerce for Travel and Tourism would cost \$47 million over the 2022–2027 period. That estimate is based on the cost of an additional 35 employees annually at a cost of about \$290,000 per employee; that amount reflects salaries, benefits, and associated overhead costs such as rent, utilities, and travel.

Adding questions on wait times, visits to public lands, and state visitation data to its existing Survey of International Air Travelers would cost \$19 million over the 2022–2027 period, CBO estimates. That amount reflects a mixture employee and contracting costs necessary to double the sample size of the survey and add new questions.

Reporting on international arrival and spending data and updating the Travel and Tourism Satellite Accounts each year would cost \$12 million, CBO estimates, to develop a more robust estimation model that includes regional data. That amount reflects the cost of seven additional employees, contracting costs, and annual data purchases.

Other provisions in the bill would have smaller costs over that same period, as detailed below:

- \$4 million to study the effects of the COVID–19 pandemic on the travel and tourism industry,

- \$1 million to develop a 10-year travel and tourism strategy and submit it to the Congress at least once every 10 years, and
- \$1 million to establish and support the U.S. Travel and Tourism Advisory Board to advise it on matters relating to the travel and tourism industry.

Transportation programs: Using information on the cost of similar activities, CBO estimates that implementing the transportation provisions would cost \$4 million over the 2022–2027 period. Specifically, CBO estimates that over the six-year period the task force on air travel would cost \$1 million, the study on the use of canines would cost \$1 million, and the pilot program would cost \$2 million. All such spending would be subject to the availability of appropriated funds.

Pay-as-you-go considerations: None.

Increase in long-term deficits: None.

Mandates: None.

Estimate prepared by: Federal Costs: David Hughes (Department of Commerce); Aaron Krupkin (transportation programs); Mandates: Rachel Austin; Brandon Lever.

Estimate reviewed by: Justin Humphrey, Chief, Finance, Housing, and Education Cost Estimates Unit; Susan Willie, Chief, Natural and Physical Resources Cost Estimates Unit; H. Samuel Papenfuss, Deputy Director of Budget Analysis; Theresa Gullo, Director of Budget Analysis.

REGULATORY IMPACT STATEMENT

Because S. 3375 does not create any new programs, the legislation will have no additional regulatory impact, and will result in no additional reporting requirements. The legislation will have no further effect on the number or types of individuals and businesses regulated, the economic impact of such regulation, the personal privacy of affected individuals, or the paperwork required from such individuals and businesses.

CONGRESSIONALLY DIRECTED SPENDING

In compliance with paragraph 4(b) of rule XLIV of the Standing Rules of the Senate, the Committee provides that no provisions contained in the bill, as reported, meet the definition of congressionally directed spending items under the rule.

SECTION-BY-SECTION ANALYSIS

Section 1. Short title; table of contents.

Paragraph (a) provides that this bill may be cited as the “Omni-bus Travel and Tourism Act of 2021”.

Paragraph (b) provides a table of contents for the bill.

Section 2. Defined term.

This section defines the term “COVID–19 public health emergency” as the public health emergency first declared on January 31, 2020, by the Secretary of Health and Human Services under section 319 of the Public Health Service Act² with respect to

² 42 U.S.C. 247d.

COVID–19, as well as any renewal of such declaration pursuant to section 319.

TITLE I—TRAVEL PROMOTION

Section 101. Short title.

This section provides that this title may be cited as the “Visit America Act”.

Section 102. Purposes.

This section states that the purpose of this title is to (1) support the travel and tourism industry which produces vital economic surplus to our national economy; and (2) establish national goals for international visitors to the United States.

Section 103. Sense of Congress.

This section lays out Congress’ sense that: (1) setting a national goal for international visitors to the United States and travel exports is crucial for supporting American jobs, growing the economy, and improving the U.S. trade balance; (2) setting a national goal for travel exports is vital to increasing travel exports; (3) travel and visitation promotion by the Corporation for Travel Promotion (Brand USA) is crucial for increasing visitation and articulating U.S. visitation laws; and (4) a coordinated travel and tourism industry response and strategy is urgently needed to combat the industry’s current state and any future unforeseen circumstances.

Section 104. Assistant Secretary for Travel and Tourism.

This section amends section 2(d) of the Reorganization Plan Numbered 3 of 1979³ to create an Assistant Secretary of Commerce for Travel and Tourism (Assistant Secretary) within the Department of Commerce, to be appointed by the President—subject to Senate advice and consent—and who reports to the Under Secretary for International Trade.

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

Paragraph (a) directs the Assistant Secretary of Commerce for Travel and Tourism to do the following:

- Set annual goals for the number of international visitors to the United States and the value of travel exports.
- Develop recommendations for achieving these goals.
- Ensure travel and tourism policy is developed in consultation with the Tourism Policy Council, Secretary of Homeland Security, National Travel and Tourism Office, Brand USA, United States Travel and Tourism Advisory Board, and travel industry partners.
- Create short, medium, and long-term timelines for implementing the recommendations from subparagraph (2).
- Conduct Federal agency needs assessments to identify resources, statutory or regulatory changes, and private sector engagement needed to achieve visitation goals.

³93 Stat. 1382; 5 U.S.C. App.

- Provide assessments and recommendations to the Senate Commerce, Science, and Transportation Committee and House Energy and Commerce Committee, as well as the public through a website.

Paragraph (b) directs the Assistant Secretary, in consultation with the Secretaries of State and Homeland Security, to: (1) explore strategies to improve visitor visa processing related to maximum processing times, changes needed to meet the visa processing goals established in paragraph (a), and streamlining visa applications and adjudications, including application design and data collection procedures; and (2) explore opportunities to establish pilot programs that implement technology like biometrics and video conferencing into the visitor visa adjudication process.

Paragraph (c) directs the Assistant Secretary to (1) constantly evaluate domestic policy options for supporting competitiveness with respect to the strengths, weaknesses, and growth of the domestic travel industry; (2) develop recommendations and goals to support and enhance domestic tourism; and (3) work with public and private stakeholders to support domestic tourism.

Paragraph (d) directs the Assistant Secretary to (1) work with the Secretary of Labor to create strategies and best practices for improving timeliness and reliability of travel and tourism workforce data; (2) work with the Secretary of Labor and Bureau of Economic Analysis to improve travel and tourism industry data; and (3) give recommendations for policy enhancements and efficiencies.

Paragraph (e) directs the Assistant Secretary, in coordination with the Assistant Secretary of Commerce for Global Markets and the Director General of the United States and Foreign Commercial Service, to work to promote and facilitate travel exports abroad and ensure competitiveness, by doing at least the following: (1) promoting meetings, incentives, conferences, and exhibitions; (2) highlighting uniquely American destinations such as rural or other destinations rich in cultural heritage or ecological tourism; and (3) promoting U.S.-hosted sports and recreation events.

Paragraph (f) directs the Assistant Secretary to investigate initiating, utilizing, or expanding existing security programs to better meet needs of the travel and tourism industry, and to provide related recommendations to the Senate Commerce, Science, and Transportation Committee, the Senate Judiciary Committee, the House Energy and Commerce Committee, the House Homeland Security Committee, and the House Judiciary Committee. Such programs include the following:

- the Visa Waiver Program;
- preclearance operations;
- the Trusted Traveler Program;
- the biometric entry-exist control system required under section 110 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996;⁴ and
- the creation of a system to increase travel resilience during pandemics.

Paragraph (g) directs the Assistant Secretary to, no later than 1 year after amounts are appropriated to accomplish this section, and in consultation with stakeholders identified in paragraph (a)(3) and

⁴Division C of Public Law 104–208; 8 U.S.C. 1221 note.

public health officials, develop a COVID–19 recovery strategy for the U.S. travel and tourism industry. After implementing the strategy, the Assistant Secretary is directed to develop additional recovery strategies for the industry for other unforeseen catastrophic events that would significantly impact the travel and tourism industry. The Assistant Secretary is directed to conduct cost-benefit analyses while creating all these strategies.

Paragraph (h) directs the Assistant Secretary to create an annual forecasting report on the travel and tourism industry; the report should include current and anticipated (1) domestic employment needs; (2) international inbound volume and spending; and (3) domestic volume and spending. Additionally, the Director of the Bureau of Economic Analysis should annually update the Travel and Tourism Satellite Accounts, including: (1) State level travel and tourism spending data; (2) travel and tourism workforce data for full-time and part-time employment; and (3) Federal and State public lands spending data. Finally, the Director of the National Travel and Tourism Office is required, in partnership with the Bureau of Economic Analysis, to report international arrival and spending data monthly, and to make the data available to the Travel and Tourism Advisory Board and to the public through a website. These monthly reports shall include questions from the Survey of International Air Travelers related to wait-times, visits to public lands, and State data, where applicable.

Section 106. Travel and tourism strategy.

This section directs the Secretary of Commerce, in consultation with the United States Travel and Tourism Advisory Board, the Tourism Policy Council, and the Secretary of Homeland Security, to develop and submit to Congress, no less frequently than once every 10 years, a 10-year travel and tourism strategy. The strategy must include: (1) establishment of goals for the number of annual international visitors to the United States and the annual value of travel exports during the 10-year period; (2) the resources needed to achieve these goals; and (3) recommendations for statutory or regulatory changes needed to achieve these goals.

Section 107. United States Travel and Tourism Advisory Board.

This section amends section 3 of the Act entitled “An Act to encourage travel in the United States, and for other purposes”⁵ to include the establishment of a United States Travel and Tourism Advisory Board (Advisory Board), whose members would be appointed for 2-year terms by the Secretary of Commerce and would come from companies and organizations in the travel and tourism industry. The Assistant Secretary for Travel and Tourism and the Director of the National Travel and Tourism Office would serve as the Executive Director and Executive Secretariat of the Advisory Board, respectively. The Advisory Board would advise the Secretary of Commerce on matters related to the travel and tourism industry, as well as help the Assistant Secretary develop and implement the COVID–19 recovery strategy required under section 105(g)(1) of the Visit America Act.

⁵ 15 U.S.C. 1546.

Section 108. Data on domestic travel and tourism.

This section directs the Secretary of Commerce, subject to availability of appropriations, to collect, aggregate, and publish data on domestic travel and tourism trends by individuals traveling between points within the United States.

TITLE II—TRAVEL SAFETY

Subtitle A—Health Safety

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

Paragraph (a) defines the term “pandemic period” to have the meaning given to the term “emergency period” in section 1135(g)(1)(B) of the Social Security Act,⁶ excluding any portions of such period after the date that is 1 year after this bill is enacted. The term “Secretary” is defined as the Secretary of Commerce, and “travel and tourism industry” is defined as the travel and tourism industry in the United States.

Paragraph (b) directs the Secretary to, no later than 3 months after the bill’s enactment and after consultation with relevant stakeholders, complete an interim study on the effects of the COVID–19 pandemic on the travel and tourism industry, then submit a report containing the study’s results to the Senate Commerce, Science, and Transportation Committee and the House Energy and Commerce Committee. The report must also be made publicly available on the Department of Commerce website.

Paragraph (c) directs the Secretary to, no later than 1 year after the bill’s enactment and in consultation with the United States Travel and Tourism Advisory Board and the head of any other Federal agency deemed appropriate, complete a study on the effects of the COVID–19 pandemic on the travel and tourism industry.

Paragraph (d) directs the Secretary to consider the following matters when conducting the interim study:

- changes in employment rates and revenues of businesses in the travel and tourism industry during the pandemic;
- changes in revenues of businesses in the travel and tourism industry during the pandemic;
- changes in employment and sales in industries related to travel and tourism industry, and changes in contributions of the travel and tourism industry to such industries, during the pandemic;
- the attributable effects of the aforementioned changes on the overall U.S. economy, including impacts from regional economies;
- the attributable effects of the same aforementioned changes on minority communities in the travel and tourism industry and related industries;
- reports on the economic impact of COVID–19 by other Federal agencies;
- costs and health benefits associated with COVID–19 requirements for air travel for entering the United States and any consequent disincentives for tourism;

⁶ 42 U.S.C. 1320b–5(g)(1)(B).

- any Federal barriers disincentivizing international tourism in the United States, as well as their sources and policy rationales; and
- any other matters deemed appropriate.

Paragraph (e) directs the Secretary, in conducting the study from paragraph (c), to consult with industry and labor representatives from a variety of sectors within the travel and tourism industry, as well as destination marketing organizations and State tourism offices. The Secretary must also provide an opportunity for public comment and advice related to conducting the study.

Paragraph (f) directs the Secretary, not later than 6 months after the study from paragraph (b) is completed, to submit a report to the Senate Commerce, Science, and Transportation Committee and the House Energy and Commerce Committee containing: (1) the results of the study; (2) policy recommendations for promoting and assisting the travel and tourism industry by fully implementing the Native American Tourism and Improving Visitor Experience Act;⁷ and (3) a description of the actions the Federal Government should take to accelerate the implementation of travel and tourism policies and programs authorized by law. The report must be made publicly available on the Department of Commerce website.

Section 202. Ensuring Health Safety in the Skies.

Paragraph (a) provides that this section may be cited as the “Ensuring Health Safety in the Skies Act of 2021”.

Paragraph (b) defines the term “Advisory Committee” as the Joint Federal Advisory Committee established in paragraph (d). The term “air travel” is defined as including international air travel. The term “Joint Task Force” is defined as the Joint Task Force on Air Travel During and After the COVID–19 Public Health Emergency established in paragraph (c).

Paragraph (c) directs the Secretaries of Transportation, Homeland Security, and Health and Human Services to establish the Joint Task Force on Air Travel During and After the COVID–19 Public Health Emergency no later than 30 days after this bill’s enactment. The Joint Task Force would be composed of the Secretary of Transportation, the Secretary of Health and Human Services, and representatives from various relevant Federal departments and agencies. The Joint Task Force would develop recommendations for addressing challenges related to the continuation of air travel during the COVID–19 public health emergency, restoring full operations at airports, and growing passenger air travel after the COVID–19 emergency. In developing such recommendations, the Joint Task Force would consult with the Advisory Committee established in paragraph (d)(1) and relevant international entities when appropriate.

Paragraph (d) directs the Secretary of Transportation, no later than 15 days after the Joint Task Force is established, to establish a Joint Federal Advisory Committee. The Advisory Committee would develop and submit consensus policy recommendations for the Joint Task Force to consider when developing its recommendations. The Advisory Committee would be composed of uncompensated representatives of the air travel industry, public health

⁷ Public Law 114–221.

experts, privacy and civil liberty organizations, labor organizations, and other industries involved in air travel. The Advisory Committee would publish its policy recommendations on a publicly accessible website no later than 14 days after submitting such policy recommendations to the Joint Task Force.

Paragraph (e) directs the Joint Task Force, as soon as practicable but no later than 6 months after the Joint Task Force's establishment, to provide preliminary briefings to Congress on the status of the development of its recommendations. The Joint Task Force must also submit a final report to Congress as soon as practicable but no later than 18 months after this bill's enactment. The report must include: (1) all of the recommendations developed by the Joint Task Force; (2) descriptions of any actions taken by the Federal Government as a result of such recommendations; (3) consensus policy recommendations submitted by the Advisory Committee; and (4) an explanation of any action by the Joint Task Force in response to such recommendations.

Paragraph (f) provides that the Joint Task Force and Advisory Committee will terminate 30 days after the Joint Task Force submits its final report.

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

Paragraph (a) directs the Administrator of the Transportation Security Administration (Administrator) to conduct a study assessing: (1) the feasibility of using canines to detect the presence of SARS-CoV-2, the virus that causes COVID-19; (2) if it is feasible, whether canine units could be used to screen individuals who pass through airports and airport security screening for infection; and (3) if such screening is feasible, how it would be implemented and what metrics would be used to monitor its effectiveness.

Paragraph (b) directs the Administrator, in conducting the study from paragraph (a), to conduct a review and analysis of SARS-CoV-2 detection solutions, and to use the results to determine canines' biological detection capabilities and inform the factors and conditions needed for the deployment of canine units at airports to detect SARS-CoV-2.

Paragraph (c) directs the Administrator, in conducting the assessments required in paragraphs (a) and (b), to do the following:

- Assess the probability of canines responding to the presence of SARS-CoV-2.
- Determine how specific the response is compared to responses to controls and similar viruses.
- Assess how close canines must be to individuals to effectively detect SARS-CoV-2.
- Assess detection effectiveness in symptomatic carriers versus asymptomatic carriers.
- Assess other valid measures to determine the efficacy of using canines to screen for SARS-CoV-2 at airports.
- Identify training and policy gaps that must be addressed before implementing canine screening at airports.
- Assess the number of canine units required to effectively implement a canine screening program at airports, as well as the effect such screenings would have on the Transportation Security Administration's existing pool of canine units.

Paragraph (d) directs the Administrator, in conducting the study required in paragraph (a), to consider: (1) opportunities to use existing scientific information on detection of SARS-CoV-2 by canines; (2) established programs in foreign countries related to detection by canines; (3) detection approaches and solutions related to optimizing detection by canines; and (4) private industry approaches aimed to facilitate detection using canine units.

Paragraph (e) directs the Administrator to ensure that screening solutions developed through the study from paragraph (a) receive validation and verification analysis by a third party with appropriate expertise to ensure the study obtains accurate data.

Paragraph (f) directs the Administrator, no later than 1 year after this bill's enactment, to submit a report to the Senate Commerce, Science, and Transportation Committee, the Senate Armed Services Committee, the Senate Health, Education, Labor, and Pensions Committee, the Senate Homeland Security Committee, the House Armed Services Committee, and the House Energy and Commerce Committee that: (1) describes the results of the study from paragraph (a), including the assessments required in paragraphs (b) and (c); and (2) makes a recommendation with respect to whether canine units at airports could be trained effectively to screen individuals passing through airports and airport security screening locations for infection with SARS-CoV-2.

Subtitle B—One-Stop Security

Section 211. Short title.

This section provides that the subtitle may be cited as the “One-Stop Pilot Program Act of 2021”.

Section 212. Definitions.

This section defines the term “Administrator” to mean the Administrator of the Transportation Security Administration. The term “appropriate congressional committees” means the Senate Commerce, Science, and Transportation Committee, the Senate Homeland Security and Governmental Affairs Committee, and the House Homeland Security Committee. The term “TSA” means the Transportation Security Administration of the Department of Homeland Security.

Section 213. Pilot Program for One-Stop Security.

Paragraph (a) permits the Administrator, in coordination with the Commissioner of U.S. Customs and Border Protection, to establish a pilot program at no more than six foreign last point of departure airports allowing passengers and their acceptable property arriving on direct flights or flight segments from those airports to continue on additional flights or flight segments originating in the United States without additional security re-screening if: (1) the initial screening was done in accordance with an aviation security screening agreement described in paragraph (d); (2) passengers cannot access their checked baggage until reaching their final destination; and (3) passengers, upon arrival in the United States, do not come into contact with any international passengers, corresponding property, or other persons that haven't undergone re-

quired screening or security controls required to enter the airport's sterile area.

Paragraph (b) directs the Administrator to ensure the pilot program does not cause a reduction in the level of security or specific TSA aviation security standards or requirements for screening passengers and their property prior to boarding international flights bound for the United States.

Paragraph (c) permits the Administrator to determine whether checked baggage arriving from participating foreign airports that screen using an explosives detection system needs rescreening in the United States by an explosive detection system before continuing on to additional flights.

Paragraph (d) defines an aviation security screening agreement as a treaty, executive agreement, or other international arrangement that: (1) is signed by the Administrator, without delegating such authority; and (2) is entered into with a foreign country that delineates and implements security standards and protocols utilized at a foreign last point of departure airport that are determined by the Administrator to be comparable to those of the United States, and are sufficiently effective to enable passengers and their accessible property to deplane into sterile areas of United States airports without the need for re-screening.

Paragraph (e) directs the Administrator to have passengers from foreign airports participating in the pilot program re-screened in the United States if the Administrator determines that the foreign airport's country has not maintained and implemented security standards and protocols comparable to those of the United States at that airport. If the Administrator has reasonable grounds to believe that such a foreign country or another party to an aviation security screening agreement has not complied with such agreement, the Administrator should request immediate consultation with the party. If a satisfactory agreement between TSA and a foreign country isn't reached within 45 days after the consultation request or a foreign country continues to fail to maintain the required security standards, the Administrator must suspend or terminate the aviation security screening agreement with that country and notify the appropriate congressional committees within 7 days.

Paragraph (f) directs the Administrator to submit the following to the appropriate congressional committees no later than 45 days before an aviation security screening agreement enters into force:

- an aviation security threat assessment for the country of the foreign last point of departure airport;
- information on any corresponding efforts to address security issues identified in such threat assessment;
- information on potential security vulnerabilities tied to commencing the agreement and plans to address those vulnerabilities;
- an assessment of the agreement's impact on aviation security;
- a TSA assessment of the screening performed at foreign last point of departure airports, including the feasibility of TSA personnel monitoring screening, security protocols, and standards;
- information regarding identifying who is responsible for screening passengers and property at the airports;

- the names of any entities party to the agreement;
- information regarding the screening requirements under paragraph (e);
- details on information sharing mechanisms between the Department of Homeland Security and the foreign last point of departure airport, screening authority, or other entity responsible for screening; and
- a copy of the agreement.

Paragraph (g) directs the Administrator, for each aviation security agreement, to submit the following to the appropriate congressional committees: (1) a certification that the agreement satisfies the requirements specified in paragraph (b), or if those requirements aren't completely satisfied, a description of the unsatisfied requirements and what actions the Administrator will take to ensure they are satisfied before the agreement enters into force; (2) a certification that TSA and U.S. Customs and Border Protection have ensured any necessary physical modifications or appropriate mitigations are in place in the domestic pilot program airport before receiving international passengers from a last point of departure airport under the aviation security screening agreement; (3) a certification that a foreign last point of departure airport under an aviation security screening agreement screens checked bags as required by law, regulation, or international agreement; and (4) a certification that the Administrator consulted with relevant stakeholders.

Paragraph (h) directs the Secretary of Homeland Security, in coordination with the Administrator and within 5 years of the bill's enactment, to submit a report to the appropriate congressional committees on the implementation of the pilot program.

Paragraph (i) states that nothing in this section may be construed as limiting the existing lawful authority of U.S. Customs and Border Protection to inspect persons and baggage arriving in the United States.

Paragraph (j) states that the pilot program will terminate 6 years after this bill's enactment.

CHANGES IN EXISTING LAW

In compliance with paragraph 12 of rule XXVI of the Standing Rules of the Senate, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new material is printed in italic, existing law in which no change is proposed is shown in roman):

AN ACT TO ENCOURAGE TRAVEL IN THE UNITED STATES, AND FOR OTHER PURPOSES

* * * * *

[15 U.S.C. 1546]

SEC. 3. [ADVISORY COMMITTEE FOR PROMOTION OF TOURIST TRAVEL; EXPENSES] *UNITED STATES TRAVEL AND TOURISM ADVISORY BOARD; ADVISORY COMMITTEE.*

[The Secretary of Commerce is authorized]

(a) *UNITED STATES TRAVEL AND TOURISM ADVISORY BOARD.—*

(1) *IN GENERAL.—There is established the United States Travel and Tourism Advisory Board (referred to in this subsection as the “Board”), the members of which shall be appointed by the Secretary of Commerce for 2-year terms from among companies and organizations in the travel and tourism industry.*

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

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

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

(A) *serve as the advisory body to the Secretary of Commerce on matters relating to the travel and tourism industry in the United States;*

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

(C) *offer counsel on current and emerging issues;*

(D) *provide a forum for discussing and proposing solutions to problems related to the travel and tourism industry; and*

(E) *provide advice regarding the domestic travel and tourism industry as an economic engine.*

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

(b) *ADVISORY COMMITTEE FOR PROMOTION OF TOURIST TRAVEL.—The Secretary of Commerce is authorized to create an advisory committee to consist of a representative from each of the Departments of State, Agriculture, and Commerce, the Interstate Commerce Commission, and the Department of Transportation, as may be designated by such Departments or agencies, respectively, and such additional members, representatives of the various sections of the Nation, including transportation and accommodations agencies, not to exceed six members, to be appointed by the Secretary of Commerce to serve at his pleasure. Meetings of the committee shall be held at the request of the Secretary for the purpose of making recommendations concerning the promotion of tourist travel under the provisions of this Act. The members of the committee shall receive no compensation for their services as members, but shall be entitled to reimbursement for such necessary travel and other expenses in connection with their attendance at committee meetings as may be authorized or approved by the Secretary.*

* * * * *

REORGANIZATION PLAN NUMBERED 3 OF 1979

[93 Stat. 1382; 5 U.S.C. App.]

* * * * *

SEC. 2. DEPARTMENT OF COMMERCE

(a) * * *

* * * * *

(d) **There shall be in the Department two additional Assistant Secretaries** *(1) There shall be in the Department 3 additional Assistant Secretaries, including the Assistant Secretary of Commerce for Travel and Tourism, appointed by the President, by and with the advice and consent of the Senate. Each such Assistant Secretary shall perform such duties and exercise such powers as the Secretary from time to time prescribe.*

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

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

(B) report directly to the Under Secretary for International Trade.

* * * * *

