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(Original Signature of Member)

117TH CONGRESS
2D SESSION

H. R. _____

To require the head of each agency to establish a plan relating to the safety of Federal employees and contractors physically present at certain worksites during a nationwide public health emergency declared for an infectious disease, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

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

A BILL

To require the head of each agency to establish a plan relating to the safety of Federal employees and contractors physically present at certain worksites during a nationwide public health emergency declared for an infectious disease, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Chai Suthammanont
5 Remembrance Act of 2022”.

1 **SEC. 2. WORKSITE SAFETY FOR FEDERAL EMPLOYEES AND**
2 **CONTRACTORS.**

3 (a) ISSUANCE OF POLICIES AND PROCEDURES BY
4 AGENCIES.—Not later than 60 days after the date of the
5 enactment of this Act, the head of each agency, in con-
6 sultation with the Chief Human Capital Officer of the
7 agency and the Assistant Director of Administration of
8 the agency (or any individual holding an equivalent posi-
9 tion), shall—

10 (1) establish a plan containing procedures and
11 policies for the safety of covered individuals phys-
12 ically present at worksites during a covered period;

13 (2) make such plan available to the public by
14 including a prominent link to such plan on the home
15 page of the website of the agency;

16 (3) provide a link to such plan to the Director
17 of the Office of Management and Budget for inclu-
18 sion on the web page of the Office in accordance
19 with subsection (c); and

20 (4) communicate such plan to each covered in-
21 dividual in such a manner as to ensure that each
22 such covered individual acknowledges receipt and
23 understanding of the plan.

24 (b) PLAN.—The plan required under subsection (a)
25 shall, at a minimum, include the following:

1 (1) A description of the efforts the agency plans
2 to take with respect to mitigating a nationwide pub-
3 lic health emergency declared for an infectious dis-
4 ease at worksites, including the following:

5 (A) A description of any personal protec-
6 tive equipment that is being or will be provided
7 by the agency to any covered individual phys-
8 ically present at a worksite during a covered pe-
9 riod.

10 (B) A description of any procedures estab-
11 lished by the agency for—

12 (i) testing covered individuals at work-
13 sites for a covered condition;

14 (ii) identifying covered individuals po-
15 tentially exposed to an individual who is di-
16 agnosed with a covered condition, and noti-
17 fying such individuals of such potential ex-
18 posure; and

19 (iii) addressing differences in data,
20 such as the number of cases, hospitaliza-
21 tions, and deaths, in regions and localities
22 if an agency has covered worksites in more
23 than one region.

24 (2) Guidance on—

1 (A) any cleaning protocols to be imple-
2 mented at covered worksites;

3 (B) occupancy limits for covered worksites;
4 and

5 (C) the use of personal protective equip-
6 ment, such as appropriate face coverings, by
7 covered individuals while physically present at a
8 worksite.

9 (3) A description of the actions the agency is or
10 will be taking to protect employees of the agency
11 who conduct activities in an official capacity while
12 not physically present at a covered worksite, includ-
13 ing employees—

14 (A) who are required to travel in an official
15 capacity; or

16 (B) perform audits or inspections.

17 (4) A description of any requirements that
18 members of the public are required to meet in order
19 to enter a facility in which covered worksites are lo-
20 cated.

21 (5) A description of any alternative option to
22 being physically present at a covered worksite that
23 is available for employees of the agency who—

24 (A) have a high risk of contracting a cov-
25 ered condition (as determined by the Director

1 of the Centers for Disease Control and Preven-
2 tion); or

3 (B) live in a household with individuals
4 who have a high risk of contracting a covered
5 condition (as determined by the Director of the
6 Centers for Disease Control and Prevention).

7 (6) Protocols that ensure the continuity of oper-
8 ations of the agency, including a plan to reverse any
9 requirement for covered individual to be present at
10 a facility in which covered worksites are located if
11 there is a surge in cases in the geographic area of
12 such facility.

13 (7) The hotline website and hotline telephone
14 number of the Inspector General of the agency for
15 covered individuals to report to the Inspector Gen-
16 eral any instance in which the agency is not imple-
17 menting the plan required by this section.

18 (8) The hotline website and hotline telephone
19 number of the Office of Special Counsel to report a
20 substantial and specific danger to public health and
21 safety or whistleblower retaliation.

22 (c) PUBLICATION OF PLAN.—Not later than 90 days
23 after the date of the enactment of this Act, the Director
24 of the Office of Management and Budget shall make avail-
25 able to the public on a single web page of the Office—

1 (1) links to each plan provided to the Director
2 pursuant to subsection (a)(3); and

3 (2) a list identifying any agency that has not
4 provided a link pursuant to such subsection;

5 (d) COMMUNICATION OF PLAN TO NEW EMPLOYEES,
6 CONTRACTORS, AND SUBCONTRACTORS.—Beginning on
7 the date that is 60 days after the date of the enactment
8 of this Act, the head of an agency shall communicate the
9 plan required by subsection (a), in the manner described
10 under such subsection, to—

11 (1) any new employee of the agency, not later
12 than 30 days after the date on which such employee
13 is hired;

14 (2) any individual or entity that enters into a
15 contract with the agency after such date, not later
16 than 30 days after the contract is entered into; and

17 (3) any individual or entity that enters into a
18 subcontract at any tier of a contract with the agency
19 after such date, not later than 30 days after the
20 subcontract is entered into.

21 (e) INSPECTORS GENERAL REPORTS.—Not later
22 than 6 months after the date of the enactment of this Act,
23 the Inspector General of each agency shall submit to the
24 Committee on Oversight and Reform of the House of Rep-
25 resentatives and the Committee on Homeland Security

1 and Governmental Affairs of the Senate a report on the
2 implementation of this section, including whether each
3 agency involved has—

4 (1) published and communicated the plan re-
5 quired by subsection (a) in accordance with this sec-
6 tion; and

7 (2) implemented the plan.

8 (f) GOVERNMENT ACCOUNTABILITY OFFICE RE-
9 PORT.—Not later than one year after the date of the en-
10 actment of this Act, the Comptroller General of the United
11 States shall submit to the Committee on Oversight and
12 Reform of the House of Representatives and the Com-
13 mittee on Homeland Security and Governmental Affairs
14 of the Senate a report on lessons learned by agencies and
15 covered individuals during the COVID–19 pandemic to
16 further improve the policies and procedures of such agen-
17 cies with respect to—

18 (1) the health and safety of covered individuals
19 during nationwide public health emergencies de-
20 clared for infectious diseases; and

21 (2) communication to covered individuals dur-
22 ing nationwide public health emergencies declared
23 for infectious diseases.

1 (g) APPLICATION.—Nothing in this Act shall be con-
2 strued to alter or otherwise limit the rights and obligations
3 afforded under chapter 71 of title 5, United States Code.

4 (h) DEFINITIONS.—In this section:

5 (1) AGENCY.—The term “agency” has the
6 meaning given that term in section 551 of title 5,
7 United States Code.

8 (2) COVERED CONDITION.—The term “covered
9 condition” means an infectious disease that is the
10 subject of a nationwide public health emergency.

11 (3) COVERED PERIOD.—The term “covered pe-
12 riod” means a period during which a nationwide
13 public health emergency declared for an infectious
14 disease is in effect.

15 (4) COVERED INDIVIDUAL.—The term “covered
16 individual” means—

17 (A) employees of the agency; and

18 (B) contractors of the agency, and sub-
19 contractors thereof at any tier.

20 (5) COVERED WORKSITE.—The term “covered
21 worksite” means a worksite at which a covered indi-
22 vidual is required to be present during a covered pe-
23 riod.

24 (6) EMPLOYEE.—The term “employee” means
25 any employee occupying a position in the civil service

1 (as that term is defined in section 2101 of title 5,
2 United States Code) at an agency.

3 (7) NATIONWIDE PUBLIC HEALTH EMER-
4 GENCY.—The term “nationwide public health emer-
5 gency” means a nationwide public health emergency
6 declared by the Secretary of Health and Human
7 Services under section 319 of the Public Health
8 Service Act (42 U.S.C. 247), including any renewal
9 thereof.

10 (8) WORKSITE.—The term “worksite” means—

11 (A) in the case of an employee of the agen-
12 cy, the location of the employee’s position of
13 record where the employee regularly performs
14 his or her duties, but does not include any loca-
15 tion where the employee teleworks (as that term
16 is defined in section 6501 of title 5, United
17 States Code); and

18 (B) in the case of a contractor of the agen-
19 cy (or subcontractor thereof at any tier), the lo-
20 cation in a facility of the agency where the con-
21 tractor or subcontractor performs his or her du-
22 ties under a contract with the agency, or a sub-
23 contract thereof at any tier, as applicable.