

117TH CONGRESS  
2D SESSION

# H. R. 8466

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.

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## IN THE HOUSE OF REPRESENTATIVES

JULY 21, 2022

Mr. CONNOLLY (for himself, Mrs. CAROLYN B. MALONEY of New York, and Ms. BROWN of Ohio) introduced the following bill; which was referred to the Committee on Oversight and Reform

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## 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.—

22           (1) REPORT ON IMPLEMENTATION OF THIS  
23 SECTION.—Not later than 6 months after the date  
24 of the enactment of this Act, the Inspector General  
25 of each agency shall submit to the Committee on

1 Oversight and Reform of the House of Representa-  
2 tives and the Committee on Homeland Security and  
3 Governmental Affairs of the Senate a report on the  
4 implementation of this section, including whether  
5 each agency involved has published and commu-  
6 nicated the plan required by subsection (a) in ac-  
7 cordance with this section.

8 (2) REPORT ON IMPLEMENTATION OF PLAN.—

9 Not later than 60 days after the head of an agency  
10 begins to implement a plan required under sub-  
11 section (a) with respect to a covered condition, the  
12 Inspector General of each agency shall submit to the  
13 Committee on Oversight and Reform of the House  
14 of Representatives and the Committee on Homeland  
15 Security and Governmental Affairs of the Senate a  
16 report on—

17 (A) the extent to which each agency has  
18 implemented the plan, including identifying any  
19 concerns for the safety of covered individuals at  
20 covered worksites that the agency has not fully  
21 addressed; and

22 (B) the extent to which such plan incor-  
23 porated best practices to contain the spread of  
24 such covered condition.

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

11                 (1) the health and safety of covered individuals  
12                 during nationwide public health emergencies de-  
13                 clared for infectious diseases; and

14                 (2) communication to covered individuals dur-  
15                 ing nationwide public health emergencies declared  
16                 for infectious diseases.

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

20           (h) DEFINITIONS.—In this section:

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



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

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

8           (4) COVERED INDIVIDUAL.—The term “covered  
9           individual” means—

10                   (A) employees of the agency; and

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

13           (5) COVERED WORKSITE.—The term “covered  
14           worksite” means a worksite at which a covered indi-  
15           vidual is required to be present during a covered pe-  
16           riod.

17           (6) EMPLOYEE.—The term “employee” means  
18           any employee occupying a position in the civil service  
19           (as that term is defined in section 2101 of title 5,  
20           United States Code) at an agency.

21           (7) NATIONWIDE PUBLIC HEALTH EMER-  
22           GENCY.—The term “nationwide public health emer-  
23           gency” means a nationwide public health emergency  
24           declared by the Secretary of Health and Human  
25           Services under section 319 of the Public Health

1 Service Act (42 U.S.C. 247), including any renewal  
2 thereof.

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

4 (A) in the case of an employee of the agen-  
5 cy, the location of the employee’s position of  
6 record where the employee regularly performs  
7 his or her duties, but does not include any loca-  
8 tion where the employee teleworks (as that term  
9 is defined in section 6501 of title 5, United  
10 States Code); and

11 (B) in the case of a contractor of the agen-  
12 cy (or subcontractor thereof at any tier), the lo-  
13 cation in a facility of the agency where the con-  
14 tractor or subcontractor performs his or her du-  
15 ties under a contract with the agency, or a sub-  
16 contract thereof at any tier, as applicable.

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