

FTA Federal Mask Requirement
February 2, 2021
Stakeholder Call #1 Transcript

>>Matt Welbes:

Good afternoon and welcome to the first in a series of calls that the Federal Transit Administration will host during the month of February to support implementation of the Federal mask requirement for public modes of transportation. I'm Matt Welbes, FTA Executive Director. Thank you for joining us today.

The purpose of today's call is to provide an overview of the mask requirement as it applies to public transportation. I will introduce our speakers in a moment. First, during today's call, we encourage you to submit your questions and comments. To do so, select the Q&A on the right side of your screen. You can submit questions using your name or submit anonymously, and our plan is to respond to today's questions and those submitted via email to our new FTA email box, TransitMaskUp@dot.gov, during subsequent calls and through posting FAQs to our website. In fact, there are a number of FAQs already posted on the USDOT website. And please review those general FAQs, which apply across the transportation industry, as well as the FAQs specific to public transportation as you may find questions that we have answered there.

With that housekeeping information out of the way, it is my pleasure to introduce FTA's new Acting Administrator Nuria Fernandez. Acting Administrator Fernandez is no stranger to FTA and public transportation. In fact, this is her second tour of duty with FTA after having served in the Clinton Administration. With more than 35 years of experience, she is known as an inspiring leader in the transportation industry and Nuria comes to FTA most recently after serving as the General Manager and Chief Executive Officer of the Santa Clara Valley Transportation Authority for the past seven years. Prior to leading VTA, Nuria served in leadership positions at some of the busiest transit agencies in America, including as the Chief Operating Officer of the New York Metropolitan Transportation Authority, and as Senior Vice President of Design and Construction for the Chicago Transit Authority, as well as serving at the Washington Metropolitan Area Transit Authority. She also was Commissioner for the Chicago Department of Aviation, overseeing O'Hare and Midway airports. From 2019 until recently, Nuria also served as Chair of the American Public Transportation Association. We at FTA and everyone in the industry are very fortunate to have Nuria leading us during this pivotal time, and now let me turn it over to you, Nuria.

>>Nuria Fernandez:

Thank you very much, Matt, and thanks to all of you for joining us today. We are really pleased that our Federal partners from the Centers for Disease Control and Prevention, the Transportation Security Administration, and the Federal Railroad Administration are here with us. We also have the Department's new Deputy Assistant Secretary for Safety Policy Robin Hutcheson, who is joining us, and thanks, Robin.

Let me begin by thanking all of you for your dedication and resilience during the COVID-19 public health emergency. Transit agencies across the country continue to provide millions of trips a day transporting people to critical jobs, to and from vaccination sites, and to essential community services. Today, I'm here to speak to you about the new Federal requirement for masks on public transportation.

First, I want to emphasize that the health and safety of the American public is the Biden Administration's number one priority. The science is clear; face coverings stop the spread of virus transmission and science-based measures are critical to preventing the spread of COVID-19.

On January 21, President Biden signed an Executive Order to promote safety during the COVID-19 public health emergency in domestic and international travel. Late Friday, the CDC issued an Order to require that masks be worn throughout the nation's transportation networks. The CDC Order, which states that all transit passengers and workers must wear masks on transit vehicles and in transit facilities, became effective last night at 11:59 p.m. On Sunday, the TSA issued a Security Directive implementing that Order.

Mask wearing, physical distancing, appropriate ventilation, and timely testing can reduce the risk of travelers spreading COVID-19. The mask requirement will save lives by helping control the transmission of COVID-19.

The overall goal for all of us is to get people to wear masks to keep people safe. All of us in the transit industry must use our best efforts to ensure that passengers wear masks when boarding, disembarking, and for the duration of travel on public transit, including all transit facilities. Again, the point is to keep our transit workers and passengers safe, and this mask Directive will help us do that.

I fully understand the operational questions and challenges implementing this Order presents and we are committed to working with you. We plan to hold these calls weekly for the next several weeks so that we can hear from you and answer your questions.

With that, I will first turn to the FRA Acting Administrator Amit Bose for a few additional opening remarks. Amit?

>>Amit Bose:

Thank you, Nuria. Good afternoon, everyone. I'd like to echo Nuria's comments by thanking all of you and those you represent for your commitment and dedication during the COVID-19 public health emergency. Your adaptiveness and flexibility have enabled critical passenger and freight rail services to continue while the industry has faced unprecedented challenges.

Since the Executive Order was issued, FRA has been working in tandem with our modal counterparts within USDOT to painstakingly address various policy, legal and practical issues, and considerations.

We have to keep our rail workers and passengers safe and the Federal Railroad Administration stands ready to assist passenger rail operators and railroads in successfully implementing this essential mask requirement. We believe that doing so requires the involvement of all stakeholders -- railroads, rail employees and their representatives, and travelers. It's our hope and expectation that through this discussion and follow-up dialogs planned in the very near future to support the regulated community in satisfying the requirements set forth by the CDC and TSA.

We are here to help answer any questions that arise on this call. In addition, as FTA has done, FRA created an email address, RailroadsMaskUp@dot.gov, for stakeholders to send additional questions regarding railroads' implementation of the CDC and TSA Order and directives.

Thank you.

>>Matt Welbes:

Thank you, Amit.

We are also joined by Dr. Lisa Rotz from the Centers for Disease Control and Prevention to brief us on the CDC Order. Dr. Rotz?

>>Dr. Lisa Rotz:

Hello. My name is Dr. Lisa Rotz and I'm with the Division of Global Migration and Quarantine at the Centers for Disease Control and Prevention, and I appreciate the opportunity to join you on this call to talk about the CDC mask Order.

I'll keep my comments brief, but I think it's important to just give a little bit of context on where we are with this pandemic and why it's so important for us to keep promoting and supporting all measures and tools that we have to reduce transmission of this virus.

In the United States today, we have sobering numbers of over 26 million reported cases of COVID-19, including almost 450,000 deaths. To put this into further context, we are adding about 100,000 cases and 1,700 deaths a day due to COVID-19. While these numbers are finally trending down again from a peak of over 250,000 cases a day in early January, they're still way too high as the pandemic continues to take an untenable toll on our families, friends, communities, healthcare systems, workers, and the economy.

On top of that, the emergence of new virus variants has introduced new challenges to this race that we have with infection versus vaccination. These variants prove that this fight against this virus remains difficult.

COVID-19 as an RNA virus can develop mutations. Currently, there are three to four variants in particular that we're watching very closely because they've been shown to be more contagious than the previous strain, quickly becoming the predominant circulating strain and further driving up case numbers, such as the scenario that they're seeing in the United Kingdom right now. A variant in the United Kingdom has quickly emerged in the southern part of the U.K. and then spread to other areas, contributing to an accelerated increase in their COVID-19 cases.

Other variants reported out of South Africa and Brazil also raise concerns that natural immunity to previous infection may be less effective in protecting against reinfection with the Brazil strain. Or that some vaccines may be less effective in protecting against infection, such as in the case of the South African strain. The possibility that one or more strains of COVID-19 could arise and be less responsive to natural immunity, current treatments, or current vaccines adds to the urgency and need to use all the tools that we have to drive down community transmission and reduce the opportunity for these strains to take hold or for other possible variants to emerge while we get vaccines rolled out to help really drive down community transmission and defeat COVID-19.

We take these variants very seriously and we acknowledge that the variants will continue to emerge, especially while virus transmission continues to surge at high levels, both in the United States and around the world. That's why it's so important for us to continue to fully support and promote preventive measures like wearing a mask and social distancing to combat this community transmission of COVID-19 and creating new variants.

There are things that we know about mask wearing. We know that people who develop symptoms, asymptomatic or are not yet showing symptoms might not know that they are infected but can still spread COVID-19 to others. Face masks help prevent people who have COVID-19, including those who are pre-symptomatic or asymptomatic, from spreading the virus to others. But it also offers protection to the wearer.

Masks are most likely to reduce the spread of COVID-19 when they are widely and consistently used in a public setting, and wide use of masks especially helps to protect those at high risk of severe illness from COVID-19 as well as workers who frequently come into close contact with the public.

Traveling on public conveyances increases a person's risk of getting and spreading COVID-19 by bringing them in close contact with others, often for prolonged periods, and exposing them to frequently touched surfaces. Travel often requires spending lines in security lines at the airport. Travel by bus, train, and other conveyances used for international, interstate, or intrastate

transport also pose some more challenges. And travel has led and continues to lead to interstate and international spread of the virus that causes COVID-19. Given how interconnected most transportation systems are across the nation, and the world, local transmission somewhere can grow quickly into interstate and international transmission when infected persons travel on public conveyances without wearing a mask and with others who are not wearing masks.

To this end, CDC has issued an Order that requires all persons to wear a mask on public transportation traveling into, within, or out of the United States, as well as all U.S. transportation hubs. CDC is issuing this Order to further support state and local health authorities, transportation partners, and conveyance operators, many of whom have already implemented measures for masks to support passenger and crew or driver safety, maintain safe and operational transportation systems, and mitigate further introduction and spread of COVID-19.

Thank you.

>>Matt Welbes:

Thank you, Dr. Rotz. Next, we have with us today Scott Gorton from the Transportation Security Administration to address the TSA Security Directive. Scott, the floor is yours.

>>Scott Gorton:

Thank you, everyone. I am Scott Gorton. I am the Executive Director for Surface Policy at TSA, and also joining me today is Sonya Proctor who is our Assistant Administrator for Surface Operations. So, if I stumble, I'm going to ask Sonya to jump in and back me up.

What I'd like to talk about is the Security Directive that we have issued. It was actually issued on Sunday, January 31st, and when into effect last night at 11:59 p.m. to coincide with the effective date and time of the CDC Order.

TSA has issued this Order as part of its responsibility to help implement the provisions of the Executive Order to get all Americans wearing face masks when they're on public transportation. So, TSA has issued Security Directives for airlines, for airports and for foreign air carriers coming into the United States or operating in the United States, and for public transportation.

And we realize that Security Directives are something new in surface transportation. We have been very fortunate that in surface transportation we haven't had to issue Security Directives. The last time we did was in March, in 2004 after the Madrid train bombing, so 16 years since we had to issue a Security Directive in surface transportation.

So, we realize that this is a new document, a new type of instrument for many that may be on this call and public transportation and passenger rail, and over-the-road bus, so we are doing listening sessions like this where we can explain why we've done what we've done and try to address any

questions and point people in a direction where they can get more information about the Security Directive.

So, I will talk about the applicability, and if we can go to the next slide, so people don't need to stare at my face, they can see some information.

Do we have the slide? I apologize. I am on the phone so I cannot see the slide. Do we have the slide with Security Directives and Resources up?

>>Matt Welbes:

Yes, sir.

>>Speaker:

Yes, the slide is up.

>>Scott Gorton:

Okay, very good. Thank you.

The Security Directive applies to owner/operators, and that's a key term. There's a number of ways to describe those who operate a system, own a company that provides transportation services -- so we had the term that's used in this Directive, and it's used also in our regulations and other places -- owner/operators of public transportation, both rail and bus, passenger rail and intercity bus to implement measures to ensure that all passengers, patrons, and employees wear masks to prevent the spread of COVID.

So, if I was to summarize the Security Directive, that's it. I mean, that is the endpoint and that is why we have issued this Security Directive, is to help further that. Now, we are keenly aware and our good partners in public transportation, we've already -- we know that for many months, some going back as far as March of last year -- have already instituted policies on their company, on their property. Some states had issued directives that masks must be worn when on commuter railroads or on subways, so we know a lot of good work towards this objective has already been completed.

The Executive Order and this Security Directive and the CDC Order, as Dr. Rotz said, they're all moving in the same direction. We want everyone wearing a mask.

So, there are nuances to the Directive but the bottom line, if somebody really asked me what's it all about, it's get everybody -- tell people as operators, as a bus operator, as a transit agency, make sure that you're telling people that a mask is required, and there's a number of good ways to do that. We don't prescribe any specific means. We do say that it should be prominent and adequate to provide awareness to passengers and patrons that a mask is required when they're riding onboard the conveyance, and also when they're standing in the waiting areas, whether it's

a waiting area in a terminal, a boarding platform that, as they're standing there as a group, everyone must be wearing a mask.

So, I'll go through some of the things that are in here but I'm not going to read the entire Security Directive. I don't think we have time for that, but I will give you some highlights. But I will point out what's on the slides, an unusual thing for these Security Directives because they usually are geared towards providing security of a conveyance and predominantly we issue these in the aviation realm, but they're normally sensitive security information and their dissemination is limited to those with a need to know.

With the Security Directives for requiring the wearing of masks, they are not SSI; they are to be widely disseminated publicly and to all employees and all the persons that are responsible for implementing the provisions of the Security Directive. We want everybody to see them, so consequently they're available on our public-facing website at the address there on the slide, [TSA.gov/sd-and-ea](https://www.tsa.gov/sd-and-ea), for Security Directive and Emergency Amendment. You can access them and pull down a copy of the PDF.

We also have resources on our Coronavirus page at [TSA.gov/coronavirus](https://www.tsa.gov/coronavirus). If you go specifically for industry, there is in the bottom right-hand quadrant of the webpage, there's a [Resources] "For Industry" section and there is where we're putting up information. Initially, it's links to the CDC Order links to the SDs, and, we had a request early on, can you help us out with a sign that indicates that it's a Federal requirement to wear a mask? So, our Public Affairs group put together a generic sign and the PDF for that sign is posted on the website. It can be downloaded, it can be turned into a sticker, a cardboard sign, whatever, however, you may think it's best used in your locations to educate people that it is a Federal requirement to wear a face mask when you're in a public transportation space.

So, about the SD, a few things. Pay attention when you read the definitions. There are definitions in here that don't normally appear in our regulations and may not appear all the time or commonly used in the Department of Transportation regulations, but they are important for purposes of the SD. The definition of a conveyance, mask -- mask is the definition that's used in the CDC Order, so we didn't create anything different than what's in the CDC Order. There is a term transportation hub/facility, which is used in the CDC Order and that applies to any place -- I mean common parlance may call it a terminal, a train station, a platform, a boarding point. It broadly applies to all those places where people -- public areas where people would congregate to either board or disembark from a conveyance, and that, there are specific actions in the Security Directive that are relative to that term transportation hub/facility.

The predominant actions here, what we're looking for is to, one, as I said, notify passengers that a mask is required when in the station and on the conveyance. It also requires that people -- that the owner/operator -- take measures to make sure that all those people that are on the conveyance or in areas of transportation hubs/facilities that are controlled by the owner/operator are wearing

masks, and we think that that's an important point of that caveat 'controlled by the owner/operator' because we realize that many service facilities that they do not own and they do not have control over the interior spaces or the entire property, so we put that caveat. But again, our goal here is to have everyone cooperate. Whether it's a property owner or the transportation provider, to work together to make sure that everyone is wearing a mask when they're in that common space.

There are a number of exemptions in this Security Directive, and the exemptions that are in here mirror what is in the CDC Order. There are exemptions for certain reasons, for medical reasons that people can't wear masks, children under the age of two are not required to wear masks. Those exemptions are in there and they, as closely as possible, follow what is in CDC Order.

There are some exemptions -- and again, these are in the CDC Order, that persons in private conveyances operated solely for personal or non-commercial use that are exempt from the Order and exempt from wearing masks, and a driver, when operating a commercial vehicle as the term is defined in 49 CFR 390.5, if the driver is the sole occupant of the vehicle. So, there again, if you have an employee who is operating a supply truck or fuel truck on property, a maintenance vehicle, and they are the sole occupant of the vehicle, they would be exempt in the terms of this Directive. They may not be exempt from your own company policy, which may require masks at all times. That's up to you, but I'm talking strictly about the Directive.

After the exemptions, the last part I want to talk about here is Paragraph G of the Security Directive that says -- and I will read this verbatim -- "Owner/operators must establish procedures to manage situations with persons who refuse to comply with the requirement to wear a mask." So, the three conditions that we want everyone to have procedures to address -- and we are not prescribing what those procedures are. We are very cognizant that there are multiple operating environments out there and we cannot have a 'one size fits all solution,' but we can ask that, as a practice, you have established procedures, informing your employees this is what to do in the event of.

So, if a person refuses to wear a mask and they refuse to comply with an instruction that's been given, they must, one, be denied boarding. The owner/operator must make best efforts to disembark the individual as soon as practicable. So, safely, when it's safe to do so. And then three, make best efforts to remove the individual from the transportation hub/facility under their control. Those are the three conditions.

The last thing I'd like to talk about here is the situation where an individual refuses to comply with the direction to wear a mask, rises to the point of a significant security concern, meaning the person has threatened the transportation worker, they have threatened other passengers, they have threatened the conveyance, they're assaulting passengers or employees, then notify us through the Transportation Security Operations Center, notifies that has happened, and where

there are provisions for our inspectors to follow-up with individuals for civil penalties if they have violated this mask Order.

So, with that, I know we're crunching on time here, so I am going to pause and then I think there will be some questions. Thank you very much.

>>Matt Welbes:

Thank you, Scott. Thank you to both Dr. Rotz and you for being with us today. We've really appreciated our Federal partnership taking actions to protect people using our country's transportation systems and the public transportation agencies that move them.

Now, FTA's Chief Safety Officer Henrika Buchanan is going to facilitate a conversation, a question and answer session. Henrika?

>>Henrika Buchanan:

Thank you, Matt, and thanks to all of you for being here today. I will now poll some questions we've received about the Federal mask requirement to Acting Administrator Fernandez, Dr. Rotz, and Mr. Gorton.

I'll start the questions with the CDC, so Dr. Rotz. The first question is: *are transit operators considered a public conveyance?*

>>Dr. Lisa Rotz:

Yes.

>>Henrika Buchanan:

So, following up, question two is *does this Order apply to transit workers who don't work on revenue vehicles or in public facilities like administrative staff?*

>>Dr. Lisa Rotz:

No. Again, I think the concept here is that all operators that are operating and interfacing with the public and transit hubs such as bus terminals, airports, and such that are operating and interfacing with the public within those transit hubs are a component of this Order and should be also masking because the concept is that everybody entering into that transit hub needs to be protected with masks, whether it's a passenger, whether it's a worker, whether it's a conveyance operator.

>>Henrika Buchanan:

Great. Thank you.

Question three is *how will the CDC enforce its Order against transit agencies and transit riders?*

>>Dr. Lisa Rotz:

That's some of the work that we're doing with our partners that are issuing some of the Security Directives and utilizing some of their capabilities for enforcement. As well as if there are issues for enforcement that need to be addressed there can be referrals made to the Department of Justice, which can issue fines and/or other penalties in association with our Order.

>>Henrika Buchanan:

Thank you. Our last question for the CDC is *how are transit agencies expected to enforce the CDC's Order?*

>>Dr. Lisa Rotz:

Define transit agency for me in this context.

>>Henrika Buchanan:

Like the public transit system in Atlanta, MARTA, or let's say it's one of the smaller systems, the state, the entity that's providing the public transportation services.

>>Dr. Lisa Rotz:

Again, I think what we're looking for here is for transit operators to clearly convey to the public that it's a Federal requirement that they are to wear masks on public transportation, make sure that the signage is clear, and do, to the best of their ability, to assure that people that are riding on those transit systems are following those Federal regulations.

>>Henrika Buchanan:

Thank you, Dr. Rotz.

The next set of questions are for TSA, so Mr. Gorton and Ms. Proctor. Question one, *how does the TSA Security Directive differ from the requirements of the CDC Order?*

>>Scott Gorton:

Thank you. There are some differences. I think the best way to think about it and going back to the previous question to Dr. Rotz, the TSA Security Directive in terms of transit agencies, the Security Directive implements the CDC Order. We have taken the concepts that are in the CDC Order that say that, again, the basic precept is all persons that are riding in public transportation should be wearing a mask. The TSA Security Directive directs specific agencies, list with regulatory references, to which agencies are covered, what types of owner/operators are covered by the Directive. It includes all transit agencies. It includes MARTA, BART, MTA, Santa Clara Transit are all covered by this Security Directive.

What is the difference I would say in the Security Directive and the CDC Order in a broad sense is that we have operationalized, taken the wording, the objective of the CDC Order, and turned it into something that provides specific measures that we want owner/operators to take to achieve

the objective of having all passengers and employees of the transit agencies wearing masks when they are in public areas and when they are on the conveyances.

Let me just -- one more thing. There are, again, as I said, exemptions and definitions, the TSA Security Directive uses the same language that is in the CDC Order; they're very closely aligned.

>>Henrika Buchanan:

Thank you. Following up on that, question two is *how will the TSA enforce its Security Directive against transit agencies and transit riders?*

>>Scott Gorton:

Okay. I would -- I guess I would like to say that I don't want to use the word 'enforce' which implies that we may be looking to be punitive with transit agencies and riders. That's not what we want to do with this Order. What we want to do is we want to gain compliance through cooperation. Our inspectors that are out in the field, we have about 200-odd inspectors out there, they will be out. They'll be reaching out to transit agencies and bus companies to help make sure that they understand the Security Directive, and if they need information or if they're struggling with how they might implement the parts of the Security Directive, they'll be there to help answer questions or reach back to TSA headquarters to help get information. We are communicating this Order to the identified security coordinators that we have for passenger rail and public transportation. We are also partnering with APTA and other trade associations to get the word out about this, again, with the mutual goal in mind of having everyone wear masks when they are on public transportation.

So, 'enforce' is not really what we're going to be doing. We will be monitoring to see how well the implementation is going on. The Order is effective for 100 days so there's not -- there isn't a long start-up period here. We want everybody to start doing this right away, to do what they can.

If there were a transit agency that totally disregarded the Security Directive, who said, 'No, we're just not going to do that,' and they make no effort whatsoever to comply with the Security Directive, they don't tell passengers, they have no requirement, then we will have an enforcement conversation with them about that. But short of that, we're here to -- and the direction for our folks in the field is to work with operators so that everybody gets to the point of where we want to be of having people wear masks.

Again, as I mentioned previously, there are provisions to issue civil penalties against individuals. So if we have a case arise with an individual who because of their behavior, totally refused to wear a mask and then it became a problem for the transportation operator, we will pursue action against that individual, but we will not have people out standing about in transit stations writing tickets, as it were, for individuals who may not be wearing a mask. We are looking for the operators to enforce that, to educate their patrons and their passengers to wear a mask, and we will support, as we need to, to support the operators in that effort.

>>Henrika Buchanan:

Thank you and I think you've sort of covered the next question. You may want to hit on it again, where we talk about what the expectations are for transit agencies, but question three was *how are transit agencies expected to enforce the TSA Directive?*

>>Scott Gorton:

Yes, and I'm going to ask Sonya Proctor, our Assistant Administrator for Surface Operations to address that. I think she can speak eloquently to that. Sonya?

Sonya, are you there?

Okay. I'll take that.

We do expect them to enforce it by, number one, communicating with passengers. Putting up signage at points of entry where you come into a station, at ticket machines, fare card machines, at gates along boarding platforms, anywhere where it's appropriate to put up a notice that wearing a mask is required by Federal law. That's a new part of the message that can be conveyed. I know many agencies had signs up that said our agency policy is you must wear a mask, but now it's Federal law so that verbiage can be added.

That doesn't mean we're telling everybody throw out old signs, create new ones. But if you don't have signs already, signage or message -- and when I say signage, I'm using that in a very generic way. Again, not prescribing any one particular method to inform passengers but they use a variety of ways, social media or audible announcements, whatever works best to get the message. That's the first thing to do to get compliance.

The second thing is when it's safe and in a manner that's safe to engage with passengers who aren't wearing masks to remind them to wear masks. Again, we're very cognizant that cases of a sole bus driver having to get with a customer that is less than cooperative, we don't want anybody getting into a situation where physical harm may come to them. We don't want that. But we think there are a number of ways to communicate with passengers in a way that isn't confrontational to remind them to wear a mask. Then, there should be procedures that if you've got somebody who just flat out refuses to have appropriate procedures to engage with that person and have them -- get them off of the bus or off of the train in a safe way.

>>Sonya Proctor:

Hey Scott, I had some problem with my mute being released there.

>>Scott Gorton:

Okay. Please feel free to add on, Sonya.

>>Sonya Proctor:

All right, thank you.

Good afternoon. I'm Sonya Proctor. I'm the Assistant Administrator for Surface Operations. Had a little mute malfunction there.

Scott went over a lot of that information. I just wanted to emphasize a couple of things. As the call started out, I think the message that is really important, the message that we're reinforcing with our members in the field, our Transportation Security Inspectors in the field, that the first goal of the Security Directive is to get people to wear masks on public transportation to avoid the spread of the Coronavirus. That's what this is all about and we have emphasized that heavily because that's the goal that we want to reach.

Our inspectors will be out in the field. They're out normally, but they will be out and they will be engaging with our surface transportation partners at their regulated facilities, and I think one thing that's really important to understand about how they're going to approach this, the approach is to educate, make sure that the representatives of the regulated party understand what's required, understand what's required by the Security Directive, what they need to do in their facility; if that is not being done, to inform them of how they can meet those requirements in the Security Directive, and then to encourage them to continue to stay focused on maintaining those procedures to reduce the spread of the virus in public transportation. So, we're looking for them to educate, inform and encourage the wearing of masks to reduce the transfer of the Coronavirus in public transportation. That's our primary goal.

They will be engaging directly with the representatives of the regulated parties. They will not be engaging directly with passengers on conveyances or in transportation facilities and hubs. If there is an issue with a passenger, that information will be brought to the attention of the regulated party, their representative, and they will be directed to the issue. Our inspectors will follow-up on those cases where the information has presented -- what Scott referred to earlier as a significant security concern and that significant security concern has been reported to the Transportation Security Operations Center. Our inspectors will get their information from the Transportation Security Operations Center -- we call it TSOC. They'll get their information from TSOC and they will follow it up with that individual offender.

At the extreme end of the options, there is an option for civil penalties. Again, that's not where we're focused. The primary focus is to get people to wear the masks, which is why if our inspectors do make an observation when they are in a regulated facility, the first people they are going to notify are going to be the representatives of the regulated facility so that -- if they need to make announcements, point out signage, do whatever it is to make sure that everybody in there is properly masked, that's what they want to do.

That remains our goal, to get the masking done and we want to make sure that we support the representatives of the regulated entity. We have longstanding relationships here; 15-plus years working with most of these systems. This is a 100-day initiative, so we're not going to act in a way in these 100 days that would create a problem for the 15 years that we've invested in building good relationships. We've accomplished a lot of things over those 15 years with those relationships and we intend to continue to do that on Day 101, 102, and forward.

We'll continue to work together on this. I'm highly confident that that will be successful and that we'll continue to focus on getting people to wear their masks.

We know that the environment in Surface Operations is different from aircraft, so I know on the news you've heard some different reporting, reporting about some of the procedures in airlines, but we have made sure that the procedures that affect Surface are appropriate for our surface transportation industries.

I'm certainly going to be here along with Scott for any questions and thank you for the opportunity.

>>Henrika Buchanan:

Great. Thank you.

Acting Administrator Fernandez, our final set of questions are for you. The first question for the Federal Transit Administration is, *is there Federal funding available to cover the cost of implementing these actions?*

>>Nuria Fernandez:

Thank you. Yes. FTA recipients may use the \$39 billion in Coronavirus Aid Relief and Economic Security Act, or CARES Act as we refer to it. Also, the Coronavirus Response and Relief Supplemental Appropriations Act or the CRRSA Act 2021. These funds, to implement the CDC Order, the operating expenses incurred beginning on January 20 of 2020, for all rural and small and large urban recipients also are eligible using FTA Urbanized Area and Rural Formula Funds, including the operating expenses to purchase and provide face masks.

Federal Emergency Management Agency funding also may be available.

>>Henrika Buchanan:

Our second question for FTA is, *does the mask requirement apply to FTA's Enhanced Mobility for Seniors and Individuals with Disabilities formula grants program known as 5310?*

>>Nuria Fernandez:

The CDC Order applies to all recipients, and so recipients of Federal funding that own, operate, or maintain a public transportation system including an entity that only receives Federal financial

assistance under the Formula Grants for Enhanced Mobility of Seniors and Individuals with Disabilities, which is the Section 5310. The CDC Order also applies to third-party contractors that operate and/or maintain public transportation for a recipient or a subrecipient in this category.

>>Henrika Buchanan:

Great. So, our third question is *what technical assistance will FTA provide to support implementation of the CDC Order?*

>>Nuria Fernandez:

Well, in coordination with our Federal partners, FTA will support transit's implementation of the Federal mask requirement by leveraging its technical assistance and stakeholder engagement platforms, including the following: we'll be coordinating and publishing FAQs with Federal partners on the requirements of Executive Order 13-998, the CDC Order, the TSA Directive, and any applicable Federal guidance.

FTA has established an email account at TransitMaskUp@dot.gov to receive your questions regarding implementation.

We'll also be hosting industry-wide stakeholder calls weekly during February and as needed so that we can deliver key messages on the mask requirement to a broad transit audience. And, we're going to continue our partnership with the American Public Transportation Association and the Community Transportation Association of America so that we can produce a COVID-19 recovery vendor list for transit which documents over 350 vendors providing critical materials for transit's COVID-19 recovery efforts, including face masks.

>>Henrika Buchanan:

Our last question for FTA is, *who should I contact if I have questions about the face mask requirement for transit?*

>>Nuria Fernandez:

Let me ask that you submit your questions about the implementation of the CDC Order and TSA Directive for public transit to this email: it's TransitMaskUp@dot.gov. We're going to continue to update our FAQs as we receive more questions and have answers for you, so please check the Department's website often for updates. We will also respond to the questions we received today in a Q&A box at subsequent weekly calls and by posting additional FAQs.

>>Henrika Buchanan:

Thank you, Acting Administrator Fernandez, and thank you to Dr. Rotz and Mr. Gorton, and Ms. Proctor. I will now turn the call back over to Acting Administrator Fernandez to close out the call.

>>Nuria Fernandez:

Thank you very much, Henrika, and thank you to our CDC, TSA, and FRA speakers, and thank you Matt and Henrika, as well, for organizing today's session.

Of course, thanks to all you transit stakeholders for your time today. Under Secretary Buttigieg's leadership, the Biden Administration will continue to make safety our number one priority throughout the transit industry, which will be critical in how we manage our way out of our current health crisis.

And before we close, I just want to remind all of you that this is the first in a series of calls that we will host weekly throughout February and that you should continue sending us your questions. Be safe and thanks again.

>>Matt Welbes:

This concludes today's session. Thank you everyone for joining.