



FTA State Safety Oversight Workshop

October 19, 2021

Christopher T McKay
Transportation Security Administration
Policy, Plans, and Engagement Surface Policy

AGENDA

- Mask Security Directive
- Security Training Programs
- Surface Transportation Security Advisory Committee



Mask Security Directive

- President Biden signed an Executive Order to “Promote COVID-19 Safety in Domestic and International Travel” on January 21, 2021. Following the Executive Order, the Centers for Disease Control and Prevention (CDC), as the lead federal agency, issued guidance on Jan. 29 requiring travelers and the general public to wear masks when utilizing public modes of transportation when they are in airports, bus and rail stations, as well as while on passenger aircraft, commuter trains, buses, vessels, or other forms of public transportation.
- Beginning February 2, TSA required individuals to wear a mask when indoors throughout the commercial and public transportation systems. This requirement, following the [President’s executive order](#) and the [CDC emergency order](#), remains in effect until January 18, 2022. DHS published a national emergency determination and TSA published [security directives and an emergency amendment](#) that requires all operators and passengers to wear face masks on all modes of public transportation, in air, on bus and on rail. All of these [orders and directives](#) reflect the importance of this measure to help prevent the spread of COVID-19.
- DHS then issued a “Determination of National Emergency” instructing TSA to take all appropriate actions to implement the President’s Executive Order. Starting on February 2, 2021, TSA requires everyone within the domestic transportation network to wear a face mask.



Mask Security Directive

Question: How is TSA enforcing a mask requirement on buses, trains, and in stations?

Answer: As the federal agency responsible for securing the Nation's transportation system, TSA will be monitoring the implementation of the SD and will work with surface transportation owner/operators to ensure that all surface transportation employees and contractors wear face masks when in conveyances or in transportation hubs/facilities (indoors) to prevent further spread of COVID-19. For the same reason, the SD requires passengers to wear face masks when in a conveyance or in public areas (indoors) of transportation hubs/facilities controlled by the owner/operator.

Question 14: Will there be civil penalties for non-compliance?

Answer: The current TSA fine structure for individuals who violate the SD are below. Based on substantial aggravating or mitigating factors, TSA may also seek a sanction amount that falls outside these ranges. As TSA gains more experience with the nature of violations of the Security Directive, TSA may adjust these recommended sanction amounts.

- 1st offense – Recommend \$500-\$1000
- 2nd offense – Recommend \$1000-\$3000

The passenger could also potentially be subjected to additional penalties from other agencies or from TSA if other violations are committed during the incident, such as Interference with Screening.

Security Training Programs

On March 23, 2020, TSA published the Security Training for Surface Transportation Final Rule in the Federal Register. In special consideration of ongoing challenges to the surface transportation industry in response to COVID-19, TSA extended the deadline for submitting security training programs to TSA for approval to June 21, 2021.

47 Higher-risk transit agencies (including AMTRAK) are impacted by the final rule.

Entities covered by this rule must:

- Designate Primary and Alternate Security Coordinators
- Report significant security concerns within 24 hours to the TSA Transportation Security Operations Center (TSOC) by calling (866) 615-5150
- Develop and obtain TSA-approval of their Security Training Programs
- Provide security training to security-sensitive employees within one (1) year after TSA approval
- Provide refresher security training every three (3) years



Where Can I Get Additional Information Regarding the Security Training Rule?

E-Mail - SecurityTrainingPolicy@tsa.dhs.gov

Telephone - (571) 227-5563

Internet - <https://www.tsa.gov/for-industry/surface-security-training-rule>

HSIN - https://hsin.dhs.gov/collab/TIB/surface/Pages/training_videos.aspx



Surface Transportation Security Advisory Committee

- The Surface Transportation Security Advisory Committee advises the TSA Administrator on surface transportation security matters, including the development, refinement, and implementation of policies, programs, initiatives, rulemakings and security directives pertaining to surface transportation security.
- The committee operates in accordance with the provisions of the TSA Modernization Act of 2018, which was signed into law on October 3, 2018. This committee is exempt from the provisions of the Federal Advisory Committee Act.
- Consists of 4 Sub-Committees:
 - Insider Threat
 - Emergency Management and Resiliency
 - Cybersecurity Information Sharing
 - Security Risk and Intelligence



Surface Transportation Security Advisory Committee

- Emergency Management and Resiliency Sub-Committee
 - COVID – 19 Workshop; September 15, 2020
 - The Transportation Security Administration's (TSA) Surface Operations, Policy, Plans, and Engagement, and the Surface Transportation Security Advisory Committee (STSAC) Emergency Management and Resilience Subcommittee (EM&R) collaborated to host a virtual COVID-19 Best Practices and Lessons Learned Workshop.
 - The purpose of this workshop was to convene a group of surface transportation security partners to share, discuss, and validate COVID-19 best practices and lessons learned related to transportation operators' pandemic planning, logistics, information sharing, and response.
 - Follow-on workshop planned for December-2021/January-2022



Contact Information

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Ronald Pavlik
Transportation Security Administration
Deputy Assistant Administrator for Surface Operations

Establishment of TSA Surface Operations

- The enactment of H.R. 302, which included the TSA Modernization Act, included a provision aimed to consolidate all operational surface transportation security activities. Directed responsibilities to an Assistant Administrator for Surface Operations to:
 - Conduct security systems assessments
 - Review and prioritize surface transportation security grants projects
 - Ensure operator compliance with regulations and voluntary standards
 - Workforce training and development programs, and other specialized programs designed to secure surface transportation
- Surface Operations Mission:
 - Improve and safeguard surface transportation security at the local, regional and national level, by utilizing a risk-based approach to prevent terrorist attacks, support recovery from catastrophic events, and improve the resiliency of the Surface Transportation System Sector through effective planning, preparation and collaboration with industry stakeholders.

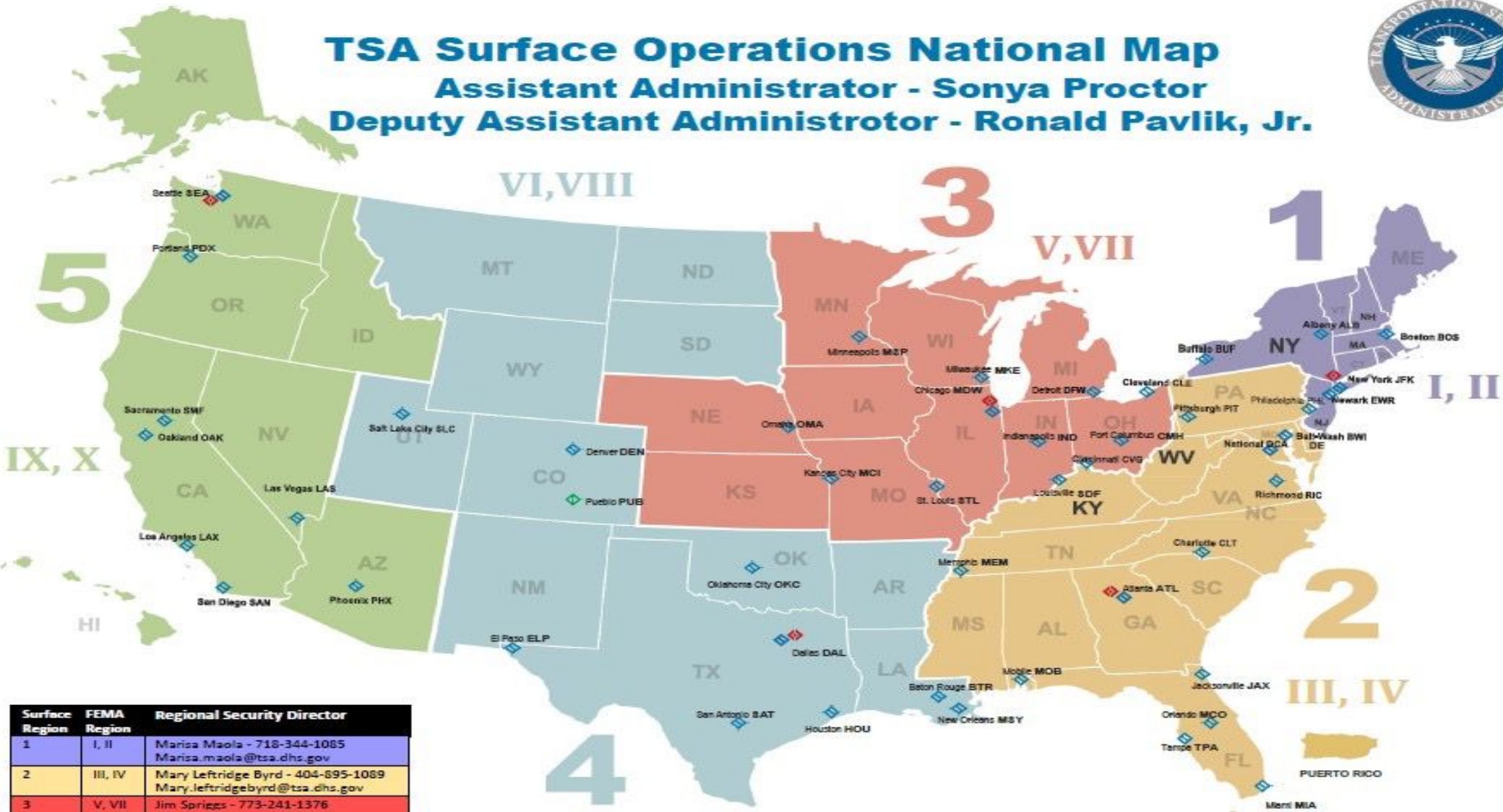


Surface Operations Organizational Alignment



TSA Surface Operations National Map

Assistant Administrator - Sonya Proctor
Deputy Assistant Administrator - Ronald Pavlik, Jr.



Surface Region	FEMA Region	Regional Security Director
1	I, II	Marisa Maola - 718-344-1065 Marisa.maola@tsa.dhs.gov
2	III, IV	Mary Leftridge Byrd - 404-895-1089 Mary.lefridgebyrd@tsa.dhs.gov
3	V, VII	Jim Spriggs - 773-241-1376 Jim.spriggs@tsa.dhs.gov
4	VI, VIII	Mel Carraway - 703-342-2523 Melvin.carraway@tsa.dhs.gov
5	IX, X	James Duncan - 571-227-1982 James.G.Duncan@tsa.dhs.gov

Surface Field Office
 Regional Security Director Office
 Surface Transportation Security Readiness Facility

Surface Operations Authority & Priorities

- TSA has statutory authority for pipeline security under the Aviation and Transportation Security Act (ATSA), as well as the authority to issue Security Directives mandating specific actions.
- While TSA has issued regulations, a large majority of our security oversight efforts in surface transportation are derived around non-regulatory programs such as assessments, exercises, training, and other industry engagement initiatives. These non-regulatory programs leverage security recommendations and standards that have been developed in concert with surface transportation owner/operators.



Surface Operations Key Priorities

- Mask compliance
 - TSA Surface Inspectors are responsible for ensuring compliance of the mask mandate.
 - All incidents reported to the TSOC are followed up by Surface Inspectors.
 - As of 9/30, there have been approximately 500 incidents reported. These incidents received follow-up actions by TSA across the surface environment. 97 incidents resulted in compliance related investigations.
 - 70 Warning Notices have been issued and 11 cases were referred for Civil Penalty.
- Security Training Rule (STR) compliance
 - 47 Mass Transit and Passenger Railroad systems are applicable.
 - TSA is working directly with 11 systems to meet the requirements of the STR.
 - Surface Inspectors will begin to conduct inspections in alignment with the regulation, once training plans have been approved.



Surface Operations Key Priorities

- **BASE**
 - **Baseline Assessment for Security Enhancement (BASE):** Designed to establish a security standard for individual system security programs and assess progress in enhancing their security posture. This non-regulatory comprehensive review of security programs focuses on multiple categories identified by the surface modal transportation communities as fundamental for a sound security program.
 - **Gold Standard Award:** Since the program's inception in 2009, there have been 87 Gold Standard Awards issued.
 - **FY21 in Review:** 96 Mass Transit BASEs, many of these were conducted on smaller systems that have not previously participated in a BASE review.
 - **FY22 Update:** Increased cybersecurity questions within the BASE to cover all 5 NIST Cybersecurity Framework functions. An additional Cyber Annex was also created to conduct deeper dive for agencies with a mature cyber posture.



Surface Operations Key Priorities

- **Exercise Information System (EXIS)**
 - Online exercise tool providing resources to design, document, and evaluate tabletop exercises and workshops.
 - Can be conducted internally or facilitated by trained TSA exercise facilitators.
- **Intermodal Security Training and Exercise Program (I-STEP)**
 - Provides exercise, training, and security planning tools and services to the transportation sector.
- **5N5 Workshops**
 - Regional workshops that focus on five measures transportation operators can implement in five days (5N5) to improve their cybersecurity posture
- **First Observer Plus™ Training**
 - Security training program for surface transportation stakeholders to “Observe, Assess, and Report” suspicious activities and packages
 - Since 2016, over 29,000 surface employees have been trained in-person with an additional 10,000 trained online.
 - In FY21, over 1,000 mass transit front line personnel were trained by TSA personnel.



Contact Us



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General Inbox



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Questions?

