



COMMITTEE ON

# TRANSPORTATION & INFRASTRUCTURE

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## COVID-19 Resource Guide Agency Actions & Information *(last updated March 23, 2020)*

During this unprecedented time of pandemic crisis, the President and our various federal agencies are diligently monitoring and responding to the needs of the American people through appropriate executive and regulatory actions. Committee on Transportation and Infrastructure Republicans are working closely with the Trump Administration to ensure our economy can come back strong and our transportation industries can continue to provide necessary jobs and services to Americans in response to COVID-19.

Below please find a list of relevant agency actions already taken. Please note, given rapidly changing conditions, this may not be an exhaustive list, but we will update as appropriate.

### Department of Transportation:

#### Federal Motor Carrier Safety Administration (FMCSA):

- On March 13, 2020, FMCSA issued an [emergency declaration](#) to provide hours-of-service regulatory relief for those transporting relief items (medical supplies and equipment, masks, gloves, sanitizer, soap, food, housing and quarantine facility supplies, emergency service personnel). Drivers must still receive off duty breaks. FMCSA requires a minimum of 10 hours off duty if transporting freight and 8 hours if transporting passengers.
- More Information: [website](#)

#### Federal Transit Administration (FTA):

- FTA is making more resources available to for mass transit authorities by increasing program eligibility and the federal share for expenses related to the COVID-19 response. Now, capital and operating activities undertaken in response to COVID-19 are eligible for reimbursement under the Urbanized Area Formula Program and Formula Grants for Rural Areas Program. FTA also is expanding program eligibility by providing new authority for large transit authorities to use Urbanized Area Formula Program funds to cover operating expenses related to COVID-19. For example, large transit authorities can

now purchase personal protective equipment (facemasks, gloves, sanitizer), which are treated as an operating expense, with these funds. Now, for recipients in states in which the Governor has declared such an emergency, FTA will permit Urbanized Area Formula Program or Formula Grants for Rural Areas Program funding to be used for COVID-19-related public transportation capital or operating expenses at an 80 percent federal share, regardless of whether operating expenses generally are an eligible expense for a recipient. Normally, the federal share for operating expenses is capped at 50 percent.

- FTA has also established an Emergency Relief docket that allows recipients in states in which the governor has declared an emergency related to COVID-19 to request temporary relief from certain federal requirements, as well as from provisions of non-statutory FTA requirements. Some federal requirements, such as competitive federal procurement, already permit waivers during emergency circumstances. Petitions for relief from FTA must be posted here in order to receive consideration by FTA. Grantees or subgrantees seeking relief have three avenues to submit a petition: (1) post in the docket, (2) submit two copies to the FTA Administrator (email to [Bonnie.Graves@dot.gov](mailto:Bonnie.Graves@dot.gov)), or (3) contact any FTA regional office to have FTA staff submit the petition on their behalf.
- More Information: [website](#)

#### **Federal Highway Administration (FHWA):**

- FHWA issued guidance on using Changeable Message Signs (CMS) for COVID-19 messages. While there is no waiver authority under the Manual on Uniform Traffic Control Devices (MUTCD), there are exceptions because of the President's National Emergency Declaration. Emergency homeland security messages can be used for State and local highway agencies and federal lands managers to display messages concerning COVID-19 so long as CMS messages do not appear as advertising. States and local highway agencies and federal lands managers should follow their established policy for the display of these type of optional messages.
- More Information: [website](#)

#### **Federal Railroad Administration (FRA):**

- The FRA Administrator determined that the imminent threat and exposure to the COVID-19 virus poses a risk of serious illness that constitutes an [emergency situation](#) as related to railroad operations. This activates the FRA's [Emergency Relief Docket](#) and allows the parties regulated by the FRA to petition for emergency waivers of safety rules. To submit a petition for emergency waiver of FRA regulations, visit the [docket](#) or email [RRS.Correspondence@fra.dot.gov](mailto:RRS.Correspondence@fra.dot.gov).
- More Information: [website](#)

**Amtrak:**

- In response to public health guidance, Amtrak, a government-owned corporation, is waiving change fees on all existing or new reservations made before April 30, 2020. Individuals can modify their trip on [Amtrak.com](https://www.amtrak.com) or use the Amtrak app. Amtrak has also reduced service schedules and increased the frequency of cleaning services, supplying sanitizers for employees, and enforcing good hygiene practices.
- Acela Express trains in the Northeast are no longer operating. Northeast Regional trains from Boston to New York to Washington, D.C., will continue to operate but only at 40 percent of the regular weekday schedule.
- More Information: [website](#)

**Federal Aviation Administration (FAA):**

- FAA is vetting and revising draft regulatory guidance from Centers for Disease Control and Prevention (CDC), Customs and Border Protection, and the Transportation Security Administration. On March 12, 2020, as a joint effort with the CDC, FAA the issued a [Safety Alert for Operators](#) recommending precautions for air crewmembers to reduce the risk of transmission of the virus onboard aircraft or through air travel.
- FAA is involved with several projects to continue the repatriation of U.S. nationals, movement of essential goods and services, and other services to combat COVID-19:
  - Maintaining an airbridge to bring American nationals safely home;
  - Funneling returning Americans to designated airports for health-screenings;
  - Suspending entry to non-citizens from affected areas;
  - Continuing air and sea cargo traffic between foreign trading partners;
  - Shaping health protocols to protect aircraft crews; and
  - Disseminating health information to airlines.
- FAA is providing relief for airlines by [temporarily waiving airport slot rules](#). Generally, airlines that hold slots at slot-controlled airports such as JFK, LGA, and DCA, must use their slot 80 percent of the time or else they forfeit their slot. Given the tremendous drop in air traffic, FAA is currently waiving application of the “use-or-lose” rule for the time being so that carriers do not have to fly “ghost flights.”
- More Information: [website](#)

**Pipeline and Hazardous Materials Safety Administration (PHMSA):**

- PHMSA understands that some pipeline operators are finding it difficult to meet regulatory requirements because of personnel and resource constraints due to the national emergency. Because of this, PHMSA does not intend to take any enforcement actions regarding operator qualification and control room management requirements

and will consider exercising enforcement discretion regarding Part 199 employment drug testing requirements.

- PHMSA will exercise discretion in overall enforcement of all regulatory requirements under Federal pipeline safety laws. Operators should document any issues they have with compliance and communicate these to these to PHMSA by email at [Pipeline-COVID-19-notice@dot.gov](mailto:Pipeline-COVID-19-notice@dot.gov) or their appropriate [intrastate operator](#).
- PHMSA is also temporarily halting enforcement actions against shippers and carriers that are unable to comply with training requirements included in the Hazardous Materials Regulations (HMR). The halt is limited to recurrent training requirements and does not apply to all other HMR obligations or applicable laws for hazardous materials offers and carriers.
- PHMSA will work with industry and State partners to address any emergent need for special permits or State waivers and, if appropriate, reschedule some inspections as a result of the COVID-19 outbreak.
- More Information: [website](#)

#### **National Highway Traffic and Safety Administration (NHTSA):**

- NHTSA sent a message to its States and traffic safety partners that it recognizes that states, law enforcement and first responders are focused on the COVID-19 response. Therefore, the agency is postponing its required national traffic safety campaigns required. These campaigns include the Distracted Driving, Heatstroke Awareness, and *Click It or Ticket* programs, the latter which was scheduled for May.
- More Information: [website](#)

#### **Maritime Administration (MARAD):**

- MARAD is directing mariners and maritime commerce stakeholders to the [U.S. Coast Guard guidance](#), which will be regularly updated, and to [State Department](#) and [CDC](#) guidance on travel.
- More Information: [website](#) | [OutbreakQuestions@uscg.mil](mailto:OutbreakQuestions@uscg.mil)

#### **Department of Homeland Security:**

##### **Federal Emergency Management Administration (FEMA):**

- As of March 19, 2020, [FEMA announced that it is leading federal operations on behalf of the White House Coronavirus Task Force](#); who oversees the whole-of-government response to the pandemic. As part of the White House Coronavirus Task Force, the

Department of Health and Human Services (HHS) will continue to provide their subject matter expertise.

- On March 13, 2020, President Trump issued a [declaration of a nationwide emergency](#) pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act. This allows FEMA to provide health and safety assistance to certain entities when they are not supported by the authorities of another federal agency.
- [FEMA Public Assistance](#) is available to state, local, tribal, and territorial governments as well as non-profit organizations who take eligible emergency protective measures at the direction or guidance of public health officials in response to an emergency. FEMA assistance will be provided at a 75 percent Federal cost share for reimbursable emergency protective measures such as the activation of State Emergency Operations Centers, National Guard costs, law enforcement and other measures necessary to protect public health and safety. FEMA assistance requires execution of a FEMA-State/Tribal/Territory Agreement and execution of an applicable emergency plan. Under this nationwide declaration, governments do not need to request separate emergency declarations to receive FEMA assistance. States can request major disaster declarations that would trigger additional types of assistance, including Disaster Unemployment. States that have requested a major disaster declaration include California, Florida, Iowa, New Jersey, New York, Texas, and Washington. Tribes are covered under State declarations or may request declarations directly.
- Fire and emergency medical services organizations can [apply for support](#) from FEMA's [Public Assistance Grant Program](#) to get help for "extraordinary costs" associated with COVID-19. Assistance is available for costs such as overtime or personnel backfill, expendable supplies like disinfectants, and apparatus usage. Requests for assistance must document expenses and usage with an [Incident Command System form](#), Public Assistance Grant form, verifiable receipts, and personnel and apparatus cost sheets.
- More Information: [website](#)

**Federal Protective Service (FPS):**

- FPS, under DHS, is following a Pandemic Response Plan to ensure uninterrupted performance of its mission to prevent, protect, respond, and recover from terrorism, criminal acts, and other hazards that threaten the national infrastructure. All of its law enforcement officers are trained as Occupational Safety and Health Administration (OSHA) first responders, two officers in each of the 11 regions are certified at Hazardous Materials Technician level, and all officers have been issued protective equipment and infection control personal protection kits.
- More Information: [website](#)

### **United States Coast Guard:**

- The Coast Guard released Marine Safety Information Bulletins to give [port operators](#) and [mariner credential examiners](#) guidance on controlling the spread of the virus.
- As of March 17, 2020, the Coast Guard is allowing for [adjustments in training schedule](#) and location to help prevent spread of the virus.
- More Information: [website](#) | [OutbreakQuestions@uscg.mil](mailto:OutbreakQuestions@uscg.mil)

### **Department of Defense United States Army:**

#### **Army Corps of Engineers (Corps) – Civil Works:**

- The Corps has received three Mission Assignments (MAs) from FEMA:
  - (1) Initial Planning and Engineering Support - under this MA, the Corps is providing planning and assessments for the possible conversion of existing buildings into alternate-care-facilities.
  - (2) National Activation - under this MA, the Corps is providing technical assistance under Emergency Support Function 3 (ESF 3, public works and engineering) at FEMA's National Response Coordination Center and support to FEMA regions.
  - (3) New York Response - under this MA, the Corps is conducting facility assessments, planning, engineering, design, contracting, and construction of alternate medical facilities in the State of New York.
- Other Corps Districts are forming planning and assessment teams for possible alternate medical facility mission support requirement.
- The Corps has begun the orderly shutdown of all Corps-managed campgrounds to protect against the further spread of COVID-19. Corps-managed visitor centers, beaches, special events, and Corps-sponsored events have been closed or put on hold until further notice.
- The Corps is continuing to support coastal and inland navigation operations, flood risk management projects, hydropower work, and other projects. It is also tracking all the district-specific activities being undertaken to slow the spread of the virus.
- More Information: [website](#)

### **Department of Commerce:**

**National Oceanic and Atmospheric Administration (NOAA):** No significant actions to report at this time.

- More Information: [website](#)

**U.S. Economic Development Administration (EDA):** No significant actions to report at this time.

- More Information: [website](#)

## Independent Agencies:

### **Federal Maritime Commission (FMC):**

- FMC remains operational and advises regulated entities to comply with all filing requirements and deadlines. Because employees are working electronically, send documents to FMC via [email addresses for the particular office](#). Payments for services should be made via the [online payment portal](#). For parties or counsel in a docketed proceeding, send filings or questions about formal complaints by email to [secretary@fmc.gov](mailto:secretary@fmc.gov).
- More Information: [website](#)

### **General Services Administration (GSA):**

- GSA is coordinating health and safety efforts in all of the federal buildings that it is charged with managing. In addition to increasing cleanings and availability of hand sanitizer, GSA is developing resources for building operators and [answering specific building questions](#). Federal, state, and local government entities can purchase emergency response supplies through [GSA Advantage](#).
- More Information: [website](#) | [covid19.questions@gsa.gov](mailto:covid19.questions@gsa.gov)

### **National Gallery of the Arts (NGA):**

- The Gallery is temporarily closed until further notice. All events, concerts, and public programs are cancelled through May 31, 2020. Many pieces of the Gallery's collection are available online at [www.nga.gov](http://www.nga.gov).
- More Information: [website](#)

### **Kennedy Center:**

- The Kennedy Center has cancelled all performances and public events through May 10, 2020. Ticketholders for performances scheduled during the closure may either (1) exchange their tickets for a future date (where possible), (2) donate their tickets and receive a tax deduction for the value, (3) exchange their tickets for a Kennedy Center gift certificate, or (4) receive a full refund for the value of the ticket and associated fees.
- More Information: [website](#) | [boxoffice-advancesales@kennedy-center.org](mailto:boxoffice-advancesales@kennedy-center.org) | 202-416-8540

**Smithsonian:**

- The Smithsonian Museums are currently closed. However, the Smithsonian is currently offering resources to support teachers, parents, and children during a time when many are out of school. The [Smithsonian Distance Learning](#) resources offer pre-packaged collections with lessons, activities, and recommended resources made by Smithsonian museum educators and classroom teachers.
- More Information: [website](#) | [www.learning@si.edu](http://www.learning@si.edu)

**Northern Border Regional Commission (NBRC):**

- The NBRC is working to extend the deadline for the Economic & Infrastructure Development grant program (originally due May 15, 2020) and will provide updates on their timeline. It is also reviewing other grant programs, such as the Regional Forest Economy Partnership, to determine whether there is flexibility to incorporate community impacts of COVID-19 into the call for grant proposals. NBRC is reviewing whether it has the ability to design an emergency grant program with existing funds that would assist communities with the immediate economic impact of COVID-19.
- As NBRC participates in calls with the “Small Agency Council” on the government’s response to COVID-19. NBRC is assessing its ability to complement and promote special funding streams in the northern border region. Although business travel is postponed, NRBC all staff are prepared for telework and will offer guidance to stakeholders on its website as funding sources become available.
- More Information: [website](#)

**Appalachian Regional Commission (ARC):**

- On March 18, 2020, ARC reminded their Revolving Loan Fund (RLF) grantees that they already have authority to restructure the debt incurred by their borrowers, including temporarily waiving the repayment of principal and interest. The RLFs may also provide additional lending to their borrowers. Decisions on which businesses to provide relief to, and in what manner, would be up to each RLF.
- ARC extended the POWER application deadline from March 27, 2020, to April 24, 2020, to give applicants more time to solidify their partnerships and obtain support letters.
- ARC extended the application period for the Appalachian Entrepreneurship Academy from March 15, 2020, to March 30, 2020, and waived some administrative requirements.
- The Appalachian Leadership Institute will be taking place through online learning modules in lieu of the upcoming field seminars scheduled for Beckley, West Virginia, and Boone, North Carolina. Further, they have cancelled 6 field hearings in April and May

that were scheduled as part of our process of crafting a new five-year strategic plan for the agency. They will extend their current plan by one year and shift the planning work into FY2021 to have a better sense of the longer-term impact of COVID-19 on their communities.

- ARC employees are working remotely to process and approve grants making payments on schedule.
- More Information: [website](#)

**Delta Regional Authority (DRA):**

- DRA is operating by telework and has enacted a non-essential travel ban for all employees. It has cancelled all scheduled workshops and events.
- More Information: [website](#)

**Denali Regional Commission (Denali):**

- Denali has closed its offices and staff are working remotely to prevent spread of the virus.
- More Information: [website](#)

**Tennessee Valley Authority (TVA):**

- TVA is focusing on slowing the spread of the virus and preventing major impacts to the vital services they provide. TVA maintains the ability to expand work-at-home strategies and implement policies to ensure that necessary personnel remain available to operate critical functions, including power generation, transmission, and river operations. It has detailed plans in place for dealing with significant infectious disease or pandemic events that could impact continuity of operations.
- More Information: [website](#)

**Environmental Protection Agency (EPA):**

- Directly under T&I's jurisdiction – which is a small portion of the EPA related to Clean Water Act infrastructure – the EPA is actively monitoring risks to drinking water and wastewater for waterborne pathogens and coordinating with the CDC to provide technical assistance. At this time, there is no evidence of coronavirus presence in drinking water. Americans can continue to use and drink water from their taps as usual.
- More Information: [website](#)

**International Boundary and Water Commission (IBWC):** No significant actions to report at this time.

- More Information: [website](#)