

## FAQ for Post Security Directive (SD) /Emergency Amendment (EA) Mask Implementation

### **This revision**

- **For areas with high numbers of COVID-19 cases, CDC recommends fully vaccinated individuals to consider wearing masks in crowded outdoors settings and for activities with close contact with others who are not fully vaccinated**
  - o **General Questions: Q1, Q7, Q10, Q11, and Q12**
  - o **Airport Specific Questions: Q2**
  - o **Disability|Medical: Q3 and Q4**

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### **General Questions**

#### ***Question 1: What is the process for seeking an Alternative Measure?***

*Answer:* Security Directive (SD) 1542-21-01 contains a section which permits an airport operator to "...submit proposed alternative measures and the basis for submitting those measures in writing to the Assistant Administrator for Policy, Plans, and Engagement through the FSD" if it cannot carry out any requirement of the SD. Under 49 CFR § 1542.109, TSA may approve an alternate means of compliance if, in TSA's judgement, "...the overall safety and security of the airport, and aircraft operator or foreign air carrier operations are not diminished...."

In its request, the airport operator must propose alternative measures to those in the SD and the basis for submitting the alternative measure that meet or exceed requirements. An Alternative Measure is not meant to be a means of relieving an airport operator of a security measure or reducing the scope of a measure.

A request for an Alternative Measure is no longer necessary where the request is for outdoors. Consistent with CDC guidance, TSA will not be enforcing the mask mandate in outdoor areas of conveyances or while outdoors at transportation hubs. "Outdoors" refers to any open-air area. Examples of outdoor areas of conveyances are the uncovered top decks of buses and open deck areas of ferries or other vessels. Examples of outdoor areas of transportation hubs include surface parking lots and partially enclosed parking garages, passenger pick-up/drop-off areas, railway platforms, piers, open hangars, and airport runways. While people are no longer required to wear a mask outdoors on conveyances or outdoors at transportation hubs, CDC continues to recommend people who are not fully vaccinated wear a mask in these areas to protect themselves and others. In areas with high numbers of COVID-19 cases, fully vaccinated people should consider wearing a mask in crowded outdoor settings and for activities with close contact with others who are not fully vaccinated.

#### **SD Section: APPROVAL OF ALTERNATIVE MEASURES**

The operator must immediately notify the FSD whenever any action required by this SD or a TSA-approved alternative measure cannot be carried out. In accordance with 49 CFR 1542.303(d), the airport operator may submit proposed alternative measures and the basis for submitting those measures in writing to the Assistant Administrator for Policy, Plans, and Engagement through the FSD.

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**Question 2: Does the SD apply to Military/Government Charters that operate out of non-airport location, such as a military base, or Fixed Base Operation?**

*Answer:* Military/Government Charter Flight are not regulated under 49 CFR part 1544.

**Question 3: We have numerous military installations at some of our airports. USAF, USCG, guard, etc. We have always excluded these areas from our ASP and have always held that those areas are not regulated under 49 CFR part 1542. We haven't notified them of the SD requirements and aren't planning to, based on the answer to question 2 of the FAQs. If TSA agrees that it does not apply there, is it because those areas aren't regulated by part 1542 and aren't part of the ASP or something else? If the former, wouldn't that same logic hold when determining applicability to other areas of airport property not regulated by part 1542 and not in the ASP? (nature trails, parks, parking lots, hotels, schools, businesses, etc.)**

*Answer:* The requirements in SD 1542-21-01 do not apply at locations under the control of a federal government agency or their contractors (as well as at locations under the control of aircraft operators and foreign air carriers); the SD was issued to implement Executive Order 13998 “Promote COVID-19 Safety in Domestic and International Travel,” which was issued on January 21, 2021, and to enforce the related order issued by the CDC on January 29, 2021, “Requirement for Persons to Wear Masks While on Conveyances and at Transportation Hubs.” Executive Order 13991 “Protecting the Federal Workforce and Requiring Mask-Wearing”, issued on January 20, 2021, addresses mask-wearing by employees and contractors in airports or on airport grounds; this requirement applies regardless of whether the locations are described in the ASP.

**Question 4: Are TSA officers trained to inform individuals at the passenger screening checkpoint the requirements for wearing a mask, and will there be public announcements within the airport?**

*Answer:* Passengers who approach the TDC without a mask will be asked to wear or obtain one to proceed. While the officer at the TDC will request that travelers temporarily lower the mask to verify their identity, passengers who refuse to wear a mask will not be permitted to enter the secure area of the airport, which includes the terminal and gate area.

SD 1542-21-01 requires that the airport operator must make best effort to provide individuals with prominent and adequate notice of the mask requirements to facilitate awareness and compliance. Notice may include, if feasible, advance notifications on digital platforms, such as on apps, websites, or email; posted signage in multiple languages with illustrations; or other methods as appropriate.

**Question 5: Public Health England's (the UK Government) guidance is that children 11 and younger are exempt from all face mask requirements, including those for air travel. Foreign Air Carriers are anticipating a push back and compliance issue with parents who will cite this UK government age exemption when told by a foreign air carrier that they must put a mask on their children 2 and older. Does the Preemption language in the EA cover this?**

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*Answer:* The preemption language in the EA does not apply because the UK measures are not more protective. EA 1546-21-01 only provides an exemption for children under the age of 2. For purposes of flight operations to, from, or within the U.S., the EA must be followed.

### **Question 6: Can passengers wear a gaiter/gaiter-type face covering?**

*Answer:* Yes, but only if the cloth mask is made with two or more layers of a breathable fabric that is tightly woven (i.e., fabrics that do not let light pass through when held up to a light source). If gaiters are worn, they should have two layers of fabric or be folded to make two layers. Mask should fit snugly but comfortably against the side of the face. Mask should be a solid piece of material without slits, exhalation valves, or punctures. SD-1542-21-01 defines the term “mask,” and footnote 4 of the SD contains information about masks and their proper wearing.

### **Question 7: Do I need to wear a mask if I am outside?**

*Answer:* Consistent with CDC guidance, TSA will not be enforcing the mask mandate in outdoor areas of conveyances or while outdoors at transportation hubs. “Outdoors” refers to any open-air area. Examples of outdoor areas of conveyances are the uncovered top decks of buses and open deck areas of ferries or other vessels. Examples of outdoor areas of transportation hubs include surface parking lots and partially enclosed parking garages, passenger pick-up/drop-off areas, railway platforms, piers, open hangars, and airport runways. While people are no longer required to wear a mask outdoors on conveyances or outdoors at transportation hubs, CDC continues to recommend people who are not fully vaccinated wear a mask in these areas to protect themselves and others. In areas with high numbers of COVID-19 cases, fully vaccinated people should consider wearing a mask in crowded outdoor settings and for activities with close contact with others who are not fully vaccinated.

Masks must still be worn in an airport on a plane, bus, train, or other form of public transportation traveling into, within, or out of the United States.

### **Question 8: Do I need to wear a mask while in my private office alone?**

*Answer:* No, if you are the only person in an individual office with the door closed, you are not required to wear a mask, provided the office is fully enclosed by four walls and a ceiling. If a second individual enters the individual office, even if the door is open, a mask must be worn until that individual exits the office.

### **Question 9: Do I still need to wear a mask inside or outside if I’ve been vaccinated or if all the individuals in a work area have been vaccinated?**

*Answer:* Masks must continue to be worn inside regardless of vaccination status unless the individual is the only person in an enclosed private office.

### **Question 10: Can I remove my mask during hot and humid weather?**

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*Answer:* Consistent with CDC guidance, TSA will not be enforcing the mask mandate in outdoor areas of conveyances or while outdoors at transportation hubs. “Outdoors” refers to any open-air area. Examples of outdoor areas of conveyances are the uncovered top decks of buses and open deck areas of ferries or other vessels. Examples of outdoor areas of transportation hubs include surface parking lots and partially enclosed parking garages, passenger pick-up/drop-off areas, railway platforms, piers, open hangars, and airport runways. While people are no longer required to wear a mask outdoors on conveyances or outdoors at transportation hubs, CDC continues to recommend people who are not fully vaccinated wear a mask in these areas to protect themselves and others. In areas with high numbers of COVID-19 cases, fully vaccinated people should consider wearing a mask in crowded outdoor settings and for activities with close contact with others who are not fully vaccinated.

While inside any building on the airport, the SDs/EA applicable to face masks allow for exemptions for airport and airline operators as well as foreign air carriers, regarding individuals for whom wearing a mask would create a risk to workplace health, safety, or job duty as determined by the relevant workplace safety guidelines or federal regulations. Individuals operating conveyances (e.g., crew members, drivers) are also exempted from the mask requirement if wearing a mask would create a risk to workplace health, safety, or job duty as determined by the relevant workplace safety guidelines or federal regulations. For more information, please see [What Workers Need to Know about Heat Stress Prevention during the COVID-19 Pandemic](#)

**Question 11: Does this mask mandate apply to areas of an airport that are not accessible by the general public (i.e. conference rooms, cargo areas, fire department, etc.)?**

**As it would relate to our private hangar that is not accessible to the public, and not related to passenger or cargo transportation. Do you have any guidance for us on the applicability of the SD in our own, non-public hangar?**

**Can you expand upon the scope of “in or on the airport”? Does this include the parking garage, gas station, grocery store, general aviation facilities, etc.? (There are a number of entities on airport property that do not pertain to aviation).**

*Answer:* Yes, a mask is required to be worn while inside airport property, unless the individual meets one of the exemptions described in the SDs/EA. TSA has determined that all guidance provided includes the mandate of wearing a mask while inside any building on the airport.

Consistent with CDC guidance, TSA will not be enforcing the mask mandate in outdoor areas of conveyances or while outdoors at transportation hubs. “Outdoors” refers to any open-air area. Examples of outdoor areas of conveyances are the uncovered top decks of buses and open deck areas of ferries or other vessels. Examples of outdoor areas of transportation hubs include surface parking lots and partially enclosed parking garages, passenger pick-up/drop-off areas, railway platforms, piers, open hangars, and airport runways. While people are no longer required to wear a mask outdoors at transportation hubs, CDC continues to recommend people who are not fully vaccinated wear a mask in these areas to protect themselves and others. In areas with high numbers

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of COVID-19 cases, fully vaccinated people should consider wearing a mask in crowded outdoor settings and for activities with close contact with others who are not fully vaccinated.

***Question 12: Are flight school instructors and their students required to wear masks at all times? Are masks required for outdoor staff such as those fueling aircraft or ramp personnel not working within 6 feet of anyone? Is a mask required to be worn in the airport designated smoking area?***

*Answer:* Yes, a mask is required to be worn while inside a building on airport property and while in the aircraft, unless the individual meets one of the exemptions described in the SD or EA. If wearing oxygen masks is needed because of loss of cabin pressure or other event affecting aircraft ventilation, masks should be removed to accommodate oxygen masks. While people are no longer required to wear a mask outdoors on conveyances or outdoors at transportation hubs, CDC continues to recommend people who are not fully vaccinated wear a mask in these areas to protect themselves and others. In areas with high numbers of COVID-19 cases, fully vaccinated people should consider wearing a mask in crowded outdoor settings and for activities with close contact with others who are not fully vaccinated.

***Question 13: Would a tug driver be required to wear a mask if the mask fogs up their corrective lenses, thus making for a safety concern?***

*Answer:* The exemption in SD 1544-21-02 is for “people for whom wearing a mask would create a risk to workplace health, safety, or job duty as determined by the relevant workplace safety guidelines or federal regulations.” If you work in a setting where masks could cause safety concerns and could create a risk to workplace health, safety, or job duty as determined by the relevant workplace safety guidelines or federal regulation, consider discussing with an occupational safety and health professional what mask would be suitable. For more information, please see [\*What Workers Need to Know about Heat Stress Prevention during the COVID-19 Pandemic.\*](#)

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### **Airport Specific Questions**

***Question 1: What is meant by “escort them from the airport”?***

*Revised Answer:* Under SD 1542-21-01, section B.2., should an individual refuse to wear a mask at the airport after being asked to do so, he or she must be escorted from the airport at the earliest safe opportunity. Compliance with this Security Directive will be achieved by escorting the individual who refuses to wear a mask to the outdoor area that is closest to the affected airport terminal.

***Question 2: We have numerous locations on airport property that may be a mile away from the airfield proper. We have residential housing, sledding hills, walking trails, and numerous other facilities that are in no way involved in air transportation, transportation hub, or protecting the federal workforce. TSA’s interpretation and direction to apply to all airport***

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**property is grossly overstepping the presidential EOs, the DHS emergency declaration, and the CDC order.**

*Answer:* The CDC Order expressly exempts private conveyances operated for personal, non-commercial use. While residential housing on airport property was not expressly contemplated by the CDC Order, TSA infers that private residential housing used for personal, non-commercial use is also exempted. Individuals inside commercial buildings on the airport's property are required to wear a mask, regardless of vaccination status.

Consistent with CDC guidance, TSA will not be enforcing the mask mandate in outdoor areas of conveyances or while outdoors at transportation hubs. "Outdoors" refers to any open-air area. Examples of outdoor areas of conveyances are the uncovered top decks of buses and open deck areas of ferries or other vessels. Examples of outdoor areas of transportation hubs include surface parking lots and partially enclosed parking garages, passenger pick-up/drop-off areas, railway platforms, piers, open hangars, and airport runways. While people are no longer required to wear a mask outdoors on conveyances or outdoors at transportation hubs, CDC continues to recommend people who are not fully vaccinated wear a mask in these areas to protect themselves and others. In areas with high numbers of COVID-19 cases, fully vaccinated people should consider wearing a mask in crowded outdoor settings and for activities with close contact with others who are not fully vaccinated.

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### **Disability/Medical Exemption Related Questions**

***Question 1: What are the mask exemptions for travelers with disabilities and medical conditions?***

*Answer:* TSA's security procedures, the security directive, and the emergency amendment require that all individuals must wear masks at the checkpoints, baggage screening locations, and within the transportation system. The only people exempted from the mask requirement are:

- (1) A child who is under the age of two (2) years, or
- (2) People with disabilities who cannot wear a mask, or cannot safely wear a mask, because of the disability as defined by the Americans with Disabilities Act. This is a narrow exception that includes a person with a disability who cannot wear a mask for reasons related to the disability; who, e.g., do not understand how to remove their mask due to cognitive impairment, cannot remove a mask on their own due to dexterity/mobility impairments, or cannot wear a mask because doing so would impede the function of assistive devices/technology.

If additional screening is required, passengers may be asked to wear a mask for that period of time. If the individual is unable to wear a mask for that limited amount of time, as set forth in their

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documented medical exemption, TSA will make a determination whether screening may be completed without wearing a mask.

You **may** receive an exemption from the face mask requirement if you have a disability and cannot wear a mask because:

- It would cause you to be unable to breathe or have respiratory distress if a mask were worn over the mouth and nose;
- You require the use of an assistive device, such as for mobility or communication, that prevents the person from wearing a mask and wearing or using the assistive device at the same time; or
- You have a severe sensory disability or a severe mental health disability who would pose an imminent threat of harm to themselves or others if required to wear a mask.

TSA Cares representatives are available to assist you with questions about screening policies, procedures, and what to expect at the security checkpoint. If you will be requesting a medical exemption, you should consider contacting TSA Cares at least 72-hours prior to your trip. You may reach TSA Cares at (855) 787-2227 between 8 a.m. and 11 p.m. (ET) Monday through Friday, or between 9 a.m. and 8 p.m. (ET) on weekends and holidays.

Contacting TSA Cares in advance does not exempt you from the mask mandate, but it will allow TSA to prepare for your arrival at the checkpoint. In addition, TSA recommends that you check with your airline to learn about their process for an exemption. While TSA may exempt you from wearing a mask at the screening checkpoint, the decision to exempt you from wearing a mask while at the airport or on the aircraft are separate decisions.

***Question 2: How will passengers who have been granted a medical exemption be identified, so they are not challenged for not wearing a mask?***

*Answer:* The Airport Operator is responsible for ensuring a passenger complies with SD 1542-21-01, including that the passenger has a valid medical exemption. The SD does not require a specific process. The Airport Operator may implement a process to assist them in identifying passengers who have been exempted, including coordination with Aircraft Operators/Foreign Air Carriers.

***Question 3: When a passenger claims a disability exemption, does the airline/airport have to request medical documentation?***

*Answer:* As discussed in Footnote #6 in SD 1542-21-01 and Footnote #8 in SD 1544-21-02, airport operators *may* impose requirements, or aircraft operators *may* impose conditions of carriage, on persons requesting an exemption from the requirement to wear a mask, including medical consultation by a third party, medical documentation by a licensed medical provider, and/or other information as determined by the airport operator, as well as require evidence that the person does not have COVID-19 such as a negative result from a SARS-Co V-2 viral test or documentation of

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recovery from COVID-19. CDC definitions for SARS-CoV-2 viral test and documentation of recovery are available in Frequently Asked Questions at:

<https://www.cdc.gov/coronavirus/2019-ncov/travelers/testing-international-airtravelers.html>.

Airport operators may also impose additional protective measures that improve the ability of a person eligible for exemption to maintain social distance (separation from others by 6 feet), such as scheduling travel at less crowded times or on less crowded conveyances, or seating or otherwise situating the individual in a less crowded section of the conveyance or airport. Airport operators *may* further require that persons seeking exemption from the requirement to wear a mask request an accommodation in advance. The TSA checkpoint does require medical documentation.

**Question 4: May an airport employee (not a TSA employee) be granted an exemption from having to wear his mask when alone in an otherwise communal workplace?**

*Answer:* Only if the individual qualifies for a disability exemption in Footnote #6 in SD 1542-21-01. However, if you are the only person in an individual office with the door closed, you are not required to wear a mask, provided the office is fully enclosed by four walls and a ceiling. If a second individual enters the individual office, even if the door is open, a mask must be worn until that individual exits the office. If the area where the airport employee is located is not in an enclosed office, a mask is required.

**Question 5: I have asthma, am I required to wear a mask?**

*Answer:* Yes. A person with a condition that causes intermittent respiratory distress, such as asthma, likely does not qualify for an exemption because people with asthma, or other similar conditions, can generally wear a mask safely. However, masks may be removed when experiencing difficulty breathing or shortness of breath or feeling winded, until able to resume normal breathing with the mask.

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### **Compliance/Law Enforcement Related Questions**

**Question 1: Can an aircraft operator compile the incident reports, collect the requested data, and crew reports, and then notify TSOC at a later time?**

*Answer:* SD 1544-21-02 requires regulated entities to follow incident reporting procedures in accordance with its TSA-approved standard security program.

**Question 2: Do I have to wear a mask while I am eating or drinking?**

*Answer:* The SD requires the individual place his or her mask on between bites and sips. The requirement to wear a mask does not apply while an individual is actively consuming a meal or if the meal is being consumed in an outdoor area. Aircraft and Airport Operators must use their own judgment on a case-by-case basis in determining whether the individual is actively consuming a meal.

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**Question 3: For reporting, is the regulated entity required to report every event in which a passenger refuses to wear a mask, absent a threat, or only when it involves a security-related incident?**

**What sort of effort is sufficient when it comes to obtaining names and contact information under Section G.?**

*Answer:* Operators must report all security incidents when an individual refuse to comply with mask requirements/refuses to comply with instruction given by a crew member with respect to wearing a mask. Operators should provide the information requested in (SD 1542-21-01, Section G.; SD 1544-21-02, Section G.; EA 1546-21-01, Section G.) if available. While a name is necessary to pursue an investigation into the incident, incidents must still be reported even if the name of the violator is not available.

**Question 4: Does SD 1542-21-01 require Law Enforcement Officers to remove individuals from the airport?**

*Answer:* SD 1542-21-01 requires airport operators to escort individuals who refuse to wear a mask from the airport. TSA does not specify that the removal must be done by a LEO.

**Questions 5: How will federal enforcement work with passengers? Once we pass the information we have to TSOC, does it go to TSIs for potential action or does it go to another agency for action?**

*Answer:* For security-related incidents, TSA will be the POC; for safety-related incidents, please contact FAA. TSA and FAA review the report and separately address violations of regulations and statutes that fall within their purview.

**Question 6: Can a passenger receive federal penalties/violations from more than one federal agency (once by TSA, once by FAA for example)?**

*Answer:* With respect to compliance with SD 1544-21-02 and EA 1546-21-01, TSA is the agency that has authority; if the passenger commits other violations, the passenger could potentially be subjected to additional penalties from other agencies for those additional violations.

**Question 7: What are the federal penalties that the passenger could be facing?**

*Answer:* The 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.

- 1st offense – Recommend \$250-\$500
- 2nd offense – Recommend \$500-\$1500

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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.

***Question 8: Can copies of incident reports to TSOC be obtained? Through FOIA?***

*Answer:* The public may request copies of incident reports to the TSOC through FOIA. The extent of the information that TSA discloses publically in response to such requests will be determined under 5 U.S.C. 552 and other applicable laws.