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# ON THE FRONT LINES: THE IMPACTS OF COVID–19 ON TRANSPORTATION WORKERS

(116–61)

## REMOTE HEARING

BEFORE THE

## COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE HOUSE OF REPRESENTATIVES

ONE HUNDRED SIXTEENTH CONGRESS

SECOND SESSION

JUNE 9, 2020

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U.S. House of Representatives
Washington, DC 20515

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JUNE 9, 2020

**SUMMARY OF SUBJECT MATTER**

TO: Members, Committee on Transportation and Infrastructure
FROM: Staff, Committee on Transportation and Infrastructure
RE: Full Committee Hearing on "On the Front Lines: The Impacts of COVID–19 on Transportation Workers"

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## PURPOSE

The Committee on Transportation and Infrastructure will meet on June 9, 2020, to examine the impacts of the COVID–19 crisis on transportation workers. At the hearing, Members will hear about how the COVID–19 crisis has impacted the health, working conditions, and employment opportunities of transportation industry workers and will receive recommendations on policy actions to safeguard these important front line employees. Testimony will be provided by the Transportation Trades Department (TTD) of the AFL–CIO, a flight attendant, a bus operator, the International Brotherhood of Teamsters, and the American Trucking Association.

## BACKGROUND

The COVID–19 pandemic surged across the globe, bringing travel to a virtual standstill, significantly reducing global commerce, disrupting every industry sector, and killing 90,313 Americans as of May 30, 2020.[1] [2] Millions of workers have been ordered to work from home and millions more have lost their jobs. Yet for some, work continues in the face of the menacing threat of this novel coronavirus. Transportation workers remain on the front lines keeping products moving, buses and trains running, planes flying, and infrastructure projects on schedule. The country needs these vital workers to continue their work, and efforts should be made to protect these workers.

*AVIATION:*

Demand for air travel all but evaporated soon after coronavirus infections in the United States began to skyrocket in mid-March. In April, the Transportation Security Administration (TSA) screened 90 percent fewer passengers daily than it did

[1] Note: Per the Centers for Disease Control and Prevention, "Data during this period are incomplete because of the lag in time between when the death occurred and when the death certificate is completed, submitted to NCHS (National Center for Health Statistics) and processed for reporting purposes. This delay can range from 1 week to 8 weeks or more, depending on the jurisdiction, age, and cause of death".

[2] CDC, *Daily Update of Totals by Week and State* (last accessed June 5, 2020), *available at* https://www.cdc.gov/nchs/nvss/vsrr/COVID19/index.htm.

in the same month in 2019.[3] As demand plummeted, U.S. airlines quickly reduced national capacity, now offering less than 30 percent of seating capacity offered at the same time last year.[4] The pandemic triggered a financial crisis unlike any ever faced by the global aviation industry. The International Air Transport Association, which represents global airlines including U.S. carriers, projects that airline passenger traffic will not return to pre-pandemic levels before 2023.[5] Domestically, Airlines for America—the trade association representing the largest U.S. carriers—estimated that U.S. airlines are burning more than $10 billion in cash each month.[6] Given that the pandemic only began seriously affecting the volume of airline operations more than halfway through the first quarter of 2020, industry expects that second quarter losses will be similar, if not substantially greater. More than 750,000 workers are employed by U.S. passenger and cargo airlines, with a large proportion of these workers facing the prospect of furlough as a result of this substantially reduced demand.[7]

Recognizing the immediate need to save these jobs, Congress included $32 billion in the overwhelmingly bipartisan Coronavirus Aid, Relief, and Economic Security Act (CARES Act; P.L. 116–136) to preserve the jobs of employees of airlines and airlines' contractors through September 30, 2020, conditioned on the airlines and contractors not involuntarily furloughing or reducing the pay rates and benefits of workers before that date and refraining from stock buybacks and limiting executive compensation.[8] This effort worked, with every major airline signing an agreement with the Department of Treasury to receive payroll grants.[9] Unfortunately, as the grants are exhausted and September 30 approaches, many airlines expect to furlough a yet-undetermined number of workers[10]. The CARES Act also authorizes the Treasury Secretary to provide loans totaling $29 billion to passenger and cargo airlines, although to date neither the airlines nor the Department of Treasury have disclosed whether any loan applications have been received or processed.

In the meantime, aviation workers face risks from exposure to COVID–19. As air travel demand begins to recover, flight attendants, pilots, gate agents, and service workers face a growing number of travelers who are not required under Federal law to wear masks, have not been screened for the virus, and are unable or unwilling to follow social distancing precautions both in the air and on the ground. Customers on full transcontinental flights[11] have raised concerns that airlines are not doing enough to protect passengers and crewmembers by keeping seats empty to promote physical distancing. Airlines generally oppose calls for a Federal requirement that they block middle seats on flights to provide for greater physical distancing.[12] However, at least four major airlines—Delta, Alaska, JetBlue, and Southwest—are voluntarily limiting capacity so that passengers can spread out on board, and United and American advise passengers at check-in if their flights are booked to more than 70 percent of capacity and permit them to change to alternative flights free of charge[13]. Further, all major airlines are requiring passengers and flight attendants

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[3] TSA, *Travel Checkpoint Numbers for 2019 and 2020* (last accessed June 3, 2020) *available at* https://www.tsa.gov/coronavirus/passenger-throughput.

[4] John Grant, *OAG Coronavirus Update—Week Nineteen Everyone is Waiting for June*, OAG (May 25, 2020), https://www.oag.com/blog/oag-coronavirus-update-week-nineteen.

[5] Int'l Air Transp. Ass'n, *COVID–19: Outlook for air travel in the next five years* (May 13, 2020), *available at* https://www.iata.org/en/iata-repository/publications/economic-reports/covid-19-outlook-for-air-travel-in-the-next-5-years/.

[6] David Shepardson, *Exclusive: U.S. Airlines Burn Through $10 Billion a Month as Traffic Plummets*, REUTERS (May 5, 2020) *available at* https://www.reuters.com/article/us-health-coronavirus-airlines-congress/exclusive-u-s-airlines-burn-through-10-billion-a-month-as-traffic-plummets-idUSKBN22H2ZM.

[7] BTS, *Airline Employment Data by Month* (last accessed May 29, 2020) *available at* https://www.transtats.bts.gov/Employment/

[8] Pub. L. 116–136 (2020).

[9] Dept. of Treasury, *Payroll Support Programs*, (last accessed June 2, 2020) *available at* https://home.treasury.gov/policy-issues/cares/preserving-jobs-for-american-industry/payroll-support-program-payments.

[10] *American Airlines and Delta move to cut thousands of jobs*, FINANCIAL TIMES (last accessed June 3, 2020) *available at* https://www.ft.com/content/2861caea-89a1-49b0-b12c-9473c7162f19.

[11] Dawn Gilbertson and Chris Woodyard, *Packed United flight leaves passengers 'scared,' 'shocked' amid fears of the coronavirus*, USA TODAY (May 10, 2020) *available at* https://www.usatoday.com/story/travel/airline-news/2020/05/10/coronavirus-full-united-flight-leaves-passengers-scared-shocked/3105870001/.

[12] Brianna Gurciullo, *Airline Industry Aligned Against Passenger Distancing Mandates*, POLITICO (May 27, 2020) *available at* https://subscriber.politicopro.com/article/2020/05/airline-industry-aligned-against-passenger-distancing-mandates-1942066.

[13] Elizabeth Wolf, *More space through summer: Delta will block middle-seat selection, cap cabin seating through Sept. 30*, Delta Airlines Release, https://news.delta.com/more-space-through-summer-delta-will-block-middle-seat-selection-cap-cabin-seating-through-sept-30; *See*

to wear masks or other protective face coverings on board their aircraft, although so far airlines are not directing crewmembers to strictly enforce these requirements.[14] On June 1, 2020, the International Civil Aviation Organization (ICAO) Council released a report and recommendations to further reduce health risks for aviation workers and passengers and to align international aviation efforts as air travel begins to increase.[15] The guidelines cover safety issues for airports, aircraft, crew, and passengers.[16] The Federal Aviation Administration (FAA) has declined to issue regulations requiring airlines to block seats or requiring passengers to wear masks on board. There is concern that once the U.S. airlines' voluntary policies expire, there will be no overarching Federally-mandated protection against further spread of the virus through the aviation system.

*MARITIME TRANSPORTATION:*

The U.S. maritime industry, including merchant mariners, vessel owners and operators, and shipbuilders, the Nation's port system, and supporting industries, integrate our economy with a vast global maritime supply chain system that moves more than 90 percent of the world's trade by tonnage, including sources of energy, consumer goods, agricultural products, and raw materials.[17] These industries, vessels, infrastructure, and personnel also play critical roles in national security, supporting our Nation's ability to provide sealift for the Department of Defense (DoD) during times of war and national emergency. A 2019 study conducted by PricewaterhouseCoopers (PwC) estimated the total U.S. maritime workforce at approximately 650,000 Americans [18].

U.S. documented (flagged) commercial vessels and civilian mariners carry goods to and from, as well as within, the United States. These vessels are operated by U.S. licensed deck and engineering officers and unlicensed seafarers. During times of peace and war, the U.S. Merchant Marine acts as a naval auxiliary to deliver troops and war material to military operations abroad. Throughout our history, the Navy has relied on U.S. flagged commercial vessels to carry weapons and supplies and ferry troops to the battlefield. During Operations Enduring Freedom and Iraqi Freedom, U.S. flagged commercial vessels transported 90 percent of sustainment cargoes to Afghanistan and Iraq.[19] Currently, there are approximately 41,000 non-fishing related commercial vessels flagged and operating in the United States.[20] The vast majority of these vessels are engaged in domestic waterborne commerce, generally referred to as the "Jones Act trade," moving 115 million passengers and nearly $300 billion worth of goods between ports in the U.S. on an annual basis.[21] Each year the domestic coastwise fleet carries nearly 900 million tons of cargo through the inland waterways, across the Great Lakes, and along the Atlantic, Pacific, and Gulf of Mexico coasts.[22]

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*also*: https://www.alaskaair.com/content/advisories/coronavirus; *See also*: http://otp.investis.com/clients/us/jetblue_airways/usn/usnews-story.aspx?cid=981&newsid=68927; *See also*: https://community.southwest.com/t5/Blog/Our-Southwest-Promise/ba-p/106668#; *See also*: https://thepointsguy.com/news/option-to-change-full-aa-flights/.

[14] Airlines for America, *COVID–19: How U.S. Carriers are Working to Protect Travelers* (June 4, 2020), https://www.airlines.org/blog/covid-19-how-u-s-carriers-are-working-to-protect-travelers/.

[15] ICAO, *ICAO Council Adopts New COVID–19 Aviation Recovery 'Take Off' Guidelines* (June 1, 2020) *available at* https://www.icao.int/Newsroom/Pages/ICAO-Council-adopts-new-COVID.aspx.

[16] *Id*.

[17] Maritime Administrator Mark H. Buzby Testimony before the House Committee on Transportation and Infrastructure Subcommittee on Coast Guard and Maritime Transportation (March 6, 2019).

[18] Transportation Institute, *U.S. Maritime Workforce Grows to 650,000 Americans in Booming Jobs Economy* (March 4, 2019), https://transportationinstitute.org/u-s-maritime-workforce-grows-to-650000/.

[19] Transp. Inst., *U.S. Maritime Workforce Grows to 650,000 Americans in Booming Jobs Economy* (March 4, 2019) https://transportationinstitute.org/u-s-maritime-workforce-grows-to-650000.

[20] MARAD, https://www.maritime.dot.gov/data-reports/data-statistics/data-statistics.

[21] *National Strategy for the Marine Transportation System: Channeling the Maritime Advantage 2017–2022* (Oct. 2017), http://www.cmts.gov/downloads/National_Strategy_for_the_Marine_Transportation_System_October_2017.pdf; *Economic Contribution of the US Tugboat, Towboat, and Barge Industry* (June 22, 2017), https://www.marad.dot.gov/wp-content/uploads/pdf/Econ-Impact-of-US-Tugboat-Towboat-and-Barge-Industry-lh-6-22-17.pdf.

[22] The U.S. Waterway System Transportation Facts & Information, https://usace.contentdm.oclc.org/digital/collection/p16021coll2/id/1429/ .

Public ports in the United States play an indispensable role in local and regional economies throughout the Nation.[23] Ports generate business development and provide employment to more than 13 million Americans, which includes those that work at the ports themselves and those employed in global trade and import/export support services.[24] According to the American Society of Civil Engineers (ASCE), there are 926 ports in the United States, each essential to the Nation's competitiveness by serving as gateways through which 99 percent of U.S. overseas trade passes.[25] Ports are responsible for $4.6 trillion in economic activity—roughly 26 percent of the U.S. economy.[26] The American Association of Port Authorities (AAPA) reports that, seaport activities alone accounted for $378.1 billion in Federal, state, and local tax revenues in 2018.[27] More than 150 deep draft seaports are located along the Atlantic and Pacific Oceans as well as the Great Lakes, the Gulf of Mexico, Alaska, Hawaii, Puerto Rico, Guam, and the U.S. Virgin Islands.[28] Within the Nation's ports are more than 3,500 publicly or privately held marine terminals.[29] Marine terminals provide wharfage, dock, warehouse, or other facilities to vessels using the U.S. maritime transportation system public port authorities, or private operators who lease property from such authorities.[30]

According to the Organization for Economic Cooperation and Development (OECD), the global maritime industry has been severely impacted by COVID–19, leaving virtually no market segment spared.[31] Ocean carriers across key trades, especially the trans-Pacific trades, enacted capacity cuts, either by increasing the number of blank sailings or by laying up vessels.[32] According to recent reports, U.S. ports are projecting a 20 to 30 percent drop in container volumes in the first half of 2020 caused by general shutdowns across many key markets in nations affected by the COVID–19 pandemic.[33] Worse, the global cruise industry worth approximately $150 billion in 2019 has suspended operations entirely through July with no certainty that operations will resume afterwards.[34] [35] International markets are also experiencing similar declines. A well-functioning global supply chain of critical medical supplies is necessary to obtain the Personal Protective Equipment (PPE) needed to keep U.S. maritime workers safe.

To protect maritime workers from the virus and subsequent transmission while on duty on vessels or at work in port, the U.S. Coast Guard (USCG), in cooperation with the Centers for Disease Control and Prevention (CDC), issued Maritime Safety Information Bulletins reminding vessel operators of notice requirements for any ill passengers or crew before vessels arrive in the United States. The CDC also adopted protocols for the assessment, isolation, quarantine, transportation, and medical treatment of passengers and crew members afflicted by the virus while at sea. Similarly, the USCG has implemented revised boarding procedures for its service members who must board private vessels to conduct compliance, inspection, law enforcement or safety activities, including "virtual boardings," and distribute PPE to limit exposure of USCG personnel while conducting operations. Commercial carriers and maritime and longshore unions have adopted new practices to avoid transmission, such as adjusted work shifts to limit exposure, time for cleaning and disinfecting

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[23] Global Trade Magazine, *2020 U.S. Ports Summary* (last accessed May 26, 2020) *available at* https://www.globaltrademag.com/us-ports/.

[24] *Id*.

[25] ASCE, *2019 Infrastructure Report Card, Ports* (Jan. 2017) *available at* https://www.infrastructurereportcard.org/wp-content/uploads/2017/01/Ports-Final.pdf.

[26] *Id*.

[27] AAPA, *The Economic Impact of U.S. Seaports* (2019) *available at* http://aapa.files.cms-plus.com/2019_PortsFundingMap.pdf.

[28] Global Trade Magazine, https://www.globaltrademag.com/us-ports/.

[29] MARAD, *Maritime Transportation System Summary* (2020) *available at* https://www.maritime.dot.gov/outreach/maritime-transportation-system-mts/maritime-transportation-system-mts.

[30] Fed. Maritime Com. *Marine Terminal Operators* (2020) *available at* https://www.fmc.gov/resources-services/marine-terminal-operators/

[31] OECD, *COVID–19 and International Trade: Issues and Actions* (2020).

[32] DHL, *Global Freight Forwarding, Ocean Freight Market Update* (May 2020) *available at* www.dhl.com/content/dam/dhl/global/dhl-global-forwarding/documents/pdf/glo-dgf-ocean-market-update.pdf.

[33] WALL STREET JOURNAL, *U.S. Ports Likely to See Slump in Cargo Volume from Coronavirus* (Mar. 3, 2020).

[34] Smith, Jen Rose, CNN, *What's in Store for the Cruise Industry* (May 1, 2020), https://www.cnn.com/travel/article/cruise-industry-coronavirus-aftermath/index.html.

[35] The LoadStar, https://theloadstar.com/no-bounce-back-in-demand-for-container-shipping-this-year/.

workspaces, and isolation of crews prior to departure to reduce the risk of transmission during crew rotations.[36]

U.S. ports, Marine Terminal Operators (MTOs), and stevedores are seeking Federal help to shoulder additional costs tied to COVID–19 and to weather the bigger impact from the loss of containerized, breakbulk, bulk, and Ro-Ro cargoes, as well as losses from the cruise industry which is completely shut down in the U.S. through July. The National Association of Waterfront Employers (NAWE) on behalf of its MTO members requested a one-time grant program of $400 million to go toward cleaning supplies and PPE, including plexiglass shields between truck gate operators and drayage drivers.[37] AAPA has asked Congress to consider a $1.5 billion grant program for ports, allowing them to maintain their workforces and weather financial shocks that could reportedly trigger the direct loss of up to 130,000 jobs.[38]

Scores of U.S. mariners who serve aboard U.S.-flag cargo ships that operate overseas are unable to take leave or return home due to COVID–19 lockdown measures imposed by foreign governments. U.S. mariners, serving aboard these vessels which are part of the Maritime Security Program, typically serve a four-month assignment on ship and then rotate home by air to the United States for time off while awaiting their next assignment. A fresh crew flies in to relieve them. Right now, foreign governments are refusing to allow U.S. mariners to leave their ships, to enter overseas airports, or to use hotels or any other form of accommodation or transport which would allow them to return home. The longer they are at sea without relief, the more difficult it becomes to guarantee the safe and efficient delivery of the vital food, medicine, military supplies and other cargo, and may threaten the essential supply chain for some 200,000 active U.S. military personnel now serving overseas. Six national maritime unions have recently written to the Secretaries of State and Defense asking them to enter negotiations as quickly as possible with foreign government to allow these important crew rotations to occur as expeditiously as possible[39].

*HIGHWAYS AND TRANSIT:*

The COVID–19 pandemic has changed the way Americans travel, commute, and purchase goods impacting sectors including public transportation, trucking, and construction. Transit agencies nationwide have experienced declining ridership, with some systems sustaining ridership losses of nearly 90 percent, causing transit agencies to reduce their hours of service.[40] Many transit operators, drivers, station managers, and maintenance employees continue to report to work, providing critical transportation services to essential workers. To increase the safety of both frontline workers and passengers, transit agencies have implemented social distancing safety measures on buses and trains, including limiting capacity, suspending fare collection, and requiring rear-door bus boarding.[41] Transit workers, however, continue to report challenges accessing personal protective equipment (PPE).[42] In an effort to help protect these essential workers, the DOT announced that nearly 5 million cloth face masks will be provided to public transportation workers.[43] Serious risks remain

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[36] President and CEO, Eric P. Ebeling, American Roll-On Roll-Off Carrier Group, On Behalf of USA Maritime Testimony before the House Committee on Transportation and Infrastructure Subcommittee on Coast Guard and Maritime Transportation (May 29, 2020).

[37] *See* U.S. Coast Guard, Marine Safety Information Bulletin, MSIB Number: 07–20, March 18, 2020; Marine Safety Information Bulletin, MSIB Number: 08–20, March 19, 2020; Marine Safety Information Bulletin, MSIB Number: 09–20, March 26, 2020; and Marine Safety Information Bulletin, MSIB Number: 13–20, April 3, 2020; *see slso* Letter from NAWE to House Committee on Transportation and Infrastructure Subcommittee on Coast Guard and Maritime Transportation, May 6, 2020, *Assistance for Marine Terminal Operators, Operating Ports and Related Companies*.

[38] Letter from AAPA to House Committee on Transportation and Infrastructure Subcommittee on Coast Guard and Maritime Transportation, April 16, 2020, *COVID–19 Relief Package*.

[39] Maritime Unions, *Letter to the Administration*, received by Secretary Mark Esper and Secretary Mike Pompeo (May 28, 2020) at https://bridgedeck.org/latestnews/Unions_Letter_To_Administration.pdf.

[40] Khurana, Mansee, NBC News, *Transit Systems in Free Fall Beg for Federal Help over Coronavirus* (March 24, 2020), https://www.nbcnews.com/politics/politics-news/transit-systems-free-fall-beg-federal-help-over-coronavirus-n1165256.

[41] The American Public Transp. Ass'n, *The COVID–19 Pandemic Public Transportation Responds: Safeguarding Riders and Employees*, (April 13, 2020) *available at* https://www.apta.com/wp-content/uploads/COVID-19_Transit_Guide_FINAL_04132020.pdf.

[42] Select Subcommittee on the Coronavirus Crisis, Hearing: *Heroes of the Coronavirus Crisis: Protecting Frontline and Essential Workers During the Pandemic* (May 21, 2020).

[43] Dept. of Transp., *Trump Administration to Distribute over 15 Million Cloth Facial Coverings to America's Transportation Workforce*, (May 28, 2020) *available at* https://

Continued

for transit workers; to date more than 50 members of the Amalgamated Transit Union alone have died from COVID–19 and countless more have been infected or exposed.[44]

Further efforts to improve worker safety, passenger health, and system reliability will be required in order for transit to support a broader return to work and economic recovery. Transit advocates forecast a long financial recovery with fare revenues and local tax receipts predicted to be depressed through fiscal year (FY) 2021. To aid transit agencies, workers, and riders, Congress provided $25 billion to support public transportation throughout the Nation in the CARES Act. The House of Representatives has also passed the HEROES Act, which seeks to provide an additional $15.75 billion to transit agencies that serve the most populated urban areas, would require passengers to wear masks, and would ensure transit workers on systems with the highest ridership have access to PPE.

Meanwhile, the trucking industry and its drivers have kept Americans supplied with food, medicine, and other necessities throughout the COVID–19 pandemic. The Nation's truck drivers have risked their own health and safety in order to ensure the continued movement of goods. By transporting PPE, food, and consumer goods, truck drivers have kept products moving and have played a vital role in the immediate response to the coronavirus. While some trucking sectors have seen demand drop abruptly, drivers delivering essentials such as medical supplies, safety equipment, and food to restock grocery store shelves have continued to work in order to make these critical deliveries. On March 13, 2020, the Federal Motor Carrier Safety Administration (FMCSA) issued Emergency Declaration No. 2020–002 waiving hours-of-service regulations for motor carriers and drivers transporting essential supplies and equipment to aid in emergency relief efforts.[45] The Emergency Declaration was subsequently extended until June 14, 2020.[46] Besides risks to their health and safety, truck drivers making essential deliveries during the COVID–19 pandemic have also had to contend with restaurant and business closures that have left them without options for hot meals or access to clean restrooms while on the road. In March, FMCSA encouraged States to allow public and private rest areas to remain open so that drivers transporting essential supplies could stop to rest and use the bathroom.[47] And while commercial activity is ordinarily prohibited in interstate highway rest areas, on April 3, 2020, FMCSA issued a notice that the agency was suspending enforcement against commercial food trucks operating in Federally funded interstate highway rest areas until the national emergency declaration is lifted.[48]

In response to recommendations from the CDC, many States have closed government offices to help slow the spread of COVID–19. These closures included State Driver Licensing Agencies (SDLA) which are responsible for testing and administration of commercial driver's licenses (CDL). In order to ensure an adequate supply of commercial motor vehicle drivers are able to deliver essential supplies, FMCSA issued a series of waivers for drivers who are unable to obtain, renew, or be tested for their CDL due to SDLA closures.[49] The waivers are set to expire on June 30, 2020.[50]

Finally, the transportation construction sector has been deemed essential in most States and continues to operate despite the COVID–19 crisis. Many States have used the period of reduced traffic and ridership to accelerate highway and transit projects in order to decrease costs and project delivery timelines. Even in States and localities which have halted construction due to COVID–19, some transportation-related construction has been allowed to continue. However, COVID–19 can pose serious health and safety risks to construction workers whose jobs require them to work

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www.transportation.gov/briefing-room/trump-administration-distribute-over-15-million-cloth-facial-coverings-americas.

[44] Amalgamated Transit Union, *As States Reopen, Transit Worker Death Toll Reaches Grim Benchmark* (May 27, 2020) *available at* https://www.atu.org/media/releases/as-states-reopen-transit-worker-death-toll-reaches-grim-benchmark.

[45] Fed. Motor Carrier Safety Admin., *Expanded Emergency Declaration under 49 CFR § 390.23 No. 2020-002 (Relating to COVID–19)* (April 8, 2020) *available at* https://www.fmcsa.dot.gov/emergency/expanded-emergency-declaration-under-49-cfr-ss-39023-no-2020-002-relating-covid-19.

[46] Fed. Motor Carrier Safety Admin., *Extension of Expanded Emergency Declaration No. 2020–002 Under 49 CFR § 390.25*, (May 13, 2020) *available at* https://www.fmcsa.dot.gov/emergency/extension-expanded-emergency-declaration-no-2020-002-under-49-cfr-ss-39025.

[47] Nason, Nicole, *Letter to AASHTO*, Received by Patrick McKenna, (March 23, 2020), https://www.fhwa.dot.gov/media/aashto.cfm.

[48] Fed. Highway Admin., *Notice of Enforcement Direction: Operation of Commercial Food Trucks in Federally Funded Interstate Highway Rest Areas During the Public Health Emergency (COVID–19)* (April 3, 2020) *available at* https://www.fhwa.dot.gov/media/noe.cfm.

[49] Fed. Motor Carrier Safety Admin., *FMCSA Coronavirus (COVID–19) Information & Resources*, (last accessed June 2, 2020) *available at* https://www.fmcsa.dot.gov/COVID-19.

[50] *Id.*

in close proximity to others while on a job site. To help combat virus spread, certain areas have adopted precautions such as screening for symptoms, social distancing requirements, and staggering work schedules to reduce the total number of employees present at one time.

*RAIL TRANSPORTATION:*

Like airlines and public transportation, Amtrak has been affected by the COVID–19 crisis. In a recent letter to Congressional leadership, Amtrak stated that service is around five percent of normal levels (as of May 2020).[51] This reduced ridership has contributed to lower revenues and higher costs for Amtrak and its state-supported route partners.[52] Congress provided $1.018 billion in the CARES Act to support the national passenger railroad, of which $239 million was made available to cover the increased costs to States. The CARES Act also required Amtrak to report weekly on the number of employees furloughed as a result of the pandemic and to provide such employees the opportunity to be recalled to their previous positions when Amtrak restores service levels.

Currently, Amtrak projects a 50 percent reduction in system-wide revenue for FY 2021 compared to its original projections for the full year.[53] According to its letter to Congress, to help offset revenue losses in FY 2021, Amtrak will take steps to reduce operating costs by approximately $500 million.[54] This includes reducing $150 million by shifting all long-distance routes to less-than-daily service, significantly reducing Northeast Corridor (NEC) frequencies, and working with State partners to determine the level and type of service they can sustain.[55] Amtrak also predicts cutting labor costs by $350 million through attrition, voluntary separation programs, hiring restrictions, and other measures.[56] Some reports indicate a potential 20 percent reduction in the workforce.[57] Even after making these service and workforce reductions, Amtrak is requesting an additional $1.475 in supplemental aid, on top of its annual appropriations request, to make up for lost revenue and to cover costs associated with COVID–19 in FY 2021.

The impact of the pandemic on consumer demand and trade levels have also affected the freight rail industry and its workers. The U.S. railroads reported measuring 14.3 percent and 11.3 percent lower volumes of carloads and intermodal units, respectively, over the same period in 2019.[58] The April Surface Transportation Board's monthly employment data report shows that employment within Class I railroads has reduced by 13 percent from the year prior.[59] Across the entire passenger and freight railroad industry, the number of unemployment and sickness claims under the Railroad Unemployment Insurance Act have increased—unemployment claims in May 2020 total 29,273 (versus 4,953 in May 2019) and sickness claims in May 2020 total 10,007 (versus 8,598 in May 2019).[60]

The freight railroads have undertaken various levels of efforts to provide needed PPE to its workforce, while Amtrak recently began requiring all customer-facing employees (and all customers) to wear facial coverings.[61]

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[51] Flynn, William J., *Amtrak Supplemental FY21 Funding Letter to Congress*, Received by The Honorable Mike Pence and The Honorable Nancy Pelosi, (May 25, 2020), at https://media.amtrak.com/wp-content/uploads/2020/05/Amtrak-Supplemental-FY21-Funding-Letter-to-Congress-Final-Signed-5.25.20.pdf.

[52] *Id.*

[53] *Id.*

[54] *Id.*

[55] *Id.*

[56] *Id.*

[57] Ted Mann, *Amtrak Prepares to Cut 20% of Workforce*, WALL STREET JOURNAL (May 26, 2020) *available at* https://www.wsj.com/articles/amtrak-prepares-to-cut-20-of-workforce-11590529328.

[58] Ass'n of American Railroads, *Weekly Rail Traffic for the Week Ending May 23, 2020* (May 27, 2020) *available at* https://www.aar.org/news/weekly-rail-traffic-for-the-week-ending-may-23-2020/.

[59] Surface Transp. Board, *Employment Data*, (last accessed June 2, 2020) *available at* https://prod.stb.gov/reports-data/economic-data/employment-data/ . Note that most of the Class I railroads have implemented precision scheduled railroading (PSR), which has led to cutting its workforce. STB date does not make a distinction between reductions caused by PSR and the pandemic.

[60] Railroad Retirement Board, Staff Briefing (June 1, 2020).

[61] Amtrak, *Amtrak: Ready for Our Customers* (last accessed June 2, 2020) *available at* https://www.amtrak.com/coronavirus.

WITNESS LIST

- Mr. Larry Willis, President, Transportation Trades Department of the AFL–CIO
- Mr. Lamont Byrd, Director of Safety and Health, International Brotherhood of Teamsters
- Ms. Susannah Carr, Flight Attendant, United Airlines, on behalf of the Association of Flight Attendants—CWA
- Mr. Tom Shaw, Transit Operator, Southeastern Pennsylvania Transportation Authority, on behalf of the Transportation Workers Union
- Mr. Randy Guillot, President, Triple G Express, Inc. and Southeastern Motor Freight Inc., and Chairman, American Trucking Associations, on behalf of the American Trucking Associations

# ON THE FRONT LINES: THE IMPACTS OF COVID–19 ON TRANSPORTATION WORKERS

**TUESDAY, JUNE 9, 2020**

HOUSE OF REPRESENTATIVES,
COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE,
WASHINGTON, DC.

The committee met, pursuant to call, at 1:04 p.m., in room 2167 Rayburn House Office Building and via Webex, Hon. Peter A. DeFazio (Chairman of the committee) presiding.

[Audio malfunction.]

Mr. DEFAZIO. The test is over. OK. Back to where I was with a brief opening statement.

I mean, obviously, our Nation has been tremendously challenged over the last months. COVID has disrupted the entire fabric of the country. Hopefully, we are beginning to move toward a recovery phase, which would come with an infrastructure investment to put people back to work, but we also now have the challenge of what has happened—the murder of George Floyd.

And the House Democrats introduced a bill yesterday. It is being heard tomorrow, and it will be marked up next week. And I expect the week after next we will work on substantial justice reform in the House of Representatives. And then the following week we will be taking up an infrastructure package and perhaps other bills. I am not quite certain what all those might be.

We are hearing today from one of, obviously, under our jurisdiction, the most impacted sectors of the economy, those who work in transportation, both in terms of the economic impact, the loss of ridership or paying passengers in the case of aviation, the challenges to trucking. Certain sectors are incredibly busy; other sectors have been devastated, particularly those who deliver automobiles and some other sectors.

There have been questions in all sectors about personal protective equipment and other measures that need to be taken to protect transit workers, aviation flight attendants, pilots, passengers on airplanes, passengers in transit on rail, on Amtrak. I was talking to the new president of Amtrak yesterday. Their revenues are still down over 90 percent.

So, you know, we have many challenges across many sectors. Maritime has been impacted. So we are going to hear from the folks on the front lines today, how this has impacted them, what measures have been taken, what is working, what isn't, what further measures need to be taken—can they be done voluntarily, do they need to be done with Federal direction, either administratively or legislatively—to keep workers and passengers safe, to keep

freight moving in an orderly way, to help restore the economy, and other challenges.

So, with that, I would defer to Ranking Member Graves for his opening statement.

Sam?

[Mr. DeFazio's prepared statement follows:]

**Prepared Statement of Hon. Peter A. DeFazio, a Representative in Congress from the State of Oregon, and Chairman, Committee on Transportation and Infrastructure**

Good afternoon and welcome. I want to begin today's hearing by recognizing the tragedy of George Floyd's death at the hands of a white Minneapolis, MN police officer fifteen days ago. Our nation watched his brutal murder in horror, a murder perpetrated by the very men sworn to protect and serve their communities. George Floyd's name joins an ever-growing list of Black and brown individuals who have been victim to police brutality and systemic racism in policing.

George Floyd's murder and those of Breonna Taylor, and Ahmaud Arbery are gasping reminders of the original sins of our nation that go back over 400 years. George, Breonna, and Ahmaud's lives were taken violently because of the systemic failures of our nation. This is wrong. This is shameful. This is not what America should be, and we will not go back. We have had enough.

In the two weeks since Mr. Floyd's murder, thousands of Americans have peacefully assembled in all 50 states to petition their government for change. My hometown, which has a proud tradition of civic participation and free speech expression, saw the largest protest in our history last week, as residents rose up in response to these shameful racist acts and demanded immediate justice and reform.

The episodes of brutality by local police across the country and President Trump's ordered assault on peaceful protestors—to score a photo op—underscore the urgent necessity for reforms in our criminal justice system. My colleagues and I will make it absolutely clear to African-Americans and all victims of police brutality that we hear your pain, we mourn with you. And importantly, we will not sit idly by and let these injustices persist.

In the coming days, the Judiciary Committee will consider comprehensive legislation to reform our police departments, limiting the transfer of weapons of war to local police, and eliminate the qualified immunity doctrine that has indemnified law enforcement officers from the consequences of the violent crimes they've committed against the public they serve. Let there finally be justice and dignity for George Floyd and the countless others who lost their lives because of our past failures.

It is against this somber backdrop that we join you today under further extraordinary circumstances. The COVID–19 pandemic has affected every aspect of American life, shuttering restaurants, cancelling sporting events, and killing more than 100,000 Americans, which has disproportionately impacted African-American and Hispanic communities across the country. Even the United States Congress has been impacted, as we are joining you live from the first ever hybrid virtual and in-person hearing in our Committee's history.

While the coronavirus has left many industries reeling, few have been as hard hit as the transportation industry. Providing an essential service, transportation workers have continued to show up to work driving buses and trains, caring for passengers on airplanes, moving freight, and repairing roads and bridges.

While many of us have had the great privilege of being able to work from home, transportation workers have not. They continue showing up to work, often without adequate PPE, to make sure that our economy functions and we have access to the goods, services, and supplies that we need. When these workers go out to serve the public, they don't know what they'll be exposed to and if they'll endanger their family when they come home each night.

Truck drivers played a vital role in the early response to COVID–19, keeping grocery stores stocked with supplies and transporting PPE and other medical equipment across the country. All the while, rest stops and restaurants across the country were closing, increasing the discomfort and challenge of doing an already difficult job.

American mariners carrying food and supplies to troops stationed abroad have also been caught in the grasp of the COVID–19 pandemic. As countries across the world shut their borders, mariners participating in the Maritime Security Program

have been unable to leave their ships at international ports of call and replacement crews have been unable to provide relief due to travel bans domestically and abroad.

The global pandemic has also left the aviation industry facing the greatest financial crisis it has ever seen, and passenger demand for air travel isn't expected to return to pre-pandemic levels until 2023. While much of the attention has been focused on air carriers, more than 750,000 Americans are employed by passenger and cargo airlines, the majority of whom are facing furlough and layoff threats in the near future.

I was proud to champion language in the CARES Act to preserve airline and airline contractor jobs by creating the Payroll Support Program. I wasn't going to allow us to make the same mistakes we made after 9/11 when Congress bailed out the airlines, but the Bush administration required cuts to employee pay and benefits, including the ravaging of employee pensions while CEOs got fat bonuses and golden parachutes. We were able to guarantee rank and file employees job protections along with no reductions to their rate of pay and benefits packages through the end of September. And I will continue to fight to protect these jobs.

While air travel is trickling back up, flight attendants, pilots, gate agents, and service workers face a growing number of travelers who are not required under Federal law to wear masks, have not been screened for the virus, and are unable or unwilling to follow social distancing precautions both in the air and on the ground. Airlines have taken a patchwork approach to worker and passenger safety, with some allowing full planes to fly six-hour transcontinental journeys. Even worse, some airlines attempted to profit off of the public health crisis. Frontier Airlines began charging customers to leave an empty seat between them and other passengers until I publicly shamed them into changing their egregious policy.

Although the airlines require facemasks, the lack of a Federal mandate on protective equipment and physical distancing on board leaves flight attendants with little enforcement and greater personal risk. The FAA has refused to intervene, and Secretary Chao recently dismissed public health and safety as merely a "labor-management" issue.

But it's not just aviation employees who are forced to work in unsafe environments. Across the board, Federal agencies have refused to issue mandatory guidance protecting workers and the general public, instead relying on voluntary recommendations that offer little practical guidance other than suggesting that agencies develop rules to keep their employees safe without even collecting best practices from different sectors.

Is that the best that our Federal government can do? Encourage agencies to adopt non-specific measures on social distancing and PPE? We employ one of the greatest public health research bodies on Earth, and all we can do is vague voluntary guidance? Our transportation workers are putting their lives on the line to preserve access to health care, supplies, jobs, and the global economy. They deserve better, and I hope we can deliver that for them.

So, before I run out of time, I want to say to our witnesses, and to your brothers and sisters in the field, thank you. Your sacrifices on behalf of our country are greatly appreciated, and we know the risk you take on our behalf.

Mr. GRAVES OF MISSOURI. Thank you, Mr. Chairman. I appreciate it.

And I do appreciate your willingness to conduct today's event as a hybrid hearing. I think it is important to allow Members who want to participate in person the option to do that. And, at the very least, we ought to be able to figure out—and I think we have at this point—figure out the technical issues when it comes to the committee hearing room itself.

You know, it is important to understand just how, as you pointed out, this coronavirus pandemic has impacted frontline transportation workers so we can determine at least a path to a safe recovery. The pandemic has ravaged our country, with entire sectors of our economy coming to a screeching halt. And I am sure we all hope that last week's better than expected jobs report is the beginning of a recovery, but that still remains to be seen.

Throughout this pandemic, many workers have continued to show up and put in a hard day's work. And just like the overall

economy, different sectors of the transportation economy have been impacted in different ways by coronavirus, but many of the essential workers in the transportation sector are still doing their jobs.

So, moving forward to a recovery, we have to make smart, safe, and calculated decisions to get our workforce going and businesses hiring again. And this is going to affect our ability to restart and reconnect supply chains that are absolutely key to any recovery.

As Americans, as we get back to traveling, we need to be safe and use effective measures to give us the confidence we need to return. But we also have to ensure that the workers that provide these transportation services, that they are safe.

And I am glad we will have the opportunity today to hear directly from frontline workers about their experiences during the pandemic. And thank you to all of the witnesses for participating today, but, more importantly, thank you for keeping our economy moving even in some very, very difficult times.

And, finally, I do want to add, as everybody else has added too, it is incumbent upon us to make sure that we mute and unmute ourselves throughout this process.

But, with that, I yield back.

[Mr. Graves of Missouri's prepared statement follows:]

**Prepared Statement of Hon. Sam Graves, a Representative in Congress from the State of Missouri, and Ranking Member, Committee on Transportation and Infrastructure**

Thank you, Chairman DeFazio. First, I appreciate your willingness to conduct today's event as a hybrid proceeding. I think it is important to allow any Member who wants to participate in person the option to do so and I hope we can continue to do that for any official Committee activities.

It's important to understand how the coronavirus pandemic has impacted frontline transportation workers so we can determine a path to a safe recovery.

The pandemic has ravaged our country, with entire sectors of our economy coming to a screeching halt. I'm sure we all hope last week's better-than-expected jobs report is the beginning of recovery, but that remains to be seen.

Throughout this pandemic, many workers have continued to show up and put in a hard day's work. Just like the overall economy, different sectors of the transportation economy have been impacted in different ways by the coronavirus, but many of the essential workers in this sector are still doing their jobs.

Moving forward to recovery, we must make smart, safe, and calculated decisions to get our workforce going and businesses hiring again. This will affect our ability to restart and reconnect supply chains that are key to economic recovery.

As Americans get back to traveling, they need safe and effective measures to give them the confidence needed to return. But we also must ensure that the workers providing these transportation services are safe.

I'm glad we have the opportunity today to hear directly from frontline workers about their experiences during the pandemic. Thank you for participating today, but more importantly, thank you for keeping our country moving even in these difficult times.

Mr. DEFAZIO. Thanks, Sam. I appreciate your opening statement.

With that, I will move on to our witnesses. The first witness will be Larry Willis, president of the Transportation Trades Department of the AFL–CIO.

Mr. Willis, unmute yourself and proceed with your statement.

Someone else needs to mute. Someone else needs to mute, please.

OK. Go ahead.

**TESTIMONY OF LARRY I. WILLIS, PRESIDENT, TRANSPORTATION TRADES DEPARTMENT, AFL–CIO; LAMONT BYRD, DIRECTOR OF SAFETY AND HEALTH, INTERNATIONAL BROTHERHOOD OF TEAMSTERS; SUSANNAH CARR, FLIGHT ATTENDANT, UNITED AIRLINES, TESTIFYING ON BEHALF OF THE ASSOCIATION OF FLIGHT ATTENDANTS—CWA, AFL–CIO; THOMAS SHAW, TRANSIT OPERATOR, SOUTHEASTERN PENNSYLVANIA TRANSPORTATION AUTHORITY, TESTIFYING ON BEHALF OF THE TRANSPORT WORKERS UNION OF AMERICA; AND RANDY GUILLOT, PRESIDENT, TRIPLE G EXPRESS, INC. AND SOUTHEASTERN MOTOR FREIGHT, INC., AND CHAIRMAN, AMERICAN TRUCKING ASSOCIATIONS (ATA), TESTIFYING ON BEHALF OF ATA**

Mr. WILLIS. Thank you, Mr. Chairman and Ranking Member Graves, for the invitation on behalf of our 33 affiliated unions and millions of frontline workers represented by the unions the opportunity to be here virtually today. I think it is an important hearing.

I want to thank you, Mr. Chairman and Mr. Graves, for your kind comments about our members and the role that we are playing during this pandemic; and, Mr. DeFazio, for your leadership, and members of this committee, with the CARES Act and the Heroes Act, other things that have been done to speak to this public health and economic crisis.

You know, our members, they operate and build transportation networks that bring people, goods, and critical supplies to every corner of our Nation. Whether they work in aviation, transit, or rail, commercial bus, construction, or longshore and maritime sectors, they are essential by any definition of the word.

As COVID–19 has spread across our country, many of these workers have continued to perform essential duties, often at great personal cost. I am talking about transit workers who have continued to drive buses in the face of the pandemic despite hundreds, if not thousands, of deaths in this sector alone; longshore workers who continue to load and unload vessels in close quarters; the freight rail workers who forge ahead even as carriers slash workforces that are already dangerously thin; pilots and flight attendants, who were some of the first U.S. workers exposed to COVID–19, that were not given the right tools they needed to protect themselves and their passengers.

I am also talking about those who have lost their jobs as our economy has ground to a halt, are unsure about when their next paycheck is coming, and now find themselves without healthcare during a pandemic.

Since the beginning of this crisis, transportation labor has prioritized the safety of our Nation's frontline workers. You called for appropriate PPE, workplace sanitation and cleaning procedures, and proper social distance policies at work.

Despite these repeated calls for action, this administration and far too many employers have failed to provide timely or appropriate responses to this virus or have flat-out refused to act.

In this stunning absence of leadership and swift action, it has been working people and their unions that have sounded the alarm and used their collective power to——

[Audio interruption.]

Mr. DEFAZIO. Please mute.

Go ahead, Larry.

Mr. WILLIS. But a crisis of this magnitude demands a national solution. Congress must act decisively and with the full authority of the Federal Government. For transportation workers, this means enforceable, modal-specific rules that we know will keep our members, passengers, and their families safer and better protected.

Many of the mandates we have called for were included in the Heroes Fund pension reform passed by the House and should be expanded to cover our broad and diverse transportation system. We also support the Every Worker Protection Act of 2020, which would require OSHA to issue an Emergency Temporary Standard within 7 days. By adopting these measures, Congress can make a real difference in the lives of frontline transportation employees and all workers.

Your job, however, cannot end there. The economic impact of COVID–19 has been devastating and will reverberate years beyond the immediate healthcare crisis that we are in. Congress must use every tool at its disposal to mitigate the hard times ahead, including bold Federal investment in our transportation network.

Public transit needs billions more to maintain critical services and avoid job cuts in communities across the country. Amtrak reports it is expecting a 50-percent cut in riders in the next fiscal year and plans to furlough up to 20 percent of its workforce—a plan that must be rejected.

The closure of school facilities has resulted in the loss of employment for thousands of schoolbus drivers, mechanics, and other employees. Slowing cargo volumes threaten the viability of the U.S. maritime industry. Stipends for vessels enrolled in the Maritime Security Program should be increased.

Air travel, as has been mentioned, is down over 90 percent compared to last year. And while the CARES Act payroll grant program did an excellent job of preventing immediate and massive crisis in the sector, we know that the airline industry remains in an extremely difficult and challenging financial position.

We also know that investing in infrastructure creates and sustains good jobs in construction, maintenance, operations, and manufacturing. What is more, when we improve the quality and accessibility of our transportation network, the economic opportunity of those investments extends to every corner of our economy, from businesses who can move goods quicker and more reliably, to workers who reach new opportunities because of improved highway and transit access.

Finally, we cannot ignore the fact, especially given the times that Chairman DeFazio mentioned, that communities of color have been disproportionately impacted by this crisis. We must understand that this did not happen by accident; it was the direct result of systemic racism that has plagued our Nation.

While one hearing, one speech, with one piece of legislation cannot unravel generations of oppression, change can start today, right now, with all of us. As lawmakers, as labor leaders, as workers, we must all see racism and racial injustice for the disease that it is and seek to implement solutions that uplift and support our black

and brown brothers and sisters and say with conviction, "Black lives matter."

With that, Mr. Chairman, thank you again for the opportunity to testify.

[Mr. Willis' prepared statement follows:]

**Prepared Statement of Larry I. Willis, President, Transportation Trades Department, AFL–CIO**

On behalf of the Transportation Trades Department, AFL–CIO (TTD), and our 33 affiliated unions, I want to first thank Chairman DeFazio and Ranking Member Graves for inviting me to testify today on the impacts of COVID–19 on the transportation workforce. I am also proud to be here today with witnesses from two TTD-affiliated unions; Susannah Carr, a United Airlines flight attendant on behalf of the Association of Flight Attendants, CWA and Tom Shaw, a transit operator at SEPTA on behalf of the Transport Workers Union.

As COVID–19 has spread across the nation, causing over 100,000 deaths and unprecedented disruption to our way of life, we appreciate the opportunity to share the perspective of the frontline transportation workforce.

The working people we represent move America. Our members run and build the transportation networks that bring people, goods, and critical supplies to every corner of our nation. It is our members in every segment of the aviation, transit, commercial bus, rail, construction, longshore, and maritime sectors that make these industries function. They are essential by any definition of the word.

Over the last few months, many of these workers have continued to perform their essential duties, far too often at great personal cost. Many others find themselves among the 40 million Americans who have lost their jobs due to an economy that has ground to a halt. During a national health crisis, these members are now without their hard-earned union health care benefits, and are unsure when the next paycheck is coming. Workers have felt these impacts across every sector of the transportation industry, and I am here today to tell their stories.

When essential employees like medical personnel have to get to their jobs, it is our members who get them there safely. Transit workers have continued to drive and maintain buses in the face of pandemic, despite hundreds if not thousands of deaths in the sector. At the same time, a drastic drop in fare box revenues threatens the abilities of transit agencies to continue to provide service at all.

A 95% decrease in ridership on Amtrak threatens the livelihood of its employees and the future of the carrier, who just last week announced it will be cutting up to 20% of its workforce starting in the fall. Air travel is likewise down over 90% compared to last year and this industry faces severe financial strain. While the CARES Act payroll grant program protects jobs until October 1st, many workers are facing reduced hours and uncertain job security once the layoff and furlough protections are lifted. The indefinite cancellation of in-person education has left thousands of school bus drivers, matrons, and mechanics out of a job with no end in sight. The motorcoach industry, which provides critical intercity transportation across the country, has seen nearly 3,000 companies shut down and almost 100,000 employees laid off.

This crisis also reminds us of the irreplaceable role of our freight network and its essential workforce. Food, medical supplies, and the goods that fuel our economy must still reach their destinations, yet, COVID–19 has not spared the systems and employees that move them. Across the country, freight railroads are slashing already dangerously thin workforces as carloads fall. We are witnessing outbreaks at ports and harbors where longshoremen load and unload vessels in close quarters, and increasingly uncertain futures for the maritime shipping industry and sustainment of the essential defense functions it provides. Even the Postal Service is at risk, as USPS and the 600,000 jobs it supports face total insolvency in a matter of months without needed and warranted government assistance.

This crisis also requires us to support the work that federal employees play in keeping our transportation network safe and secure and recognize steps that must be taken to protect this workforce. For instance, at the FAA, employees work in close proximity to each other, use shared electronic equipment, and cannot always follow the CDC's recommendation for social distancing to avoid spreading the virus. Through their unions—air traffic controllers, technicians, inspectors, and other essential FAA employees—fought for and secured smart teleworking policies, flexible scheduling and operational practices, and coordinated cleaning and sanitization to

reduce employee exposure to the virus. At TSA, similar joint action is needed to ensure the safety of the Transportation Security Officers (TSOs) who are continuing to do their jobs keeping our nation's skies safe. TSA needs to provide clear mandates for masks in security checkpoints for passengers, as well as the regular rotation of security lines for cleaning and sanitization. Further, now more than ever, TSOs need the rights and due process afforded to other federal employees through Title V.

A loss of state revenues and financial uncertainty has frozen critical infrastructure projects, threatening both the construction workforce and the transportation system that depends on the continuous maintenance and improvements they provide. At the federal level, a suspension of aviation taxes and a lack of consumer demand in the industry has threatened the viability of the Airport and Airways Trust Fund, which provides funding for FAA operations, facilities and equipment, research and development, and airport improvement grants.

Since the beginning of the pandemic, it has been the top priority of transportation labor to ensure that frontline employees are provided the protections they need to keep them as safe as possible from exposure to COVID–19. Simply put, it is untenable and unacceptable for any essential infrastructure employee to go to work without adequate personal protective equipment (PPE), for their workplace to be improperly cleaned and sterilized, or to be potentially exposed to COVID–19 because of improper social distancing policies or passengers without face coverings.

Unfortunately, many of our employers took weeks or months to roll out meaningful COVID–19 responses. Some airlines, as well as Amtrak, actually prohibited the use of masks or gloves by their employees until pressured into reversing course. A commuter railroad refused to stop using a biometric device employees use to clock in to work, acknowledging that while the equipment was frequently touched by dozens of people, it would be too burdensome to switch to a safer system. And a freight railroad provided its conductors and engineers with masks of such poor quality that facial hair poked straight through the fabric.

While some individual efforts have been more successful, the patchwork of COVID–19 plans across our transportation system has been inadequate. A national crisis demands national response and leadership. This is why we have repeatedly called on the federal government and this administration to impose mandatory safety rules in all modes of transportation and across our broader economy. Too often these pleas have been rejected or simply ignored due to a misguided belief that employers will eventually rise to the challenge of their own accord. Let's be clear: these failures and inactions have directly caused infections and cost lives that could have been saved with early and well-coordinated strategies.

Let us also be clear: it has been workers and their unions that have sounded the alarm in the workplace and used collective bargaining agreements and public advocacy to force the hands of policymakers and employers. The ability of workers to document safety violations without fear of reprisal, secure meaningful sick leave policies, and access Employee Assistance Programs exists because many transportation workers are covered by collective bargaining agreements.

However, we cannot continue with piecemeal solutions across companies, agencies, cities, and states. Congress must act decisively and with the full authority of the federal government. We applaud your efforts to include needed modal specific protections for aviation, transit, and Amtrak in the HEORES Act. Strong federal mandates like these are the clear solution to keeping transportation workers safe. We call on Congress to build on the framework of HEROES and provide similar critical protections for all frontline transportation workers. This includes:

- The provision of high quality PPE, in accordance with CDC guidelines, to employees who are at risk of infection. This must include masks, gloves, hand sanitizer, and sanitizing wipes
- A requirement of owners and operators of planes, commercial motor vehicles, trains, and vessels to clean and sanitize them per CDC guidelines
- A requirement of owners and operators of transportation facilities to clean and sanitize them per CDC guidelines
- The establishment of mandatory notification systems, by which employees are alerted if a coworker has tested positive
- A mandate for passengers to wear masks on all passenger transportation

In addition to the transportation and modal specific standards, we also support H.R. 6559, the COVID–19 Every Worker Protection Act of 2020 and the promulgation of an OSHA Emergency Temporary Standard (ETS), to provide enforceable workplace safety standards across the country and across industries. Regrettably, the Occupational Health and Safety Administration (OSHA) has thus far been unwilling to issue a standard that would mandate adequate provision of PPE and workplace cleaning and sanitizing. While the ETS is long overdue at this point, the

bill would be a strong step towards finally protecting all workers from COVID–19, as well as from retaliation for reporting infection control problems to their employer or for wearing their own PPE.

In addition to PPE, protection of transportation workers must also include rapid and reliable testing. Employees across all industries must be able to quickly access testing at no cost to themselves and without retaliation for doing so. In the event that a worker tests positive, they must further be permitted to use paid sick leave while they are ill. Failure to deploy large-scale, accessible testing or incentivizing workers to avoid tests because they are afraid of losing wages or their job entirely will ensure the pandemic lasts longer, and extracts a higher human cost from the transportation industry.

The unique impacts of COVID–19 may also necessitate a fundamental reimagining of existing employee benefits. It is unconscionable that any worker in the U.S. would be forced to go into work while sick with the virus because they are not offered paid sick leave. The deaths of 100,000 individuals and counting threaten financial ruin for thousands of families, and to this end, some form of death benefit could be warranted. We support the HEROES Act expansion of the Longshore and Harbor Workers' Compensation program to cover any worker infected with COVID–19, and believe that it is an excellent template for other frontline workers.

We also support the creation of a hazard or premium pay mechanism for frontline employees who continue to come to work despite the danger to themselves and their families. The inclusion of the HEROES Fund and its provision of $13 per hour of additional pay in the House-passed bill is a desperately needed recognition of the conditions our members face. As with the provision of PPE, some private employers have adopted premium pay programs voluntarily, frequently to great fanfare. But too often, once the cameras are gone and any hint of reopening begins, these benefits have vanished. A comprehensive federal program, supporting a wide swath of private and public sector employees should continue to be an integral component of your efforts. By adopting these tenets, Congress can make a real difference in the lives of frontline transportation workers, and better ensure that they can safely return to their families at the end of the day. The members represented by TTD's affiliate unions have risked everything to keep the nation moving, and they deserve both gratitude and decisive action.

Congress' job however, cannot end there. In addition to the need to protect workers from the virus, we must also address the immediate and longer-term economic toll this pandemic has taken and will continue to impose on our country. As states reopen and some Americans return to work, we should understand that the economy will not immediately snap back to pre-COVID levels of productivity. While there is no doubt that the shutdowns and social distancing requirements of the last several months were necessary, potentially catastrophic after-effects must be addressed. Fortunately, Congress has numerous tools at its disposal to avoid some degree of the hard times ahead.

Without bold federal investments, core components of our transportation network face disaster. Passenger transportation will not rebound the day, week, or month that distancing restrictions are relaxed. We have called for substantial emergency supplemental funding for public transit agencies to ensure that employees remain connected to their jobs and benefits, and that transit systems can continue to operate during elongated downturns in fare box revenue. While Congress avoided the immediate crisis for public transit by providing robust funding in the CARES Act, we know that billions more will be needed in the coming months.

Similarly, Amtrak projects that, optimistically, its ridership will be 50% of normal in FY '21, and it believes it cannot operate on such reduced revenues. We support its request for an additional $1.475 billion, but demand that further assistance be predicated on avoiding furloughs and safeguarding future service. We also believe emergency supplemental funding is needed for the motorcoach industry and its heavily impacted workforce. Congress must also develop a solution to ensure the continued solvency of the Airport and Airway Trust Fund that will support the FAA so it can continue to operate and maintain the National Airspace System.

We also know that investing in infrastructure is one of the greatest investments the federal government can make, with a return of between $1.50 and $3 dollars for every dollar spent. Those investments directly create and sustain good jobs in construction, engineering, maintenance, and operations. What's more, when we improve the quality and accessibility of our transportation network, the economic opportunity of those investments extends to every corner of the American economy—from businesses who can move goods quicker and more reliably to workers who can reach new opportunities because of improved highway and transit access.

While we believe that significant long-term investment in infrastructure is one of the most crucial steps Congress can take right this minute to put us squarely on

the path to recovery, those investments will mean little if we sacrifice our capacity to put projects on the ground. The economic impacts of COVID–19 on state and local funding must also be taken seriously. Revenue from sales taxes, gas taxes, municipal bonds, fare box collection, tolling, and other sources state and local governments count on to pay their share for infrastructure have taken a significant hit. We cannot wait to shore up lost revenue and make critical infrastructure investments until after state DOTs are forced to furlough workers, cities can no longer access financing to revitalize crumbling streets, and construction workers have been laid off because projects are being cancelled.

Economic impacts must also be addressed in the maritime industry, where slowing cargo volumes threaten the viability of the U.S. flagged vessels enrolled in the Maritime Security Program. We have called for both supplemental stipends for enrolled vessels and programmatic waivers that will preserve the defense-critical operational readiness of the vessels and ensure continuing full employment of qualified U.S. mariners. Beyond economic needs, U.S. mariners are presently trapped aboard U.S.-flag cargo ships, unable to take leave or return home due to extreme COVID–19 lockdown measures imposed by foreign governments who will not allow them to disembark at ports and access transportation services. These mariners must be brought home immediately.

As mentioned, the closure of school facilities has resulted in loss of employment for thousands of school bus drivers. While Congress has directed meaningful funding to education programs, including for payroll of district employees and contractors, these funds have not always reached these workers. To date, far too many drivers have been left out in the cold. Congress must address this problem and ensure that the jobs and benefits of all school bus drivers are protected.

We also must not allow short-sighted political gamesmanship to destroy irreplaceable and critical institutions. Congress must address the emergency financial needs of the USPS, and should not permit long-standing privatization proponents to take advantage of the pandemic to allow USPS and its workforce to wither on the vine.

Finally, in the event that any future stimulus legislation addresses the manufacturing sector, we call on you to ensure that such efforts specifically and exclusively target domestic manufacturing with strong domestic content standards. We will not recover from this crisis by subsidizing work performed in other countries and overseas.

Congress' role must not end when COVID–19 positives hit zero, or the last patient leaves the hospital—it must wield the full strength and support of the federal government and lead our country and its critical infrastructure workers forward. We cannot undo the tragic impacts the pandemic has had thus far, but we can change the terms of a post-pandemic future.

While I have outlined a number of positive steps Congress can take to alleviate the effects of this crisis, I must also warn that there are industries who are opportunistically using this public health crisis as an excuse to rush through their own unrelated priorities. To this end, we call for vigilance from this committee on actions taken by the Department of Transportation's modal agencies. While agencies have found it prudent to waive, modify, or otherwise suspend certain safety regulations to better adapt to COVID–19 conditions, we note that many of these waivers align with long-term deregulatory priorities of industry. Going forward, we reject any characterization that brief demonstrations during deeply unique circumstances is adequate justification for the modification of long-standing regulations. It is our hope that the Committee will exercise its oversight on any such attempts.

In closing, I speak to you today at a critical juncture in the nation's response to the COVID–19 pandemic. The actions that this committee and Congress take in the coming weeks will be highly determinative of what the future holds for the critical infrastructure workers represented by TTD's member unions. We look forward to working with you on legislation that protects workers, their families, and the travelling public today; and guarantees a robust and functional transportation system for tomorrow. Thank you for the opportunity to testify.

Mr. DEFAZIO. Thank you, Mr. Willis.

Next, we will proceed to Lamont Byrd.

And, oh, I neglected to say at the outset that your statements in their entirety will be included in the record, without objection.

Hearing none.

I will ask each witness to summarize and stay within the 5 minutes, because I am sure we are going to have a number of questions from Members.

So next will be Lamont Byrd, director of safety and health, International Brotherhood of Teamsters.

Lamont, unmute and testify.

Mr. BYRD. Thank you, Chairman DeFazio, Ranking Member Graves, and members of the committee. Again, my name is Lamont Byrd. I am the director of safety and health for the International Brotherhood of Teamsters. And thank you for inviting me here to testify today.

The Teamsters Union represents over 600,000 commercial drivers and other transportation workers who transport goods throughout our Nation's supply chains. Most of our transportation members are essential employees who transport groceries and other critical supplies. Our more than 250,000 UPS members are delivering an extraordinary number of packages to our homes as a result of the increase in online shopping. We also represent drivers and other workers in the solid waste and medical waste sectors, who are especially key during this pandemic.

An example I would like to share with you is the work that our members from the Yellow and Roadway companies recently did for a nationwide retailer of essential goods. In a highly coordinated, time-sensitive move, Teamster drivers delivered plexiglass safety shields to more than 1,500 retail locations so the workers in those stores could operate safely and provide the goods needed in their communities.

In spite of being at an unprecedented health risk themselves, truck drivers and other transportation workers continue to perform essential services 24 hours each day, 7 days each week. They deliver goods and perform their jobs regardless of the fact that they may be working in a COVID–19 hotspot.

Teamster representatives report that some of our driver members are being pressured to work longer hours and deliver more freight due to significant increases in freight volume. In other sectors, drivers are experiencing significant declines in the number of loads that they transport, and some report being laid off.

Drivers report that there continues to be shortages of PPE and safety supplies available to them. Some motor carriers are not consistently complying with CDC guidelines and best practices for COVID–19 prevention.

They also report having difficulty accessing food, toilet, and hand-washing facilities while on the road as a result of businesses being closed or having policies that restrict visitors from using them. Teamster locals are picking up the slack by making masks for our members and producing and distributing massive quantities of hand sanitizer for drivers to use while on the job.

Commercial drivers have an important role in ensuring that our Nation has stable, operational supply chains; studies suggest that they may also be key workers relative to acquiring and transmitting diseases that are spread from person to person.

Commercial drivers travel extensively, come into contact with large numbers of people, and have higher rates of obesity and chronic conditions. These factors combined suggest that truck drivers may be at increased risk of exposure to SARS CoV–2, experience more serious illness should they develop COVID–19, and may spread the disease as they travel.

Truck drivers and all transportation workers need forceful, science-based legislation and health and safety regulations. Regulatory agencies need the funding, staffing, and authority to enforce those regulations. And employers need assistance to ensure that they can manage the economic challenges they face due to the pandemic.

To that end, Senators Cantwell, Markey, and Blumenthal recently introduced the Essential Transportation Employee Safety Act of 2020. This bill would, among other things, compel trucking companies to come clean and disinfect their trucks in accordance with CDC guidance. It would also assist drivers in getting PPE and priority testing in the case of exposure. The International Union strongly supports this legislation and encourages that it be passed into law.

We also need an OSHA Emergency Temporary Standard on airborne infectious disease. The Every Worker Protection Act, introduced by Congressman Scott in the House and Senator Baldwin in the Senate, would require the standard to get done. Drivers are at a high risk of exposure when they make deliveries to warehouses, nursing homes, or other work sites. Making sure that the workers that they encounter during these deliveries are covered by an OSHA standard will go far in helping to keep truck drivers safe while on the job.

Drivers also need their employers to be able to weather these troubling times economically. In passage of the CARES Act, Congress foresaw the challenges that many essential businesses would encounter when operating in a pandemic environment. It is important for small and large trucking companies to have access to resources made available under the CARES Act.

When the economic recovery begins, shippers will be counting on motor carriers, large and small, to transport their goods. We need them and their drivers ready to answer this call.

There has never been a more challenging time to be a transportation worker. Conditions our members have been working under during the pandemic are unprecedented, and our members continue to provide nonstop service to keep our Nation's supply chains operational.

I again would like to thank you for the opportunity to share our thoughts with you, and I am available to answer any questions that you may have. Thank you.

[Mr. Byrd's prepared statement follows:]

**Prepared Statement of Lamont Byrd, Director of Safety and Health, International Brotherhood of Teamsters**

INTRODUCTION

Chairman DeFazio, Ranking Member Graves, and Members of the Committee, my name is Lamont Byrd, Director of Safety and Health for the International Brotherhood of Teamsters (IBT). Thank you for inviting me here today to testify about the impact of COVID–19 on transportation workers.

The Teamsters Union represents over 600K commercial drivers and other transportation workers who load/unload/handle and transport goods that are critical to supporting this nation's supply chains. The majority of our transportation sector workers are classified as essential employees, including those who transport groceries, medical supplies, and general freight from our food processing and manufac-

turing facilities, and ports. Our membership also includes over 250 thousand UPS workers who, as a result of the pandemic are processing and delivering extraordinary numbers of packages to homes as a result of a dramatic increase in online shopping. We also represent solid and medical waste workers who are an oftentimes overlooked group of transportation workers who are especially key to during this pandemic as they support our efforts to maintain this nation's public health and sanitation.

Transportation workers are at unprecedented health risk, yet they perform essential services 24 hours each day, 7 days each week. They deliver goods and perform their jobs regardless of whether that geographic area has been designated as a COVID–19 "hot spot". In many instances, they perform this critically important work without having been provided with the necessary personal protective equipment and safety supplies to protect themselves.

An example I would like to share with you is the work that drivers and dockworkers from the Yellow and Roadway companies recently did for a nationwide retailer of essential goods. In a highly coordinated, time-sensitive move, Teamster drivers delivered plexiglass safety shields to more than 1,500 retail locations so the workers in those stores could operate safely, thus ensuring their communities had the goods they needed.

### IMPACT ON TRANSPORTATION WORKERS AND MOTOR CARRIERS

Teamster Union representatives report that some sectors of the trucking industry have experienced a veritable explosion in freight volume that surpasses what is normally seen during peak volume seasons. Consequently, drivers in those sectors are frequently being pressured to work longer hours and deliver more freight; and doing so without the staffing support that they normally receive during peak freight seasons.

Other sectors of the industry are experiencing a steep decline in volume and revenue as some state governments issue "stay at home" orders as a result of the COVID–19 pandemic. Drivers in those sectors are working fewer hours, delivering less freight, experiencing reductions in compensation, and in some cases have been laid off.

Motor carriers report that they are incurring increased operational costs and challenges at a time when the nation is depending on our truck driver members to make around the clock deliveries. Management representatives from those motor carriers suggest that the increased operational costs are a direct result of providing personal protective equipment (PPE); implementing enhanced cleaning and disinfection protocols; and delays at shipper's businesses.

Drivers report that there continue to be shortages of PPE and safety supplies available to them. Some motor carriers are not consistently complying with CDC guidelines concerning routine cleaning and disinfecting shared vehicles and tools; not enforcing policies requiring maintaining physical distancing and providing PPE and other safety supplies. Teamster locals have had to pick up the slack, making masks for our members, or even producing and distributing massive quantities of hand sanitizer for our drivers to use on the job.

Teamster drivers also report experiencing difficulty accessing food, toilet, and handwashing facilities while on the road as a result of businesses being closed or having policies that restrict visitors from using the facilities.

### IMPACT ON DRIVER HEALTH AND SAFETY

Commercial drivers not only have a significant role in ensuring that this nation has stable, operational supply chains, according to researchers who submitted a recent journal article[1], they may be key workers relative to acquiring and transmitting the virus such as SARS CoV-2, which causes Coronavirus Disease 2019 (COVID–19). This virus is spread from person-to-person, and there are factors associated with commercial drivers that place them at increased risk of becoming infected and spreading the virus. The Bureau of Transportation Statistics (BTS), reported that truck drivers traveled over 180 billion miles in 2018[2]. They traveled to virtually every corner of the United States. Due to the nature of their work, they come into contact with a wide range of individuals, including, but not limited to customers, coworkers, and members of the general public. Drivers also have social contacts both at home and on the road.

[1] "A novel COVID–19 based truck syndemic? Implications for public health, safety, and vital supply chains". MK Lemke, PhD, et al., American Journal of Industrial Medicine, 2020.

[2] https://www.bts.gov/content/us-vehicle-miles

Several studies are concluding that truck drivers are likely to have a higher rate of medical conditions such as obesity, diabetes, and hypertension.[3] Studies also show that tobacco use tends to be more prevalent among this group of workers[4] and they tend to work longer hours than most other workers. These factors combined suggest that truck drivers may be at increased risk of exposure to SARS CoV-2; experience more severe health outcomes should they develop COVID–19, and may spread the disease as they travel.

As they see their coworkers and other individuals become ill and even die, many of our driver-members express concerns about becoming occupationally exposed, ill, and spreading the infection.

WHAT IS NEEDED?

Commercial drivers not only have a significant role in ensuring that this nation has stable, operational supply chains, but researchers also suggest that drivers may be key workers relative to acquiring and transmitting viruses that are spread from person-to-person, such as SARS CoV-2. Commercial drivers travel to all corners of the United States and they can interact with a large number of people, including customers, social contacts, and the general public.

Studies show that drivers are likely to have a higher rate of medical conditions such as obesity, diabetes, and hypertension; and have a high rate of tobacco use. These factors combined suggest that truck drivers may be at increased risk of exposure to SARS CoV-2; experience more severe health outcomes should they develop COVID–19, and may spread the disease as they travel. Truck drivers and all transportation workers need forceful, science-based health and safety regulations and regulatory agencies need the funding, staffing, and authority to enforce those regulations to ensure that they and the critical supply chains they support are protected. They also need strong legislation put in place to protect their health and safety and ensure that their employers can manage the economic challenges that they face as a result of the pandemic.

To that end, Senators Cantwell, Markey, and Blumenthal recently introduced the Essential Transportation Employee Safety Act of 2020. This bill would, among other things, compel trucking companies to clean, disinfect, and sanitize their trucks in accordance with CDC guidance. It would also assist drivers in getting PPE and priority testing in case of exposure. The International Union strongly supports this legislation and encourages it to be passed into law.

We also need OSHA to issue an emergency temporary standard on airborne infectious disease. The Every Worker Protection Act (H.R. 6559) introduced by Congressman Scott in the House and Senator Baldwin in the Senate would require this standard get done. Drivers are at a high risk of exposure when they stop to make a delivery at a warehouse, factory, or other worksites. Making sure the people they interact with during these deliveries are in turn covered by an OSHA standard will go far in helping to keep truck drivers safe on the job.

Drivers also need their employers to be able to weather these troubling times economically. In the passage of the CARES Act, Congress foresaw the challenges that many essential businesses such as trucking companies would encounter when operating in a pandemic environment. It is just as important that small and large trucking companies have access to resources made available under the CARES Act. When the economic recovery begins, retailers, manufacturers, and businesses will be counting on motor carriers, large and small to transport their goods. We need them, and their drivers, ready to answer this call, and not rebuilding in the wake of this crippling economic downturn.

On the regulatory front, we are concerned that there are efforts to weaken regulations that should be protective of transportation workers. The FMCSA recently revised the Hours of Service Regulations for commercial drivers by:

- Increasing the daily work hours for short-haul drivers from 12 hours each day to 14 hours and expanding the driving window from 12 to 14 hours
- Requiring drivers to take a "rest" break after 8 hours of continuous driving. This is a significant departure from the previous rule that required drivers to take a rest break within the first 8 hours of coming on duty.
- Defining "rest period" as any time period during which a driver is not operating a commercial motor vehicle. This "rest" period time includes off duty time, or on-duty, not driving time (during which a driver may perform non-driving job tasks such as loading or unloading a truck, or manually delivering goods). The previous rule required drivers to be off duty during the "rest" period.

[3] https://www.ncbi.nlm.nih.gov/pmc/articles/PMC6237367/
[4] https://www.ncbi.nlm.nih.gov/pmc/articles/PMC1945044/

The regulatory revision occurred while commercial drivers who are involved in the transportation of goods in response to the pandemic are operating under "suspended" hours of service regulations, which allows drivers to drive and work an unrestricted number of hours on a daily and weekly basis. We commented on this regulatory revision and expressed our concerns that the revisions will not mitigate driver fatigue or improve transportation safety. There is also an ongoing discussion about a shortage of qualified commercial drivers that is further complicated by the fact that the drivers that are currently active in the transportation industry are an aging workforce.

We agree that there is a need for an influx of new drivers into the transportation industry. In an effort to make a positive contribution towards recruiting and training new drivers and dockworkers and upgrading the skills of incumbent dockworkers, the Teamsters Union, in collaboration with the Department of Labor and several motor carrier employers, established a transportation worker apprenticeship program. However, we are aware of some stakeholders looking at this crisis as an opportune time to expand the driver workforce by lowering the minimum driving age for commercial motor vehicle operators in interstate commerce. We disagree, commercial driving is an extremely complex job, and to perform this job safely, drivers have to be able to competently operate a large vehicle, efficiently manage time, and make life decisions to manage their health and safety. Failure to meet these criteria can result in significant consequences regarding the health and safety of the driver, the motoring public, and due to the pandemic, the stability of the supply chains. Not to mention the callousness of suggesting there is a lack of trained drivers in this country while millions of workers, including many truck drivers, are out of work.

CONCLUSION

There has never been a more challenging time to be a driver than now. Conditions our members have been working under during the COVID–19 pandemic are unprecedented. Our drivers and other members have been providing non-stop service, under extraordinary circumstances, to keep our nation's supply chain open for business. This workforce is critically important to this nation's ability to maintain operational supply chains and should be afforded the protections and support need to enable them to perform their jobs safely. We thank you for the opportunity to present our experience to you today.

Mr. DEFAZIO. OK. Thanks very much, Lamont.

Now, Susannah Carr, flight attendant for United Airlines, on behalf of the Association of Flight Attendants—CWA, AFL–CIO.

Susannah?

Ms. CARR. Chairman DeFazio, Ranking Member Graves, and members of the committee, thank you for allowing me the opportunity to speak with you today.

I have been a flight attendant for United Airlines and a member of AFA since 2015. What began as a means to see the world turned into the career of my dreams. I take pride in my role as one of aviation's first responders, a professional certified by the Federal Aviation Administration.

When reports of COVID–19 began to circulate, I, like many, hoped it would be contained, it would be addressed swiftly, and that the impact to our industry would be minimal. What began as a few canceled flights to Asia quickly escalated to a full pull-down of our flight schedule.

My life and the lives of my coworkers were immediately disrupted. Overnight, our industry went from thriving to at risk of total collapse. Within a matter of days, the security of our jobs came into question. If something didn't change fast, not only would we be without our careers, we would be without our health insurance in a global pandemic.

Without the swift action of Congress in the drafting and passing of the CARES Act, I would be on furlough now. Because of your

leadership, I kept my job. I am able to pay my bills and have the peace of mind that a paycheck and medical insurance coverage provides, particularly in a time of crisis.

I want to work, and I have remained on active status with my airline throughout the pandemic, but my last working flight was on March 22, 2020. It was a return flight from Zurich, United's last direct flight.

I remember how concerned the passengers were about being able to get home. Many were wearing masks or covering their faces with scarves or other clothing. Some had on gloves. Many of our passengers refused to take any of the service items from us, trying to limit their contact. You could feel the tension on the plane. People were visibly worried about anyone moving around, and they worked to stay away from the other passengers.

Although masks were available for emergencies, we were discouraged from wearing them during normal procedures. We wore gloves, which we changed frequently, and used disinfectant wipes to clean our workspaces. We used hand sanitizer each time we came through the galley. As a first responder, I wanted to reassure passengers that I was doing everything I possibly could to get them home safely.

We know a lot more now than we did in March about the virus. I know that we need clear and enforceable Federal rules for health and safety that will protect our passengers, all of us serving as essential workers, our families at home, and millions of businesses counting on the resumption of safe commercial air travel.

I have been ready and on call to report for assignment. My most recent assignment was airport standby. Procedures had changed, and I had to report early in order to complete a brief health assessment and temperature check. I was cleared before I was admitted through security.

During my last assignment, the normally busy Newark Airport was nearly empty. While on duty, I was called to preboard a flight to Houston. The gate area was crowded with passengers not following the social distancing guidelines, including removing their masks. When I was released from my boarding assignment, the gate area remained equally crowded.

The next time I report to work, which could be tomorrow, I will be required to submit additional health assessments, which include self-examination and a temperature check by a company application.

Each time I come to work, there is a risk of exposure. I haven't been able to visit my mother in over 3 months because she is in a high-risk category. My coworkers and I worry about bringing this virus home to our loved ones.

COVID–19 remains an unprecedented threat to aviation. The traveling public needs to feel confident that they are safe to travel and be aware of the changes made for their safety. Creating a unified set of rules for all airlines ensures there is no confusion or personal interpretation of safety guidelines.

The Department of Transportation has taken steps to protect the health of passengers before, requiring passengers to refrain from smoking and to wear a seatbelt while seated. In a post-pandemic world, wearing a mask should be no different.

Based on my years of experience, I know that a Federal mandate to require all passengers and crew to wear a face mask while in the airport and while onboard the aircraft is necessary. The virus is a safety threat that we cannot see, and yet we must continue to do everything in our power to protect ourselves and the passengers who have placed their trust in us.

I believe that clear Federal rules will also help rebuild confidence in air travel and allow us to play our role in the country's broader economic recovery.

Although air travel is slowly picking up, it is nowhere near the level that it was before the pandemic began. We will almost certainly need continued support after September 30. That is why Congress must act now to continue the work the CARES Act began.

Payroll support needs to be continued through at least January 31, supporting workers like me during a recession and ensuring we can continue to contribute not only as aviation's first responders but as part of a recovering economy. Without an extension, mass layoffs are surely a certainty.

My fellow aviation workers have shown incredible bravery as they have continued to work on the front lines of this pandemic. We shouldn't have to depend on the goodwill of carriers or on voluntary international standards to keep us and our passengers safe during this health crisis. We need a mandatory Federal standard to keep everyone safe. We are counting on Congress and the members of this committee to get through this difficult time.

Thank you for inviting me, and I look forward to your questions.

[Ms. Carr's prepared statement follows:]

**Prepared Statement of Susannah Carr, Flight Attendant, United Airlines, testifying on behalf of the Association of Flight Attendants—CWA, AFL–CIO**

Dear Chairman DeFazio, Ranking Member Graves, and Members of the Committee:

My name is Susannah Carr. I am a Flight Attendant with United Airlines, based at Newark Liberty International Airport. On behalf of the 50,000 members of the Association of Flight Attendants—CWA, AFL–CIO (AFA), and millions of workers in aviation and across the transportation sector, thank you for the opportunity to testify today on the risks we face on the front lines of the pandemic and the important work Congress has done to protect my job and those of hundreds of thousands of aviation workers in the air and on the ground.

COVID–19 remains an unprecedented threat to aviation. Hundreds of flight attendants have tested positive for the virus and 10 have lost their lives. Three months in, commercial volume is still down by more than 85 percent from last year. As a result of the pandemic, nearly 1,000 U.S. Flight Attendants have lost jobs permanently and thousands more have accepted voluntary furloughs or leaves. Trans States Airlines and Compass Airlines have both shuttered since the onset of COVID–19, while Norwegian closed U.S. Flight Attendant bases at the end of March (Flight Attendants have contractual recall rights for 2 years if operations resume) and Cathay Pacific announced it will end U.S. based operations as of June 20, 2020. Longtime charter carrier Miami Air filed for bankruptcy on March 24, 2020, solely as a result of the pandemic, risking 350 jobs in the Miami area.

The health and economic impacts of COVID–19 are significant, and just as air travel changed in the aftermath of 9/11, it will need to change now to adapt to the new realities of the post-pandemic world. I'm grateful for the opportunity to testify today, and to share my experience with how COVID–19 is affecting the work, health, and financial security of flight attendants.

FEDERAL COVID–19 HEALTH AND SAFETY RULES ARE NEEDED TO PROTECT PASSENGERS AND WORKERS:

Although I have remained active consistently throughout the pandemic, my last working flight was on March 22, 2020. It was a return flight from Zurich, United's last direct flight. I remember how concerned the passengers were about being able to get home. Many were wearing masks or covering their faces with scarves or other clothing. Some had on gloves. Many of the passengers refused to take any of the service items from us, trying to limit their contact. You could feel the tension on the plane. People were visibly worried about anyone moving around and they worked hard to stay away from other passengers.

Although masks were available for emergencies we were discouraged from wearing them during normal procedures. We wore gloves, which we changed frequently, and used disinfectant wipes to clean our workspaces. We used hand sanitizer each time we came through the galley. As a first responder, I wanted to reassure passengers that I was doing everything I possibly could do to get them home safely. All of us on the frontlines have had the same experience, that same feeling.

We know a lot more now than we did in March about the virus. I know that we need clear, enforceable federal rules for health and safety that will protect our passengers, all of us serving as essential workers and our families at home, and millions of businesses counting on the resumption of safe commercial air travel.

The response to COVID–19, the biggest crisis aviation has ever faced, has been a hodge-podge of individual voluntarily-adopted measures by airlines. The best available public health information confirms that crew and passenger use of masks and cloth face coverings, along with proper hand hygiene and social distancing, can help to limit the health risks of air travel. The airlines took an important step when they put policies in place requiring masks, but in the absence of federal requirements, these policies and related communication will remain inconsistent and unclear. Enforcement will be nearly impossible. And, we can't count on consistent procedures in the airports either, which leaves many vulnerabilities and opportunities for spread.

Thus far, federal agencies have failed to provide the clear rules we need to keep people safe. On May 11, 2020, the FAA updated a previous guidance document (non-required) for air carrier operators, SAFO 20009,[1] to include an expanded CDC list of COVID–19 symptoms,[2] but still did not require the use of masks or other personal protective equipment (PPE) by crew and passengers. At least one carrier, Omni, has refused to follow SAFO guidelines, assigning discipline to flight attendants when sick, and outright refuses to notify passengers and crew who may have been exposed.

No flight attendant wants to tell a scared passenger that there's nothing we can do to make them feel safe. Flight attendants and gate agents need full management support and the authority to enforce airline policies that keep everyone safe and defuse tensions. Without the reinforcement that comes with federal rules—the same regulations we use to stop smokers and get people to sit down and buckle up—we're being set up to fail. And that will put passengers and crew at risk.

On June 1, our union wrote again to the U.S. Departments of Transportation (DOT) and Health and Human Services (HHS) to urge the Departments to issue emergency safety and health rules for aviation during the COVID–19 pandemic. We cited the emergency measures taken to address airline security following the events of September 11, 2001, and more recent health and safety measures, including the recent DOT ban on e-cigarette use aboard aircraft, the purpose of which was to "reduce the risk of adverse health effects on passengers and crewmembers." Specifically, we asked that DOT promulgate an emergency rule for the duration of the pandemic that includes the following specific measures for all commercial flights:

- All airplane cabin occupants must wear a mask or cloth face covering per CDC guidelines.[3] Masks should be worn at all times, except as necessary for eating, drinking, or during other similar, temporary activities. Incidents involving pas-

[1] FAA; COVID–19: Updated Interim Occupational Health and Safety Guidance for Air Carriers and Crews; May 11, 2020. https://www.faa.gov/other_visit/aviation_industry/airline_operators/airline_safety/safo/all_safos/media/2020/SAFO20009.pdf. Accessed May 18, 2020.

[2] CDC; Symptoms of Coronavirus; Page last reviewed: May 13, 2020. https://www.cdc.gov/coronavirus/2019-ncov/symptoms-testing/symptoms.html. Accessed May 18, 2020.

[3] CDC; Use of Cloth Face Coverings to Help Slow the Spread of COVID–19; https://www.cdc.gov/coronavirus/2019-ncov/prevent-getting-sick/diy-cloth-face-coverings.html; Accessed May 18, 2020.

senger violations of this rule should be considered interfering in a crewmember's duties in violation of 14 CFR §§ 91.11 or 121.580, or 49 USC § 46504.

- Flight attendants, as aviation's first responders and potential carriers of the virus without proper protection, must be provided N95 masks, gloves, and other PPE. While we recognize the challenges originally created due to supply chains, we reiterate the need to implement this standard as soon as practicable following proper provisioning of hospital workers and other health care professionals.
- Government must establish and conduct health monitoring for passengers and crewmembers, which could include temperature checks, signs/symptoms, travel history, and viral or antibody testing. While these measures will not prevent every asymptomatic person (who may still be capable of transmitting the virus) from boarding a flight, they will minimize this risk and deter abuse.
- Social distancing standards in the cabin must be set; this may require defining hard load limits that vary depending on specific airplane cabin configurations. Although this could result in more aircraft placed into service for the duration of the pandemic, minimizing the spread of COVID–19 on aircraft should decrease the duration of the emergency.
- Require airlines to meet cleaning standards to disinfect, or sanitize, per appropriate CDC guidance, aircraft cabin surfaces after each flight.
- Maximum cabin air ventilation rates must be required, particularly during boarding and deplaning, and High Efficiency Particulate Air (HEPA) filters must be installed and replaced per manufacturer's instructions.

It is clear to anyone working a flight that the current environment of inconsistent and voluntary airline policies is not working as it should. These airline policies and practices are poorly communicated to crew and passengers alike, leaving flight attendants to risk our health and safety while attempting to manage the otherwise avoidable conflicts that result. Our passengers deserve better.

As we look forward to the recovery of commercial air travel, our goal must be to raise the standards of safety and the confidence of all who fly. Enforceable, mandatory, national standards, including those outlined here, will protect my colleagues, protect our passengers, and help our industry take off again.

PAYROLL SUPPORT PROGRAM:

When the pandemic hit, my fellow flight attendants and I were immediately concerned for our safety and the safety of our passengers. But we also worried about our jobs and paychecks. Air travel quickly ground to a halt. Airports looked like ghost towns. It was clear aviation would collapse without intervention, and along with it all of our jobs.

While I am currently available to work a full schedule, the flying isn't there. In the month of April, I had four trips scheduled, all of which were cancelled, and no reassignment was given. During the month of May I was on Reserve and was given one airport assignment. During the airport standby I was called to the gate to work pre boarding, but I ultimately did not work the flight. For the month of June I am on Reserve again and have been released with pay each day thus far. There are no trips to pick up. Normally you would have several trips a day become available to add hours to your schedule. Most of us worked many more hours than our minimum guarantees to make ends meet, but that is impossible now. I know that without Congressional intervention, I would have been furloughed for several months already and reliant on unemployment if I could get it. I know so many who have struggled to even get their unemployment checks.

That's why I am so grateful to the members of this committee and the leadership of my union. Thanks to their hard work and foresight that day has yet to come. Congress passed the Payroll Support Program (PSP) in the Coronavirus Aid, Relief, and Economic Security (CARES) Act in March to keep the dedicated, highly-trained and credentialed workforce of the aviation industry paid, connected to our healthcare, and out of the unemployment lines.

Funding for the PSP goes exclusively toward maintaining the salaries, wages, and benefits of my fellow aviation workers and me. It also conditions the carriers' receipt of the funding on refraining from any involuntary furloughs prior to September 30th, 2020—a provision that prevented the kinds of mass unemployment we've seen in other industries from happening in the aviation industry. Instead, this historic, workers first relief package has saved our jobs and kept us connected to our benefits. It has kept our industry intact—and that means the millions of people who make up aviation.

If you take only one message from my testimony today, let it be this: the PSP is working. Though my hours are down given the decline in demand for air travel,

I'm still getting paid and so are my fellow flight attendants. This means we can still pay our rents and mortgages, we can still put food on the table for our families, and we can still cover other necessary expenses, like copays for prescription drugs. We're also still covered by our employer-sponsored health insurance—a pretty big relief since the idea of losing my health insurance in the middle of a global pandemic is terrifying. And, because we're still getting paid, we're still paying taxes and contributing to our local economies as consumers.

The PSP is not perfect. Two issues undercut the value of the payroll support program for workers. First, Congress did not fully fund the program, providing $25 billion instead of the full $31 billion needed to fully cover payroll and benefits for airline workers across the industry. Treasury determined the fair approach was to prorate each airline's payroll grant allocation to 76% of the requested amount.

Second, Treasury exercised the option under the Act to attach financial instruments to the grants and require 30% of the payroll grant over $100 million be treated instead as a loan. Together these actions by the Treasury resulted in a $12 billion shortfall. To cover the gap, approximately 40,000 Flight Attendants across the industry, nearly 35 percent of the entire U.S. Flight Attendant workforce, have voluntarily taken leave to help ensure the payroll grants are able to support those who remain on active status.

The PSP has also been jeopardized by a small handful of bad actors who have proceeded to flout the CARES Act by cutting hours and cheating workers, despite taking PSP funding. I'm lucky to be a member of a union and covered by a collective bargaining agreement, which stipulates my pay is protected by a minimum number of hours in our contract. Delta Air Lines has refused to guarantee this same minimum standard for flight attendants, despite taking federal PSP funds. The program was explicitly intended to protect workers, keep us in our jobs even if not "on the job" at the same rate. The program was about stability for those of us who work and have built our lives around the paychecks and benefits we need to protect ourselves, our families, and remain available to serve as essential workers now, and be in place to lift our economy without delay once COVID–19 is contained.

Thus far, Secretary Mnuchin and the Treasury have been unwilling to fully enforce the CARES Act and ensure that the funds are used as Congress intended. Despite letters from members of Congress and repeated requests by our union, Treasury has not responded to requests that they issue guidance to carriers to make clear that slashing hours is a violation of the grant program. While the vast majority of airlines have used the payroll grants as intended, Treasury's silence on the outliers has facilitated the cut hours and allowed a few bad actors to attempt to set up a competition on the backs of airline workers. Absent additional pressure and oversight from Congress, I worry that more aviation workers will see cuts to their hours and pay. I would ask that the members of this committee reach out to the officials at Treasury, including Secretary Mnuchin, who are overseeing the PSP, and ask that they put a stop to these cuts and enforce the law as Congress intended.

The PSP has saved the jobs of hundreds of thousands of aviation workers, including mine. It has given me financial security and emotional security. This is a historic workers first relief package and the members of this committee should be proud of this legislation and what it has accomplished. But we have to make sure that a lapse in this critical protection does not undo the good work that was started.

The program is set to expire on September 30th and the time to prepare for October 1 is now. When CARES was written it was expected the industry would be closer to full recovery by the fall. It is clear now, that will not happen. At a minimum, Congress should extend the program through the New Year as was already done for the Paycheck Protection Program. An extension of the PSP through January 31st will ensure that we do not see a wave of layoffs in the aviation industry flood unemployment offices in October. While airlines have had time to stabilize the operation with reduced capacity, it is now my job and nearly 500,000 other aviation jobs that are on the line October 1, 2020 without an extension of the program. The program is already in place. It just needs to be extended.

It is an honor to represent my flying partners and other aviation workers here today. We are so grateful for the work of Chairman DeFazio this entire committee. We are counting on your continued action to make sure we don't have to face the loss of our jobs this fall. Safety is fundamental to the success of air travel because consumer demand simply will not rebound without confidence in safe air travel. The people on the frontlines of aviation need your continued support on this and our jobs in order to ensure aviation, and all of the people within it, can continue to support the U.S. economy. Thank you for your time, attention, and action. I look forward to your questions.

Mr. DEFAZIO. Thanks, Susannah. Appreciate your testimony.

We would now move on to Tom Shaw, transit operator for SEPTA in Philadelphia, on behalf of the Transport Workers Union. Tom?

Mr. SHAW. Thank you, Chairman DeFazio, Ranking Member Graves, and all the members of the Committee on Transportation and Infrastructure, for inviting me to discuss the impacts of COVID–19 on frontline transportation workers.

I am a bus operator for SEPTA in Philadelphia and a member of Transport Workers Union Local 234. I have been a driver for over 20 years. I served 10 years in the United States Army, driving heavy equipment through war zones. My service in the military ended in 2005 when I was critically injured in Iraq. After 18 months recovering, I joined SEPTA in 2006. Like other veterans, I am proud that I have been able to continue serving my community at home just as I did overseas.

Throughout this pandemic, my focus has been protecting my wife and four children, ages 8, 10, 12, and 13. Last year, my 8-year-old was hospitalized due to a viral infection that is a relative of the coronavirus. Even in normal times, I took precautions to ensure that I did not increase his exposure to respiratory diseases. His condition puts him at an elevated risk for COVID–19, and I am terrified that providing for my family puts him at a greater risk. My biggest fear is that I will either pass it along to him or be forced to quarantine from my family.

Before the pandemic hit, the first thing I did when I got home from work was hug my family. Now the first thing I do is throw all my clothes in the wash, shower, take my own temperature. I am constantly looking for signs of infection in myself. I am the primary income earner for my household, and I have to keep working so I provide for my family. But I often worry about the increased risk my work is posing to our lives.

At the same time, I feel a sense of duty to my community to keep our transit system running. Each night on the bus, I see nurses going to hospitals, grocery store clerks going home to their families, as well as other essential workers. They need my bus to help fight the effects of COVID–19 and keep other families fed during the crisis. None of us can work from home, as our Government has asked others to do. We are all at risk on the front lines of this pandemic, but we continue to work to keep our country safe.

Frontline workers have asked very little during this extraordinary time, only that we be given the protection we need to keep ourselves safe. Those protections have never fully arrived. At the beginning of the crisis, I had to buy my own personal protective equipment, including masks, gloves, sanitizer, and disinfectant. This has become the most important part of my uniform and should have been available to every transit worker from day one of the pandemic.

Transit agencies should require all passengers to wear masks. SEPTA made masks mandatory last week, but too few agencies are following suit. In my experience, fewer than half of my passengers currently wear a mask, despite CDC guidance that shows this simple step is the most effective action we can take to limit transmission of the virus.

Social distancing has never been enforced on our transit systems. For much of the crisis, the most effective way of keeping drivers and passengers at least 6 feet apart was to require passengers to board through the rear door and block off seats near the driver. In Philadelphia, this required shutting down the farebox and making transit free.

For budgetary reasons, SEPTA recently ended this practice and now again requires passengers to board through the front door, immediately next to the driver. I am relatively lucky, as all of the buses SEPTA is currently using have a shield to keep drivers safe. However, these shields were designed to prevent assaults, not stop a virus. These partitions are better than nothing, but they are not enough to create a safe working environment.

Social distancing has also been made more difficult because of other actions taken by the city and SEPTA in response to the pandemic. Increased service has created long lines at bus stops. Drivers have no realistic way of keeping people from boarding a bus that may already be at capacity, especially on nightshifts, like I have had to work during the pandemic.

There has been a large increase in homeless people on our buses. Buses are not equipped to provide housing or care for people; they are not meant to be shelters. In these circumstances, I have frequently had to defuse altercations between passengers. Every time this happens, my chance of exposure increased.

This problem has also increased the need for cleaning and disinfecting buses more frequently. Buses need to be cleaned multiple times a day. We know the virus can live on surfaces. Failing to clean a bus is almost certain to spread the disease. This cleaning is not happening at the level required to prevent infection, and many buses go days without being disinfected to CDC guidelines.

These ongoing problems have resulted in high infection rates for public transportation workers. Five TWU members in Philadelphia have died from the virus, and there have been 160 confirmed positive cases. SEPTA is not unique. Nationwide, 122 of my colleagues in the TWU have died from the virus. Altogether, nearly 10 percent of TWU members have died, tested positive, or been quarantined due to COVID–19.

On behalf of all transit workers, I thank the committee for highlighting these issues and for the actions you have already taken to help address them.

We need mandatory requirements from the Federal Transit Administration on health and safety during the current crisis. These requirements must include PPE for workers, masks for passengers, social distancing measures, and cleaning standards. While these measures are just one piece of the puzzle, they are absolutely essential if we want our public transportation system to come out of this pandemic as safe, accessible, and reliable in the future.

Thank you, and I look forward to answering any questions.

[Mr. Shaw's prepared statement follows:]

**Prepared Statement of Thomas Shaw, Transit Operator, Southeastern Pennsylvania Transportation Authority, testifying on behalf of the Transport Workers Union of America**

Chairman DeFazio, Ranking Member Graves, and distinguished members of the House Committee on Transportation and Infrastructure, thank you very much for holding this important hearing and for offering the Transport Workers Union of America (TWU) the opportunity to present testimony on the impacts of COVID–19 on transportation workers. This is an issue with which our union is, unfortunately, far too familiar.

The coronavirus has decimated our economy, our transportation systems, and our transit agencies. Many Americans have died and many more have become ill. Our members, like other critical frontline workers, including health care providers and first responders, have suffered disproportionately from the ongoing coronavirus pandemic. Despite the very real threat this virus has posed to our daily lives, TWU members and other transportation workers have continued to provide essential services across the country. As a result, the virus has taken a catastrophic toll on our ranks.

As a bus operator for the Southeastern Pennsylvania Transportation Authority (SEPTA) and proud member of TWU Local 234, I have witnessed firsthand the fallout from this disease. The TWU represents more than 150,000 members in the transit, aviation, rail, services, utilities, and universities sectors. More than 95% of my colleagues in the TWU are frontline transportation workers who have been deemed essential workers during this crisis. These workers include transit operators, station agents, mechanics, maintenance workers, Amtrak onboard service providers, airline flight attendants, fleet service workers, ramp agents, and others.

I greatly appreciate the opportunity to present this testimony about both my personal experience and the shared experiences of all transportation workers during the COVID–19 crisis. The following pages detail our concerns about the response to the virus, as well as our recommendations for enhancing the health and safety of workers as we continue to operate transportation systems during these uncertain times.

## COVID–19's Impact on Frontline Transportation Workers

The devastation wrought by the COVID–19 pandemic around the globe has been staggering. Almost 110,000 Americans have died and almost two million have been sickened by the virus. Our economy has lost tens of millions of jobs.

The transportation sector has been amongst the most effected industries in our country and public transit workers have suffered perhaps the greatest impact. More than 122 TWU members have died from COVID–19—a virus they almost certainly contracted while continuing to work in public as essential employees. Nearly 10% of our members have tested positive or been quarantined from the virus. These numbers cannot account for the additional emotional and mental toll the virus has taken on our members as they live in fear of potentially bringing this virus home to their families, losing co-workers and friends, and potentially serving as a vector for the virus to others.

Yet, even in this harrowing environment, workers have not wavered in their commitment to keeping our public transportation systems running. Despite great risk to themselves and their families, these workers have shown up, day in and day out, providing the critical services on which so many rely. It is not the formal government designation that they are "essential" that spurs these workers to stay on the job. They go to work because they know that, without public transportation, many of their fellow workers, especially fellow blue-collar workers, would not be able to do their jobs. Without transit workers, we would not have health care providers in our hospitals and clinics, grocery clerks in our supermarkets, or pharmacists in our drugstores.

## A Slow and Inadequate Response

The shattering impact of COVID–19 on transit and other transportation workers has exposed systemic failures in our response to infectious diseases. Transit agencies, state transportation departments and private employers struggled to mount their individual responses as federal guidance continually evolved and, at times, did a complete "about-face." At the beginning of the crisis, confusion and conflicting directions left workers and riders unprotected as our systems continued to operate without adequate supplies of personal protective equipment, cleaning and disinfecting procedures, or social distancing enforcement.

*Personal protective equipment*

During the first weeks of the pandemic, many transit workers were not provided even the most basic personal protective equipment (PPE), namely masks and gloves. Some agencies, including in New York City,[1] prohibited workers from donning masks, even if they had procured their own, attributing their decision to early CDC guidance that advocated the use of masks only by individuals who were ill or who had symptoms of the virus.

The lack of PPE stemmed from both a lack of supply and, where masks and gloves were available, a lack of initiative at all levels of government to deliver supplies to frontline workers. Most transit agencies lacked their own stock of PPE and other government stockpiles proved inadequately supplied for the crisis. In some cases, including in Miami-Dade County, agencies had PPE and refused to distribute it to frontline transit workers. Supplies were also often rationed. At Hudson-Bergen Light Rail in New Jersey, which is operated by a private contractor, operators were provided just one mask per week. Forty workers at one bus depot in Miami were given 60 masks and instructed to "make them last" because no further shipments were expected. Many transit workers across the country purchased their own PPE to protect themselves. In order to safeguard our members, the TWU took matters into our own hands, securing hundreds of thousands of masks and gloves and distributing them to members around the country.

The supply of PPE, particularly face masks, is no longer an issue at most transit agencies. While the TWU is glad to see that the Department of Transportation (DOT) recently announced that it would distribute millions of masks to transportation workers around the country, this action came months after these masks were first needed and long after agencies had established their own supply lines. We are hopeful that these masks will become part of a supply over the next several months—potentially seeding future stockpiles at local transit agencies.

Even as workers began wearing masks, many agencies were slow to require passengers to do so and there remain few, if any, mechanisms in place to enforce these policies. In Philadelphia, SEPTA implemented a policy requiring all riders to wear masks on buses and trains. However, the agency reversed its policy after an incident of attempted enforcement was captured on video, garnering widespread, negative attention for SEPTA. Last week, the agency finally changed their recommendation to a requirement as part of its transition back to front-door boarding. In my personal experience, however, compliance with this rule is very lax. Fewer than half of the passengers on my bus wear a facial covering of any kind.

*Social distancing*

Due to the highly contagious nature of COVID–19, maintaining a "social distance" of at least six feet is virtually universally recommended. However, implementing social distancing policies within transit and other transportation systems is challenging.

For many workers, interaction with the public is a core job responsibility during normal times. Most transit buses do not have shields or enclosures of any kind to separate drivers from passengers who generally board at the front of the bus directly adjacent to the driver. Subway conductors literally stick their necks out of their windows to survey the platform and ensure that it is safe for their trains to depart stations. Station agents interact with hundreds of passengers a day, helping them with ticket purchases and directions.

Buses and trains, as well as bus stops and subway platforms, are often crowded—especially on high-demand routes—making it impossible for passengers to maintain more than the minimal distance from one another. Throughout the heights of the pandemic, my bus has been regularly filled to capacity.

When the pandemic hit, transit agencies did adjust, instituting rear door-only boarding—which typically entailed foregoing fare collection—and installing barriers of one sort or another to keep passengers from occupying the front area of the bus near the operators. They decreased the number of passengers allowed on board, allowed operators to skip stops when capacity was reached, and made a portion of seats unavailable to riders. These commonsense changes often allowed operators to maintain the CDC-suggested six-foot distance from riders.

At the same time, however, many agencies also cut capacity throughout their transit systems. Without effective enforcement systems for capacity limits, agencies in Philadelphia, Miami, New York, and elsewhere saw load factors on some routes actually increase during the pandemic—forcing passengers and workers into closer contact with each other than in normal times. The decisions to cut capacity were

[1] https://ti.org/pdfs/March6MTAMemo.pdf

generally based on budget necessities, but the end result has been a higher risk of transmission in our transit systems.

*Cleaning and disinfection*

Keeping transit vehicles, stations, bus shelters, maintenance facilities, dispatch areas and employee break rooms sanitized is time-consuming and labor-intensive. This process is challenging in the best of times and even more so during a public health crisis in which the contagion is easily spread via the air and surfaces.

Many transit agencies found it challenging to increase their cleaning and disinfection efforts, failing even to provide adequate supplies of disinfectant spray or wipes to workers. In Miami-Dade County, for example, bus operators received just one disinfectant wipe per shift. Again, the TWU stepped up, distributing thousands of bottles of hand sanitizer and packs of disinfectant wipes to workers on the front lines.

More intensive and expansive sanitation efforts have required significant increases in manpower and supplies and have burdened agency budgets. The influx of CARES Act funding has helped in this regard, but the effort and the costs are ongoing and likely will continue as the "new normal." Some agencies have gone to extraordinary lengths to clean and disinfect stations and vehicles. For example, the MTA in New York has shut down and emptied the subway system for several hours each night (the first time in the system's 116-year history) to conduct a thorough sanitizing process. However, not all employers have been willing or able to take such measures.

## IMPROVING CONDITIONS AND BENEFITS

*Health and safety*

Months into this pandemic, transit agencies are doing a better job of protecting workers. However, improvements have not come without a fight. In some cities, including New York and Philadelphia, TWU transit locals had to threaten actions and service disruptions to get their agencies to respond to their demands for PPE, enhanced cleaning and disinfecting protocols, and more effective social distancing policies.

In Miami-Dade County, the TWU local representing transit workers has sued the Department of Transportation and Public Works and its Director for failing to provide adequate PPE and other protections on the job. In Ann Arbor, bus operators refused to leave the depot one morning in April after a supervisor warned them that, contrary to agency policy, they could not prohibit passengers from boarding buses without masks.

While these actions have been taken by workers to protect their own health, it has also made these systems safer for the general public. All of the measures that protect workers from infection have been aimed at halting transmission of the disease—ultimately the goal our entire country has been working towards over the past several months. Keeping transit workers healthy by requiring masks, enforcing social distancing, and maintaining clean/disinfected buses and trains has also greatly reduced the risk to the travelling public.

*Benefits*

In addition to health and safety protections, workers also have fought for more flexible and expanded sick leave so that they may receive paid time off while they recover from the virus, self-quarantine after a known or suspected exposure, or take time off to prevent exposure if they have a condition that makes them particularly vulnerable to COVID–19.

To support the families of those who have perished from coronavirus, workers are demanding line of duty death benefits. In New York, the MTA has agreed to award this benefit to the survivors of transit workers who have succumbed to COVID–19. SEPTA workers also are calling for these enhanced benefits. The TWU has endorsed H.R. 6955, introduced by Representatives Jackie Speier, Joe Neguse, and Max Rose which would guarantee a federal benefit for essential workers who die from COVID–19 contracted at work.

The TWU also has joined with many other workers representing essential workers to call for hazard pay and benefits for all front line workers who continue to put their lives on the line to provide essential services during the ongoing public health crisis. We applaud Congress for the many proposals that have been introduced to address this point, including those in the Heroes Act, the Opportunities for Heroes Act (introduced by Representatives Ann Kuster and Brian Fitzpatrick), and others.

## AIR AND RAIL INDUSTRY WORKERS

While transit workers have been hardest hit among transportation workers by COVID–19, those in the airline and rail industries have faced similar challenges during the pandemic. Even as the demand for air travel has plummeted, the airlines continue to fly because flight attendants, such as TWU members at Southwest, JetBlue, and Allegiant Airlines, have continued show up for work, serving as our first responders in the air despite the risk of infection and illness.

Similarly, TWU members who provide much of Amtrak's onboard service have kept working their routes, allowing safe, comfortable train travel to continue, even if on a more limited basis.

These workers also have had to fight for adequate PPE and enhanced cleaning and infection protocols, as well as for mask policies for passengers.

## POLICY RECOMMENDATIONS

Transportation workers understand and take seriously their obligation to provide essential services to the public—even in the midst of a pandemic. One hundred twenty-two TWU members have literally given their lives in the performance of their duties during this crisis. But this obligation to public service is not one-sided; it is shared with many others, including our employers and the federal government.

Frontline transportation workers need and deserve a safe and healthy workplace. This requires protections on the job and benefits to assist them and their families when those protections fall short.

To that end, the TWU encourages the Congress to take the following steps to help protect transportation workers and all who use public transit, airlines, and railroads.

*Implement national health and safety standards for front line transportation workers*. At minimum, Congress should make guidance and recommendations from the Federal Transit Administration (FTA),[2] the Federal Aviation Administration (FAA),[3] the Federal Railroad Administration (FRA),[4] and the Centers for Disease Control and Prevention (CDC)[5] mandatory. The most direct way of accomplishing this would be for the Occupational Safety and Health Administration (OSHA) to issue an emergency temporary standard to protect workers during this pandemic as Congress has proposed in the COVID–19 Every Worker Protection Act (H.R. 6559). The Transportation and Infrastructure Committee could also direct the DOT to make their guidance mandatory as emergency measures under the Department's existing authority. Both of these options have been included in the recently-passed Heroes Act. Under either scenario, the requirements of transportation industry employers, e.g. transit agencies and airlines, would include:

- Creating and carrying out policies and procedures regarding the use of *face coverings and other PPE* for workers, as well as *face coverings for passengers*, to reduce the risk of spreading COVID–19.
- Establishing and implementing policies and procedures to conduct *routine cleaning and disinfection* of surfaces frequently touched by workers and passengers to reduce the risk of COVID–19 transmission. These include kiosks, handrails, ticket machines, turnstiles, stop request indicators, and fare boxes, as well as aircraft galleys, safety demonstration equipment, ticket counters, cabin lighting, and temperature controls.
- Developing and implementing *social distancing* measures to create and maintain physical separation greater than six feet among employees and between employees and passengers. Social distancing can be accomplished by:
  - Requiring rear-door boarding on transit vehicles, while allowing exceptions for persons with disabilities
  - Installing physical partitions on transit vehicles and at staffed kiosks to the extent practicable

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[2] U.S. DOT/FTA SA 20–1 Safety Advisory, Recommended Actions to Reduce the Risk of Coronavirus Disease 2019 (COVID–19) Among Transit Employees and Passengers, April 14, 2020; https://www.transit.dot.gov/sites/fta.dot.gov/files/2020-04/FTA-Safety-Advisory-20-01-COVID-19_0.pdf

[3] U.S. DOT/FAA Safety Alert For Operators, SAFO 20009, 5/11/2020; https://www.faa.gov/other_visit/aviation_industry/airline_operators/airline_safety/safo/all_safos/media/2020/SAFO20009.pdf

[4] U.S. DOT/FRA Safety Advisory 2020–01; https://www.federalregister.gov/documents/2020/04/10/2020-07559/safety-advisory-2020-01-safety-precautions-related-to-coronavirus-disease-2019-covid-19

[5] Centers for Disease Control, Interim Guidance for Mass Transit Administrators; https://www.cdc.gov/coronavirus/2019-ncov/community/guidance-mass-transit-administrators.html

  - Reducing maximum occupancy of buses and individual subway and train cars and increasing service on crowded routes, as appropriate
  - Providing signs, ground markings and other visual guides at transit stops and stations and on vehicles to indicate where passengers should not sit or stand
  - Allowing flight attendants to vary passenger boarding positions
  - Permitting flight attendants, when assigned to a double jump seat for critical phases of flight, to occupy a designated alternate passenger seat in the cabin
- Establishing and executing policies and procedures that *promote healthy hygiene practices* among workers and communicate the importance of such practices to passengers.
- Developing and communicating to employees a *plan for when a worker becomes ill*, including:
  - Encouraging workers who are sick to stay home and away from others
  - Ensuring that workers with symptoms[6] of COVID–19 at work discontinue work as soon as possible and return home
  - Informing those who have had close contact[7] with a person diagnosed with COVID–19 to stay home and self-monitor for symptoms, and to follow CDC guidance[8] if symptoms develop
  - Advising sick workers not to return to work until they have met CDC's criteria to discontinue home isolation[9]
  - Ensuring that workers are never forced to choose between a paycheck and potentially spreading the virus by providing paid sick leave for all workers

*Institute policies appropriately thanking essential workers for hazardous work*. In return for the risks taken and sacrifices made by transportation and other essential workers, employers should be required to pay a premium over and above regular compensation. We support the provision for hazard pay contained in the Heroes Act and other legislation being considered by the House.

*Establish a line of duty death benefit policy for workers who perish from COVID–19*. Thousands of frontline workers, including many transportation workers, have died from COVID–19. This is a disease they contracted as a direct result of their government asking them to go to work while instructing everyone else to stay home. Nothing can make up for this tragic loss of life. However, the families of those who have died are now faced with significant financial burdens. These families need and deserve adequate death benefits. The TWU fully supports the approach taken by Representatives Speier, Neguse, and Rose in H.R. 6955 to address this issue.

CONCLUSION

I greatly appreciate the opportunity to provide this testimony about the impacts of COVID–19 on transportation workers to the House Committee on Transportation and Infrastructure on behalf of the TWU. Our union looks forward to working with the Committee to advance policies that will protect all frontline workers—transportation and otherwise—as we continue to confront the coronavirus pandemic.

Mr. DEFAZIO. Thank you, Thomas.

I now turn to the ranking member of the Subcommittee on Aviation, Garret Graves, to introduce our next witness.

Garret?

Mr. GRAVES OF LOUISIANA. Thank you, Mr. Chairman.

Mr. Chairman, I am pleased to introduce Mr. Randy Guillot, who is chairman of the American Trucking Associations and the past chairman of the Louisiana Motor Transport Association, the important affiliate in the State of Louisiana.

Mr. Guillot has over 30 years of experience. His grandfather, Mr. Pitre, established Southeastern Motor Freight. In 1985, he established, together with some others, Triple G Express. They both do intermodal transportation services, largely out of the Port of New Orleans.

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[6] https://www.cdc.gov/coronavirus/2019-ncov/symptoms-testing/symptoms.html?CDC__AA__refVal=https%3A%2F%2Fwww.cdc.gov%2Fcoronavirus%2F2019-ncov%2Fabout%2Fsymptoms.html

[7] https://www.cdc.gov/coronavirus/2019-ncov/php/public-health-recommendations.html

[8] https://www.cdc.gov/coronavirus/2019-ncov/if-you-are-sick/steps-when-sick.html

[9] Ibid

Randy has done everything from working on the dock in safety to driving and working as an executive within the trucking industry. He has a fantastic perspective, oversees over 100 employees, and is very much focused on the worker.

But, as you know, the American Trucking Associations really is the voice of that freight moving across the country. I'm very pleased that he is here to join us today, and looking forward to his testimony.

Thank you, Mr. Chairman.

Mr. DEFAZIO. Thanks, Garret.

Mr. Guillot, please proceed with your testimony.

Mr. GUILLOT. Thank you, Congressman Graves.

Thank you, Chairman DeFazio, Ranking Member Graves, and members of the committee. My name is Randy Guillot, and I am president of Triple G Express and Southeastern Motor Freight, motor carriers based in Jefferson, Louisiana. It is my honor to speak with you today as chairman of the American Trucking Associations.

For 87 years, ATA remains the largest national trade organization representing the trucking industry. With affiliates in all 50 States, our membership encompasses more than 34,000 motor carriers and suppliers, representing every segment of the industry.

The COVID–19 pandemic thrust America's trucking industry to the forefront of our national consciousness. As most activity across the country ground to a halt, America's 3.5 million professional truck drivers kept moving. These heroes continue serving on the front lines to ensure everyone has the goods they need to get through these challenging times.

Truckers are the difference between a fully stocked grocery store and one lined with empty shelves. They are why doctors and nurses have PPE to protect themselves. They are how test kits get to hotspots for local officials to use to fight the virus' spread.

The health of our Nation, of our entire economy, rests on the strength of these heroes and our industry. When we lack the capital, resources, or clearance to do our job, the impact is felt immediately far and wide, not only by us but by the people we serve, our customers—grocery stores, pharmacies, hospitals, first responders, farmers, manufacturers, business owners, and the consumer, the American people, just to name a few.

That is why we have worked with policymakers at all levels to ensure these critical supply lines are not disrupted. And that begins with protecting the safety, health, and well-being of our most critical asset: our workforce, our drivers.

That means ensuring State officials keep public rest areas open. Truckers, like any human beings, have basic needs. They need places to rest, places to eat, and places to use the bathroom. Otherwise, truckers can't do their job safely and efficiently.

It also means expanding PPE access across the industry. While large fleets might have resources to acquire PPE at scale, our association has stepped up to help provide for small and midsize carriers. To date, we have obtained and distributed more than 150,000 face coverings to our members at cost and partnered with the Department of Transportation to distribute more than 1.5 million more to frontline truckers across the country.

We have also stationed more than 1,100 gallons of hand sanitizers along major freight corridors, where drivers can replenish their personal supplies at no cost.

Finally, I would be remiss if I did not note Chairman DeFazio's introduction of a comprehensive infrastructure bill last week. Let me be clear: The single most important action this Congress can take right now to support our workforce and to provide for their safety is to invest in our infrastructure.

Roads and bridges are not Democratic or Republican. We all drive on them. For the 7.7 million Americans in the trucking industry, doing our jobs day and night, moving our economy, we ask members of this committee to do theirs and pass a bipartisan infrastructure bill this year that meets the urgent needs of our economy, our industry, and the motoring public.

Thank you for working with us to ensure America's trucking industry has the support it needs to serve our country through these tough times and into a better tomorrow. I look forward to answering your questions.

Thank you.

[Mr. Guillot's prepared statement follows:]

**Prepared Statement of Randy Guillot, President, Triple G Express, Inc. and Southeastern Motor Freight, Inc., and Chairman, American Trucking Associations (ATA), testifying on behalf of ATA**

Chairman DeFazio, Ranking Member Graves, and members of the distinguished Committee, thank you for providing the American Trucking Associations (ATA) with the opportunity to testify before you today. My name is Randy Guillot, and I currently serve as the 75th Chairman of the ATA. And, on behalf of the approximately 7.7 million men and women employed by trucking in the United States, I am grateful for the opportunity to share how the trucking industry has responded to the COVID–19 pandemic, and how we are positioned to help lead our nation's economic recovery.

As you know, ATA is an 87-year-old federation and the largest national trade organization representing the trucking industry, with affiliates in all 50 states. ATA's membership encompasses over 34,000 motor carriers and suppliers directly and through affiliated organizations. Our association represents every sector of the industry, from Less-than-Truckload to Truckload, agriculture and livestock to auto haulers, and from the large motor carriers to the owner-operator and mom-and-pop one truck operations. In fact, 80 percent of our membership is comprised of small-sized carriers, whereas only 2 percent of our membership would be considered large-sized carriers.

Outside of my service as Chairman of the ATA, I am the President of Triple G Express, Inc. and Southeastern Motor Freight, Inc., with more than 33 years of experience working in the trucking industry. These two family-owned-and-operated companies, which date back to 1945 and 1985 respectively, haul mostly intermodal containers primarily servicing the Port of New Orleans, but also operate short-haul dry-vans. Throughout my career, I have worked in all aspects of the business, ranging from sales and driving to dock work and safety.

Before detailing the content of my testimony, I would like to use this opportunity to thank and recognize our nation's transportation workers. Transportation workers, including America's truck drivers, help to maintain the services and functions Americans depend on daily to operate resiliently during the COVID–19 pandemic response. Their selflessness during these trying times is nothing short of heroic.

Since the onset of the COVID–19 pandemic, most economic, social, and cultural activity in our country has ground to a halt. But one group hasn't stopped: truckers. America's 3.5 million truck drivers—and the countless men and women who support them, such as technicians, dispatchers, and truck stop operators—have kept our country running despite the enormous challenges caused by the pandemic.

Truckers have been the difference between a fully-stocked grocery store and one lined with empty shelves. They're why doctors and nurses have PPE to protect

themselves while treating the sick. They're why test kits arrive at hot-spots for use by local officials to mitigate the virus' spread. Perhaps the President of the United States said it best when he recently proclaimed from the South Lawn of the White House: "Thank God for Truckers."

Our industry is proud to do its part to help fellow Americans get through this crisis. What we need—is for government officials at all levels to permit them to do so without unnecessary delay or interruption. As the "essential critical infrastructure worker" designation suggests, it's essential that trucks keep rolling through whatever prudent and necessary measures are taken to protect public health.

It's also true that the trucking industry is struggling to cope with serious economic challenges precipitated by the pandemic and public health response efforts. Some trucking companies are busy, like those primarily hauling essential groceries, home delivery, e-commerce and medical supplies. However, many industry sectors have slowed or shuttered for the duration of the pandemic, which means that companies hauling fuel for cars and airlines, food supplies for restaurants, steel and cars for the auto manufacturers, and grain and commodities for agricultural exports have fewer loads to transport.

Safely reopening our economy based on sound science and data will be the ultimate resolution to our economic challenges, and we support the efforts of public officials to get our nation back to work, balancing safety with the economic and social needs of modern life. And when the economy begins to turn back on, the first step will be repositioning and delivering supplies that fuel commerce and communities, which means the trucking industry will play a critical role as we turn toward recovery. Trucking holds the keys to restarting America's economic engine, and as an industry, we are prepared to meet that challenge. But, know that we will meet that challenge while doing everything we can to ensure the safety, health and well-being of our drivers and other industry workers.

For the purpose of this hearing, I will focus my testimony on the impact of COVID–19 on the trucking industry and its workers, and the steps that this Committee and Congress should consider to ensure that the trucking industry is well positioned to lead the way from response to recovery. Because that's what truckers do—despite the numerous obstacles in our path and the risks posed by the public health crisis—we keep rolling.

ATA looks forward to continued, diligent work with this Committee. We believe that together we can achieve the legislative and regulatory framework that will best facilitate uninterrupted COVID–19 response and relief efforts, as well as future recovery measures. Ensuring that the essential critical infrastructure workforces have the resources and flexibility to continue to safely supply the nation with necessary goods and supplies throughout this health crisis and into the recovery phase will help define our country's resiliency and ability to overcome the pandemic.

## 1. Impacts of COVID–19 on the Trucking Industry and its Workers:

*The Economic, Supply Chain, and Workforce Impacts of COVID–19 on the Trucking Industry:*

The impact of COVID–19 on the trucking industry has been substantial as freight demand has declined significantly since the outbreak of the pandemic. After an initial surge for groceries and other consumer staples to big-box retailers, freight levels have generally fallen since. For example, the spot market, which is where overflow freight goes when shippers have more loads than their contract carriers can handle, fell 54% in April on a year-over-year basis.[1] ATA recently reported that its for-hire truck tonnage index, which is dominated by contract freight, not spot market, fell 12.2% in April from March. This was the largest month-to-month decline since April 1994.[2] In a recent COVID–19 survey conducted by ATA, 85% of nearly 500 fleets said that truck freight levels were somewhat or much lower than would be expected during this time of year. In fact, 62% said freight was "much" lower.

This big drop in freight has many implications for trucking, which is a high-cash flow, low-profit industry. One of the major supply chain impacts we see is how less freight throws carriers' networks off balance. For example, in normal times, if a carrier has a customer with freight from Indianapolis to Savannah, GA, the carrier will find a customer(s) with freight from or near Savannah back to Indiana. But under these current circumstances, the carrier might still have freight to Savannah—but no return freight for the backhaul. Thus, the carrier is forced to drive long, "deadhead" miles or take a load in the spot market for well below sustainable rates. Either way, this situation puts added financial pressures on fleets.

[1] DAT.com

[2] https://www.trucking.org/news-insights/ata-truck-tonnage-index-plunged-122-april

In ATA's COVID–19 survey, 32% of responding fleets, which equates to roughly 200 carriers, said they were forced to lay off or furlough drivers due to the current coronavirus economic situation. Our survey data shows that this group released a total of 6,364 drivers. Additionally, data from the Department of Labor showed that payrolls for the for-hire trucking industry fell by 88,000 in April. ATA's Economics Department estimates that 65,000 of those were truck drivers.

Outside of these challenges to freight networks, the transportation portion of supply chains seem to be faring relatively well. In the ATA-conducted COVID–19 survey, only 18% of the nearly 600 responding fleets indicated that they had at least one driver infected with the virus. Truck drivers, due to their line of work, are accustomed to social distancing during normal times. While we continue to cautiously assess, at this point we do not foresee any supply-chain breakdowns because of illness among trucking companies.

Moving forward, we expect the trucking industry will continue to deliver freight as it has been under COVID–19, and that supply chains will hold strong, thanks to the fortitude of the trucking workforce. However, should the steep economic downturn continue its slide into June and July—when funds from the Paycheck Protection Program (PPP) run out for many smaller fleets—we could see an increasing number of motor carriers forced to close down. This would noticeably impact supply chains as the economy labors to restart. It could create a situation where, at least temporarily, the number of loads outnumbers the number of drivers and equipment available to haul them.

*The Impact of COVID–19 on Worker Health and Safety*

Our position on safety has never wavered: Safety is of paramount importance. Since the onset of the COVID–19 pandemic, ATA's member companies have remained committed to this principle, and as our nation begins to enter the recovery phase, safety will continue to guide our decision-making.

Unfortunately, the COVID–19 public health crisis precipitated a series of safety concerns outside of our control that had a direct impact on the health and wellbeing of our essential critical infrastructure workers. Specifically, the closure of state-run facilities, such as rest areas and service plazas, inhibited drivers' ability to find an adequate place to rest as they delivered goods across the nation in support of COVID–19 response efforts. For example, in Pennsylvania, both rest areas and service plazas closed across the entire state, just days into the pandemic. Truck drivers were suddenly left with few options when searching for a place to park and rest, use restroom facilities, or find something to eat—all while delivering critical medical supplies, food, and protective equipment that keep our communities safe and fed. Truck parking is dangerously scarce on a normal day, and the closing of these state-run facilities at a time of heightened urgency for freight deliveries was a devastating blow to the industry. Shortly after the sudden closure of these facilities, ATA educated Pennsylvania policymakers on the serious impacts of their decision—namely the safety and wellbeing of truck drivers. Ultimately, officials in Pennsylvania agreed to reopen a limited number of rest areas and service centers across the state.

Another unanticipated safety concern was the availability of protective equipment. Like other critical infrastructure workers, ATA's member companies have struggled to obtain non-medical grade personal protective equipment (PPE), so that their drivers can reduce their exposure to COVID–19 while ensuring the supply chain remains intact. Several states have required "face coverings" when in public, and truck drivers are not exempt from these mandates. In light of these prudent requirements, ATA was able to obtain over 150,000 face coverings and distributed those masks to various trucking companies and trucking associations throughout the country.

Additionally, as truck drivers hauled crucial loads from state to state, the ability for drivers to refill their personal hand sanitizer bottles was critical. Through a partnership with Protective Insurance and a custom distillery, Hotel Tango of Indianapolis, 1,100 gallons of hand sanitizer was distributed to many different truck stops and truck companies throughout the country. The hand sanitizer was transported via ATA member companies to these various locations. ATA is currently in the process of procuring additional hand sanitizer to be distributed throughout the country. By distributing these supplies to several public facilities, all truck drivers have access to these supplies.

As the focus shifts from crisis to recovery, we must not lose sight of the health and safety needs of our drivers. Just as face coverings and hand sanitizer must remain readily available for our essential critical infrastructure workers, the ability to be tested for COVID–19 must be prioritized for our frontline workers who keep our nation running. In April, ATA joined the National Safety Council (NSC) and

several other organizations in supporting the prioritization of the healthcare sector for COVID–19 testing supplies. As testing becomes more available and abundant, we urge the federal government to provide COVID–19 testing resources to U.S. employers who are engaged in essential business services that maintain critical infrastructure viability.

Further, ATA joined the Coalition for Workplace Safety (CWS) and 57 other organizations in providing feedback to the U.S. House Subcommittee on Workforce Protections. Specifically, we advised against requiring the Occupational Safety and Health Administration (OSHA) to issue an Emergency Temporary Standard (ETS) in response to the COVID–19 pandemic. An ETS would be far less agile at adapting the nation's evolving understanding of COVID–19 and the societal response to the crisis. Instead, we urged OSHA to consider a more nimble and effective solution: continue issuing industry-specific guidance based on the latest information from the Centers for Disease Control and Prevention (CDC). Guidance that is industry-specific is far more effective for our member companies to implement, and is significantly more sensible than a one-size-fits-all standard that is impracticable for a diverse industry like trucking. We must ensure that any guidance, whether from OSHA, CDC, FEMA, or any other organization, accounts for the intricacies of trucking.

*Collaboration with the Department of Transportation (DOT)*

Since the onset of COVID–19, ATA collaborated closely with the U.S. DOT/ Federal Motor Carrier Safety Administration (FMCSA) to ensure drivers providing direct relief in response to COVID–19 were afforded the appropriate regulatory relief. The prompt response by U.S. DOT/FMCSA in issuing an emergency declaration that waived Hours of Service (HOS) and other regulations ensured that grocery store shelves remained stocked during the panic-buying that ensued during the early days of the COVID–19 crisis. The collaboration between U.S. DOT/FMCSA and the trucking industry has been unprecedented, with numerous stakeholder conference calls, guidance documents, and countless correspondence when specific situations arose.

ATA appreciates and supports the steps agencies have taken by issuing emergency waivers and declarations. ATA urges caution, however, that any waivers or exemptions are limited in scope and duration, and only apply to those operations providing direct emergency support. As many of these waivers expire in the coming weeks, we encourage federal agencies to continue industry outreach to ensure that drivers—throughout the country—are able to comply with existing regulations, such as renewing a commercial driver's license, hazardous materials endorsement, or medical certificate. As the country takes steps to reopen, our motor carrier members are concerned that, in some locations, the ability to comply with regulatory requirements may be hindered due to inconsistent state and local restrictions. Continued outreach between U.S. DOT/FMCSA and our industry will ensure a smooth transition.

Just as U.S. DOT/FMCSA has acted swiftly to provide regulatory relief during the COVID–19 pandemic, we also applaud their efforts in expeditiously publishing an HOS final rule that will provide targeted flexibility for our industry. As the trucking industry adjusted to the December 2017 implementation of Electronic Logging Devices (ELDs), concerns were raised by varying segments of the industry regarding the need for greater flexibility in commercial motor vehicle operators' HOS. While HOS regulations are designed to provide the framework for the safe and efficient movement of goods, ELD implementation made clear the need to provide drivers an improved ability to adjust to changing road and weather conditions, congestion and sensitive truck loads.

As such, ATA applauds FMCSA's recent publication of an HOS Final Rule, which, in various ways, will give drivers the flexibility necessary to safely and efficiently manage operations. This final rule includes flexibilities to the existing HOS regulations that have been in place for several years, including, expansion of the short-haul exemption, changes to the adverse driving conditions exception, changes to the 30-minute rest break requirement, and greater flexibility for how a driver splits their off-duty time in a sleeper berth. ATA filed public comments regarding each of these provisions, which can be located on the public docket.[3] ATA thanks DOT and FMCSA for their thoughtful and thorough rulemaking effort, which included significant stakeholder engagement, to produce a final rule based on science, data and safety. ATA looks forward to the September effective date for this final rule.

With regard to the additional waivers issued by FMCSA related to Commercial Learners Permits and Third Party Testing, we encourage the Agency to consider pursuing permanency of these waivers, which could assist in easing the current

[3] https://www.regulations.gov/document?D=FMCSA-2018-0248-8025.

delays associated with the testing of drivers who wish to obtain their Commercial Driver's License (CDL). These delays existed prior to COVID–19 and have only been exacerbated by this pandemic. ATA anticipates that the existing backlog of testing appointments will steadily increase in the future and encourages FMCSA to harmonize state licensing procedures, including, for example, state of domicile requirements and Third-Party Testing. FMCSA has mandated that an individual's state of domicile must accept the results of a CDL skills test that was administered out-of-state; however, the rule does not require the state of domicile to also accept the results of an out-of-state knowledge test. As a result, driver candidates who obtain training out-of-state are required to travel back to their state of domicile to obtain their credentials, creating an unnecessary burden. It has become all the more important to allow trainees to test, train, and receive their relevant credentials—be it a CLP or a CDL—without having to travel back and forth to their state of domicile.

2. TRUCKING INDUSTRY PRIORITIES FOR COVID–19 RELIEF AND RESPONSE EFFORTS:

*Limited Liability Protection Through COVID–19 Relief and Recovery Efforts:*

Motor carriers and commercial drivers are crucial to ensuring that the nation remains supplied with essential goods—from food to medical supplies—during the public health crisis. Given the unprecedented nature of this crisis, motor carriers and commercial drivers are, in the course of that essential work, exposing themselves to enhanced risks that are not yet fully understood. While the safety of our drivers, our customers, and those we share the highway with is always paramount for the trucking industry, the fact remains that the risks associated with keeping the nation supplied during the crisis cannot be completely mitigated. In order to ensure motor carriers are not punished for stepping up in the face of the national emergency, and are not dis-incentivized from doing so, Congress should impose reasonable limitations on the liability of motor carriers for these enhanced, crisis-related risks that they cannot fully mitigate. Such protections should be temporary and tailored to the scope of the pandemic response and recovery, and preserve recourse for those harmed by truly bad actors who engage in willful misconduct.

Specifically, Congress should provide motor carriers with protections like those it conferred on certain health care professionals in the CARES Act, where it ensured that they would not be held liable for good-faith efforts to provide care during the crisis. Similarly, Congress should provide that motor carriers will not be held liable if—despite reasonable safety precautions consistent with federal guidelines, and absent willful misconduct or gross negligence—they are alleged to have exposed customers or employees to the coronavirus in the course of serving the nation's supply needs during the crisis.

In addition, as we recognize the central role the trucking industry is playing in seeing the nation through this crisis, I want to make this Committee aware of a longer-term problem that has threatened the industry's ongoing ability to cost-effectively move the vast majority of the nation's freight. Motor carriers in recent years have become favored targets of the plaintiffs' bar and third-party litigation financing companies, who treat highway accident litigation as a potential jackpot rather than a means of assessing fault and fairly compensating victims. That trend, in turn, has led to skyrocketing insurance rates that risk putting many carriers out of business, and by raising the cost of shipping takes money out of the pockets of American consumers only to line those of the unscrupulous trial lawyers who seek to profiteer of the trucking industry's efforts to keep the supply chain running.

*Enact Legislation Protecting Essential Critical Infrastructure Employees:*

The transportation systems sector is one of the 16 critical infrastructure sectors whose assets, systems, and networks are considered so vital that their incapacitation would have a debilitating effect on security, economic stability, public health, and safety.[4] Accordingly, functioning and stable critical infrastructure is imperative as our nation responds to the COVID–19 public health emergency. The Cybersecurity and Infrastructure Security Agency (CISA) identified trucking in its list of essential critical infrastructure workers[5] because our industry helps to maintain the

[4] Cybersecurity and Infrastructure Security Agency, "Critical Infrastructure Sectors," https://www.cisa.gov/critical-infrastructure-sectors, 24 March 2020.

[5] Cybersecurity and Infrastructure Security Agency, "Advisory Memorandum on Identification of Essential Critical Infrastructure Workers During COVID–19 Response," https://www.cisa.gov/sites/default/files/publications/Version_3.1_CISA_Guidance_on_Essential_Critical_Infrastructure_Workers.pdf, 19 May 2020.

services and functions Americans depend on daily to operate resiliently during the COVID–19 pandemic response.

The trucking industry is proud to serve in this role, and will continue to deliver essential goods and supplies to communities so that our nation can confront and defeat this pandemic. We respectfully urge this Committee to consider a measure like S.3728, the Critical Infrastructure Employee Protection Act, to ensure that the trucking industry, and other essential critical infrastructure workers in the transportation systems sector, have the resources they need to maintain their essential operations. This thoughtful and timely legislation would require the Secretary of Transportation to support the efforts of State and local governments to provide essential critical infrastructure workers with prioritized access to testing and non-medical grade equipment. Ultimately, this type of investment in our frontline heroes is an investment in our nation's long-term well-being because essential critical infrastructure workers are leading our nation's response and recovery efforts on the ground. Keeping our frontline transportation workers healthy is how we ensure that grocery stores remain stocked, medical supplies remain available in urban and rural communities, and how we maintain critical infrastructure viability.

*Provide Detention and Demurrage Fee Relief & Chassis Choice for the Intermodal Trucking Community:*

Despite the economic slowdown caused by the public health crisis, intermodal motor carriers continue to bring products and materials to and from ports around the country. These efforts help deliver critical supplies to frontline health care workers, as well as the myriad materials and products needed to drive nearly every aspect of the country's economic supply chain.

Unfortunately, the current coronavirus outbreak has created a situation where access to shipping containers is critical, but is slowed down by ocean carriers traveling from ports throughout the world. Motor carriers have been assessed demurrage and detention fees unfairly by ocean carriers and marine terminals in the past, and with the current health crisis affecting operations at ports around the nation, ATA requests detention and demurrage fees be waived.

Under current practice, a fee is typically charged if a motor carrier is responsible for a delay of intermodal containers being picked up or delivered. If the motor carrier is the cause of such a delay, this penalty might make sense, since the global supply chain depends on the movement and repositioning of these containers. In many cases, delays result from other factors—such as port or ocean line delays, and the trucking companies are charged for inefficiencies they have no control over. While these practices are unfair in normal times, they are debilitating during this pandemic, which has caused historic disruptions in ocean shipping and port operations. Temporarily prohibitions on these charges against motor carriers will protect a vital American supply chain link and assist the recovery from our economic challenges.

Such a waiver or prohibition will help reduce confusion and disputes between intermodal carriers and the ocean lines, and expedite freight movement at ports and container terminals, thereby allowing critical products and materials to move more quickly during this time of national need.

Recently, the Federal Maritime Commission (FMC) finalized an interpretive rule on Detention and Demurrage. It will take effect after it is published in the Federal Reserve, which we hope will be soon. According to a recent statement from the FMC, "under the new interpretive rule, the commission will consider the extent to which detention and demurrage charges and policies serve their primary purpose of incentivizing the movement of cargo and promoting freight fluidity."

The detrimental impacts of COVID–19 makes the FMC interpretive rule on detention and demurrage very timely, because one of the main functions of the rule is to determine if certain detention and demurrage fees are reasonable or support freight fluidity. If neither of these goals are achieved, then no fee should apply. It should also bring clarification as to how the ocean carriers and marine terminals provide notice to truckers when their cargo is available for retrieval, clearly defined demurrage and detention policies, and dispute resolution. This increased clarity will help resolve disputes when they arise. Moreover, through the reasonableness standard laid out in the interpretive rule, the FMC will be able to better evaluate these disputes when they arise.

Therefore, we encourage the Committee to oversee the implementation of the FMC's interpretive rule, to help ensure that motor carriers are not being improperly charged detention and demurrage fees, particularly as a result of impacts from the pandemic. Additionally, should this interpretive rule be delayed in implementation, we encourage the Committee to provide intermodal motor carriers with detention and demurrage fee relief in future response and recovery legislation.

Another intermodal issues I'd like to raise with the Committee is chassis availability or chassis choice, which has become a much bigger problem at many of our nation's ports and terminals. If intermodal motor carriers are unable to get the chassis they need to move containers to and from ports, or if the process for obtaining a chassis is inefficient, then freight fluidity will be affected. For over 10 years, although the ocean carriers have sold their chassis, they still control chassis rules at intermodal facilities to deny trucking companies' choice when leasing this essential equipment. Foreign-owned ship lines require U.S. motor carriers to only lease chassis from the steamship lines designated chassis providers at a daily rate that is more than double the cost of providing a chassis, which increases costs for the motor carriers. At the same time, steamship lines have negotiated with their designated chassis provider for a daily chassis price when the steamship line pays the bill that is half the cost of providing a chassis. This rebate practice must stop.

The increased cost on the motor carrier is punitive and will lead to increased costs for the consumer. The lack of chassis choice prevents the motor carriers from making decisions on the quality of the equipment. It is important that chassis choice is available at ports and terminals throughout the country.

3. TRUCKING INDUSTRY PRIORITIES FOR COVID–19 RECOVERY LEGISLATION:

*Create Jobs and Stimulate the Economy While Improving our Nation's Infrastructure:*

The COVID–19 pandemic has significantly reduced travel, driving down fuel use and with it, fuel tax collection. In addition, truck and trailer purchases have dropped considerably, reducing the revenue collected through the federal excise tax on equipment.[6] For the week of May 16–22, personal travel was down a seasonally adjusted 30% compared with normal travel, while long-haul truck travel declined 5% and local trucking fleet travel was down 6%.[7] These declines have resulted in similar reductions in fuel consumption, with gasoline purchases down by approximately 30% in May compared with the same period in 2019.[8] While the likely effects on transportation budgets are unclear, ATA estimates that federal and state user fee revenue could be depleted by at least $32 billion over the next year. This does not include losses to states that rely on retail sales tax revenue for their transportation budgets. This loss of revenue will force cancellation of critical transportation projects, putting more than 400,000 people out of work. Furthermore, it will accelerate the insolvency of the federal Highway Trust Fund (HTF), which was previously projected by the Congressional Budget Office to begin to go into the red by FY2021.

ATA supports a short-term infusion of revenue that will allow states to avoid furloughs and to maintain capital investment schedules, saving thousands of jobs. We also urge Congress to avoid delays in reauthorization of the FAST Act, and ensure that the surface transportation program is provided with sufficient long-term revenue to address critical infrastructure deficiencies.

Even before the current crisis, a severe lack of investment has caused the road system to rapidly deteriorate, costing the average motorist nearly $1,600 a year in higher maintenance and congestion expenses.[9] Highway congestion also adds nearly $75 billion to the cost of freight transportation each year.[10] In 2016, truck drivers sat in traffic for nearly 1.2 billion hours, equivalent to more than 425,000 drivers sitting idle for a year.[11] This caused the trucking industry to consume an additional 6.87 billion gallons of fuel in 2016, representing approximately 13% of the industry's fuel consumption, and resulting in 67.3 million metric tons of excess carbon dioxide (CO2) emissions.[12]

The current situation represents the greatest opportunity in decades to make great strides toward addressing these challenges. With traffic down (allowing for

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[6] Gilroy, Roger, *April Class 8 Orders Reach 25-Year Low*, Transport Topics, May 5, 2020.
Gilroy, Roger, *US Trailer Orders Tumble to All-Time Low in April*, Transport Topics, May 25, 2020.

[7] INRIX U.S. National Traffic Volume Synopsis Issue #10 (May 16–May 22, 2020)

[8] Weekly US Product Supplied of Finished Motor Gasoline [https://www.eia.gov/dnav/pet/hist/LeafHandler.ashx?n=pet&s=wgfupus2&f=w]

[9] *Bumpy Road Ahead: America's Roughest Rides and Strategies to make our Roads Smoother*, The Road Information Program, Oct. 2018; *2015 Urban Mobility Scorecard*. Texas Transportation Institute, Aug. 2015.

[10] *Cost of Congestion to the Trucking Industry: 2018 Update*. American Transportation Research Institute, Oct. 2018.

[11] *Ibid*.

[12] *Fixing the 12% Case Study: Atlanta, GA*. American Transportation Research Institute, Feb. 2019.

more lane closures), unemployment at historic highs, and interest rates and fuel prices at historic lows, now is the perfect time to accelerate transportation projects, not starve them of revenue.

It is challenging to spot silver linings amid a global pandemic, but if there is something working Americans can be grateful for during a lockdown, it's a reprieve from the wretched traffic that's plagued daily commutes for years. But what happens when life returns to a new normal? America's sagging roads and cracking bridges will still be there, causing the bottlenecks and accidents that are the signature of everyday gridlock. Whatever the future holds, it is clear we can no longer rely on yesterday's roads to get us there. What if there was a smart way forward that finds common ground? What if we could jumpstart our economy, putting hundreds of thousands of Americans back to work in good-paying, private sector jobs—without adding another dime to the deficit? What if we could capitalize on this rare moment in the global oil market—paying dividends to working Americans for decades to come? There is. And we can. All that's needed now is the political courage to get there.

President Trump and Speaker Pelosi have made rebuilding roads and bridges a top priority. Leader McConnell has insisted that any infrastructure package be fully paid for. Truckers agree with all three. Where pundits see conflict, we see alignment—and the way forward. In one package, infrastructure offers a singular solution to the tangled web of policy challenges woven by COVID–19. It would generate powerful economic stimulus in the near term, providing hundreds of thousands of good-paying, private sector jobs. It would lay a strong foundation for long-term economic growth, strengthening our supply chain and securing America's preeminent position in the global economy. Most importantly, it can be done responsibly—and fully paid for—without adding a dime to the federal deficit.

While the COVID–19 crisis will pass, one of its lasting legacies has already been written. The U.S. has added $3 trillion onto our nation's credit card bill in a matter of weeks. These actions were necessary to prevent a catastrophic economic collapse, but their steep cost will reverberate for many years to come. America's total national debt now tops $25 trillion—another crisis decades in the making. It is a heavy price dropped on our kids and grandkids, which they'll pay throughout their lives in the form of higher taxes and fewer economic opportunities.

Moreover, an infrastructure bill without a dedicated funding stream has no teeth. Without budget certainty over a multi-year window, transportation officials cannot move projects from the planning phase to the construction phase. Ground cannot be broken, jobs are frozen and any progress is bogged down by Congress' annual appropriations cycle. In order to create value, infrastructure has to be funded.

President Reagan twice oversaw increases in the federal fuel tax during his Presidency, and for good reason. It is the most conservative, efficient and viable funding mechanism readily available for infrastructure improvement. That is because the fuel tax is collected at the wholesale level—at what is known as a "terminal rack"—well before it reaches the retail pump. There are roughly 1,300 racks across the country, but collectively they're operated by only about 300 entities.[13] The result is a tried-and-true system that minimizes overhead costs and maximizes efficiency—value—for road users. Ninety-nine cents of every dollar collected flows straight into the Highway Trust Fund.[14] Compare that to alternatives like tolling, where as much as 35 cents of every dollar is squandered on administrative and collection costs.[15]

Yet Congress has not adjusted the fuel tax since 1993. As COVID–19 roils oil markets, the present moment offers an enormous investment opportunity to recoup the economic losses inflicted on our country. As of May 26, the national average price for a gallon of gas is $1.96, compared to nearly $3.00 one year ago.[16] Increasing the federal fuel tax by only a nickel each year, over four years, would generate $340 billion in new revenue over the next decade. A five-cent increase in the fuel tax would cost the average motorist merely an extra 50 cents at the pump each week. Even if a 20-cent increase took effect immediately, motorists today would still be paying 80 cents less on each gallon of gas than they were paying a year ago. More importantly, a well-maintained and responsibly funded surface transportation funding program would create significant savings for motorists by steadily reducing

[13] https://www.irs.gov/pub/irs-utl/tcn_db.pdf

[14] *A Framework for Infrastructure Funding*, American Transportation Research Institute, Nov. 2017.

[15] *Ibid.*

[16] Gasbuddy.com

the $1,600 and 54 hours they are currently losing every year as roads and bridges fall deeper into disrepair and no longer meet the needs of 21st century America.

When it comes to funding the roads and bridges that Americans use every day, the trucking industry more than carries its weight—and we're proud of that fact. While trucks account for only four percent of vehicles on our nation's roads, they pay nearly half of all Highway Trust Fund user fees. And truckers are willing to pay more to get this job done. But we're not alone. America's farmers, manufacturers, building trades, steel workers, business and labor leaders all stand in unison behind this national goal. Together we can rebuild America—faster, better and stronger than ever before. Investing in our nation's failing infrastructure will ensure that we are better equipped to respond to this and future national emergencies. Additionally, investing in infrastructure will provide a direct stimulus into our nation's weakened economy.

We urge Congress to provide an immediate infusion of additional money to states for surface transportation. We believe that approximately $32 billion will be necessary to offset losses from federal and state user fee reductions over the next year. The money should initially come from the General Fund, to be distributed through existing federal-aid programs, and replenished over four years by an immediate 5 cent increase in the federal fuel tax. With additional five cent increases in each of the following three years, sufficient revenue can be generated to ensure long-term funding stability for the Highway Trust Fund.

Enactment of a robust long-term surface transportation reauthorization bill will ensure the solvency of the HTF and give states the certainty they require to make the major investments necessary to address maintenance and congestion needs. Among other funding priorities, ATA recommends direct funding for top freight bottlenecks that will ensure that trucks can deliver goods more swiftly in response to future emergencies. We also recommend the inclusion of H.R.6104, the Truck Parking Safety Improvement Act, which makes $755 million available to states for increased truck parking capacity. Finally, ATA supports federal grants of up to $2 million per state for the purpose of creating or upgrading automated permitting systems. While these expenses are eligible under FMCSA's High Priority Innovative Technology Deployment (ITD) Program, this program is over subscribed. While the lack of adequate automated permitting systems in more than half the states creates inefficiencies during normal times, the COVID–19 experience has exposed even more harmful effects during times of crisis.

*Incentives to Promote Investments in Cleaner, Safer & More Fuel-Efficient Truck & Equipment:*

COVID–19 is placing severe economic strain on trucking fleets and truck and trailer manufacturers due to cash flow uncertainties. As a result, investments in cleaner, more fuel-efficient, and safer trucks and equipment have steeply declined.

New Class 8 heavy-truck orders in April 2020 were the lowest since 1995.[17] The spread of COVID–19 led all four major heavy-duty truck makers to suspend normal production schedules beginning as early as March.[18] Production in 2020 will likely be a 50–60 percent decline in sales below the near-record build rate of 345,000 trucks in 2019.[19] The global Class 8 downturn in 2020 will be worst felt in the U.S. as it often exhibits deeper cyclical troughs.[20] Fleets are delaying ordering trucks until the economic uncertainty over the COVID–19 crisis abates and a significant number of orders scheduled for near-term deliveries have been cancelled due to financial uncertainty and/or lack of freight to haul.

Fleets have also curtailed ordering new trailers due to COVID–19. U.S. trailer orders in April hit an all-time low after heavy cancellations and the industry's rapid reaction to the unprecedented business conditions generated by the economic shutdown.[21] While often overlooked, new trailers typically provide significant environmental and energy savings benefits as exemplified under the U.S. EPA SmartWay program which helps companies advance freight transportation efficiency.[22]

As the economy looks to recover from COVID–19, fleets must be incentivized to place orders for new, cleaner, safer, and more fuel-efficient equipment. Providing such incentives will result in a direct economic stimulus, certainty for jobs in truck and equipment manufacturing, and improvements to highway safety and fuel effi-

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[17] Gilroy, Roger, "April Class 8 Orders Reach 25-Year Low", *Transport Topics*, May 5, 2020.

[18] Hitch, John, "Pandemic's Impact on Current Truck Production", *Fleet Owner*, April 7, 2020.

[19] "COVID–19 Will Further Slow Demand for Heavy Trucks", *S&P Global Ratings*, May 5, 2020.

[20] *Id*.

[21] Gilroy, Roger, "US Trailer Orders Tumble to All-Time Low in April", *Transport Topics*, May 25, 2020.

[22] *See*: https://www.epa.gov/smartway.

ciency. As Congress considers COVID recovery legislation, relief is sought on these three fronts:

(1) Temporary suspension of non-fuel use taxes for the trucking industry;
(2) Establishment of an immediate freight truck stimulus package; and
(3) Short-term financial incentives to kick-start the purchase of new North American-manufactured trailers.

*A Temporary Suspension of Non-Fuel Use Taxes:*

Non-fuel federal use taxes cost the trucking industry more than $6 billion annually.[23] These taxes include the 12 percent federal excise tax (FET) assessed on new truck and trailer purchases, an antiquated tax on trucks and equipment adopted in 1917 as a World War I revenue source, which remains the highest excise tax imposed by the federal government on any product or service. The FET imposes an average additional $18,000 price tag on a new Class-8 truck (assuming an average purchase price of $150,000) and close to a $4,000 up-charge on a new 53-foot box trailer (assuming an average purchase price of $33,000). These excessive tax charges limit the amount of actual physical equipment fleets can afford to purchase. The 97 percent of the nation's trucking companies that are small businesses are especially impacted by these high taxes given that they already operate on razor-thin profit margins.[24] While the permanent elimination of the FET is clearly justified, a temporary suspension of this tax through the end of CY2021 would greatly incentivize carriers to purchase new trucks and trailers, save manufacturing jobs, and put cleaner, safer, more fuel-efficient equipment on the road.

A second non-fuel federal use tax involves the FET assessed on tires that only applies to the trucking industry. It was also imposed to assist in paying for the war effort during World War I. While tires account for two percent of fleet operating expenses, the annual tax burden on the industry is approximately $500 million.[25] A temporary tax holiday through CY2021 for truck tire purchases would save the industry approximately $800 million and go far in the economic recovery efforts of the trucking sector.

The final non-fuel federal use tax is the Heavy Vehicle Use Tax (HVUT), assessed annually on heavy vehicles at a rate of up to $550. Though drivers are still on the road delivering vital supplies and food, they remain subject to a tax burden that places enormous stress on their businesses at the very time when there are agonizing decisions made every day related to equipment and workforce. This tax is especially burdensome because fleets must pay it in a single lump sum, straining company cash flows. Suspending the HVUT through CY2021 would save the trucking industry nearly $2 billion.

*Establishment of a Freight Truck Stimulus Package:*

To help rebuild and stabilize the trucking sector, creating a freight truck stimulus package under the highly-successful Diesel Emissions Reduction Act (DERA) would throw a lifeline to many trucking fleets seeking to purchase cleaner equipment. DERA has become one of the most cost-effective federal clean air programs for reducing emissions and saving fuel. EPA's most recent estimates indicated that every $1 in federal assistance is met with $3 in non-federal matching funds, including significant investments from the private sector. Furthermore, every federal dollar generates between $5 to $21 in health and economic benefits.

Using DERA to stimulate the economy is not without precedent. EPA received $300 million through the American Recovery and Reinvestment Act (Recovery Act) for clean diesel projects in 2009. These funds expanded the program's ability to establish large-scale projects that could deliver additional reductions through investments in cleaner and more fuel-efficient technologies. This program was also credited with sustaining and creating over 3,000 jobs. Many DERA-related jobs advance green employment opportunities through the development, manufacturing, and installation of clean diesel technologies.

While DERA has made tremendous progress in improving air quality nationwide, annual dollars are stretched thin due to competition for funding between school buses, ports, airports, rail, construction equipment, and trucking. Given that approximately 57 percent of the heavy-duty truck fleet is not equipped with technology meeting the most current emissions standards adopted for model year 2010, and given the expected downturn in new truck purchases into the foreseeable future, developing and funding an on-road freight truck component under the DERA program would be a win-win proposition to jump-start new truck purchases and reduce emis-

[23] *See*: https://www.fhwa.dot.gov/policyinformation/statistics/2018/fe210.cfm.
[24] *American Trucking Trends 2019*, American Trucking Associations, July 2019.
[25] *See*: https://www.fhwa.dot.gov/policyinformation/statistics/2018/fe210.cfm.

sions. ATA therefore supports an additional $250 million in annual DERA funding be appropriated and specifically set aside for new on-road freight vehicle purchases to accelerate fleet turnover rates and to help renew truck manufacturing jobs.

*New Trailer Purchase Incentives:*

A single 53-foot standard box-type trailer can set a trucking company back $33,000 on average. It is not uncommon for fleets to have trailer to tractor ratios of 3:1, meaning they require three trailers per power unit due to the frequent repositioning of empty, partially loaded, and fully-loaded units. Other trailers designed for specialty hauling operations—such as tank trucks, flatbeds, refrigerated units, and automobile haulers—can sometimes cost upwards of $100,000.

Given the economic recovery needed for the pummeled trailer manufacturing industry, ATA proposes a temporary $5,000 federal voucher program for the purchase of new North American-manufactured trailers that achieve either a U.S. EPA SmartWay, U.S. EPA Phase 2 Heavy-Truck Greenhouse Gas Rule, or comparable state fuel-efficiency designation through the end of CY2021. Today's new generation trailers are both more fuel-efficient and provide significant associated emission reductions. In fact, emission reductions and associated fuel savings benefits from a new 53-foot trailer can achieve as much as a 10 percent improvement.

In order to inject new life into what used to be a $12+ billion U.S. industry, the establishment of a short-term federal voucher program is critical. Not only will such a program instantly help U.S.-based trailer manufacturers and trucking companies rebound financially, but incentivizing new trailer purchases will help continue the historical progress the trucking industry has made over the last 35 years to advance the nation's energy and clean air goals.

*Support Workforce Development Initiatives and Invest in Retraining the Unemployed:*

The trucking industry's successful mobilization in response to the COVID–19 emergency demonstrates how critical workforce development is to the economy and our emergency response supply chain. Prior to the COVID–19 emergency, the most recent statistics showed 7.4 million people working in various occupations in the trucking industry, accounting for 1 in 18 jobs in the U.S. "Truck driver" has been reported to be the top job in 29 states.[26]

These are good middle-class careers that do not require the debt that often comes with getting a college degree. The Bureau of Labor Statistics reported a mean salary of $46,850 for truck drivers in a May 2019 report.[27] An industry survey shows the average truck driver makes over $53,000 per year, plus benefits like health insurance, a retirement plan (e.g., 401(k)), and paid time off.[28] A private fleet driver similarly saw pay rise to more than $86,000 from $73,000 or a gain of nearly 18% from 2014.[29] In addition to rising pay, many fleets were offering generous signing bonuses and other expanded benefit packages to attract and keep drivers as recently as February of 2020.

The most recent jobs report, however, showed overall 14.7% unemployment, and labor participation dropping to 60.2%—the lowest since 1973. While portions of the trucking industry have somewhat weathered the economic storm, according to the BLS May 2020 Report, 88,300 jobs were lost in the for-hire trucking industry in April, or about 6%. That puts overall employment in the for-hire trucking industry at the lowest level since November 2014. Part of the reason for that, as this Committee well knows, is that we depend on our customers to sustain our business—and, when they hurt so do we.

Prior to the current emergency, there was already a significant need for more truck drivers. In July 2018, half of the nation's twelve Federal Reserve Districts specifically reported trucking capacity and truck driver shortage issues.[30] The industry faced a shortage of more than 60,000 qualified drivers as of 2020, and will need to hire 1.1 million new drivers over the next decade, taking into account retirement and the industry's aging workforce (7 years older than that of your typical U.S. worker). Any further workforce attrition could cripple the industry's ability to

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[26] https://www.marketwatch.com/story/keep-on-truckin-in-a-majority-of-states-its-the-most-popular-job-2015-02-09.

[27] Occupational Employment and Wages, May 2019, 53–3032 Heavy and Tractor-Trailer Truck Drivers, available at https://www.bls.gov/oes/2019/may/oes533032.htm

[28] ATA Driver Compensation Study (2017); American Trucking Associations. https://www.atabusinesssolutions.com/ATA-Store/ProductDetails/productid/3852684.

[29] *Id*.

[30] The Federal Reserve Board, The Beige Book: Summary of Commentary on Current Economic Conditions by Federal Reserve District, July 18, 2018, https://www.federalreserve.gov/monetarypolicy/files/BeigeBook__20180718.pdf.

effectively and swiftly deliver goods and supplies in a national emergency. Furthermore, there is a major backlog in Commercial Drivers License issuance in many states due to closures of many schools and testing facilities. As a major source of national employment, however, we expect to be a leader in returning Americans to work and have several proposals designed to maximize opportunity for all Americans in this critical industry as the economy recovers.

1. *H.R.1374/S.569, the DRIVE Safe Act*: This bipartisan legislation, which is currently cosponsored by over one fourth of the House and one third of the Senate, allows young Americans to become truck drivers—a good paying job in an industry that badly needs them. Though 49 states currently allow individuals to obtain a commercial driver's license at 18, they remain prohibited from driving in interstate commerce until they are 21. The bill establishes an apprenticeship program to train qualified 18–20 year old CDL holders to safely operate in interstate commerce.
2. *H.R.5145/S.2858, the Promoting Women in Trucking Workforce Act*: Through the establishment of a Women of Trucking Advisory Board, we expect to be able to place greater focus on the recruitment, training, and mentorship of women. This will lead to greater industry diversity, while providing another tool to stem the driver shortage.
3. *H.R.5118/S.3303, the Promoting Service in Transportation Act*: This legislation will raise awareness of great career opportunities in the transportation sector. Through enhancing the use of broadcast, digital and print media in public service campaigns, we can ensure that the workforce is available and equipped to respond to emergencies.
4. *Workforce Investment and Opportunities Act (WIOA) Reforms*: Training opportunities will play a critical role in helping the unemployed or underemployed return to work, and Congress should pursue improvements to WIOA, which is up for reauthorization this year, in both the short- and long-terms.
   a. *Improved Payment Efficiency Will Speed Up Training*: Truck driver training schools currently train between 13,000–14,000 Americans each year under WIOA. With many workforce boards temporarily closing due to the COVID–19 pandemic coupled with various accounting requirements, outstanding reimbursements were not timely processed, which delayed entire classes of new drivers. Congress should consider changes to ensure training reimbursements continue in the event of a temporarily closed workforce board.
   b. *Expand WIOA Funding and Ensure Vital Industries Have Access*: In order to ensure opportunities for those who may not be able to return to their prior jobs, ATA believes a one-time infusion of WIOA funds with certain parameters is in order, and that truck driving should be considered a nationally "in-demand" occupation. While some states and local workforce boards include truck driving as an in-demand occupation with access to WIOA funding, many do not. A directive that funds should be prioritized for workforce training for defined critical industries, including trucking, would remedy this disparity. Additionally, during the recovery period, Congress should streamline the intake process at state and local workforce boards to ensure people are being trained swiftly for open jobs.
5. *Ensure Focusing on Safety Does Not Impact Independent Contractor Relationships*: Safety is always paramount for the trucking industry, and many motor carriers rely on independent owner-operators for their businesses and work with them to ensure they are operating safely. Congress should ensure that efforts on the part of a motor carrier to assist an independent owner-operator in maintaining health and safety during the crisis cannot be used as evidence of an employer-employee relationship and resulting liability of the carrier.

These suggestions will help ensure the trucking industry has access to a workforce that is able to support the critical needs of the country as we cover from this crisis.

*Provide for the Use of Electronic Shipping Papers:*

Both the U.S. Centers for Disease Control and Prevention (CDC) and the Occupational Safety and Health Administration (OSHA) recommend that individuals practice social distancing to slow the spread of COVID–19. Further, it is recommended that drivers, inspectors, shippers, and the entirety of the hazardous materials (hazmat) supply chain avoid touching documents whenever possible to reduce the likelihood of virus transmission. Unfortunately, truck drivers hauling hazmat do not have the option to apply this best practice due to certain federal shipping paper re-

quirements.[31] Specifically, the rigid procedures related to the preparation and retention of shipping papers inadvertently prevent truck drivers from taking precautionary measures intended to mitigate the spread of the virus. Transitioning to electronic shipping papers would enable truck drivers, their customers, law enforcement personnel, and first responders to avoid the risks associated with passing hazmat documents back and forth.

We recommend that Congress amend these federal shipping paper requirements to provide truck drivers hauling hazmat with the option to utilize electronic shipping papers. Such an amendment is long overdue, and is especially timely given the current public health emergency. Highway carriers should have the option to utilize electronic shipping papers if they are able to comply with comparable electronic shipping paper regulations governing hazmat transportation by air and rail.

Transitioning to electronic hazmat shipping papers is not simply about leveraging technology for technology's sake. Shippers and carriers, as well as law enforcement officers and first responders, stand to benefit from the efficiencies yielded by electronic shipping documentation.

The current Hazardous Materials Regulations place great emphasis on physical documentation requirements, which, in some cases, can inadvertently endanger law enforcement personnel and first responders—the very individuals these regulations are intended to safeguard. For example, in emergency events involving hazmat highway carriers, first responders need to access shipping papers in order to determine the exact quantities and types of hazardous materials on board. If shipping papers are physically located inside the truck, first responders must put themselves in extreme danger to retrieve them. If first responders and law enforcement do not have access to the vital information contained in shipping papers, they will not have enough information to make informed judgments about how to respond properly and safely.

With an electronic shipping documentation system in place, first responders could access the information remotely, circumvent the risk of entering the vehicle, and respond more rapidly. This concept has already been tested and approved in the air and rail domains, and the trucking industry is hopeful for the opportunity to embrace the safety benefits of electronic shipping papers as well. From a safety standpoint, the rationale for providing highway carriers with the option to transition to electronic shipping papers is clear. Furthermore, electronic shipping papers could also be incorporated into the communication systems that many companies already have in place for increased efficiency and enhanced sharing of hazard information with need-to-know parties. Leveraging technology to improve critical communication between drivers, first responders, and law enforcement during an emergency is a goal that we can all support.

In addition to the safety benefits, using electronic shipping papers is a sensible way for shippers and carriers to reduce their impact on the environment. Electronic hazmat documents are not only a more environmentally-friendly alternative to printed shipping papers, they can also save shippers and carriers the cost of printing and maintaining this paperwork.

For those reasons, we urge the Committee to take the appropriate legislative steps to ensure that the safe, secure, and efficient delivery of hazardous materials does not jeopardize the health and safety of truck drivers, first responders, law enforcement personnel, shippers, and consignees.

## CONCLUSION

Chairman DeFazio, Ranking Member Graves, and members of the Committee, thank you again for providing me with the opportunity to testify before you today. As you have ascertained from my testimony, the impacts of the COVID–19 pandemic on the trucking industry and its workers have been significant. And, yet, our industry and our drivers have been at the forefront of COVID–19 relief and response efforts, ensuring that food, medical supplies, and household goods are swiftly delivered throughout the country. Trucking is prepared to lead our nation's economic recovery, delivering the goods that will fuel commerce, the supplies that will empower businesses, and the necessities that will nourish our communities. And, we will do so with an unwavering commitment to the safety, health and well-being of our drivers and other industry workers.

The leadership and action of this Committee, Congress, and the Administration over the next several months will shape the country's continued response to, and recovery from, the pandemic. Investing in our nation's crumbling infrastructure will both create jobs and provide a direct economic stimulus, while improving our crum-

[31] 49 CFR § 172.201–§ 172.205

bling roads and bridges. Providing limited and narrow liability protections to motor carriers and other industries who have acted in good faith on the front lines of the pandemic will ensure our response and recovery efforts are not assaulted by boundless liability. And, creating a roadmap and framework for our workforce of tomorrow, when the trucking industry will need to hire over one million new drivers just to keep pace with growing demand, will spur an employment resurgence as we emerge from this health crisis.

ATA applauds the attention this Committee is giving to the impact of the COVID–19 pandemic on transportation industries and their workers. The trucking industry stands ready to work hand-in-glove with you on continued and future COVID–19-related efforts. Under your leadership and guidance, we believe that the important and necessary steps can and will be taken to help see the trucking industry, and the nation, through these tough times and into a better tomorrow.

Mr. DEFAZIO. Thanks, Randy.

That concludes our witnesses, and now we will proceed to questions. The staff has provided a list. It looks like we have extraordinary attendance today. Thanks to everybody. And we will try and move along quickly. And, as I said, it will be done in the usual order.

And, first, I will claim my time.

And first to Ms. Carr, if you could unmute. I would just like to discuss what you talked about in terms of observance at the gate recently of people not following the guidelines. And were they admitted to the plane while still not following the guidelines?

Ms. CARR. So, Chairman, they would take their masks on and off. Again, there was a lot of crowding around the gate area. People were very eager to get onboard the aircraft, as they generally are, and despite the guidance from our gate agents asking them to space out, to keep the 6 feet, people were, again, too eager to get on the plane.

As I was coming off, again, there was crowding. My coworker and I, who were both trying to exit the area, we were pressed up against people just trying to get out.

Mr. DEFAZIO. Uh-huh.

Have you heard from any of your coworkers about people refusing to wear masks on the plane?

Ms. CARR. I have seen instances on social media through my coworkers where they have discussed the fact that passengers don't like to wear the mask, might take it off for a longer period than just to eat or drink. It is definitely an issue that we need to address.

Mr. DEFAZIO. Do you think if we said seatbelts and not smoking are just a voluntary airline rule that we would be getting the levels of compliance we are getting today, because it is a mandate and will be enforced by the Federal Government?

Ms. CARR. Because we have that security of the Federal Government giving us that backing to do our jobs and enforce no smoking on planes and enforce seatbelts, by enforcing masks, people, I believe, would have to listen to that. I believe there would be less pushback and less mistakes about what is acceptable at this point when you are traveling on an airplane.

Mr. DEFAZIO. OK. Thank you.

To Mr. Willis, Larry, if you could unmute. On the issue of OSHA, you mentioned OSHA and the lack [inaudible]. Do you want to just expand on that a little bit? What would [inaudible] factors?

Mr. WILLIS. You were sort of breaking up there, but I think you were asking about the OSHA Emergency Temporary Standard.

I think from a transportation worker perspective, both the OSHA temporary standard and the modal-specific requirements are going to [inaudible] work hand-in-hand. As I think you know, Mr. Chairman, OSHA's jurisdiction on the transportation side can be a little hit and miss. We do know that on the transportation side there are, sort of, uniquenesses about these industries that I think require the modal agencies to really step in here.

You raised a question about empowering the flight attendants to enforce the mask rule. I think that has to happen, be an FAA directive, giving them the authority, again, in conjunction with the broader approach that OSHA offers.

And, finally, as we talk about masks in the context of aviation, I think [inaudible] in addition to the aircraft, we need to make sure that passengers coming into the screening area are wearing masks [inaudible] at a national level so that they are protected from this virus as well.

Mr. DEFAZIO. OK. Thanks.

And then, finally, a quick question to Mr. Shaw, if you could unmute.

I think you said that a lot of your assistance for PPE came through the union and not through the employers. Is that correct?

Mr. SHAW. Yes, Chairman Graves.

Mr. DEFAZIO. OK. That was an answer. They said "Graves," but OK.

All right. Thanks.

With that, I am going to move on to Ranking Member Graves for his questions.

Sam?

Mr. GRAVES OF MISSOURI. Thanks, Mr. Chairman.

My question, I only have one right now, and it is for Mr. Guillot, if you could unmute.

You mentioned that the shutdown of certain businesses and, obviously, certain regions has caused changes to the supply chain and it has thrown off the balance of freight systems. And I am just curious how your members are addressing that. And does this threaten the long-term viability of their supply chains?

Mr. GUILLOT. Well, as it was mentioned earlier in the discussion, certain segments of our industry are busy still with consumer-type goods, but many segments of our industry that are servicing fuel deliveries, for servicing the oil fields right now, for servicing car manufacturers and other types of factories that are shut down because of the pandemic or just getting back up and going now—it certainly has disrupted the entire supply chain.

So we are looking forward for the economy to get back going again, and that we can try and bridge the gap on the deficiencies now with the supply chain versus what we were experiencing before.

So will there be long-term effects? I think the longer the slowdown is, the worse it is going to be in recovery. But I think, if it is short in timeline, that we will be back and the supply chain will be back to normal.

You know, our workers have been up to the task. We have been at the front lines, delivering, and we will continue doing that as an industry.

Thank you.

Mr. GRAVES OF MISSOURI. Do you have an estimate on how long it might take to get back to normal?

Mr. GUILLOT. Our economists for ATA have projected towards the end of 2021 might give us some sort of normalcy again.

We are experiencing a tremendous slowdown in the second quarter this year. Some estimates are as high as 35 percent. And while we are looking for an increase in the economy in the third and fourth quarter at measurable lengths, it is still going to take that long to get back to normal, if, in fact, the projections are correct.

Mr. GRAVES OF MISSOURI. Thank you.

Mr. GUILLOT. Thank you.

Mr. GRAVES OF MISSOURI. I yield back, Mr. Chairman.

Mr. DEFAZIO. Thanks, Sam.

We would now move to Eleanor Holmes Norton.

Eleanor? Unmute.

Ms. NORTON. Yeah. I hope you can hear me and see me.

Mr. Chairman, I do want to thank you for this hearing. I think it has been really important to hear from these leaders on the front lines who are experiencing the most exposure and who can help us the most.

Indeed, I have a question really for all of them.

My own district, the Nation's Capital, and the surrounding region was the last to open. It was a real hotspot. And now it is inching toward reopening right now.

For those of you on the front line who are now seeing the virus resurge in some parts of the country, would it be your advice to cease reopening so quickly? Or do you believe the kind of reopening at various levels and, I must say, in various jurisdictions, do you believe that reopening should continue, in light of what exposure you think your own workers may have as a result?

I would like to hear from all of you on that, because all of you are exposed.

Mr. DEFAZIO. If you could all briefly address that.

Mr. WILLIS. Sure. This is Larry Willis.

I would just say that, obviously, local jurisdictions [inaudible] work with public health officials to make those determinations.

From a transportation worker perspective, we can talk about this more during the hearing, but as more and more density occurs on our transportation network as we start to reopen, whether it is on transit, passenger rail, obviously the airlines side, I think that social distancing, the PPE question, how you test in the right way really is crucial today but is going to take on even added importance. Because the nature of transportation, workers in many cases are going to be next to their fellow workers, next to passengers. As you have more people using the system, we need to constantly rethink what we are doing to protect both workers and passengers.

Ms. NORTON. Do any of the rest of you—Mr. Byrd, in light of your own workers, Ms. Carr, in light of your own workers, I would appreciate your advice.

Mr. BYRD. OK. I could answer. Thank you, Congresswoman Norton. I am a DC resident myself, and thank you for your service.

Yeah, we are very concerned about the rate at which the States are reopening. We think that the policies that are being implemented in the States, in terms of the pace at which States are reopening, is kind of outpacing the science.

The experts are telling us that we are still in a pandemic, you know? And given the activities, the protests and the reopening, we have seen increases in certain States that have reopened. So there are indications that this may be a bit premature, and we need to do this very slowly, very carefully and incrementally.

Ms. NORTON. Thank you very much.

Ms. Carr, Mr. Shaw, Mr. Guillot, do any of you have any views on that that could be helpful to the committee?

Mr. DEFAZIO. Quickly.

Ms. CARR. Congresswoman, thank you for your question.

Yes, I do believe that, as we are opening up, we need strong, enforceable guidance as to how we open up—masks, et cetera. And then, certainly for travel, we need social distancing and respect of fellow passengers.

Mr. GUILLOT. Congresswoman Norton, this is Randy Guillot.

Our industry is very eager to get the economy back to a normal circumstance while recognizing the importance of health for our entire workforce and the public.

So we are extremely concerned. We make sure that we are following CDC guidelines, as well as OSHA guidelines, and, in particular, looking forward to following the guidelines of local jurisdictions, since they are different from one to the next, as our drivers are traversing those each and every day.

Thank you for your question.

Ms. NORTON. Thank you very much.

I think my time has expired.

Mr. DEFAZIO. It has expired. Thanks, Eleanor.

We would now move on to Representative Crawford.

Mr. CRAWFORD. Hey, thank you, Mr. Chairman.

A question for Mr. Guillot. I hope I said your name properly. I wanted to get some insight from you about the trucking industry. Unlike other industries that have been able to work remotely through the crisis, that is not the case for truckers.

And you helped lead through our COVID-response efforts. Truckers continue to work around the clock, delivering goods to grocery stores, medicine to hospitals, PPE to first responders, and things of that nature. And just as they led the response, truckers will also lead the way on recovery. You are the driving engines of our economy.

As we pivot from COVID response to recovery, what are the policies that you and the trucking industry believe should be considered by this committee and Congress?

Mr. GUILLOT. Congressman Crawford, thank you for your question.

You know, we are definitely concerned and want to make sure that we are following the guidelines by CDC and OSHA. We are also concerned with receiving limited liability protection from excessive litigation.

We are not trying to protect bad actors in our industry. We certainly want to be good stewards of health for our entire workforce. But we are extremely concerned with frivolous lawsuits that may come out of this health event and make it into a legal event instead. So that is concerning to us.

Thank you.

Mr. CRAWFORD. Thanks.

Anything else that you think we should be looking at beyond that, from a policy perspective?

Mr. GUILLOT. Well, I will say this, as in my original statement: Infrastructure is number one for our industry. We feel it is critical for this committee here to lead the way on a bipartisan bill that can pass this year and to fully fund a robust infrastructure package going forward.

Mr. CRAWFORD. Thank you. I appreciate your insights.

Mr. Chairman, I yield back.

Mr. DEFAZIO. Thanks, Rick.

We would move on now to Representative Johnson.

Ms. JOHNSON OF TEXAS. Thank you very much, Mr. Chairman.

And let me thank all of our tremendous witnesses today.

And as I am sitting here listening to their concerns during this very serious pandemic, it reminds me, frankly, that I have the largest Teamsters local in the Nation in my district, at Local 745, and that is the crux of our economy. And, of course, American Airlines is also based here, where we have lots of traffic. Transportation, frankly, is the crux of the economy in Dallas, Texas, and surrounding areas.

And I know that there is so much vulnerability. I am trying to see what we can do now to support more safety for all of these frontline workers. Because I consider transportation to be frontline. I would like to see if there is anything that we might be able to do, knowing how long it takes us to get through the legislative cycle of things, but there might be some recommendations or support that we can offer for some of the measures that we have in place now.

If they can comment a little bit on what that might be.

Mr. DEFAZIO. Anyone? Please unmute.

Mr. GUILLOT. Congresswoman, the trucking industry appreciates the relationship that we have with the Department of Transportation and FMCSA. They have been very responsive through this pandemic in assisting us through short-term initiatives, such as hours-in-service relief. So we would like to continue working with those agencies for the benefit of our workers and the benefit of our industry.

Thank you.

Ms. JOHNSON OF TEXAS. Thank you.

Mr. Willis?

Mr. WILLIS. Well, look, I would just say that employers, as I said in my opening statement, they have been really hit and miss. They have gotten better over time, but there are still a lot of places in the broad transportation side. Mr. Shaw talked about things for transit. Definitely more of a problem on the private-sector providers than the public.

Again, this is where I think you need mandates from the Federal Government, you need enforceable standards, because without that I think you are going to see more of a hit-and-miss approach to this.

And as I said earlier, as we start to reopen different parts of our country, we are going to see more people using public transit, we are going to see more people on airplanes. As the ability to social distance is going to get harder and harder, we need to think of new strategies to make sure that we are adequately protecting our workers.

And, again, I think it really starts with strong Federal mandates from DOT, from the modal agencies, in conjunction with an OSHA Emergency Temporary Standard.

Ms. JOHNSON OF TEXAS. Thank you very much.

Mr. Byrd?

Mr. BYRD. Yeah. Thank you, Congresswoman Johnson.

We understand that the legislative process can be quite time-consuming. We certainly advocate for a strong Federal regulation or a standard, but, in the interim, if the Congress could give the Occupational Safety and Health Administration the authority to enforce the CDC guidelines and the other best practices immediately, we think that would go a long way in actually compelling employers to implement the social distancing and the use of personal protective equipment and other measures that have been recommended through CDC.

Ms. JOHNSON OF TEXAS. Well, thank you very much.

I have very little more time, but Ms. Carr?

Mr. DEFAZIO. Quickly.

Ms. CARR. Thank you, Congresswoman.

I do believe that we need a Federal mandate for safety standards. Our passengers need to feel confident returning to air travel, which will in turn help our economy.

Mr. DEFAZIO. Great.

Ms. JOHNSON OF TEXAS. Thank you very much, Mr. Chairman.

Mr. DEFAZIO. Thank you all for observing the time.

We would now go to Representative Gibbs.

Bob?

Mr. GIBBS. Thank you, Mr. Chairman.

Thank you to all the witnesses for being here today.

On the previous question from the Member from Washington, DC, about the rate of opening up, I think it is important to remember, there is more testing going on. And the severity of the cases—we get more people that maybe test positive, but we are seeing out here in Ohio, in the middle of the country, the hospitalization rates and the death rate is trending down, which is a good thing, obviously. And I think that is what is really important.

But I think we are going to see more people——

[Audio malfunction.]

Mr. GIBBS [continuing]. Good to hear the flexibility that we passed almost unanimously out of the House and Senate last week, and the President signed it, was actually needed to be done.

Mr. Byrd, the recent finalized revisions of the Federal Motor Carrier Safety Administration's hours-of-service rules change the over-

all driving time for commercial motor vehicle operators. How has that impacted your members, with the changes?

Mr. BYRD. Thank you for the question, Congressman Gibbs. We are going to have a significant number of our members affected. I think you are referring to the changes to the short-haul provision and rest-break provisions. We have a fair number of members who are going to be affected by this.

We were not supportive of those changes, because we are very concerned that, by extending the workday for these workers, as they are performing very physically demanding work, that we think there are going to be a significant increase in the number of occupational injuries. So we are very concerned about that.

But it hasn't gone into effect yet. It is something that we will be closely monitoring.

Mr. GIBBS. OK. Well, thank you.

Mr. Chairman, I yield back, and just close with saying that I think we need to build up the economy as fast as we can but do it with common sense. And we are seeing some good things happen right here in the middle of the country. So I yield back. Thank you, Mr. Chairman.

Mr. DEFAZIO. Thanks, Bob.

We now turn to Representative Larsen.

Mr. LARSEN. Thank you, Mr. Chair. Coming to you live from Washington, DC.

My first question is for Ms. Carr. If you could unmute.

Ms. Carr, new technology is being developed and deployed to improve cleaning and sanitation across transportation modes, but I wanted to focus specifically on the cabin, the airplane cabin. How do you think the use of some of these new technologies are impacting the workforce health and safety?

Ms. CARR. Thank you for your question, Congressman. I am actually not well versed on that, but I will have a member of my union get back to you.

Mr. LARSEN. All right. That is excellent. Thank you very much.

Then I will ask the same question of Mr. Byrd about any new technologies being used to ensure a clean workplace, a clean workforce, as well as for your drivers in the Teamsters Union, anything new being done in terms of health and safety.

Mr. BYRD. There are no new technologies, that I am aware of, and I do directly deal with the occupational health and safety related issues with our labor union. I am completely unaware of any new technologies being employed. When it comes to cleaning and disinfection, we are relying on using products from the EPA's approval list of cleaning and disinfecting supplies. That is about the extent of it, that I am aware of.

Mr. LARSEN. Thanks.

I am going to go back to Ms. Carr. Since 2015, I and some others have called for a national aviation preparedness plan to ensure that all levels of Government, airlines, airports, and other aviation stakeholders are better prepared for future public health crises. And from your experience with the COVID–19 pandemic, what priorities would you include in such a plan for a national aviation preparedness plan to prepare for public health crises like COVID–19?

Ms. CARR. So, Chairman, I have to say when the spread began, I was surprised that there was not a more wide-sweeping plan in place from our Government. And I think moving forward that is something that we need to have. Obviously, that would change slightly based on what the crisis is, but as an example, the fact that early on we were not wearing masks, we weren't wearing gloves, passengers were exposed, we were exposed. These are all issues, as well as testing from the get-go, having different stop points to ensure that a passenger who may be infected is not getting all the way to the plane, they are stopped before that. They are all steps that we need in place. Cleaning provision, all of that should be outlined so that when a crisis like this occurs, we can immediately move into a plan of action.

Mr. LARSEN. Perhaps one of the lessons that we can learn from this. Thank you.

Mr. Shaw, in my district, the Island Transit, Community Transit, and the Whatcom Transportation Authority and other local transit agencies have implemented rear-door boarding, installed protective shields, and you have discussed some of those, suspended fare collection.

From your experience at SEPTA, are these measures effective? And do you think any of these practices or any others should be implemented permanently?

Mr. SHAW. We did have rear-door operations and they were effective, and we were able to block off or lift up the front seats to keep the social distancing. But as I testified, the budgetary issues where they went back to the front door. The biggest thing would be sanitizing, cleaning, more guidelines, stricter guidelines to keep the buses clean and guidelines to be able to enforce wearing masks. People just don't wear them, and there is no way as drivers that we can enforce them without causing confrontation and putting ourselves at greater risk.

Mr. LARSEN. Thank you.

And then, finally, Mr. Guillot, did any of your members, when the pandemic first hit and you had States closing activities, have problems with truck stops, the ability to stop at truck stops? You mentioned rest areas. What was your experience with private truck stops?

Mr. GUILLOT. Truck stops as well. In many cases, especially the restaurant and the ability to use restrooms within the truck stops, initially. We worked together as an industry, and I think that that problem became less significant as the days and weeks went along since the beginning of the COVID–19 pandemic. So, initially, yes; I think it is much better now.

Mr. LARSEN. All right. Thank you.

Thank you, Mr. Chairman.

Mr. DEFAZIO. Great.

Representative Webster. Unmute. Rep. Webster, did you leave?

OK. Representative Massie.

Mr. MASSIE. Thank you, Mr. Chairman. Can you hear me?

Mr. DEFAZIO. Yes.

Mr. MASSIE. Ms. Carr, you mentioned some national standards for aviation for the passengers and also for the flight attendants.

What standards would you like to see if we did come up with some Federal guidelines or standards for air flights?

Ms. CARR. I think one of the most important ones right now is going to be wearing masks in the common areas of the airport and then wearing masks onboard the aircraft, both for crewmembers who are working and for passengers who are traveling with us, as well as social distancing. The CDC has come out and said that wearing a mask is one of the best ways to prevent contracting and spreading this virus. So having those steps in place I think is vital.

Mr. MASSIE. And when you are provided a mask by your employer, do you get an N95 mask or a lesser mask, or what types of masks are flight attendants provided?

Ms. CARR. So there is going to be a variety. Naturally, the N95 has been said to be the best mask available; however, not only are the airlines trying to get this but so are our frontline health officials and everyone else in the country, so I have seen a variety of masks made available.

Mr. MASSIE. Would you prefer to have the N95 available for flight attendants?

Ms. CARR. I would absolutely like to see the best masks available to our frontline workers, including flight attendants.

Mr. MASSIE. OK. Same question there for you, Mr. Shaw. What kind of standards would you like to see in transit?

Mr. SHAW. The standards that I would like to see is the sanitizing of the buses. I don't believe that my employer is taking it seriously. I will do multiple trips multiple times a day, and my bus will not be cleaned. Standards from the Federal Government for sanitizing the buses. Probably that would definitely help. And, again, masks—making the passengers wear the masks. They are not wearing the masks. They are coming on, and all I can do is ask them to do it and they just look at me and pass by. So some type of standard and ways to enforce that would definitely make this job a lot safer.

Mr. MASSIE. If they don't have a mask, are you able to provide them with one?

Mr. SHAW. No, I don't have anything to give them. And I am just told to ask them to wear it and allow them to ride.

Mr. MASSIE. OK. And what kind of mask are you provided with by your employer?

Mr. SHAW. We have been provided with disposable masks, neck gaiters, a cloth mask, and masks that other operators make from home. We have not been given any N95 masks at all.

Mr. MASSIE. OK. It is my opinion, and I guess this is also supported by scientific studies, that if you want to try and protect the wearer of contracting the virus, that you would need something like an N95. And if that is the circumstance, then I would think that the flight attendants and the operators of transit should at least be provided that level of a mask. Whether that is a Federal policy or not, I don't know whether we should come in with a one size fits all, but we should definitely apply some science to the standards, whether they are State or employer or Federal.

Switching gears, Mr. Guillot, can you tell me if there are still any issues with truckers being able to get access to appropriate rest-

rooms and restaurants? Are there any States in particular where you are having difficulty still?

Mr. GUILLOT. I am not aware of any at the present time right now. There may still be some limited access, if you will, but nothing in the critical stage like it was at the initial onset of the pandemic.

Mr. MASSIE. So there has been some talk that there might be another flare-up of the virus as we open back up or as we get into the cooler months. Do you have any recommendations for States, since this is sort of a State-by-State basis and ad hoc? Do you have any recommendations for the Governors, if they do implement more stringent restrictions, what to avoid in order to keep from making truckers' lives more difficult than they already are?

Mr. GUILLOT. As we have worked with the jurisdictions at the very onset, I would recommend to keep our workers in mind, because we are critical for keeping the economy going, we are critical for delivering the essential goods, not only to our healthcare workers, but to the rest of the entire economy, to the American people, the grocery stores. You know, the biggest conversation at the beginning was there is no toilet paper left on the grocery store shelves. So, you know, as we say, we're moving America, just to be able to keep those basic necessities for a truck driver available, please keep that in mind.

Mr. MASSIE. OK. Thank you very much. And stay safe, you all.

I yield back, Mr. Chairman.

Mr. DEFAZIO. Thanks, Thomas.

Representative Napolitano.

Mrs. NAPOLITANO. Thank you, Mr. Chairman. Thank you to all for being such incredible workers during this very harsh time.

How is the transportation industry keeping workstations clean during shift changes? And have you tried—or are they considering the fumigation, such as the airlines—some of the airlines have instituted, to all of you?

Hello?

Mr. BYRD. Thank you for the question, Congresswoman. This is Lamont Byrd. We have not see any fumigation approaches to providing cleaning and disinfection. In fact, I have read some studies and not too long ago that actually questioned the efficacy of taking that approach to cleaning and disinfection. But we have not seen that being employed to this point in the facilities where we have members.

Mrs. NAPOLITANO. Well, that is interesting. Then how would the airlines be using it and not know that?

Ms. Carr, Secretary Mnuchin and the Treasury have not been willing to enforce the CARES Act. Would you care to talk on that?

Ms. CARR. Without the CARES Act, Congresswoman, right now I would not have a job and I would very well not have my medical insurance. This act was historical. Payroll protection for workers is absolutely vital during this time.

Mrs. NAPOLITANO. Yes, but they are unwilling to enforce it.

Ms. CARR. We absolutely need to see enforcement across the board. And I can have my union get back to you on how they would like to see that accomplished.

Mrs. NAPOLITANO. Thank you very much.

The partition. One of you mentioned the partitions are not enough. But L.A. had started a long time ago to put partitions in. Do you think that would be helpful? Maybe even asking the bus manufacturers to create something. Would you comment on that?

Mr. SHAW. Thank you, Congresswoman. We do have partitions, but they are short. They don't extend out past the farebox. They are there to stop somebody from spitting or spilling a liquid on you. Newer petitions need to be longer and enclose us more to protect us from people being able to come around it.

Mrs. NAPOLITANO. Would you be able to provide some information or recommendations on that?

Mr. SHAW. Yes, I can definitely have my union reach out.

Mrs. NAPOLITANO. On the buses that the routes get crowded, has the bus company considered putting extra buses on the same routes to deal with the extra influx of passengers?

Mr. SHAW. My company has done that, but it still hasn't been enough because of the limitations on the people. We have experienced, as operators, where the people at its intersection would stand in front of the bus and not allow it to move and destroy the bus. There has been no protection for the drivers to prevent these things from happening and not enough service to provide it.

That is, again, one of the biggest things that we talked about, was there is not enough service for the people, and it is causing unsafe conditions for the operators.

Mrs. NAPOLITANO. There is no standard, in other words. And even though they recommend, nobody wants to do it, because it costs money. Is that right?

Mr. SHAW. That is correct.

Mrs. NAPOLITANO. I think these guidelines should be extended, because if we are entering a period where another pandemic, stronger one, may happen, we will not be protected. What would you recommend that we do in order to be ready, or at least prepare?

Mr. DEFAZIO. Brief answers.

Mrs. NAPOLITANO. I have got 1 minute.

Mr. WILLIS. You know, one thing on the transit side that hasn't been discussed here is—now, someone asked about the air on aircraft cabins. Buses can think about this too. I know there has been some discussion with employers to have better filtration systems on the buses that are connected to the air-conditioning system. And, again, as I think we near the summer months, being aggressive about that can be a good, you know, added way to clean air, in addition to the disinfecting and cleaning that we have already talked about.

Mrs. NAPOLITANO. Also, the air circulation in the airplanes is important, isn't it?

Mr. WILLIS. Yeah. And I believe you or someone else raised that—I think it was Mr. Larsen raised that issue previously. You know, air cabin quality was an issue even before COVID, and really major significant problems and things that the FAA and Congress need to do better to make sure that we do have clean air onboard the aircraft cabin. COVID–19 just reinforced, you know, how contained that environment is and, I think, really makes it that

much more important to deal with those issues on the aircraft cabin.

Mrs. NAPOLITANO. Thank you.

Mr. Chairman, I yield back.

Mr. DEFAZIO. Thanks, Grace.

I have asked the FAA to solicit a study of circulation in the interior of an aircraft. We do not know how these microdroplets, particularly someone not wearing a mask who coughs or sneezes, or even someone just talking, how they behave in the aircraft. My understanding is Airbus and Boeing are both doing proprietary studies, which we won't see. Airbus is experimenting with reversing the airflow. I am very concerned. The FAA at this point is totally unwilling and would like to remain ignorant of that issue.

With that, I will turn to Representative Perry.

Mr. PERRY. Hey, thanks, Mr. Chairman.

I am coming to you from the committee hearing room in Washington, DC. My first question will be for Mr. Guillot and then Mr. Willis.

So, Mr. Guillot, in your testimony, you pointed out that Governor Wolf's efforts to combat the pandemic in Pennsylvania include the closure of our service plazas and rest areas for 10 days. And as you pointed out, the policy has threatened not only the safety and well-being of the drivers who are delivering critical medical supplies, food, and protective equipment, but moreover, the policy threatened to disrupt the flow of goods through Pennsylvania into the deteriorating public health situation in New York City, which at the time was the epicenter of U.S. COVID–19. Luckily, in this instance, the Governor reversed course and repealed the flawed and reckless policy. Nonetheless, the expanse demonstrates the danger posed by the unintended consequences of mass lockdown policies.

Do you know, did the 10-day shutdown of the rest facilities in Pennsylvania disrupt shipment of vital goods? And what other operational challenges, if any, due to the response to the virus, those policies, did any of your drivers or companies face?

Mr. GUILLOT. Yes. The answer to your question, I do not know of a specific shipment that may have been altered. I do know it disrupted the general flow of commerce through the State of Pennsylvania. We had drivers who were extremely concerned about traversing through there knowing that there were no facilities to stop and use the restroom, facilities to eat, facilities to rest. So it was extremely concerning. We were glad that our national association, American Trucking Associations, along with its Pennsylvania affiliate, worked with the State of Pennsylvania to get those facilities back open again.

Mr. PERRY. I sure appreciate it. Thank you.

Mr. Willis, in your testimony, you claim that there is a drastic drop in farebox revenue that threatens the ability of the transit agencies to continue to provide service at all. And that is—I am just quoting from your testimony. And then you go on to say: We know that billions more will be needed in the coming months to keep these agencies afloat as they continue to operate without recovering farebox revenue.

Now, to me, this testimony is misleading, at best. If the service of any transit agency were contingent on the farebox revenue, that

agency would no longer exist. As you know, on average, Federal, State, and local subsidies pay for three-quarters of their operating expenses. So just to reiterate, 75 percent come from Federal, State, and local subsidy. Moreover, the $25 billion in CARES Act emergency funding for the public transit system exceeds the annual farebox revenue of all transit agencies by nearly $10 billion. So that is a lot of money in excess of what the usual intake at the farebox is. The claim that this will not cover the lost farebox revenue and more is just, to me, quite honestly, it is just a flat out lie.

To be clear, the demands for tens of billions in additional emergency relief is a transparent attempt to get the Federal Government to bail out the transit sector from a crisis oftentimes of its own making. For example, coronavirus did not cause the $106 billion state-of-good-repair backlog and the declines in service that resulted in an 8-percent drop in ridership from 2014 to 2019; rather, they are the result of decades of financial irresponsibility and mismanagement.

More concerning to me is it is unlikely that ridership will recover to this level due to a combination of public transit's central role in the spread of COVID–19 through New York City, as demonstrated in an April 2020 MIT study; also included the expanded telework options for large sectors of the economy, the migration of both people and business centers away from densely populated areas, and CDC guidance to avoid public transportation, if possible.

What steps do you anticipate the industry will take to overcome these existential threats? And how can the American people be convinced that public transit is safe?

Mr. WILLIS. Well, I would say, that is a lot to respond to.

First of all, just on the Federal supportive subsidies point, every single mode of transportation that we are talking about here receives Federal support of some way, shape, or form. I mean, we absolutely support that across the board. We understand that segments of our transportation sector will have need, whether it is at the State level, local level, and obviously at the Federal level. Transit, being a public service, it is going to obviously require more than airlines or other entities.

I do think public transit is going to play a central role here. These are transit workers. These are agencies that have gotten essential workers to their jobs, that have gone to work every day in very unsafe conditions. As you heard earlier from my brother at the TWU union, very high fatalities in this sector of our economy.

So, yes, we need to make transit safer than it is today. The measures that we are talking about—making sure that we have mandatory rules in place on PPE use, on cleaning and disinfecting, on social distancing—those are the things that we should be focused on here.

And, yes, because of lost revenue at the farebox, because of less local action, because of lower gas taxes, again, at the local level, that is where you are seeing the suffering of revenue that is going to need Federal support here, just like other sectors of our transportation system, including aviation, that is desperately needed.

So we are all in this together, quite frankly. Transit is going to be a key part of this recovery and a need to support that we have been calling for.

Mr. PERRY. All right. Thank you for your answers.

I yield back.

Mr. DEFAZIO. With that, we turn to Representative Lipinski.

Dan, unmute. You there? Dan?

Mr. LIPINSKI. Yes, I am here. Thank you.

I wanted to go back to Larry, Mr. Willis, on—and maybe we also could have some comments from Mr. Shaw—on some of the things that had just been said about the amount of money that was received by transit agencies in the CARES Act actually exceeds the annual farebox receipt and that there isn't more help that is actually going to be needed for transit to continue on.

I know that in the Chicago area, working with the CTA and Metra, I know how much they have not taken in, compared to what they usually do, and that the funding that they received in the CARES Act is not enough to make up for that loss.

So I just wanted to give an opportunity to Mr. Willis and Mr. Shaw, if they want, to respond to that.

Mr. WILLIS. I will start.

You know, you are right. I mean, obviously, you have transit agencies that are all across the country—MTA in New York; Metra, CTA in your backyard—that are just seeing rapid fall-off. I forget the percentage, but I think on commuter rail, it is still 90-plus percent; buses obviously have more traffic.

But, again, when you think about public transit, it is not just fareboxes you have to think about; it is the local tax collection that they have.

And, by the way, this is a highway problem as well. We know that highway construction projects are being threatened with being closed down, being suspended, having capacity of State departments of transportation curtailed with layoffs there because local gas taxes aren't keeping up with those projects.

So it is not just a transit problem; it is a highway program problem as well. And as we think about investing in infrastructure as an economic stimulus down the road, if we don't maintain our capacity on the construction side, the State DOT side, using infrastructure investment to grow and restart our economy, it will be that much more difficult. And I would put transit in that exact same bucket.

So, we have to support these critical modes of transportation to be able to get to work.

Mr. LIPINSKI. I appreciate that.

Mr. Shaw, do you want to add anything to that before I come back to Mr. Willis for an Amtrak question?

Mr. SHAW. I would just say that the money that was given to SEPTA, I don't know how they use it or if they are using it. I would say that more money would be to work on the filtration design that would protect the passengers, as well as the operators, and more engineer designs on partitions. Again, I don't know what SEPTA is using their money for.

Mr. LIPINSKI. OK.

Going back to Mr. Willis, you mentioned in your testimony Amtrak's recent announcement about their buyout for 20 percent of their workforce, which also concerns me after they received $1 billion in Federal funding.

What labor protection with respect to Amtrak should Congress consider in a future COVID–19 package to ensure Amtrak is appropriately treating its workers?

Mr. WILLIS. Well, I think there are a couple of things.

One is, I do think Congress has to make sure that the Amtrak that we have today is the Amtrak, quite frankly, that we get back after passengers come back and have been back for a little bit.

You know, it is a national network; it is designed like that. It is supported as a national network by Congress. And, you know, allowing this to be an excuse, quite frankly, to roll back on long-distance routes, roll back on certain corridors, curtail onboard service, we think would be a mistake. We think that making sure that Amtrak is committed to its system and its network is critical.

And, yes, I think that, just like we did in the CARES Act legislation on the aviation side, making sure that this money is used and goes to payroll and, you know, make sure that their workers are able to stay on the job—as I said in my opening, I think the layoff plan that is being proposed is misguided. And I think pairing funding with an obligation to make sure that money flows to workers and that furloughs are not done is important.

Mr. LIPINSKI. Thank you.

My time is up, and I yield back.

Mr. DEFAZIO. Thanks, Dan.

With that, I would move on to Representative Davis.

Mr. DAVIS. Hey, Mr. Chair. Thank you very much.

I appreciate the responses, but Mr. Larsen kind of asked one of my questions already to Ms. Carr, about the psychological impact—or, actually, no. That was the one about, you know, how do we make sure that Congress responds to your industries now, in case there is another pandemic. Ms. Carr answered that in respect to the airlines.

Do any of the other witnesses want to talk about what can we do more that hasn't already been addressed in the questions you have had, and anything you might want to add?

Anyone?

Larry?

Mr. WILLIS. Well, thanks, Mr. Davis. And thank you for the question.

Look, just like in aviation, we have got to have better plans in place to deal with these type of diseases. It has really devastated our transportation network. As I said, it took way too long for both employers and, I think, the Government, to really get in place and start to require those protections for both passengers and employees.

And I think local plans, specific to these transportation providers, are absolutely essential to making sure that we are better prepared the next time around here, similar to what Mr. Larsen talked about on the aviation side.

So it is a good question, and I think it is an important point. Thank you.

Mr. DAVIS. Well, thanks.

Obviously, the psychological issues that Mr. Perry brought up about, how do we return, how do we get people comfortable to actually get onto our modes of transit and transportation systems, I am concerned as to how we move forward. And I know that has been a lot of the discussion already.

It is very interesting because we have had the same discussion with our medical facilities here in Illinois, where we have had people now scared to go get treated for diseases that we know how to actually treat because they have been told they can't go into a clinic, where, before, they weren't even able to get access to that clinic.

Are any of your systems—and I know Mr. Perry brought this up to one individual, to one witness—but is there anything you are doing to help work with the companies to make sure there is a marketing plan place to remind people that it is safe to use modes of transportation again?

And I will open it up to you, Larry, and anyone else who wants to answer the question.

Mr. WILLIS. Yeah. I mean, I know that the transit industry is definitely focused on that. As part of their reopening committee that includes membership, TWU, there is a lot of discussion about how to effectively communicate that these sectors are safe and to accept passengers the right way.

I think part of it is for the agencies to be—well, two things: to be transparent about it, to be able to demonstrate to passengers that they are taking real steps to protect them. Again, especially important as you get more and more density on the system.

And, quite frankly, I think you need to do what some agencies are doing, though not all, which is enlist their frontline workforce to show sort of a common front on these issues, both through the unions and the individual workers.

So I think that is going to be absolutely critical. I think the agencies that are having these early conversations are enlisting their workers, are getting their advice, and then being able to actually implement it and show passengers that we are all on the same page here and that these buses and subways and commuter rail systems are safe to return.

Because, look, many people have to use transit, but there are a lot that don't have to. They can use their cars. They may not want to go to the office altogether. But we need to show them that public transit is still a viable and central way to get to work.

Mr. DAVIS. Well, absolutely. I was on the phone with one of my local transit districts yesterday, and it is all about ridership, or, in this case, the lack thereof, and the safe comfort factor.

Real quick, I have a few seconds left, if one more person wants to respond to the psychological issues of getting people back, please unmute yourself and go ahead and speak.

Mr. BYRD. Thank you. This is Lamont Byrd. Thank you for the question, Congressman Davis.

One of the things we have done on the trucking side, especially the residential delivery of packages, is that we have actually worked with our companies to provide information to clients to let them know that we have drop-and-go instead of requiring a signature, we have disinfection protocols that we are following, and we

have our members wear masks and other protective equipment, gloves, as they are making their deliveries to minimize contact with the residents as we are delivering packages.

Mr. DAVIS. Great.

Mr. BYRD. We have done that in conjunction with our employers.

Mr. DAVIS. That is great. I am out of time, but can you make sure that there are some standards in place to make sure my wife doesn't order as many drop-and-go packages?

I yield back, Mr. Chair.

Mr. DEFAZIO. Thanks, Rodney. Amusing as always. I hope your wife tuned in to that.

Mr. DAVIS. She is not here, or I wouldn't have said it.

Mr. DEFAZIO. Oh, all right.

We will now move to Representative Garamendi.

John?

Mr. GARAMENDI. Thank you, Peter. Thank you for the hearing. And as virtual as it is, it is going very well, so—once we all learn how to do it.

I have basically three questions. The first is—I don't need to have you all plow this field again, but the first question is, should employers be required by law to provide the necessary personal protection equipment during a national health emergency?

And let's just start, run down through the list in the order you guys presented. It can be a yes or a no.

Mr. WILLIS. Yes, absolutely.

Mr. GARAMENDI. Mr. Byrd?

Mr. BYRD. Yes, yes. I responded yes. Absolutely we need to do that.

Mr. GARAMENDI. Ms. Carr?

Ms. CARR. Yes, absolutely.

Mr. GARAMENDI. Mr. Guillot?

Mr. GUILLOT. I would say yes, provided that—whatever is required by the CDC or OSHA and those requirements.

Mr. GARAMENDI. Very good.

The second has to do with the passengers themselves. All of you have, one way or another, talked about this. During a national public health emergency, should there be a Federal requirement that passengers on public transportation be required to obey certain standards, wearing masks or distancing and the rest?

Let's run through the list again.

Mr. WILLIS. Yeah. I would say yes, and I would extend that to the airline side, both the airport and, obviously, in the aircraft itself.

Mr. GARAMENDI. Mr. Byrd?

Mr. BYRD. Yes, we would agree with that, that it should be necessary.

Mr. GARAMENDI. Ms. Carr?

Ms. CARR. Yes, sir, we agree with that as well.

Mr. GARAMENDI. OK.

The next is, well, rather a comment about how we might make airline travel more safe. But before I go there, it is clear, at least in my mind, that when we write the next piece of legislation, if that is the Heroes legislation, that these mandates must be in it. People are simply not going to be returning—and Mr. Davis just

discussed the psychological issues—until they have a high level of confidence that they will be safe on public transit.

The next one deals with those of us that fly. And I suspect that is every member of this committee, staff, and certainly Ms. Carr and others that are providing the services on the aircraft.

Mr. Blumenthal, Senator Blumenthal, introduced nearly a year ago what we called the Cabin Air Safety Act. We were thinking principally about various contaminants, fuel and so forth, that are brought into the cabin air. We are now seriously thinking about viruses.

I understand the 787, the most modern of the Boeing jets, has an air filtration system sufficient to remove viruses. Should we require that all airlines immediately proceed with the best in the market, or in the technology, for cabin air safety? Should that be a requirement?

And, again, this goes back to Mr. Davis' question about the psychological question for the airlines.

Ms. Carr, let's start with you.

Ms. CARR. Yes, sir, I do believe that we need to improve the air quality onboard aircraft, whether that is through HEPA filters or a more advanced air filtration technology. And it is something that, once it is corrected, needs to be monitored frequently and improvements need to be made.

Mr. GARAMENDI. Let's run down through the list.

Mr. Willis?

Mr. WILLIS. Yeah, as we discussed earlier, I think that is absolutely correct. I think, for many years now, TTD, AFA, other unions that represent both pilots and flight attendants have well-understood that we need to do better on our aircraft cabin quality, and I think this crisis just reinforces that. And I know Chairman DeFazio has been doing a lot of work and leadership on this issue as well.

So there are definitely steps that I think both Congress and the FAA need to pursue here to make sure that the air we are breathing on these aircraft cabins is as clean as possible.

Mr. GARAMENDI. If the other two witnesses would like to comment on it, they are welcome to do so.

Mr. BYRD. Yes, just to say that we would agree with the statements of the previous two witnesses. Thank you.

Mr. GARAMENDI. All right. Good.

Mr. GUILLOT. This is Randy Guillot with the American Trucking Associations. I will defer to the airline industry for answers as opposed to the trucking industry giving answers for them. Thank you.

Mr. GARAMENDI. OK. And when you personally fly back to Louisiana, you may want to consider this bill, as do all of us, I am sure.

Mr. GUILLOT. Yes, sir. I will actually be in a plane tomorrow going from New Orleans to Tennessee. Thank you.

Mr. GARAMENDI. Exactly.

One final comment. This bill has been inactive for some time. Peter, I know that you spoke to this a moment ago. Appreciate your support on the Cabin Air Safety Act. Let's see if we can get it in a piece of legislation.

Mr. DEFAZIO. Yep. Thanks, John.

Mr. GARAMENDI. I yield back.

Mr. DEFAZIO. Yeah. This is of particular—COVID loves low humidity, and all of the earlier generations of planes have very, very low humidity. Because 87s are carbon fiber, they have a slightly higher humidity, therefore slightly less compatible for COVID.

But I am, as I said earlier, very concerned that we have conducted no studies. Generally, modern jets have HEPA filters, if they are properly maintained. But the question is, how does the air flow? How do the droplets begin? We don't know. And FAA doesn't want to know. And the airlines don't want to know either, because I have asked them to back the studies. No one wants to know, except everybody who flies.

Mr. GARAMENDI. Peter, that brings us to what we do, and that is, we pass laws, and we say, let's get on with it.

Mr. DEFAZIO. Got it. Thank you.

With that, we go to Representative Katko.

Mr. KATKO. Thank you, Mr. Chairman.

And thank you to all the witnesses for joining us today and for your work to keep America running during this unbelievable crisis.

I wanted to touch for a moment on a couple of different issues, but before I do so, I want to note that the transportation industry is in a unique position as a result of COVID–19. Simultaneously facing immediate public health threat posed by the virus, as well as the pandemic's dire economic impacts, transportation workers continue to put their personal safety on the line every day to maintain services on America's roads, rails, airways, and seaways, all while the industry as a whole faces devastating declines on demand and usership.

Lawmakers have a responsibility to maintain positive and be responsive to both of these concerns as we discuss a pathway to recovery. Although I am very pleased that the CARES Act provided over $40 million to maintain airport and transit services in my district in central New York, much more must be done to ensure safety and job security for transportation workers as our communities begin the process of safely reopening.

Today's discussion has been critical to these efforts, and I look forward to working with my colleagues on both sides of the aisle to address these challenges facing America's transportation industry in the months ahead.

My first question is for Mr. Shaw. Mr. Shaw, my district, I have heard firsthand from transit workers, many of them, about the importance of rear-boarding procedures and other social distancing policies to keep drivers and passengers safe amid the pandemic. In addition to practical safety measures you outlined in your testimony, what do you think can be done to promote public awareness of safety and health considerations on transit systems?

Mr. SHAW. Thank you for the question, Congressman. I believe for us to show the public that what safety measures are actually being done, if they are actually cleaning the buses at transit lubes, I believe that in itself. Better filtration systems. If the public sees this, not just hears about it, that it will bring the public back to the buses, to transit all together.

Mr. KATKO. Is there anything else?

Mr. SHAW. No, Congressman.

Mr. KATKO. OK, thanks. I have got a question for the panel as a whole. Another aspect of the transportation industry that I would like to bring to everyone's attention is America's motorcoach carriers. Despite playing a critical role in our Nation's transportation system and facing massive service disruptions and layoffs, Congress has yet to provide substantive assistance to motorcoach carriers in response to COVID–19. And given the role that these carriers play in facilitating passenger travel, often in conjunction with air and rail services, can anyone speak to the importance of supporting motorcoach carriers and ensuring continuity of services for passengers throughout the system?

Mr. WILLIS. Let me start with that. And it is a great issue, and thank you for your leadership on the issue, Congressman. I know it is appreciated. We represent unions that have Greyhound drivers, that have core bus operators, TWU there, be front and center there. We have members that drive commuter buses as well. These have virtually shut down and the economic impact there has been tremendous.

So, again, just like the support that we are talking about for other segments of our transportation system, I do think Congress needs to think carefully and needs to provide specific financial support here. So an important segment of our transportation system, quite frankly, doesn't get weighed enough. So thank you again for your leadership here.

Mr. KATKO. Anyone else want to weigh in on that before the next question?

Ms. Carr, I wanted to talk about your testimony for a moment. In your testimony, you discuss significant challenges of maintaining social distancing and other public health measures in the context of air travel. And maintaining safe air travel under the pandemic is a major concern for the committee, but one that I have also heard about in my work in the Homeland Security Committee, and giving individuals the psychological comfort that they are going to be safe when flying is really important. And it is a very difficult task, admittedly.

Has the FAA and TSA coordinated with airports and airlines to address these safety challenges in the coming months? What efforts do you think should be prioritized the highest to ensure the safety of passengers and workers?

Ms. CARR. So the FAA can and should enact safety standards that are sweeping for all of the airlines. Having a unified plan that everyone is on board with is going to ensure our passengers know exactly what is going to happen when they come to the airport, regardless of which carrier they are flying. It means that they know whether they are going to receive a health check. It means they know that they need to wear masks as soon as they enter the airport area. They understand all these protocols, and then everything that is going to happen to them once they arrive onboard the aircraft, it allows us to do our jobs and focus on the bigger picture of safety, of the small individual incidents that can potentially disrupt travel.

And then again for us, the ability to gain tests if needed for COVID–19. The ability to continue to wear masks, to have all the

safety standards and PPE that we need onboard the aircraft. This should be universal. Safety is not a competition.

Mr. KATKO. OK. So you mentioned the masks and a couple of other things. I think you mentioned in your testimony previously increasing the filtration systems on the airlines. Is there anything else that you would suggest that they prioritize?

Ms. CARR. I certainly know that my union could answer some additional questions on their bigger picture for that. And I hope that they would work with labor to ensure that those are met.

Mr. KATKO. Yeah. Make sure you get those to us and we will be happy to pursue those for you. But I think your overall point of having uniformity and enforcing that uniformity is really important. So thank you very much.

And I yield back, Mr. Chairman.

Mr. DEFAZIO. [Audio malfunction] Now on to Representative Carson.

Mr. CARSON. Thank you, Chairman.

Many transit systems have reduced service in response to determining ridership and lost revenue. From your observations, how has reduced frequency impacted crowding on buses, trains, and in stations?

Mr. DEFAZIO. Unmute someone who is going to answer it.

Mr. WILLIS. Yeah. There is no question that reduced service has resulted in higher density on these buses. You know, I think earlier on, there was sort of an understandable move to that. But again, as we see jurisdictions slowly open up, I do think the agencies need to reevaluate that and try to figure out what the right mix is. Obviously, you have got a lot of fixed costs in the transit system. You want to preserve your capital, I understand that, but having these crowded buses with no social distancing, especially if you don't have masks and sort of those other procedures in place, is really going to be an issue, and I think it is going to discourage people from feeling comfortable on public transit.

So I think being very conscious of that has to be a priority of the agency than if you sort of restart sections of our economy.

Mr. DEFAZIO. Anyone else want to answer?

André?

Mr. CARSON. Thank you, Chairman.

Mr. Guillot, in your written testimony, you estimate that 65,000 truck drivers have lost their job since the pandemic started. Can we expect these jobs to return quickly as freight and others begin to return to normal? And what do you think the new normal will look like in trucking?

Mr. GUILLOT. Yes, I do believe that truck driving jobs will come back in short order. We have expected about a 35-percent downturn in the economy in the second quarter, and we are also expecting a little over 6-, 6.5-percent increase in the third quarter, and an over 9-percent increase in the fourth quarter of 2020, with returning back to normal levels somewhere towards the end of 2021. So as those levels of economy comes back, we expect our industry to grow back to levels that we might have seen towards the beginning of this pandemic, in that timeframe.

Mr. CARSON. Thank you. I appreciate it. Thank you, Chairman. I yield back.

Mr. DEFAZIO. Thanks, André.

Next would be Representative Garret Graves.

Mr. GRAVES OF LOUISIANA. Thank you, Mr. Chairman.

The first question I have is for Ms. Carr. Ms. Carr, I am curious, if you abide by all of the CDC or other guidance that is issued for safety protocols, do you think that you should be held liable if anything happens or if anyone comes down with the coronavirus as a result of their flight?

Ms. CARR. Do I believe that I personally should be held accountable, sir? I just want a clarification on the question.

Mr. GRAVES OF LOUISIANA. Yes, yes. Personally. I am sorry.

Ms. CARR. I do not believe I should personally be held liable. No, sir.

Mr. GRAVES OF LOUISIANA. Mr. Shaw, could you answer that same question, please?

Mr. SHAW. I do not believe we should be held personally liable.

Mr. GRAVES OF LOUISIANA. So it seems reasonable that if folks are following the appropriate guidance coming from CDC or others, that there shouldn't be liability for complying with the best rules or the best information we have at the time. We certainly can't have the benefit of hindsight if other or more accurate information comes up.

In that regard, Mr. Guillot, your testimony addresses the issue of limited liability protections. As you know, this is unprecedented, this crisis. Trucking companies in the course of their essential worker exposing themselves to risks that are not fully understood. Can you describe the importance of that liability protection or limited liability protection in a future recovery package and what that would mean for your workers and people in Louisiana?

Mr. GUILLOT. Sure. Thank you for the question. It is critical. Especially here in Louisiana where we operate, the litigation environment is significant. And without those limited protections, our best efforts may still be litigated.

This whole health crisis should not be turned around into a litigation event. We are all working together to be the safest and healthiest for all of our employees and all the motoring public.

And, you know, we have never asked for bad actors to be protected. All we are asking for is the ones that are acting in good faith in the industry, frontline workers, to have some limited liability in relation to the COVID–19 pandemic.

Mr. GRAVES OF LOUISIANA. Thank you.

Changing gears a little bit, Mr. Willis, as you may recall, the third bill that we did, the CARES Act, in response to coronavirus, it does provide an air carrier loan program specifically for air carriers.

Most air carriers have not applied for loans under that program. Would you support opening up eligibility for those loans to other aviation- and aerospace-related businesses?

Mr. WILLIS. Well, the loan program does not only apply to air carriers but it is some contractors as well. You know, that relief was designated for the airlines. I think providing assistance to manufacturers and other important segments of our economy should definitely be open for discussion, but, quite frankly, I think

we should create a different program or use, sort of, other aspects of the bill to get them cash.

Let me speak to the liability question since you raised it earlier. You know, look, at the end of the day, it is employers who are responsible for providing a workplace that is free from hazards. And to the degree that they are not able to do that, they need to be held accountable, quite frankly. That has long been the case. I don't think anything about the COVID–19 situation, sort of, changes that.

But I think the liability discussion can get at some way for making sure that employers do the right thing to protect both their passengers and their employees. And I think, as part of that, the mandatory rules that we are talking about——

Mr. GRAVES OF LOUISIANA. And, Mr. Willis, I appreciate that. And I think my question was specifically asking about the employees and if the employees should be held responsible if the protocols that that company or business has in place are consistent with CDC guidance.

Last question, because I know I just have a few seconds left.

Ms. Carr, if Congress retroactively prohibits work-hour reductions, how many more airline employees do you think would be laid off by October 31?

Ms. CARR. I apologize, I would not want to speculate as to how wide-sweeping these layoffs could be should air travel not improve and we do not receive additional support from the CARES Act.

Mr. DEFAZIO. OK. Thank you.

Mr. GRAVES OF LOUISIANA. I yield back.

Mr. DEFAZIO. We would now turn to Representative Titus.

Ms. TITUS. Thank you, Mr. Chairman.

I will direct my comments first to Ms. Carr, and then I would like for Mr. Willis to weigh in.

It is very important that we get air traffic back up and people feel comfortable flying and feel safe. And I noticed that you mentioned that you need more clear guidance from Federal agencies. No place like Las Vegas would agree with you more.

You went on to mention that the AFA has been pushing for an expanded Government role in screening. Now, we know that the airlines are taking the position that this should be a function of the TSA, but they are our frontline workers too, and they have not been immune from the COVID. Six TSA officers have lost their lives, and about 640 have contracted the virus.

And yet, unlike other Federal workers, they lack adequate health and safety benefits. In fact, this administration took away health benefits from part-time workers. They are the lowest paid, and they have one of the highest turnover, and now we are asking them to put their health on the line.

I have introduced some legislation with Mr. Correa to give them health benefits, and there is some other legislation by Mr. Payne and Mrs. Demings to give additional protections.

So I want to ask you, Ms. Carr, a couple of things. One, do you think it should be TSA that performs this additional oversight? If it is, do you think they should be covered with benefits like other unions are?

And, third, what alternatives might there be to TSA doing it? The airlines take the responsibility? The airports take the responsibility? Local officials take the responsibility, working with the CDC?

Could you address those questions? And then Mr. Willis.

Ms. CARR. Congresswoman, anyone who is working in aviation at this point should be properly trained in how to address the situation, as well as have the protection of PPEs.

I can't speculate as to who should be responsible, but this is a conversation that we could be having if we were able to develop a unified plan from our Government in partnership with the airlines and the workers' unions.

Regardless, whomever is assigned to handle testing and monitoring, they should be afforded the proper care, the tools to maintain this standard of care going forward, and all the protective equipment necessary. Those are all things that we need to do to ensure that whomever is responsible for this role moving forward is able to accomplish that task in a safe manner.

Ms. TITUS. Mr. Willis, TSA doesn't think this is their task. They think they are there to provide other kind of security. But it seems to be pushed on them more and more. Could you address that and their lack of benefits?

Mr. WILLIS. Well, right now, we don't even require passengers approaching a screening station to have masks on. So I think, at a minimum, we have to deal with that issue right now.

To the degree that you are going to ask frontline TSOs, who, quite frankly, are already overworked in many of these locations, to now, whether it is to take temperatures or to even do some type of rapid testing, I think there has to be a lot of thought given to who is that that does that. I am not sure that the frontline TSOs are the right people for that.

I think there are protocols that you have to think about. What happens when someone refuses to get a test? What happens if they push back or what have you? What if someone tests positive, what if they have a higher temperature, what do you do with that passenger? So thinking about all those issues on the front end I think is really important.

If we are thinking about TSOs, I think making sure that they have the same labor rights under Title V. I know the House has already passed a bill to that degree, but that just brings home again how important this workforce is and the things that we need to do better to protect them.

Ms. TITUS. Thank you. I completely agree with you and think we need to be working in that direction and putting a plan together now, with all the people at the table, to see just who is going to be responsible, how that is going to work, what you do with the people who have tested positive, and how you work with the airlines and the airports in this, not just let the airlines say, "We don't want the responsibility. Give it to TSOs."

Thank you, Mr. Chairman. I yield back.

Mr. DEFAZIO. Thanks, Dina.

We would now move to Representative Rouzer.

Mr. ROUZER. Thank you, Mr. Chairman.

And, first, I want to lend my voice to thanking all of our transportation workers, who have performed so admirably during this very, very unprecedented time.

Mr. Guillot, a few questions for you. I noted that in your written testimony you mentioned the shortage of drivers was exacerbated by the pandemic. And, of course, we all are familiar with the fact that that has been a huge challenge for the trucking industry for some time. But for the general public, given the shortage was exacerbated during the pandemic, that may seem slightly counterintuitive.

And I thought I might give you an opportunity to talk a little bit about that and measures that you identify in your written testimony to try to alleviate that problem moving forward.

Mr. GUILLOT. Thank you for your question, Congressman.

Knowing that coming into the pandemic we were approximately 60,000 truck drivers short in our industry and projections are over the next decade we will need an additional million truck drivers just to keep up with what we want to do each and every day to support the U.S. economy, we are very concerned with the introduction of new drivers in the workforce.

Our workforce right now averages at least 6 to 7 years older than other industries' average age in the workforce. So it is concerning to us. We are going to have a lot of drivers who are retiring, getting out of the business, and we need that pipeline still to come in with new drivers.

So we look forward to continue working with FMCSA to promote this in workforce development, through Congress, and to get more truck drivers into the industry going forward.

It is a good-paying job. We average $56,000 as a truck driver, plus benefits. This is a good-paying job, and we look forward to getting the word out and getting more people into the industry.

Mr. ROUZER. You know, as we look forward—and let's make the assumption that life gets back to normal relatively soon, let's say in a year or so. And let's say 3 years from now we have another pandemic hit, my question is, what have we learned from this experience that we would apply to the practice field, so to speak, or the playing field, the next time, God forbid, another pandemic hits?

I am curious what you might identify as things that are lessons learned that you would employ at a future time, in a future pandemic, if we were to have one.

Mr. GUILLOT. You know, I think we have already discussed to keep the roadways open and keep facilities open for our truck drivers.

I think we fully recognize the importance of our industry in getting goods to the final user, whether it be hospitals, whether it be grocery stores, or everything else in between. We now realize just how critical the trucking industry is to the overall economy and the health of our Nation.

So, going forward, if another pandemic, God forbid, would happen again, we want to learn from the lessons here, saying that we still need facilities, we still need to enable our truck drivers to get from point A to point B with critical goods.

Mr. ROUZER. I noted in your testimony you mentioned one problem folks generally had was delivering a load to one location but

then you are driving back with an empty truck because there was no freight available.

Were there any innovative solutions that you all were able to come up with to address those type of logistical issues?

Mr. GUILLOT. Well, I certainly think the cooperation with the FMCSA and the suspension on critical goods moved with the hours of service helped our industry meet the immediate needs of the U.S. economy and what we were shipping at the time, whether it be health supplies or groceries or anything else. So that, to me, is the most important and critical part of what we have learned initially to keep the supply chain going.

Yes, we have had issues and, yes, we are continuing having issues where we might be loaded one way and empty the next. But the hours of service and the ability for us to flex those—and mind you, we did not gain any additional hours for driving. No additional drive time was added in that relief of hours of service. It was only to accommodate the rest time and so forth.

So we feel it was critical for the agency to do what they did, and we very much appreciate them working with us on that topic.

Mr. ROUZER. Thank you.

Mr. Chairman, I yield back.

Mr. DEFAZIO. Thank you.

Representative Lowenthal?

Mr. LOWENTHAL. Thank you, Mr. Chair. I think this has been a great hearing.

And I want to thank all the witnesses.

And my first comment is more of a comment, and it is to Ms. Carr.

You know, I flew before the pandemic every week and returned home every week from southern California to Washington, DC, and then back again. And once the pandemic began, I really did shelter at home and stay at home and followed all of those guidelines, because I am a senior and I was real concerned about any kind of preexisting condition I might have.

As I returned to vote for the Heroes Act and remote voting, I felt like the airlines themselves did a great job. I thought the flight attendants were fine. I thought they really tried to protect the passengers. I engaged in wearing a mask, trying to keep a distance from others.

But I had the worst experience in the airport. I just want to share. We had one long line to get on. There was no TSA, really, PreCheck. And I understand some of the impacts towards TSA, but I was convinced—nobody monitored whether people stayed 6 feet. There were markers, but nobody did that within the airport. And it was frightening.

And it was even worse going back from Washington to Los Angeles. When I got to the airport 1½ hours ahead of time, before 6 a.m., and it was just terrible. There was one long line. Everybody was on the line. Half the people were not wearing masks at 6 a.m., 6:30 a.m.

It was a shock. And it was frightening to me. I was convinced—not so much being on the airplane—I was convinced that I had exposed myself.

And so I just want to say, it is going to take a long time for a person like me and, I would think, others, to regain trust, and especially in the airports themselves. That is where I had a horrible time, in airports, in two areas that were both Washington and Los Angeles, which are very vulnerable because they are really high-risk areas.

So I just wanted to say that, not to ask that. It is going to take a lot for me and, I would imagine, for other passengers. It was a horrible experience, being in the airport.

Next question, though, that I have is for Mr. Byrd.

As I went to Washington, as I worked on voting on the Heroes Act, which was designed to both protect frontline workers and to honor frontline workers, I was put in a very, very difficult position. I wanted to support and I ultimately ended up supporting the Heroes Act. But as I got to Washington, was there, my local labor, the Western Conference of Teamsters, my Local 952 of the Teamsters, strongly opposed in the Heroes Act, which was about, you know, the COVID–19, the inclusion of sweeping reforms to multiemployer pension plans—and they were joined by other labor from the west coast—while, at the same time, there was a tremendous amount of labor—and I understood where they were coming from too—such as the International Brotherhood of Teamsters, the carpenters, who saw the need right now for such reform.

My question is, as we move forward—and there are the issues around composite plans, which my Western Conference is very concerned that it is going to sweep up and put their solvent defined benefit plans at risk—shouldn't we be doing these through committee hearings and debate? I just really felt put upon that it was put into the Heroes Act at the last moment.

I want to ask your opinion on that.

Mr. BYRD. Thank you for that question, Representative Lowenthal. I really wish that I could answer that question. I am an occupational health and safety expert——

Mr. LOWENTHAL. Yes.

Mr. BYRD [continuing]. And, unfortunately, I have not been involved with any of our pension discussions, so I have no real position on that. I am sorry.

Mr. LOWENTHAL. I am just saying, it was very, very difficult for those of us that support—knowing that there should be some reforms, knowing that we were hearing from our own pension plan not to do it, and to have it put into a bill without having hearings on it that was not designed to really do pension reform, but was put on it.

And so I am just sharing with you how difficult it was. And I was not alone. There were other people who also wanted to be supportive of reform but were put into a position that it was quite difficult to respond.

And I ultimately ended up voting for the bill, against my local labor unions, and it was very painful. It was very painful and very difficult to do. And I hope in the future that we take back that message, that such important reform should be debated and discussed fully, not put in a COVID–19 bill.

I also want to follow up on the question about—this would be, I think, to Mr. Willis—about the liability and immunity of employers. I understand——

Mr. DEFAZIO. Your time has expired.

Mr. LOWENTHAL. Thank you. And I yield back.

Mr. DEFAZIO. OK. Thank you.

Representative LaMalfa?

Mr. LAMALFA. Thank you, Mr. Chairman. Glad to be on with you here.

I was interested in the conversation a little bit earlier about the liability for those folks in transportation here. And so, as we move through the legislation I hear that is going to be happening with justice and police, you know, maybe extend the same courtesy for our officers, in that they have a qualified immunity and that doesn't get swept away from them as they are trained, as those people are trained in the transportation sector.

So, with that, I had a question for Mr. Guillot on the issue with the trucking, that, as we know, with things starting to open up again—and we have had trucking that has been available to us, thankfully, to get all the supplies, the groceries and everything we have needed through this crisis. But we have heard from truckers that their fleet is aging, that they need to replace their vehicles, the repair cost to older vehicles is tough, and, you know, they want to update anyway, have better running trucks. So it helps with them, it helps with the automobile industry in general, with those that produce, that we can get more of these trucks, the new trucks, on the highway.

But, as we know, the cost of a new truck has been prohibitive for a lot of owners and operators—$150,000 or more to buy a new truck, including the taxes. Twenty-two thousand dollars of that is in Federal taxes.

So, Mr. Guillot, if you could speak to that a little, please. What kind of impact would that have for our transportation infrastructure to do what they need to do, if we could suspend the Federal excise taxes on heavy trucks, which would be around $20,000 on a new truck?

Mr. GUILLOT. Congressman, thank you for your question.

Yes, we have taken a poll amongst our members, and if we were successful in suspending the Federal excise tax, which is an extreme burden on the new purchase of a truck, we polled our membership, and approximately 60 percent of our membership said that they were either somewhat or very much more likely to purchase equipment, during the suspension of the FET, to purchase new equipment.

Purchasing new equipment is better for the environment, better for safety, better for highways, and better for our suppliers. You know, our purchasing during the pandemic is down 70 percent year over year in purchasing during the onset of the COVID–19 event.

So we would like to get back to purchasing equipment again, and certainly the suspension of the FET would be a good way to incentivize the trucking industry to buy new and better equipment and get our manufacturers back to work again.

Thank you.

Mr. LAMALFA. Again, nearly 8 million employed by the trucking industry. And we have had lower demand because of the shutdown, with all the typical things that truckers would haul. You know, if you got it, a truck brought it. If you are not getting it, the truck isn't bringing it.

So do you all have an estimation for the total economic damage to truckers just from this pandemic?

Mr. GUILLOT. I don't have that statistic in front of me, sir. I will be more than happy to get back with you on record from our association. I don't have those numbers in front of me.

Mr. LAMALFA. Well, if you were to rate it, like we have the thermometers for fire danger in California, where, you know, you see along the highway it says low to high, what do you think it would be on your economic thermometer?

Mr. GUILLOT. It is certainly high on our radar screen, as far as the lack of activity since the onset of COVID. Again, certain segments of the industry have maintained a fairly steady pace—consumer-type goods, although we are seeing some downfall in that in current weeks. But other segments of the industry have been really hit hard—the automotive sector, the fuel-hauling sector. Oil and gas sector has been hit extremely hard in the past few weeks.

Mr. LAMALFA. Yeah. Absolutely.

Well, it has been hell on truckers in my home State here of California, with the farm regulations and such. So it would certainly help those that think they can update, what we were talking about, again, on the excise tax, if we could suspend that or even remove it.

That excise tax was put in place to help pay for World War I, so maybe we have it covered by now, you know?

Mr. GUILLOT. So maybe we continue to look at it in a fully funded infrastructure bill, and maybe we can take a long-term look at that whole FET.

Mr. LAMALFA. Yes, sir. Thank you.

And thank you, Mr. Chairman and committee members.

Mr. DEFAZIO. Thanks.

Now we turn to Representative Lynch.

Mr. LYNCH. Hello, Mr. Chairman. Good to be with you. Nice job on this hearing. This is very helpful.

At the top of the call, I know I heard the representative from the Teamsters, Mr. Lamont Byrd, mention the Restoring Safety in the Skies Act. We have been working with Senator Ed Markey and with Senator Blumenthal on dropping a companion piece on Thursday.

So it basically just creates a joint task force made up of all of the agencies—DOT and FAA and Customs and Border Patrol, TSA—but it also includes a lot of the unions, to come up with best practices in light of what we have seen happen during this pandemic.

So we are looking for original cosponsors, and we welcome people from both sides of the aisle, obviously.

My question is really on another matter that hasn't really been raised yet, and that is regarding maritime safety. So, in my district, I represent the Port of Boston, so I have the Seafarers Union and I also have the Masters, Mates & Pilots. And they serve in a

capacity on these cargo ships that actually supply our folks at the Seventh Fleet in Japan, the Fifth Fleet in Bahrain. They service our folks in Afghanistan and Iraq.

And because of the pandemic, many of them have been stranded onboard their cargo ships during this pandemic because the host country or the country that they are shipping to has denied them access—not only denied them access, but denied them access to airports or any type of travel. So they are trapped on their ships right now.

And so I wanted to maybe ask Mr. Willis from the AFL–CIO—I know they have done great work on this—what are the initiatives that we are taking now to sort of free up our mariners? I have a ton from my district. We have Mass Maritime, who are a big supplier to that industry.

And I am just wondering what we can do for—I know these are not a lot of folks. You know, I used to be counsel for the Teamsters, and I know we have 1 million truckers out there, but these folks, I think, are being forgotten. And I am just wondering if there is anything we can do to relieve their plight during this pandemic and maybe take some lessons learned to adopt some provisions that might help them in the future.

But, Mr. Willis, if you could respond to that concern.

Mr. WILLIS. Sure. And thank you, Congressman Lynch, for your leadership on this issue.

If ships are sailing the world who have U.S. mariners onboard, ocean vessels funded under the Maritime Security Program, what is supposed to happen is that these U.S. crews are supposed to be rotated out about every 4 months when they get to a foreign port, and then we slide them out and, obviously, slide new crew in. But because of, sort of, overreactions, quite frankly, in some of these foreign countries, as you correctly point out, some of these ports are not allowing these crews to leave the vessels, or if they are, they have to stay in some type of quarantine, aren't able to access international airports. It is really—it is a prison, you know, on the seas, quite frankly, that really needs to end.

The maritime unions have come together on this issue. They have petitioned the State Department and others to figure out ways to get these U.S. mariners home. And I think raising this and pushing States and the White House to figure this out absolutely has to be a priority.

Mr. LYNCH. That is great.

Mr. Chairman, just in closing—and I will wrap it up. But I want Members to know, we have folks off the coast of China, we have them off Sri Lanka, we have them off the coast of Saudi Arabia waiting to get into Bahrain. So we have these folks all over the world, as well as Southeast Asia waiting to get into Japan and some other countries.

So it would really be helpful to these families and to these individual mariners, who are real patriots in my eyes, but they are being left out there. And I just hope there is something we might be able to do in the future, maybe within Congress as well, to get together. I would like the input of the Seafarers Union, the Masters, Mates & Pilots on this, and the AFL–CIO, you know, Trans-

portation Trades Department obviously, if we could get together here and try to come up with something good.

But I really appreciate this hearing. You are doing a great job with it, Mr. Chairman. I want to thank the ranking member as well. And I yield back. Thank you.

Mr. DEFAZIO. Thanks, Steve.

Rep. González-Colón?

Miss GONZÁLEZ-COLÓN. Thank you, Mr. Chairman.

Well, we are here back in DC. And I need to say that what Representative Lowenthal was explaining about his experiences while traveling is not different from any of us that have been traveling in the last 3 months.

And, actually, one of the main questions I have, in the case of Puerto Rico, many of the visitors, of course, came by cruise ships or a plane. So what the Government of Puerto Rico did in early March was, upon arrival of all passengers, allowing them to have voluntary tests being done at the airport. Many of them that were with high temperatures, they were ordered to have a quarantine. But, again, this is not mandatory. This is just voluntarily.

But how about bringing or requiring—I am not requesting this, but this is something that has been said locally on my island. I don't know if this is something that the industries or the unions are considering, in terms of having a requirement for passengers to have a certificate or a result of a test before going into a plane, while using all the masks and all the PPEs, but requesting or having a mandate to provide a certificate of a clear test in terms of COVID–19.

But, today, we are talking about COVID–19, but maybe in a few months it could be SARS, it could be any other situation. So we need to learn how to live with these kinds of diseases. So how can we protect not just the employees of the airlines and the transportation industry but the passengers as well?

In that sense, my question will be: Will you guys from the unions and the industry recommend that will be a requirement for travelers, to be tested at their own expense before departure, taking temperatures of those passengers before boarding a plane?

Ms. Carr?

Ms. CARR. Congresswoman, you raise an excellent point in that today it is COVID–19 but tomorrow it could be SARS or anything else.

If passengers are sick or exhibiting symptoms, they need to stay home. That is the first thing we can do.

The second thing we can do is ensure that we have all of these new regulations in place, we have a committee that comes together and creates a Federal mandate so that everyone knows when they travel they are going to be health-screened, when they travel they are going to have to observe social distancing.

This is going to require us as an industry to come together, as a travel group to come together, but it is going to require personal responsibility on the part of the passengers as well.

Miss GONZÁLEZ-COLÓN. And, I mean, of course, we all need to agree that the passengers have a great responsibility as well. And we all know, as well, that airplanes, for good and bad, you know,

are like the petri dish, a flying petri dish, and you can expose many of the passengers.

But knowing that some studies from Harvard University and many others talk about the incubation period being 3 to 14 days and symptoms in 24 to 48 hours—and we can go to the detail of scientific information here. But my question will be: Nobody will know if a passenger got it or not when they are boarding a plane. Same thing in a train, same thing in a ship.

Now we are in the summer, so we are facing, for those living in the Caribbean, hurricane season. And that means that all this activity is going to, you know, go again and again.

Besides taking tests, besides using the protective materials, what else, in terms of the airlines, should be done?

Ms. CARR. Congresswoman, again, I believe this is the reason that we need a task force in place, to come up with strategies that not only apply for COVID–19 but would apply for any pandemic or health crisis moving forward. And it would be that task force that would determine all of these steps, whether that be testing, wearing masks, social distancing, how aircrafts are cleaned.

All of that would be encompassed by this task force and would then be a Federal mandate, giving us what we need to do our job and keep everyone safe. It is not up to an airline to determine that. This is something our Federal Government needs to do.

Miss GONZÁLEZ-COLÓN. Thank you.

And I know my time expired, but I want to say thank you to all workers in the transportation industry.

Mr. DEFAZIO. Thanks. I have raised that issue. FAA claims they have no authority over health on airplanes, which is not true. They are trying to duck. They say they have to get it from OSHA, and OSHA says they have to get it from CDC, and it is not forthcoming.

With that, we would turn to Representative Carbajal.

Mr. CARBAJAL. Thank you, Mr. Chair.

And thank you to all the individuals that are here testifying today.

My question is directed at Mr. Shaw.

Mr. Shaw, thank you for your time today and certainly your service as an essential worker, being on the front lines of this pandemic.

As you mentioned in your testimony, COVID–19 has been horrendous for our country in terms of its impacts. In less than 6 months since the first individual or case confirmed, we have now had 110,000 people who have died. Extremely tragic.

I know transportation workers like you and others throughout the country and in my district are essential, and you guys have been providing extraordinary service in terms of transit service to Americans everywhere. And this has come at a great health risk to you continuously by being exposed to the coronavirus.

The Heroes Act that Congress passed last month provides hazard pay for workers. Why is it so essential in order to support people on the front lines?

And, two, in retrospect, do you think clearer guidelines and earlier support from the administration and Department of Transportation could have been more helpful to transit agencies to better handle and address this crisis?

Mr. SHAW. Thank you for the question, Congressman.

Transit is an essential service. It needs the support from Federal Government in order to keep service going and our economy working. Better support from the Federal Government, and oversight, would have forced the companies to have the proper equipment to be able to enforce riders' wearing masks.

We have not received hazard pay in my company. Our union has fought for it and has been constantly turned down. But, again, without transit, the essential workers aren't getting around, nurses aren't getting to the hospitals, police and firemen aren't getting to their districts. And better oversight or better force from the Federal Government to make the agencies enforce these rules would have definitely helped and made it a lot safer for us.

Mr. CARBAJAL. Thank you, Mr. Shaw.

My next question is to Mr. Guillot.

I know your industry has lost, it is my understanding, over 65,000 jobs. How soon do you feel that we will be able to recover those jobs in your industry once we get a little beyond the crisis that we have?

Mr. GUILLOT. Our projections are going to be towards the end of 2021, is the projections that we have right now based on the information that we are thinking happening with the economy. So about 1½ years before we get back to where we were at before, if everything goes OK.

Mr. CARBAJAL. And one question to all of you, if you could answer it briefly. If Congress could do one thing for your industry, what would that one thing be? If you only had one thing to advocate for, what would it be?

If we could start and go one to the other, to the other.

Mr. GUILLOT. I will start since I am already on the microphone.

As I said already in my testimony, a fully funded infrastructure bill, bipartisan, would be the best thing Congress can do for this economy and best thing that it can do for the safety and well-being of our workers in the industry.

Thank you.

Mr. CARBAJAL. Thank you.

Mr. Willis?

Mr. WILLIS. Well, I will cheat and say they should pass the Heroes Act amendment to make sure that we are covering other segments of transportation on the health and safety side. There are a lot of good provisions in there on hazard pay, on PPE requirements, on economic relief for transit and construction. So a good bill is a good start. And we know that this economy and transportation workers are going to need more immediate help.

So thank you.

Mr. DEFAZIO. Others quickly.

Mr. CARBAJAL. Mr. Byrd?

Mr. BYRD. I would agree, passing the Heroes Act, and having a strong Federal health and safety regulation to deal with airborne infectious diseases.

Mr. CARBAJAL. Ms. Carr?

Ms. CARR. The extension of payroll support for workers.

Mr. CARBAJAL. And, lastly, Mr. Shaw?

Mr. SHAW. Hazard pay for all essential workers that are out there every day continuing to keep the economy growing.

Mr. CARBAJAL. Great.

Thank you very much, Mr. Chair. I yield back.

Mr. DEFAZIO. Thank you.

Now, Representative Westerman.

Mr. WESTERMAN. Thank you, Mr. Chairman. And greetings from the front lines of Congress here in Washington, DC.

This is a very fitting topic that we are covering today. We have heard about the healthcare workers, the doctors, the nurses, the emergency medical services, our firemen and policemen who have not been able to work remotely during the pandemic, and we have all hailed them as heroes. But we also have a lot of other frontline workers. And if nothing more, I would hope that they would realize, from this hearing today and other actions that we do, that they are appreciated and their jobs are extremely critical and we couldn't survive without them.

You know, ironically, 1 day apart last month, Peggy Noonan in the Wall Street Journal and Bret Stephens in the New York Times both published very similar opinion pieces on this topic of frontline workers, and their insights from those opinion pieces are very relevant to today's hearing.

Peggy Noonan proposed that there is a class divide in our country that has become more apparent during the pandemic. She labeled the two classes as the "protected" and the "unprotected." Noonan wrote that "the protected make public policy; the unprotected live in it." And, you know, as Members of Congress, we are obviously in that protected class.

When the New York Times' Stephens furthered this argument, as he opined, he exchanged Noonan's labels of "protected" and "unprotected" with "remote" and "exposed." He cited a study that, in America, only one-third of the population has the luxury of working remotely, while two-thirds must go to their jobs and face the risk of exposure.

I just want to read briefly from his op-ed. He said, "For the remote, the lockdowns of the past 2 months have been stressful. For the exposed, they have been catastrophic. For the remote, another few weeks of lockdown is an irritant. For the exposed, whose jobs are disappearing by the millions every week, it is a terror. For the remote, COVID–19 is the grave new risk. For the exposed, it is one of several. For the remote, an image on the news of cars forming long lines at food banks is disconcerting. For the exposed, that image is or may very soon be the rear bumper in front of you."

So I think it is very important that we recognize the job that these frontline workers in transportation are doing. And we saw shortages of things like toilet paper, we saw meat shortages. We know that we have essential workers, like in my district, that are working in poultry processing plants, that are working in food distribution and transportation.

But, Mr. Guillot and Mr. Byrd, could you take just a minute and describe what our country would look like in, say, just a couple of weeks if our frontline transportation workers and trucking decided not to go to work?

Mr. GUILLOT. I would reference my oral presentation earlier. Grocery shelves would be empty. Pharmacies might not have the medicines that we need. The frontline medical physicians might not have the PPE that they need to perform their jobs properly. I think that is the easiest, most direct way we can say it, sir.

And thank you for our recognition that we are getting in the trucking industry now. Thank you.

Mr. BYRD. And I would like to echo those comments. And I would just add that I talked with a colleague several months ago and said, today, we have people fighting over rolls of toilet paper. If our supply chain shut down, it would be absolute chaos.

So I think that is what would happen in very short order if trucking were to shut down.

Mr. WESTERMAN. Yeah. We saw just with the shortage of a few things in the grocery stores that it was not looking good, but can you imagine without that transportation supply chain there in place, the interruption that it would be for everyone, not just the protected and the unprotected but the remote as well as the exposed.

One issue that I have talked to truckers about early on was, they weren't able to get PPE. Has that situation eased any? Are they able to get PPE? And they also felt like people didn't think they were important, is the impression that I got from talking to them.

Mr. Guillot?

Mr. GUILLOT. I think as we have followed the guidelines from CDC and OSHA, early on, some of the PPE may not have even been recommended. But as it became known how to protect our workers better, the initial purchase, the initial buys were difficult. I spoke earlier about the particular types of face masks that may be more safe or appropriate; the medical field has gotten those.

So, we as an industry, we buckled down, we got face masks out to small and midsize carriers. Larger motor carriers that might have been able to buy on scale because of their size and ability, great.

And then we also worked with FMCSA and DOT. You know, millions of face masks given out to our industry. The hand sanitizer, we put out thousands of gallons there free of charge to our truck drivers.

So I think the ingenuity and the resilience of our industry came together, companies working together, working with local officials to get this type of equipment out. And I think, today, supplies—as a matter of fact, I will even use my personal experience. Just today, today, I received 1,000 masks from FMCSA and DOT for my company. I am already distributing them. We already had company-sponsored face masks, but we are putting more out to the industry, giving them out to whoever might need it in the transportation field.

Thank you for your question.

Mr. WESTERMAN. Thank you.

I yield back.

Mr. DEFAZIO. Representative Brown?

Mr. BROWN. Thank you, Mr. Chairman.

First, I want to thank you, Mr. Chairman, for including so many transit worker safety provisions in the base text of the INVEST in

America Act. These include the National Transit Workforce Training Act of 2020 and the Public Transit Safety Program Improvement Act, which I was proud to introduce and had so many of our colleagues join me in that effort.

I want to thank all of our panelists today for what they do on the front lines as transportation workers. I hope that they, too, recognize that the provisions that are in the INVEST Act would increase safety and training for transit workers across the Nation.

However, COVID–19 has created new safety challenges for the transportation sector. During this pandemic, frontline transit workers have had to put their lives at risk in order to keep our public transportation systems running for essential workers and, now, for more and more Americans across the country as States begin their reopening process.

Alarmingly, this risk to our frontline transportation workers is compounded by the lack of adequate masks, gloves, and additional PPE that is required for the job and that we have heard testimony about today.

Additional social distancing [inaudible] things must be taken [inaudible] like the work that you and your colleagues at the Transportation Trades Department have done to ensure that frontline workers are protected and have adequate PPE during this global pandemic.

Additionally, your department has been a critical partner in working with me on the National Transit Workforce Training Act of 2020. This provision in the INVEST in America Act will enhance training and educational programs for frontline employees of the local government-funded or government-aided public transportation systems.

We began this effort before the COVID–19 pandemic because there were challenges facing the frontline workforce in the industry. However, ensuring that our frontline workers are trained and prepared to operate during the COVID–19 pandemic is critical, as highlighted by the testimony we have heard today.

Mr. Willis, can you speak generally on the value of a federally mandated national training center for frontline workers and what it means to the workforce? And can you also speak more specifically on how having a national training center would have helped prepare frontline workers for the COVID–19 pandemic?

Larry?

Mr. WILLIS. Thank you, Congressman, for that question and for your leadership on this issue. And thank the chairman of the committee for, yes, addressing this issue in the reauthorization bill that was recently put out.

Look, we feel that even before COVID that we were facing in transit significant training and retention challenges for agencies across the country. The average age of a transit worker in key occupations is 52, so we know a lot of retirements are right around the corner. Put another way, within the next 10 years, we know the industry is going to have to either retrain or rehire up to 120 percent of its current workforce just to keep up with demand.

And that doesn't even get into technology issues that our members need to be trained on when we use battery-electric buses and other technology that comes down the pike.

I think COVID–19 reminds us again about how important joint management training could have been, and can still be, quite frankly, bringing those entities in the same room together, figuring out what the best practices are across locations, figuring out how to disseminate information on how this threat has been evolving. I think a joint training center could serve for that purpose.

We have talked a lot on this hearing here today about masks and about N95 masks specifically, but we know that if you aren't trained on how to use those, if you aren't fitted correctly, quite frankly, they can do more harm than good because they give you a false sense of security. So a training center like you propose could be a venue and an opportunity to make sure that workers are using the PPE correctly, making sure that procedures are being done in the right way.

So a very important mission, no matter what. Again, I think COVID–19 reminds us that good transit training is essential here. So thank you.

Mr. BROWN. Thank you.

Mr. Chairman, I yield back.

Mr. DEFAZIO. Thanks, Anthony.

We would move now to Representative Fitzpatrick.

Representative Fitzpatrick, unmute.

Perhaps he had to leave.

Then we would go to Representative Miller.

Mrs. MILLER. Thank you, Mr. Chairman.

And thank all of you for participating in today's discussion. And thank you for all the work that you are doing. During these times, it is encouraging to see different industries actually working together on behalf of the American people.

Like many States in America, West Virginia has seen significant reduction in travel towards the beginning of the pandemic. Due to CARES and the reopening of our State, a lot of our stakeholders are feeling positive about end-of-year outlook. With that being said, protecting our workers as well as ensuring that our goods and services are delivered still must be a high priority.

Mr. Guillot, can you discuss how reduction of service will affect supply chain in rural areas?

Mr. GUILLOT. Just in general, the reduction in supplies, goods, and services going into the rural areas would be just as affected as it might be in a more populated area. So I don't have any information that would say specifically a rural area versus one that is more populated, but, overall, the reduction in workforce and the reduction in supply chain and the continuity that we had going on before affects us all.

Mrs. MILLER. That is correct. And it is good to hear that it won't affect rural areas, obviously, since I live in a rural area.

You mentioned protective equipment for drivers. I have had several truckers in West Virginia reach out on the topic of limited access to protective equipment and testing. Will ATA's focus on PPEs and testing continue as we continue to reopen across the country?

Mr. GUILLOT. Yes, ma'am, it will. We are proud of the track record that we have already, getting face masks into our small and midsize motor carriers. We are proud of the fact of putting hand

sanitizer at strategic locations across the country. And we will continue doing these types of activities supporting our workforce.

Mrs. MILLER. Well, what would be your advice for those essential workers that don't have current access to protective equipment?

Mr. GUILLOT. I would say, work with your employers. I know, myself, I am a small motor carrier, and we have gone out and sought additional supplies for our workers to make sure that they were safe doing their work activity.

We also have DOT and FMCSA putting out millions of face masks. You know, they are out there, available. Certainly they can contact our association so we can help get those out to the frontline workers, as we have been already.

So I would strongly recommend for workers to get with their employers to get the proper equipment.

Mrs. MILLER. That is good.

In terms of goals for the future, what step is ATA taking to ensure that, if this ever happens again, that we can continue to deliver goods and services across the U.S. with minimal impact to industry and supply chains?

Mr. GUILLOT. I would say——

Mrs. MILLER. In other words, what would you do differently or the same?

Mr. GUILLOT. I would say two things.

First and foremost, we worked with Federal agencies as well as State and local agencies, Government entities, to make sure that we kept the flow of trucks moving—proper restroom facilities, proper fueling stations, proper places to eat. So I would think that would be number one on our list.

But certainly our biggest message to this Congress, this committee, is to fully fund a bipartisan infrastructure bill. The safety of our workers, the efficiency of our workers going forward relies on how well we fund infrastructure and get something moving on it. It is a long time needed, we all know it. We need to find a way, Congress needs to find a way, to get this thing done and get it done now.

Thank you.

Mrs. MILLER. Thank you so much.

And I yield back my time.

Mr. DEFAZIO. OK. Thanks, Carol.

Representative Espaillat?

OK.

Representative Malinowski?

All right.

Representative Stanton?

Mr. STANTON. Mr. Chairman?

Mr. DEFAZIO. Yeah.

Mr. STANTON. Mr. Chairman?

Mr. DEFAZIO. You are up.

Mr. STANTON. Can you hear me?

Mr. DEFAZIO. Yep.

Mr. STANTON. Mr. Chairman?

Mr. DEFAZIO. Go ahead. I can hear you.

Mr. STANTON. Thank you very much.

Thank you, Mr. Chairman, for holding this hearing. The COVID pandemic has impacted every sector of our economy and upended the transportation sector unlike anything that we have ever seen.

Since day one of this crisis, our transportation workers have been on the front lines. They have kept critical goods and freight moving across the country, helped get people in their communities to critical services and their jobs, and made sure planes continue to operate, and made sure that—and I have—made sure that infrastructure projects keep advancing across America.

My first set of questions is for Mr. Willis.

Throughout this crisis, it has been important to mitigate against the spread of the virus within the workforce, minimizing exposure while workers are performing their duties, and ensure sufficient staffing.

As efforts continue to reopen States and communities across the country, are transit agencies taking the steps necessary to ensure the health and safety of our frontline workers? And if not, what more should be done?

Mr. WILLIS. Well, I think some agencies are doing better than others, as we have discussed today. Quite frankly, they are only doing this because the workers have agitated, their unions have agitated, to hold their feet to the fire. And, you know, the sort of a hodgepodge approach here really can't be sustained.

You know, we have talked a lot about how important frontline transportation workers are. Could not agree more. And if we really believe that here, then I think we have to be laser-focused on what it is that we need to make them safer. And that is real, enforceable standards, many of which were included in the Heroes legislation, to make sure that employers are complying, you know, from CDC guidelines and that they are enforceable and that they are actually occurring.

You know, getting masks out to frontline workers is great, and we are supportive of that, but if there are not real Federal mandates to make sure that employers are doing the right things here and protecting workers, then we are not doing enough.

So I think your comments on how important this workforce is, how important the transit workforce is, are really important. And if we believe that, then let's give them the Federal mandates that we know are needed here. Because absent that, too many of these things are going to fall through the crack.

Mr. STANTON. Thank you for the answer.

And on the issue of when a worker tests positive for COVID–19, what steps are now being taken to trace contact with other exposed individuals?

Mr. WILLIS. Yeah. That is a big issue. Testing absolutely has to be a part of any sort of return, opening up the economy. We don't think, quite frankly, that CDC is doing enough on contact tracing. Thinking about the workplace as a place to plug in, to track what happens when a worker does test positive. Using the unions on the ground to help with that, I think, is essential.

So that is a big missing piece here. That and testing, they go hand-in-hand. That is going to be crucial if we are going to, again, open up more segments of our economy and our country.

Mr. STANTON. Thanks for the answer.

The next question is for Mr. Shaw.

What assistance has your employer provided employees who unfortunately have contracted COVID–19 or those that have been exposed to COVID–19?

Mr. SHAW. Thank you for the question, Congressman.

The assistance that my employer has provided is basically the Federal FMLA, Families First COVID. They have put them out of work and given them the 40 hours. That is about it.

Mr. STANTON. All right. Thank you for that, I guess, unfortunate answer, but I appreciate the answer itself.

Ms. Carr, United, like other major airlines, requires passengers to wear masks. How has this policy worked across the company's fleet? And are passengers generally adhering to the directive?

Ms. CARR. So, as you said, this is a company policy, Congressman, which unfortunately means that we don't have the Federal backing to support this on the aircraft. If a passenger takes it off, the most that I can do is to ask them to put it back on.

We need Federal guidelines. We need a Federal mandate that states you must wear this onboard the aircraft with the exception of taking a brief moment to have something to eat or drink. We have to do this to ensure that the spread does not happen onboard our aircrafts.

Mr. STANTON. OK. I really appreciate your advice in that regard. It is well-taken. And I and the other members of the committee are listening.

Thank you very much. I yield back, Mr. Chairman.

Ms. CARR. Thank you, Congressman.

Mr. DEFAZIO. OK. Thanks, Greg.

We actually did in the Heroes Act mandate masks, given the reluctance of the FAA to act, to force them to act. But, also, should a flight attendant order someone to put their mask back on and they disobey, that is a criminal offense.

Unfortunately, I think the airlines are advising their flight attendants, first, it might cause a conflict; secondly, they don't want to criminally prosecute them, their passengers. As opposed to, if we had a Federal mandate, this would all be way better.

With that, we would turn to Representative Fitzpatrick. I asked before, and I was told he came back.

He has not. OK.

Representative Balderson.

Mr. BALDERSON. Mr. Chairman, thank you very much.

Panel, thank you for being here this afternoon and taking time to speak to us. And I want to also thank your companies and your organizations for your heroic work that has ensured our constituents have been able to travel and access food, medicine, PPE, and other necessities throughout this pandemic.

My first question is for Mr. Randy Guillot.

Mr. Guillot, on March 13, 2020, the administration, the Department of Transportation, and the Federal Motor Carrier Safety Administration took immediate action, issuing an emergency declaration to waive the hours-of-service regulations for motor carriers transporting essential supplies and equipment. This declaration ensured that my constituents had access to life-saving medicine, per-

sonal protection equipment, and food available at their local grocery stores.

In May, the exemptions from hours-of-service rules were extended through June 14, 2020.

Can you touch on the importance of these early actions?

Mr. GUILLOT. Yes, sir. Thank you for your question.

It was extremely important to have FMCSA and DOT work with the trucking industry to meet the needs of the shipping public. We had critical goods being delivered. Please keep in mind that these exemptions were for transportation only of those critical goods. And they also did not increase the number of hours available for a driver to drive his vehicle; it only increased the flexibility of his non-driving time.

So we very much appreciate the flexibility. It met the needs of the industry, and it met the needs of the U.S. economy, allowing us to do our job.

Thank you.

Mr. BALDERSON. Thank you.

My followup to that would be, do you believe the trucking industry would benefit if these exemptions were further extended?

Mr. GUILLOT. I think it was extremely useful then and probably will be in the near term for critical goods. So, yes, I would think it deserves consideration from the agency to do so. Yes.

Mr. BALDERSON. Thank you.

I will stick with you. In your testimony, you note the trucking industry faces a shortage of more than 60,000 qualified drivers, and you will need to hire 1.1 million new drivers over the next decade.

I agree this is a major concern Congress needs to address, and I am a proud cosponsor of the DRIVE–Safe Act, which would establish an apprenticeship program to train qualified 18- to 20-year-old CDL holders to safely operate in interstate commerce.

I also understand the pandemic has increased delays for CDL testing, and there is a sizable backlog of testing appointments right now. Can you further discuss how the coronavirus pandemic has impacted the future workforce of the trucking industry?

Mr. GUILLOT. Yes. Thank you for cosponsoring that bill. We have long since recognized the need in our industry to bring younger qualified drivers, additional safety equipment on trucks, to help them become the safest drivers possible that they can be.

We have lost, as an industry, in a lot of cases, those young folks coming out of high school that may not be going to college, that may be going into another type of industry. So we very much want to improve upon that and get those young folks interested in our truck-driving jobs. It supports a good family living. And thank you for that exposure, and thank you for that cosponsorship there.

Mr. BALDERSON. Thank you.

As the economy improves, do you expect the trucking industry will be able to meet the demand of our economy this summer?

Mr. GUILLOT. I suspect that we should be able to. Obviously, we are affected. Many different segments of our industry are laying off drivers. But, yes, I do believe the resilience of the trucking industry is there and that we should be able to meet the needs and demands of the U.S. economy going forward.

Mr. BALDERSON. Anything else Congress could do to help to get back to normalcy?

Mr. GUILLOT. Pass a highway bill. You know, I think I have been pretty consistent with that all day long.

Mr. BALDERSON. Yes, you have been. OK. You have.

Mr. GUILLOT. We need the infrastructure, please.

Mr. BALDERSON. Appreciate your concern. I thank you again for your time.

And, Mr. Chairman, I yield back.

Mr. GUILLOT. Thank you.

Mr. DEFAZIO. I understand that Rep. Malinowski had trouble unmuting and he is with us.

Tom?

Well, that is the note I got. OK. Maybe he is having trouble again.

Then we would go to Representative Mucarsel-Powell.

Ms. MUCARSEL-POWELL. Thank you so much, Mr. Chairman.

And I want to start by saying thank you to Ms. Carr, to Mr. Shaw, for putting yourselves on the line and continuing to come to work. I know that you have a lot of anxiety. And, as we have seen, COVID is a very contagious disease, so thank you so much for all the work you are doing to support our country moving forward.

You know, we have heard from medical professionals that wearing cloth masks or face coverings protects others around you more than it protects yourself. And that is why it is so important to have a face covering when you are around other people.

For transit workers doing the essential and thankless job of providing this critical transportation service not just to passengers but other essential workers, cloth face coverings are not enough, and it doesn't provide them with enough protection. I know that our frontline transportation workers have asked for PPE.

I was surprised to see that, on May 28, the U.S. Department of Transportation announced that they would be providing 5 million cloth face masks for public transit workers.

This is May 28. This is 2 months, more than 2 months, after we all knew that COVID–19 was sweeping our country. At this moment, we had already crossed that terrible line of losing more than 100,000 lives because of COVID–19. And the Department of Transportation announced that it was going to provide cloth coverings, not proper PPE equipment.

We are hearing it today, and I have heard it several times from our local transit workers in my district here in Miami-Dade County. They have asked for proper PPE.

And I was very fortunate to have worked closely with a nonprofit here in my district, where we were able to actually provide 2,800 KN95 masks to transit workers in Miami-Dade, because they were not getting the equipment. We have about 7 million riders in Miami-Dade County every month, so you can imagine what they are exposing themselves to.

And so my first question, Mr. Willis. We took action right away. In the CARES Act, we passed significant funding for transit, for the Department of Transportation to provide necessary equipment for their transit workers. And, in the House, we just passed the Heroes Act, which includes an additional $15 billion for transit agen-

cies to improve worker safety, passenger health, and the entire system. The Senate has yet to vote on this bill.

Can you speak to what this additional funding would mean for the health and the safety of our transit workers?

Mr. WILLIS. Yeah. It is absolutely critical, because not only would that money go to health—and we talked about this earlier with, you know, farebox revenue that is lost and local taxpayer laws—but making sure that agencies are able to procure the right PPE for their frontline workers. So it is absolutely critical.

But the mask issue that you raised is a good one. We know that transit workers in close contact with passengers every day, with coworkers every day, do need the type of respiratory protection an N95 mask or something similar would provide. The cloth mask, while better than nothing, is unable to provide them, we think, the level of protections that are needed.

Quite honestly, I think this administration could and should have done a much better and earlier job of coordinating efforts here, of using the Defense Protection Act and other tools at its disposal to make sure that we are manufacturing the level of respiratory protections that we know are needed for transit workers.

N95s are unfortunately not readily available. They are not always being used in the right way, quite frankly. By their very nature, they are supposed to be disposable, but people are using them over and over again.

So really just making sure that we are thinking about getting masks in the right way, and the right ones, to transit workers and other frontline transportation employees is critical here. And I think the Heroes Act will definitely help, but I think the additional requirements that we have talked about here are also necessary.

So thank you.

Ms. MUCARSEL-POWELL. Thank you, Mr. Willis.

Have you gotten any guidance from the Department of Transportation or HHS or any other Federal agency for transit agencies, how you best need to protect workers and passengers? Have you gotten that guidance?

Mr. WILLIS. You know, they have put out a lot of guidance here. The problem is that it is not mandatory. Guidance is one thing, but we need real rules that are in place that are enforceable and that are going to hold employers accountable. That is the missing link here.

And I think that is what Congress did in the Heroes Act, and then I think that could be expanded to make sure we are covering broader sections of the Nation. But that is what we really need here to make sure that employers are doing what they need to protect their workers.

Ms. MUCARSEL-POWELL. Thank you so much.

Mr. DEFAZIO. The time of the gentlelady has expired. Thank you.

Someone is not muted. We are having some ghosts in the air. So please check that you are muted.

We now turn to Representative Fitzpatrick.

Mr. FITZPATRICK. Thank you, Mr. Chairman.

And thank you to all of our panelists for joining us. We very much appreciate it.

My first question is for Mr. Shaw.

First of all, thank you, Mr. Shaw, for your service to our country, not just abroad but also fighting on the front lines of this pandemic right now. And as you know very well, our frontline workers, transit workers such as SEPTA, have been tragically hit by this pandemic by paying the ultimate price, their lives. And yet you continue to show up to work every day, day-in and day-out, because you have families to feed and also because you want to do your part and keep our country moving.

So I also want to thank the TWU and the Local 234 in my backyard here in Philadelphia for all that the union has done to keep workers safe at SEPTA. And I know you have been a part of that fight as well. The union asked for and won additional worker protections, more PPE, and better cleaning procedures, meant to keep us all safe.

So my question, Mr. Shaw, is, are there any additional steps that SEPTA, you think, should be taking in response to this pandemic that have not yet been implemented?

Mr. SHAW. Thank you for your question.

We did gain some health protections, but a lot of it was, in my opinion, lip service. Sanitation of the buses, cleaning the buses and the system—not just the buses, but the trains and the platforms—is not being done to CDC standards. We have moved back to front-door operations and collecting fares. And now we have lost the sanitation runs, where there were drivers that would opt to take these runs and clean and wipe down. We need more sanitation. We need better filtration on the buses and the trains.

So the concessions, they didn't concede. They just basically, to my opinion, did lip service. We have lost stuff. We have lost safety procedures now that we have gone back to collecting fares and gone back to the front doors. We need more oversight to force the Authority to sanitize these buses, trains, and platforms.

Mr. FITZPATRICK. Thanks, Tom. What could we be doing to help with that?

Mr. SHAW. We could implement the sanitation runs again. We can bring them back. And then enforce that the sanitation runs are filled and that they are there, especially as you get later into the night. There were no late shifts. But enforcement of the runs and having the people out there sanitizing.

Mr. FITZPATRICK. Got it. Thanks, Tom. And thank you so much for your service. You guys are warriors, and we really appreciate you and the union and all you do to keep us safe, including my constituents in Bucks and Montgomery Counties. So thank you, Tom.

My second and final question is for Larry Willis, president of TTD.

So, Larry, Congressman Malinowski and I, along with about 150 of our colleagues, sent a letter to the FTA Administrator in April urging updated guidelines on an increase in PPE allocations for transit workers.

So I was wondering, Larry, if you could just share with us, what more FTA and we at the Federal level could be doing to support the transit workers that you represent.

Mr. WILLIS. Well, thank you, Congressman, not only for the question but the leadership you played on that letter and so many other

issues. You are a good friend, and we appreciate what you are doing there.

You know, I think what Tom said about what is going on is unfortunately what we are seeing across the country. I think, as you talk to other locals at TWU, ATU, SMART, the other unions that represent transit workers, they would tell you similar stories.

So I think getting it [inaudible] to make sure, again, that they are requiring these agencies to actually abide by what CDC is saying is what we need to do. It is why the legislative solutions that we have talked about here and that are included in the Heroes legislation have to be a part of that discussion as well.

We just can't leave it up to individual transit agencies to decide when and how they are going to protect workers. Rear-door boarding was the right idea to try to create some social distancing. Granted, they lost revenue on that. But we can think creatively about how to both collect revenue and make sure that these drivers and passengers are protected to the greatest degree that we can. We need to do better on that front.

So, again, thank you for what you have done here.

Mr. FITZPATRICK. Thanks, Larry. And thank you, Tom. Both of you, thank you for your service. And we have your back on this committee. We appreciate the work you do.

Mr. Chairman, I yield back.

Mr. DEFAZIO. Thank you.

Representative Finkenauer?

Representative García?

Mr. GARCÍA. Thank you, Mr. Chairman and Ranking Member, for this very important hearing.

The COVID–19 pandemic has affected us all, and those in my Chicago district particularly hard. Many have lost jobs and have experienced some of the highest infection rates in the State of Illinois.

In Chicago, like the rest of the country, black and brown communities make up a disproportionate number of frontline workers who bear the brunt of this deadly virus.

I ask for unanimous consent to add three articles into the record from the New York Times, the Chicago Tribune, and the Los Angeles Times that demonstrate the disproportionate impact COVID has had on communities of color, including an article entitled "The Price of Being 'Essential': Latino Service Workers Bear Brunt of Coronavirus."

Mr. DEFAZIO. Without objection.

[The information is on pages 92–108.]

Mr. GARCÍA. Thank you, Mr. Chairman.

And as we are discussing, frontline workers include our transportation workers. They both provide an essential service and also get other essential workers to their jobs. In urban areas and especially for those in the northwest and southwest sides of Chicago, working-class neighborhoods, many healthcare workers, grocery store workers, and janitors rely on bus and transit operators to get to their jobs. They do this every day, even while risking their health and their family's health in the process. They deserve our thanks, but, far more than that, they deserve our protection. These workers are essential and not expendable.

That is why the CARES Act provided some help, but didn't go far enough. In contrast, the Heroes Act would help further by extending airline worker pay protection, adding PPE requirements, and making more workers eligible for hazard pay. It would also help provide much-needed funding to State and local governments, as we all know.

A question for Mr. Willis.

Your written testimony mentioned the importance of State revenues in maintaining our transportation infrastructure. What impact would you anticipate if State and local governments don't receive more financial support during this crisis?

Mr. WILLIS. Well, thank you, Congressman.

You know, I believe that the State aid that was included in the Heroes Act is absolutely essential to stabilizing the economy and to financially protecting so many workers that rely on their State and local governments for their employment and the services they provide for our fellow citizens. So that has got to be part of any relief package that Congress considers.

On the transportation side, we have already talked about it here. We know that State DOTs have seen a fall-off in revenue from both highways and transit. I think that is having immediate impact. If you look at the employment levels in April for construction on the highway and roadside, it is the biggest single-month drop. Even though construction overall has been a little bit better, if you go back and look at April, that is the biggest drop in employment levels that they have ever seen at the BLS for that workforce since they started collecting data in 1990. And I think a lot of that goes to the State and local revenue problem that you have raised.

So I think, overall, States need the assistance. I think it is also critical to the transit agencies and to the State highway and transportation authorities that rely on these funds as well.

So, again, thank you for the question. It is an absolutely critical issue for us in the labor movement.

Mr. GARCÍA. Great. Thank you, Mr. Willis.

Mr. Byrd, in your testimony, you mentioned that there are safety implications working under suspended hours-of-service regulations. And what can Congress do to ensure that we are prioritizing driver safety while also supporting the supply chain?

Mr. BYRD. Thank you for the question.

What can we do? I think that, you know, during this crisis, it is certainly understandable that there were suspended hours-of-service regulations. What our concern is, is that, while there are suspended hours-of-service regulations for those drivers who are responding to the COVID crisis, there was rulemaking done that further, in our opinion, weakened the safety standards for short-haul drivers.

I think it is just important that we are mindful that, you know, truck drivers—there are a limited number of hours that they can safely operate. And we just would like to see no further degrading of safety standards while we are in the midst of this pandemic.

Mr. DEFAZIO. OK. Thank you.

Mr. GARCÍA. Thank you very much, Mr. Chairman. I yield back.

Mr. DEFAZIO. Yep. Thank you.

Representative Cohen.

Steve? Unmute, Steve.

OK. He must have had to go. All right.

Sam, I see you are still with us. Do you have any closing remarks?

Mr. GRAVES OF MISSOURI. I couldn't get it off mute.

I don't. I think it has been a good hearing. I think that, you know, a lot of good information.

Mr. DEFAZIO. OK. Great. Thank you.

I think the experiment worked. I was skeptical, and we did have a little initial problem with the mixed use, but I think it worked out well, and I think it bodes well for the future.

So thanks, everybody, for participating and hanging in.

Thanks to our witnesses. Three and a half hours, that is a long time. I appreciate that. And we will hope to act on some of the suggestions received here today.

With that—let's see. I have to find my proper closing script. Can I just adjourn the hearing? Is there anything I have to say?

The record remains open for 15 days.

And, with that, the hearing is adjourned.

[Whereupon, at 4:27 p.m., the committee was adjourned.]

# SUBMISSIONS FOR THE RECORD

**Prepared Statement of Hon. Rick Larsen, a Representative in Congress from the State of Washington, and Chairman, Subcommittee on Aviation**

Thank you, Chair DeFazio, for calling today's hearing on "On the Front Lines: The Impacts of COVID–19 on Transportation Workers." The past few months have been unprecedented times for the country and U.S. transportation. The COVID–19 pandemic has devastated ridership across all modes of transportation, shaken passenger confidence, delayed critical infrastructure projects and triggered layoffs throughout the industry. Today's hearing is an important opportunity to hear directly from individuals representing the hardworking women and men of the U.S. transportation workforce on the frontlines who risk their own health to keep the country moving safely.

My top priority is the health and well-being of all Washingtonians. The impacts of the ongoing pandemic are seen across industries. In Washington state, the pandemic has hit the maritime industry particularly hard. In my district, more than 100 crew members from three fishing vessels tested positive for COVID–19 last week, many of whom were asymptomatic. The crew is quarantined and vessels, which offloaded at the Port of Bellingham, are currently anchored in the Bellingham Bay and Port of Seattle waiting for further directions. Washington state's maritime sector, including its commercial fishing and seafood industry, support 148,000 jobs and contributed $30 billion to the state's economy revenue. With the upcoming fishing seasons in the Pacific Northwest fast approaching, this incident underscores the importance of rapid COVID–19 testing for frontline transportation workers to ensure the economy can operate safely during the pandemic.

To ensure the health and safety of the U.S. transportation workforce, Congress, the federal government and relevant stakeholders must develop and implement guidance for appropriate working conditions. Paramount to these efforts is access to personal protective equipment (PPE) and cleaning/sanitation materials for frontline workers. The HEROES Act, which the House passed last month, strengthens working and travel conditions for the transportation workforce and the traveling public by requiring masks and/or face coverings for workers and passengers on Amtrak trains, domestic commercial flights and some modes of public transit. Although it took far too long and needs to expand, I am encouraged to see the U.S. Department of Transportation (DOT) support frontline transportation workers by providing 15.5 million cloth facial coverings. In my home state, the Washington State Department of Transportation (WSDOT) expects a delivery of 5,500 masks from the Federal Transit Administration (FTA) to distribute to smaller transit agencies, tribes and nonprofit organizations.

Although most Americans continue to follow public health guidance to avoid nonessential travel, air travel is starting to increase. According to the latest data, nearly 9,000 passengers passed through Transportation Security Administration (TSA) checkpoints at Seattle-Tacoma International Airport on June 3, up from approximately 7,000 passengers on May 28. As Chair of the House Aviation Subcommittee, I am committed to working with the administration, industry and labor unions to ensure the health and safety of U.S. airline pilots, flight attendants and crew, and airport workers. Recently, Chair DeFazio and I sent a letter to Airlines for America and the National Air Carrier Association calling for carriers to better comply with public health recommendations on cleaning, sanitation and social distancing, on the ground and in the air.

Throughout the COVID–19 pandemic, public transit agencies have been at the forefront of carrying out policies to protect riders and transit operators. In my district, Island Transit, Community Transit, Whatcom Transit Authority and other local transit authorities implemented rear-door boarding and installed protective shields to maintain a safe distance between riders and transit operators, where feasible, and suspended fare collection to help comply with social distancing guidance. In addition, transit workers regularly disinfect buses, ferries, trains and worker fa-

cilities. Congress must increase federal investment in future relief packages to support state and local transit agencies' efforts to preserve jobs, expand access to PPE and other safety measures.

In my home state, transportation means jobs. However, the COVID–19 pandemic has had a devastating impact on the aviation and aerospace industry in Washington state and across the country. Recently, the Boeing Company announced it is laying off nearly 10,000 employees in Washington state and more than 12,000 employees nationwide in the upcoming weeks. Small and medium-sized aerospace suppliers and maintenance/repair stations in my district, such as Aviation Technical Services in Everett, were forced to lay off hundreds of employees. Further, some airlines are already discussing the possibility of furloughing thousands of employees by the end of the year. While the CARES Act was a significant step in the federal government's COVID–19 response, Congress has more work to do to help keep employees on payroll throughout the pandemic. Congress must work to extend the prohibition on involuntary furloughs of aviation employees through the expiration of the CARES Act if federal relief was accepted, expand sick and family leave, and improve unemployment benefits for transportation workers laid off during the pandemic.

Americans can and will get through this difficult time together. I want to acknowledge and thank the dedicated frontline transportation workers who are ensuring the sustainability, safety and efficiency of the U.S. transportation network. Your efforts will not be in vain. As parts of the country enter new phases of reopening, Congress, guided by public health, must continue to provide relief to protect Americans' health and economic futures. Again, thank you, Chair DeFazio, for calling today's hearing, and thank you to today's witnesses for your insights.

**Statement of the American Bus Association, Submitted for the Record by Hon. Sam Graves of Missouri**

Chairman DeFazio, Ranking Member Graves, and distinguished members of the Transportation and Infrastructure Committee, on behalf of the American Bus Association (ABA) thank you for calling today's important hearing. We are submitting testimony for the record on behalf of the motorcoach industry.

ABA wants to start by thanking Chairman DeFazio for the April 24th letter he coauthored with Chairman Neal to Secretary Mnuchin and Chairman Powell requesting the Treasury Department and Federal Reserve provide at least $5 billion in loans to over-the-road bus carriers under the Economic Stabilization and Assistance to Severely Distressed Sectors of the U.S. Economy program of the CARES Act. Unfortunately, the letter has so far gone unanswered and the funds requested have not been provided. Nonetheless, we appreciate Chairman DeFazio standing with the motorcoach industry, and ask for his continued support.

The ABA is the oldest, largest, and most respected voice of the motorcoach, tour and travel industries. Our Association represents private motorcoach operators, tour operations and all facets of small businesses supporting the travel industry. Our motorcoach members are a vital component of the national public transportation network, and are employees proudly provide intercity scheduled bus service, commuter and shuttle operations, school bus transportation, charter operations, and in some cases contract services for public transit authorities. Collectively, the motorcoach industry is a $15 billion industry, directly employing close to 100,000 employees, and providing nearly 600 million passenger trips annually, a statistic on par with the domestic commercial airline industry.

However, the Corona Virus Disease 2019 (COVID–19) outbreak has decimated the motorcoach industry, and it is struggling to survive. As your Committee reviews the impact of COVID–19 on transportation workers and develops further actions necessary to counteract these negative impacts, the ABA implores you to ensure the workers of the motorcoach industry are not forgotten. We appreciate Representative Katko highlighting the plight of our industry at the hearing, as well as Larry Willis, President of the Transportation Trades Department, AFL–CIO commenting orally and through his written testimony noting how critical the U.S. motorcoach industry is to the national transportation network and the importance of ensuring Congress provides assistance to the sustain the industry through this pandemic crisis, stating "We also believe emergency supplemental funding is needed for the motorcoach industry and its heavily impacted workforce."

Not surprisingly, based on our membership, ABA members and their employees are at the center of the COVID–19 "storm". With the worldwide outbreak continuing to effect the global economy, the devastating impact on travel and transportation operators cannot be understated. The daily cancellation of trips and gatherings

along with the cancellation of school, compounded by broadly publicized reports warning workers and travelers away from public modes of transportation, is taking a serious toll. As an industry dominated by small, U.S. entrepreneurial businesses, many of which are multigenerational family businesses, unlike larger corporate interests, many of our members and their employees are not prepared to withstand this significant economic downturn. The current situation is far worse than the downturn following the tragic events of September 11, 2001. At that time, although fear of travel was a factor, particularly travel by air and to larger urban areas, travel did continue by motorcoaches and to other venues. Timing also plays a factor. For example, springtime is the largest travel period for the industry with most being student educational and recreational activities. But with the COVID–19 outbreak, spring 2020 will likely go down as the worst travel season on record.

We are hearing daily from our members struggling to survive. In March, as urban centers across the country shut down, along with schools, and travel in general, the motorcoach industry came to a standstill, practically overnight. Travel contracts are now cancelled through the summer; offices closed and workforces converted to teleworking; school, sporting events, concerts and conventions all cancelled. An industry comprised of 3,000 companies, with a fleet size of 36,000 vehicles, was forced to layoff or furlough close to 100,000 employees and idle the entire fleet. For many operators, the spring season provides close to 50–60% of their annual revenue, with the fall time period providing the next financial boost for the year, based on school related travel. But not this year. The pandemic has left a successful, independent industry and its workers, completely decimated.

Further, as economies begin to reopen and businesses start to restore or resume normal operations, the motorcoach industry will lag behind, for an extended period of time. Continuing concerns about the virus and travel by mass transit, directives from the Center for Disease Control calling for on-going social distancing requirements, and restrictions and cancellation of school field trips and extracurricular activities, coupled with increased costs for sanitizing and ensuring the health safety of vehicles, will interfere with any effort for the motorcoach industry to recover. At this point, the industry outlook for recovery is, at best, about 24 months or longer. Also, unlike its counterparts in the air, rail and public transit arena, the motorcoach industry has received little to no assistance to support it through this pandemic crisis.

Yet, when called upon during these troubled times, there have been several "heroic" services provided by motorcoach operators and their employees, who have managed to continue operations on the front lines, albeit operating at only 5–15% capacity. These operators, and their drivers particularly, have provided essential service to bring needed nurses and medical staff to numerous medical facilities like the Mayo Clinic, and into New York City, at the height of the outbreak. Last week, motorcoaches and their drivers conducted an emergency evacuation of a retirement community, moving 150 people in under an hour. In May, motorcoaches were also portside, providing service to cruise line passengers stranded on COVID–19 infected ships when they were finally permitted to disembark. Motorcoaches operators have also continued to meet the needs of the U.S. Department of Defenses, moving military personnel and their equipment. Operators, such as Greyhound instituted a special program to provide travel for responders who left their home town to help out other towns in need of additional support during the outbreak; and Coach USA, who offered buses for medical workers, equipment and supplies. Now, these front line operators and their drivers are bracing for what is expected to be a highly active storm season, because these motorcoaches are a key component of the nation's emergency response capabilities for moving people out of harm's way.

We also want to highlight what ABA and its safety task force of industry peers is doing, in terms of supporting the recovery effort, when it comes, by ensuring our workers and the public are confident about riding motorcoaches again. Our members have workers that are anxious to get back to work, and they want to welcome passengers back and ensure they are confident about riding in motorcoaches again. For this purpose, the task force prepared guidelines for member companies to follow to protect employees, those in the office as well as on the motorcoach, appreciating that there is no return to business without a safe and secure workforce. These guidelines include employee protective measures, vehicle maintenance and cleaning, customer care, and other protocols to assist employees with interacting with colleagues, partners and customers in a safe manner. Also, the Task force is taking into account passenger needs for assurance that they are traveling safely, not only in safely operating and maintaining the vehicle, but also with clean, disinfected vehicles to minimize the risk of exposure to COVID–19. Safety has always been our industry's number one priority, and this safety mission has expanded in the wake

of the COVID–19 pandemic to better address the health and welfare of our workforce and our passengers.

We appreciate you holding this hearing to discuss the important role of transportation workers and the essential services provided by our transportation providers during this pandemic, and especially want to highlight the critical role of the motorcoach workforce. As Congress continues to seek ways to assist with the recovery of the national economy and the return to normal operations in the wake of this COVID–19 pandemic, we hope this Committee will engage and develop measures to sustain the motorcoach industry through this unprecedented economic crisis. Specifically, we need Congress to provide dedicated funding for the motorcoach industry businesses and their employees to ensure the viability of this critical aspect of the national transportation network. Specifically, to preserve jobs and keep continuity of operations, the industry needs $10 billion in grants and $5 billion in long term, low interest loans. This historically successful industry is not looking for a permanent funding commitment, but a bridge to keep its workforce employed and survive this unprecedented economic crisis. If the motorcoach industry and its workforce does not receive help, motorcoaches will not be available to connect rural communities to necessary resources, to take commuters to necessary jobs, to provide the only means of travel for some low or fixed-income travelers, to assist when the next hurricane hits and people need evacuation, or to assist in moving military personnel. Timing is critical, and ABA stands ready to assist the Committee in its role moving forward.

**"Many of Chicago area's essential workers are people of color and live in lower-income neighborhoods, new analysis says," by Jessica Villagomez, Chicago Tribune, April 27, 2020, Submitted for the Record by Hon. Jesús G. "Chuy" García of Illinois**

MANY OF CHICAGO AREA'S ESSENTIAL WORKERS ARE PEOPLE OF COLOR AND LIVE IN LOWER-INCOME NEIGHBORHOODS, NEW ANALYSIS SAYS

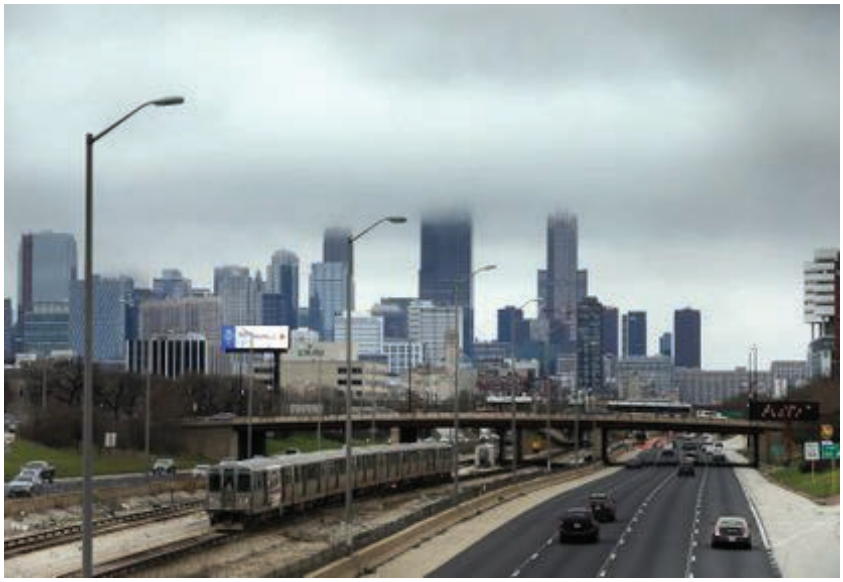
by Jessica Villagomez

Chicago Tribune, April 27, 2020
https://www.chicagotribune.com/coronavirus/ct-coronavirus-analysis-essential-workers-20200427-wt3idxtkprbz3fzfeptremtl5e-story.html

A disproportionately high number of essential worker jobs in the Chicago area are held by people of color and those who live in lower-income neighborhoods, according to a new analysis by the Chicago Metropolitan Agency for Planning.

The analysis categorized essential workers by using 12 occupation categories released by the Bureau of Labor Statistics. The categories include employees who work in health care support, building and ground maintenance, transportation and construction.

"This is our first pass at trying to take a look at a regional level at who our essential workers are," said Simone Weil, principal for policy at the agency.



More than 54% of essential workers in the Chicago area are people of color, compared to 44% of all regional workers, the study found. Essential workers include those who work for the CTA, Pace and Metra. (Terrence Antonio James/Chicago Tribune)

More than 54% of essential workers are people of color, compared with 44% of all workers in the region, the study found. Black workers are most overrepresented in health care support and protective services jobs, whereas Hispanic workers are overrepresented in both construction and food service industries, according to the analysis.

Many essential workers live on the South and West sides of the city; in nearby south, southwest and west suburban Cook County; and in job centers in Lake, DuPage and Will counties, according to the analysis.

The analysis also found that 1 in 4 essential workers lives in a census tract that has a median household income at least 30% below the regional median of $70,500.

However, the estimates excluded workers in some industries that have become essential during the coronavirus pandemic. For example, grocery store employees are classified under a nonessential occupation role as retail sales workers.

Austen Edwards, a senior policy analyst at the agency, said the analysis speaks to new and long-running economic pressures that workers in these sectors are facing. In beginning to examine data, Chicago can better look at how to provide better equitable access to education, health care and government services, he said.

"It speaks to longer-term trends in employment that we continue to see play out today," he said. "When we're thinking of coronavirus and the shift to long-term recovery, we need to have a strong understanding of long-term trends and what opportunities are being presented to workers."

**"The price of being 'essential': Latino service workers bear brunt of coronavirus," by Hailey Branson-Potts, Alejandra Reyes-Velarde, Matt Stiles, Andrew J. Campa, Los Angeles Times, May 17, 2020, Submitted for the Record by Hon. Jesús G. "Chuy" García of Illinois**

THE PRICE OF BEING 'ESSENTIAL': LATINO SERVICE WORKERS BEAR BRUNT OF CORONAVIRUS

by Hailey Branson-Potts, Alejandra Reyes-Velarde, Matt Stiles, Andrew J. Campa
Los Angeles Times, May 17, 2020
https://www.latimes.com/california/story/2020-05-17/latino-essential-workers-coronavirus
accessed at https://finance.yahoo.com/news/price-being-essential-latino-workers-130044345.html

Certified nursing assistant Rosa Arenas has been home quarantining since May 2 after testing positive for COVID–19 at her apartment in Orange. (Gary Coronado / Los Angeles Times)

For Lupe Martinez, who does the laundry at a Riverside nursing home, each day presented an agonizing choice: Go to work and risk getting the novel coronavirus or lose the $13.58-an-hour paycheck her family relies upon.

Martinez went to work.

Even after the masks started running low. Even, she said, after a patient whose room she had entered without protective equipment fell ill and was put into isolation.

Martinez, 62, tested positive for COVID–19 last month, followed by her 60-year-old husband, who had to stop working after having a heart attack last year. Her adult son and daughter, who live with them, also tested positive.

"There were many times I didn't want to go to work," said Martinez, coughing heavily as she spoke. "I didn't want to get sick. My husband said, 'Don't.' I said we can't live. We have these bills. . . . I had to push myself to go. I had a commitment to my family."

For low-paid employees whose work is rarely if ever glorified—the people who clean the floors, do the laundry, serve fast food, pick the crops, work in the meat plants—having the jobs that keep America running has come with a heavy price. By the odd calculus wrought by the viral outbreak, they have been deemed "essential." And that means being a target.

Rafael Saavedra at his home in Alhambra. The truck driver, whose pay has been cut in half, fears infecting his daughters at home. (Gary Coronado / Los Angeles Times)

Along with blacks, Latinos have borne the brunt of the COVID–19 pandemic in California and other parts of the United States, becoming infected and dying at disproportionately high rates relative to their share of the population. Health experts say one of the main reasons Latinos are especially vulnerable to COVID–19 is because many work in low-paying jobs that require them to leave home and interact with the public.

Latinos comprise about 40% of California's population but 53% of positive cases, according to state data. In San Francisco, Latinos comprise 15% of the population but make up 43% of the confirmed COVID–19 cases as of Saturday.

UC San Francisco researchers tested thousands of people in the city's Mission District for COVID–19. While Latinos made up 44% of the people tested, they accounted for more than 95% of the positive cases. About 90% of those who tested positive said they were unable to work from home.

A Los Angeles Times data analysis last month also found that younger Latinos and blacks were dying at disproportionately high rates, belying the conventional wisdom that old age is the primary risk factor for death.

Latinos in California are significantly less likely than whites, Asians and blacks to say that working from home amid the pandemic is an option, according to a new poll of California voters from the UC Berkeley Institute of Governmental Studies.

Some 42% of Latinos polled said they could work from home, compared with 53% of blacks, 59% of Asians and 61% of whites. The poll also showed that Latinos were nearly three times more likely than whites to be concerned about their jobs placing them in close proximity to others. This was a particular problem in the first weeks of the pandemic, when masks and other protective gear were in shorter supply and many businesses were still trying to implement social distancing policies.

"They feel essential; they're trying to do their part to get us out of this crisis," said Jose Lopez, a Los Angeles-based spokesman for the Food Chain Workers Alliance. "Yet we can't provide face masks. We can't give them the space to give them six feet of separation between their co-workers."

A Times analysis of U.S. Census Bureau data shows that Latinos make up just under 40% of the workforce across all industry sectors deemed essential by the California state government, consistent with their share of the statewide population. But in some sectors, they are greatly overrepresented.

In essential agriculture jobs, the workforce is more than 80% Latino. They also hold more than half of essential food jobs and nearly 60% of construction jobs deemed essential. At the same time, Latinos in the U.S. are more likely than the overall population to say they or someone in their household has experienced a pay

cut or lost a job amid the pandemic, according to a Pew Research Center survey in April.

For weeks, Dr. Marlene Martín, an assistant clinical professor at UC San Francisco and a physician at Zuckerberg San Francisco General Hospital, has watched as Latino patients with COVID–19 have streamed into the emergency room. More than 80% of the hospitalized coronavirus patients at the facility were Latino as of last month.

They have been roofers, cooks, janitors, dishwashers and delivery drivers. Many were under 50. They lived in households where social distancing is difficult, sometimes with two or three other families. For Martφn, a 36-year-old Latina, stepping into the intensive care unit sometimes feels like being confronted with an unsettling mirror.

"It was already full of people who look like me," she said, "who share a common language and similar cultural backgrounds."

"You see the extremes of what happens when someone can shelter in place or someone can't. It's not that people don't want to stay home. It's not that they're not listening. It's not that they're not educated. It's that they don't have an option."

The coronavirus' heavy toll on Latinos raises questions about whether employers across the U.S. and the government are doing enough to protect these workers.

In Iowa, Latinos make up about 6% of the population but have accounted for a quarter of all positive cases, according to the state's tally. In Washington state, Latinos represented 35% of all positive cases, even though they only make up 13% of the population.

The balance between keeping Latino essential workers safe and depending on their labor is being tested in the city of Hanford, where a coronavirus outbreak at a meat-packing plant now accounts for half of the confirmed cases in Kings County.

About 180 employees at Central Valley Meat Co. had tested positive as of Tuesday, according to County Supervisor Doug Verboon. Most of the employees at the facility—who work in close proximity amid "moist and wet working conditions"—are Latino, he said. Central Valley Meat did not respond to calls or emails from The Times.

Karla Barrera is a deli manager at a grocery store in Sun Valley and the mother of two. ''I'm so scared for my babies. I'm praying that I don't have it,'' Barrera said. (Dania Maxwell / Los Angeles Times)

Verboon said the county is depending on even more Latino workers during the current cherry-picking season, which lasts until mid-June. He said one Hanford fruit-packing company that employed 800 workers to pick cherries told him that an outbreak similar to the one at Central Valley Meat Co. would be "catastrophic."

"We can't have those people get ill because we have a short window of work," Verboon said.

Lupe Martinez started at Alta Vista Healthcare & Wellness Centre in Riverside last July after her husband, a sheet metal worker and the family breadwinner, had a heart attack and had to stop working.

In the laundry room, Martinez—a member of the Service Employees International Union Local 2015, which represents some 400,000 home care and nursing home workers in California—was surrounded by mostly Latinos and Filipinos. A lot of her colleagues work two jobs or pull double shifts, washing heavy comforters and blankets, cleaning shower curtains, handling patients' linens.

Martinez's family asked her not to go as the virus began spreading in California.

"I told them, 'I'm going to trust God. I'm not going to get it,'" she said. "I'd go to work. I'd worry."

A few weeks ago, Martinez said, she walked into the room of an elderly woman to bring her clean clothes. Usually, there is a notice on the door if a patient has an illness that requires staff to put on gloves, masks or other gear, she said. There was nothing posted, Martinez said, so she entered unmasked.

Martinez said the woman told her she was feeling sick. A few days later, a sign on the door said she was in isolation.

Alta Vista Healthcare & Wellness Centre did not return calls or emails seeking comment.

On April 13, Martinez came home with a sore throat, dry cough and aching body. She couldn't taste the tea her son brought her. She struggled to breathe. She went to the hospital before and after a positive COVID–19 test and was sent home, told to try and self-isolate.

When her husband, son and daughter who live in the house tested positive, she lay in bed, crying out to God.

Another son and his wife live in a back house on the property. He's a barber. She's a dental hygienist. They are not currently leaving home to work. They have not gotten COVID–19.

Because she had not yet worked at the nursing home a year, Martinez said, she was not eligible for sick pay. She has applied for state disability but has not yet heard back. Martinez said she feels she has to return to work.

"My kids don't want me to go back," Martinez said. "But I have bills. I know it's my life, but—I don't know."

Rosa Arenas, another union member and certified nursing assistant at an Orange nursing home, said she got tested after learning a patient had tested positive for COVID–19 last month. On May 2, Arenas tested positive.

Now, she is isolated in one bedroom of her family's apartment, away from her husband and two children, ages 12 and 6, who have tested negative. She spent Mother's Day reading the Bible alone and video-chatting with her children and husband from the other side of the door.

"My kids told me they were sad they weren't going to give me a Mother's Day hug," Arenas, 32, said. "It broke my heart."

She said there was not enough personal protective equipment at work and that colleagues have become infected. Her husband, a landscaper, recently was sent home by his employer to quarantine and be tested, and she has burned through all her paid vacation and sick time while quarantining at home. And she misses working.

Rafael Saavedra, 40, outside his home last week in Alhambra. (Gary Coronado / Los Angeles Times)

When Rafael Saavedra, a 40-year-old truck driver from Alhambra, returns home from work, he undresses in his garage, throws his clothes in the washing machine and rushes to the shower, careful not to touch anything inside. His greatest fear is infecting his daughters, ages 16 and 6.

At a San Pedro dispatch center, where he and hundreds of other drivers drop off paperwork and take breaks, he hardly ever finds soap or hand sanitizer.

Employees who normally work in the center are now working remotely, and there's little communication with drivers about how they can stay safe, Saavedra said. Drivers were given a single, thin mask about a month ago and nothing else, he said.

Saavedra said the vast majority of drivers he works with are Latino immigrants who are struggling to navigate the pandemic because of language barriers and a lack of resources.

"They don't know their rights. They're scared of talking. They stay in their cocoon," he said.

Saavedra has carved out a comfortable life for his family. He travels often with his wife and daughters, who attend private Christian schools. But his paycheck has been cut in half due to reduced hours. He fears losing his house.

His wife, a nurse at a Pasadena homeless shelter, cut down her own hours out of fear of catching the virus and infecting their daughters.

Sonia Hernandez, who raised four children as a single mother, has worked as a cook at a McDonald's in Monterey Park for 18 years and makes just over $14 an hour, said her daughter, Jenniffer Barrera Hernandez.

In early April, Hernandez was hospitalized with COVID–19 and went into an induced coma for weeks.

"They told us she wasn't going to make it through the day and we had to decide whether she wanted to go in peace or do chest compressions to try and get a pulse," Barrera Hernandez said. "It was really hard to make that decision."

Miraculously, Barrera Hernandez said, her mother woke up.

After her diagnosis, Hernandez's co-workers walked off the job to demand safety supplies, including masks, gloves, soap and hand sanitizer. Barrera Hernandez said after she called McDonald's to alert the company her mom had tested positive, she did not get a call back.

"That's really sad, because my mom really liked that job. You provide for a company for so long, and at the end you're just a number."

Hernandez is recovering in her South L.A. home. She is extremely fatigued and unable to walk or even hold a phone for very long, her daughter said. She feels guilty she can't go back to work yet.

David Tovar, McDonald's U.S. vice president of communications, said many of Barrera Hernandez's and some employees' statements were false.

He said McDonald's restaurants, including the one where Hernandez worked, have had an ample supply of soap, hand sanitizer and cleaning supplies and close overnight once per week for deep cleanings. Tovar said restaurants have been open for takeout only, with social distancing requirements enforced and bathrooms closed.

When McDonald's learned of Hernandez's diagnosis on April 8, the company immediately informed four crew members who she had been in contact with, he said.

"We have the utmost respect for Ms. Hernandez and all the employees at McDonald's, but it's unfair to let them try to tell a story to you that's simply not true," Tovar said. "We are a very large employer of diverse employees, particularly Latinos. We want everyone who comes to work for McDonald's to have a good experience."

When Mariana Lui's mother got a letter from her employer in March that labeled her an essential worker, she announced it with a sense of pride.

Lui's mother, an undocumented immigrant from Mexico who works at a San Fernando food production warehouse that makes meals for schools, told her daughter that she had never before been deemed "essential." Now, she said, people needed her.

But then her colleagues, many of them undocumented Latinas, started getting sick. They stopped showing up on the assembly line, where, she said, they stack ingredients onto sandwiches while standing shoulder to shoulder.

Lui's mother spoke to The Times on the condition of anonymity because she feared losing her job. Lui, who also spoke to The Times, is a 31-year-old legal administrative assistant in Whittier with a different surname than her mother.

Lui's 50-year-old mother said colleagues were taking aspirin and continuing to work, despite having fevers and headaches. Then she started showing symptoms.

"I was getting tired at work and I had a little bit of a cough," she said. "I didn't think it would be something so serious, so I kept going to work for three or four days."

A few days later, she tested positive for COVID–19.

**"Subway and bus workers are bearing a disproportionate coronavirus death toll," by Dana Rubinstein, Politico, April 7, 2020, Submitted for the Record by Hon. Jesús G. "Chuy" García of Illinois**

SUBWAY AND BUS WORKERS ARE BEARING A DISPROPORTIONATE CORONAVIRUS DEATH TOLL

by Dana Rubinstein

Politico, April 7, 2020

https://www.politico.com/states/new-york/albany/story/2020/04/07/subway-and-bus-workers-are-bearing-a-disproportionate-coronavirus-death-toll-1273457

A crowded subway stop in Manhattan (Getty Images)

The workers who toil on New York City's subways and buses are disproportionately male, disproportionately a minority and disproportionately middle-aged. In the age of the coronavirus, they also appear to be paying a disproportionate price.

As of early Tuesday afternoon, 33 of the roughly 55,000 workers employed by New York City Transit and MTA Bus had died due to complications from the coronavirus. That translates into a death rate of about 60 out of 100,000. At this moment in the pandemic's fast-changing trajectory, that death rate appears to exceed that of both the New York Police Department and the Fire Department's emergency medical services.

The FDNY's emergency medical services had, as of Tuesday mid-day, two deaths out of 4,000 workers (or 50 out of 100,000). The NYPD had 13 out of 55,000, or 24 out of 100,000.

Transit's interim president, Sarah Feinberg, on Monday called the death toll "devastating."

"We are reeling and are struggling . . . to come to work every day," she said in a TV interview.

The MTA hasn't released many of the names or information about its fallen. Nor has it offered any theories as to why the transit division's workforce is suffering such losses.

"The death of any our colleagues is personal; not about statistics," said MTA spokesperson Ken Lovett. "We greatly mourn those we've lost as we continue to do all we can to protect our workers and customers."

But the division's demographics, coupled with the hazards inherent to working for transit, may play a role.

As of Dec. 31, New York City Transit's workforce was 81 percent male, and 46 percent African American, according to MTA statistics. (MTA Bus, which employs just 4,000 people, had similar numbers). Fifty-two percent of transit workers are between 36 and 54 years old, according to union data. Another 28 percent are over 55. Early data suggests that African Americans and older men are dying at disproportionately higher rates than other groups.

"There's a lot of risk factors right there," said Dr. John Balmes, a pulmonary critical care physician and a spokesperson for the American Lung Association.

Transit workers may also have jobs that predispose them to ailments that make them vulnerable to the coronavirus.

A 2005 state- and union-funded report out of Queens College concluded that the "Occupational hazards of New York City transit workers are uncommonly diverse and . . . include chemical, safety, ergonomic, physical, psychological, and biologic hazards."

"Anecdotally, almost every transit worker develops lung conditions, lung problems, and anecdotally, so many transit workers I began on the job with died of lung related problems," said John Samuelsen, the international president of the Transport Workers Union. "They breathe in steel dust, they breathe in manganese from the welding, they breathe in creosote, they breathe in all of the the disgusting stuff in the subway."

Then there is that other precondition—working in the nation's most densely packed subway and bus system.

"The subways are an unfortunately almost perfect way to transmit the infection, because people are close together," Samuelsen said.

Further exacerbating matters was the workers inability to access masks and gloves. Following federal guidance, the MTA didn't start doling out personal protective equipment en masse until March 27. The MTA has also halted cash transactions and allowed rear-door boarding of buses, to reduce driver exposure to infectious passengers.

"Think about it, the public that they're exposed to [and] working near . . . are, more likely than not, essential workers—many of them health care workers, many of them grocery store workers," said Steven Markowitz, an author of the 2005 Queens College report and director of the college's Barry Commoner Center for Health and the Environment. "Meaning that the public they're exposed to is more likely to be infected, more likely to be exposed to Covid."

**"Transit workers are paying a heavy price during the pandemic," by Justin George and Greg Jaffe, Washington Post, May 17, 2020, Submitted for the Record by Hon. Jesús G. "Chuy" García of Illinois**

TRANSIT WORKERS ARE PAYING A HEAVY PRICE DURING THE PANDEMIC

by Justin George and Greg Jaffe
Washington Post, May 17, 2020
https://www.washingtonpost.com/local/trafficandcommuting/transit-workers-are-paying-heavy-price-in-the-coronavirus-pandemic/2020/05/17/d7251b18-8edc-11ea-a9c0-73b93422d691__story.html

Sandra Crawford has seen a lot in her 17 years as a New York City bus driver, but she's never been this concerned about her safety. (The Washington Post)

The covid-19 deaths were piling up so fast that New York City bus driver Danny Cruz began to worry that no one understood the toll the virus was taking on his fellow transit workers.

So in early April, he began keeping a list of those killed by the disease and posting it on Facebook. Cruz had lost a friend and fellow driver at his depot to the novel coronavirus a few days earlier. He also had tested positive for it himself.

"Every morning I wake up and one of the hardest things I have to do is to try to keep this updated," he wrote April 7, when the death toll was 41. "Every time I have to add a name, my heart loses a beat. . . . Why is this happening? Why were we not better prepared? How many more members will we have to lose?"

By Cruz's count, 129 New York City transit workers have died of covid-19.

New York City bus driver Danny Cruz is keeping a list on Facebook of his fellow transit workers who have died of covid-19. (Michael Noble Jr. for The Washington Post)

Across the country, an estimated 430,000 public transit workers, including train operators and bus drivers like Cruz, have kept systems operating, moving essential workers such as doctors, nurses and first responders who have been hailed as heroes. By comparison, the lower-paid and largely minority transit workers said they are often abused by riders and insufficiently protected by their employers.

As offices, stores and restaurants reopen in the coming days and weeks, trains and buses will almost certainly see more passengers. For transit workers, the return to normal life only exacerbates their fears.

"We run the risk of bringing that virus back into our houses, infecting our children, our wives, our husbands, our parents," said John Samuelsen, president of Transport Union Workers International. "We're not health-care professionals, but health-care professionals wouldn't be able to do what they're doing without transit workers."

No transit system in the nation has been as hard hit by the pandemic as New York City's and its 74,000 workers. At least 10,000 Metropolitan Transit Authority employees have been quarantined during the outbreak.

The novel coronavirus has sickened or killed transit workers in nearly every major system in the country. Transit and union officials—many of whom were slow to recognize the threat that the virus posed to their workforces—have scrambled to implement new safety measures such as more frequent cleanings, adjusting boarding processes to isolate drivers and requiring passengers to wear face coverings.

Such measures may have helped slow the virus's spread, but they have not done much to lessen the anxiety of transit employees who have lost co-workers, infected family members and are regularly being asked to take unprecedented risks.

In Seattle, a bus driver who recently lost his wife, who also was a driver, is left to raise three children while he contemplates continuing in a job that may have exposed his wife to the virus that killed her. In the District, where 81 Metro workers have tested positive for coronavirus as of Friday, a bus operator who spent three weeks fighting covid-19 recently returned to work, but with mental scars that make her afraid of everything she touches or any cough or sneeze she hears on board.

On the Facebook page where Cruz posts his list, workers routinely complain that they feel pressured to return to work too soon after their symptoms abate, and they routinely worry that the transportation authority's stepped up efforts at cleaning buses and trains are not good enough.

"Some MTA employees have said we signed up for this," Cruz said. "No one signed up to report to work knowing that we are all getting exposed and possibly bringing the virus back home to our loved ones."

*Agencies address fears*

Transit officials countered that they have moved faster than most government agencies to protect workers, even going beyond recommendations from the Centers for Disease Control and Prevention.

"The MTA has been a global leader in protecting the health and safety of our employees," Sarah Feinberg, interim president of the MTA NYC Transit, said in a statement.

Since the outbreak began, the MTA has distributed more than 1.4 million N95 masks to drivers, 3.5 million pairs of gloves and more than 17,000 gallons of hand sanitizer, the agency said.

In April, the transit authority raised a death benefit for family members of any workers who die of covid-19 to $500,000. And on May 6, it began shutting down the subway from 1 a.m. to 5 a.m. daily for deep cleaning—the first planned overnight shutdown in the system's 115-year history.

The agency also established a "Temperature Brigade" to check for early signs of the virus in the workforce and even lobbied Costco to include MTA employees among front-line workers receiving priority access to stores.

Still, transit agencies nationwide have struggled to address the fear and mistrust among their workforces. In Washington, Metro, the nation's second-busiest transit system, sudden bus driver shortages and increased absences in late March were part of the reason the system was forced to cut service to just 25 routes on at least two occasions.

The biggest challenge for transit agencies has been protecting bus operators, whose pay nationally averages $21.74 an hour and who have been hit hardest by the virus. While the overall number of Metro workers infected make up a small fraction of the transit agency's 12,000 employees, half of those who have tested positive for the novel coronavirus work among the public, including Transit Police, operators, janitors and station managers. Of 81 employees infected, 20 have been bus operators. More than 500 workers have been quarantined.

Metrobus driver Latisa Holmes recently returned to work after fighting covid-19 for three weeks.
(Latisa Holmes)

Among the ill was Latisa Holmes, who remembers the fever, headache, aches and pains hitting her like a wave in mid-March.

It felt, she said, as if she had been put in an oven. She struggled to breathe—it was like a brick was being pounded on her chest, she said. And she had disorienting headaches. She watched the news as the death toll rose, worried that she was next.

"I saw people dying having underlying health issues," she said. "I said that could be me because I have high blood pressure. I began to panic more because I realized that I might die."

Her son, a typically stoic and unfazed teenager, stood outside her bedroom door crying.

"All I could say to him with a tone of affirmation is, 'Your mother is not going to die,'" she said, though she herself was unsure and prayed constantly.

Metro, meanwhile, raced to institute changes to protect and win back the confidence of its drivers. It cut service hours and routes, required passengers to board through the rear doors, waived fares and roped off the first few seats on buses to lessen contact between drivers and riders.

Many of the changes were brought about through pressure from Amalgamated Transit Union Local 689.

"One of the biggest things that we did very early was we worked very closely with the union, particularly 689, our largest union, but also the others, and really started to think about it from the perspective of that bus operator, that mechanic, that rail operator, that station manager, and come at it from that perspective," Metro General Manager Paul J. Wiedefeld said.

Transit agencies around the country took similar steps.

Some cities, such as Atlanta and Detroit, went further, deciding to compensate drivers for the increased risk in much the same way the military pays soldiers extra for combat duty. The Metropolitan Atlanta Rapid Transit Authority, relying on the money it received as part of the $2 trillion federal bailout package, distributed a one-time $500 "hero" bonus to more than 3,500 of its workers. It passed out surgical masks, gloves and sanitizing wipes, in addition to giving drivers $75 stipends to spend on supplies, spokeswoman Stephany Fisher said. MARTA also has provided an extra 80 hours of sick leave for employees infected by covid-19, free testing and counseling to deal with stress.

''Every time I have to add a name, my heart loses a beat,'' Cruz says about the list he keeps on Facebook. (Michael Noble Jr. for The Washington Post)

In Florida's Miami-Dade County, frustrated and angry transit workers have sued over a lack of protective equipment and challenged Transit Director Alice Bravo to ride the bus so she can see firsthand the lack of social distancing, sanitizer and adequate face masks for drivers. Their battle cry on social media: #RideNotDie.

Bravo declined to say whether she has ridden a bus during the pandemic, but she said she has spoken to hundreds of drivers to address their needs. Like other agencies, Miami-Dade transportation officials scrambled to get enough personal protective equipment for drivers. While the agency acknowledges that it did not initially have enough masks, Bravo said the agency quickly recovered.

"The minute we got our hands on supplies, we distributed them and started using them," she said. "We even have hand sanitizer dispensers on our buses now. I know for a fact we are doing everything other agencies in other cities are doing, and I know we are doing some things other agencies aren't even doing."

Calls for more support for transit workers have been bolstered by national coalitions led by the NAACP and the TransitCenter, a foundation for transit research and advocacy, which have pressed Congress and the White House for hazard pay and more protective equipment for transit workers.

The NAACP views transit workers as essential to helping the unemployed find jobs, while public transportation helps people, already burdened by high mortgage or rent payments, keep costs down.

Cruz is among the New York transit workers who tested positive for coronavirus. (Michael Noble Jr. for The Washington Post)

Some union officials blamed years of budget cuts for the inadequate protection of workers. Transit agencies, for example, could have purchased buses with sealed-off compartments for drivers—similar to models used throughout Europe, said John Costa, international president of the Amalgamated Transit Union, North America's largest transportation workers guild.

Even before the pandemic, unions insisted such measures were needed to protect drivers in the wake of several high-profile attacks on drivers. Many agencies, including Metro in the nation's capital, have retrofitted buses with clear shielding, but union officials say the vehicles, which cost upward of $500,000, can be built with separate cabs that could have afforded greater protection.

"For the money we pay for buses, the way they're designed, we should have had them enclosed," Costa said.

Costa said that less than half of his members have the masks, gloves and disinfectant they need, and he warned that strikes are possible if agencies don't respond to worker concerns.

Rep. Peter A. DeFazio (D-Ore.), chairman of the House Transportation and Infrastructure Committee, has similar worries about shortages of protective gear and workers who feel forgotten.

"Hopefully the American public will recognize that more," DeFazio said. "I mean, they certainly would recognize it if transit went away."

DeFazio said he's pushing for Washington to help pay for protective compartments on buses and has called for more federal aid to be directed to transit in a second massive stimulus bill that lawmakers are considering.

Such drivers as Holmes, who recently returned to work at Metro after fighting covid-19 for nearly three weeks, are painfully aware of the stakes. "I think no one knew that we were the front-line people, also," Holmes said. "It's like they forgot about us and that we're risking our lives every day."

Holmes said she recovered physically before she was mentally able to return to work. Day by day, the aches began to subside and her chest began to open.

But she noticed that she would cry suddenly for no reason. Her doctor advised her that it was normal for a person who has suffered trauma.

Her bosses at Metro told her to take as much time as she needed, and the agency referred her to a therapist, who helped her cope.

She started to feel less and less like she was going to die every time she closed her eyes. She worried less about a stranger's cough or sneeze.

One of her biggest fears when she returned to work was whether her co-workers would treat her as if she had an infectious disease. Those worries went away on her first day.

"When I see you I see hope," her supervisor told her.

But on May 6, Holmes learned she would need to be quarantined for another two weeks. Her 17-year-old son had tested positive for the novel coronavirus.

"I'm just lost for words right now," she said.

*A list that keeps growing*

When Cruz started his list of dead New York City transit workers, the MTA was reporting only seven deaths.

But Cruz, who was seeing and hearing about the deaths of colleagues online, worried the transit authority wasn't keeping a good count.

"Every day it was another name and another name," he said. "I thought we should know who these people are. We should be keeping track. He posted his list

in a small Facebook group that he had built for his depot and encouraged his fellow drivers to share it as widely as possible.

Metrobus operator Katherine Sherrill prepares to put the bus she is driving back into service on May 7. (Jahi Chikwendiu/The Washington Post)

Within a week it had grown to more than 41 names. The group also has grown to more than 700 transit workers who use it to pay tribute to their dead colleagues, organize and share their fears.

"To go into work is like walking into a death camp with all that's going on around me," one transit employee wrote in April. Another who drove through the 9/11 terrorist attacks and Hurricane Sandy called the pandemic "the scariest and most emotionally exhausting" stretch of her career.

"I'm only on day 8 of self quarantine," another worker wrote. "My doctor told me to self-quarantine for 14 days," one transit worker wrote recently.

That driver felt as though she was being pressured into going back to work earlier than her doctor advised.

In the early days of the pandemic, many objected to a transit authority directive ordering workers not to wear masks. At the time, the workers did not meet CDC guidelines for mask use.

Pressure from workers and the union forced the agency to change course in early March. MTA officials noted that they shifted their policy on masks before the CDC changed its guidance and ahead of other transit agencies.

For many MTA workers, though, the changes haven't been enough. A popular meme shared among transit workers in Cruz's group is a picture of the MTA shield with blood running down it. Every day, New York City drivers face grim reminders of the risk they face. For Robert Coleman, it is a recently erected sign at the end of his route that states an entrance is for funeral directors only.

"Keep in mind, there's no funeral home there," Coleman said. "I see trucks coming in, and when I see trucks coming in, I know this is where they drop off the bodies."

Coleman, 53, is a survivor of nasopharyngeal cancer and underwent chemotherapy and radiation for seven months in 2009. Health officials have warned that cancer survivors are particularly vulnerable to the virus.

He remembers walking downstairs to get a mask and gloves at his bus garage just after the city began gearing up for the coronavirus and seeing a sign that explicitly said bus drivers did not qualify for the protective equipment. His friends at the New York Police Department repeatedly tell him, "I would never do your job," he said.

He wonders why transit workers don't qualify for the first responder discounts that are set aside for police and health-care workers.

"We don't look for it," he said, "but we do want to be appreciated like everyone else."

With each passing day, Cruz's list has continued to grow.

No. 18 on Cruz's list is Darlisa Nesbitt, 51, who operated a train for the MTA for more than two decades and died on April 2.

She was just two years from retiring and had planned to join her extended family in Atlanta, where it was a "little quieter," said her brother, the Rev. Charles E. Nesbitt.

When she became ill in March, Charles began organizing a daily conference call for family members to pray for her.

A Metrobus operator drives through Chinatown in Washington on May 5. (Ricky Carioti/The Washington Post)

"She was having tremendous respiratory problems," he said. "Could barely get her breath. She pretty much talked like she didn't expect to survive this. So the conversation leaned more in the direction of, 'I love you, and here are some things I want you to do.'"

Nesbitt left behind a 14-year-old daughter.

No. 39 on the list is Hesroni Cayenne, who died April 9. "He believed men had to go to work," said his wife, Heather.

When the coronavirus outbreak hit New York, the 6-foot-tall native of Carriacou, a small island that is part of the Grenadine Islands, worried more about his wife's health than his own. He pressed her to drive to her job as a nursing educator, rather than taking the train, where she was more likely to fall ill.

She worked days, and he worked nights at a shop in Brooklyn. Before he went to sleep each day, he typically cooked her an omelet with peppers, onions, tomatoes, sausage and cheese, and packed her a lunch. He called her "chunks," a nickname he had given her when they met, symbolizing that she was a chunk of something special.

He fell ill in late March, complaining of the flu. A week later, Hesroni had trouble breathing. He died on April 9.

Hesroni and his wife acknowledged that working for the transit authority carried risks: terrorist attacks, storms, blackouts and fires. So did nursing.

"We both understood that," Heather said. "When we took our jobs, we both understood we had to take the good with the bad."

In late April, the transit authority began publishing a list of deceased transit workers; initially, it included only first names. To many drivers it was another sign that the city didn't take their sacrifice seriously.

"That shouldn't ever be a question," Coleman said. "That shouldn't even be a topic. It should be automatic. It should be automatic that we are respected for what we do."

Cruz pleaded with the agency to change course, which it did a few days later. Cruz's list typically includes more names than the city's list because he updates it more often. These days the list has become a collective effort.

Buses in New York are operating with social distancing rules. (Michael Noble Jr. for The Washington Post)

Often, fellow drivers will leave tips in the comments section for Cruz and his colleagues to chase.

"College Point Depot bus operator Harold (idk last name)," wrote one transit worker. "The union received notice on Monday." The tip led them to Harold Germain, a bus operator who died April 16. He's No. 37 on the list.

A few days later, another transit worker posted a picture of his co-worker Palawandir Singh. "It is a heavy heart that I announce the passing of my infrastructure supervisor," he wrote. He became No. 69.

For Jalymeh Medina, who has helped Cruz collect the names of subway employees, the list is a means of humanizing the losses.

"People are dying so fast," she said. "Every day, it is two or three more names, and it gets blurred after a while. It gets lost."

For Cruz, it's also a means of holding the transit agency accountable. On April 26, Cruz's list cleared a milestone, adding its 100th name. "It's just a sad day to see," he said. "Out of all the agencies being affected, we are the worst, and I feel like all of that could've been avoided. If they'd provided us masks, people would be alive today who aren't with us."

He posted the list, as he always does, in the morning. "Nobody needs to see it right before going to bed," he said. And he headed off to work.

Later that day, Cruz added two more names: Mitchell Rosenwasser, a 28-year veteran of the system who worked out of the Casey Stengel Depot, and Cuong Luu, an immigrant from Vietnam who worked for the transit system for 23 years. "Luu was a very quiet guy, but if you ever had an issue or a problem on the job he was the first one to come over and give you a hand," one of his co-workers wrote.

*Julie Tate contributed to this report.*

**"2019 Labor Force Statistics from the Current Population Survey," U.S. Bureau of Labor Statistics, Submitted for the Record by Hon. Jesús G. "Chuy" García of Illinois**

The statistics are retained in committee files and are available online at https://www.bls.gov/cps/cpsaat18.htm.

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