



March 24, 2020

The Honorable Mike Pence
The White House
Office of the Vice President
Washington, DC 20500

RE: CISA Memorandum on Identification of Essential Critical Infrastructure Workers During COVID-19 Response

Dear Mr. Vice President:

The health and safety of employees, customers and families is the top priority for the nation's retailers. On behalf of the members of the National Retail Federation and the Retail Industry Leaders Association, we appreciate your leadership of the White House Coronavirus Taskforce and the swift efforts of President Trump to minimize the impact of the COVID-19 pandemic, both in terms of public health as well as the broader economic implications across the nation.

Retailers are closely following the recommendations and guidance provided by the CDC and share the immediate goal of slowing the spread of the COVID-19 virus. Our members are diligently investing considerable resources and effort into following CDC guidance to routinely clean and sanitize their facilities. Stores are adjusting the hours they are open to the public to ease re-stocking and sanitization of the entire store — including shopping carts, checkout lanes, shelves and aisles, among other areas. Distribution centers and warehouse facilities are dedicating significant resources to sanitation and following social distancing for their employees.

We greatly appreciate the work of the Department of Homeland Security's Cybersecurity and Infrastructure Security Agency to provide uniform guidance to state and local governments through its March 19, 2020, memorandum. Our members have asked that we share with you several important observations in addition to their recommendations to expand areas of the essential workforce necessary to continue critical retail operations that serve every community in the United States.

Overwhelmingly, our members report the following workforces are necessary, on a nationwide basis:

- All workers in distribution, warehouse and call center facilities — the memorandum must be expanded to include all workers supporting both the physical and ecommerce retail aspects of our economy. Americans are still shopping online for the goods they need to feed and clothe their families and maintain their households.
- All workers in hardware, home improvement and appliance retail businesses — Americans need to access refrigeration and cooling appliances to store perishable food and medicines. They will continue to need plumbing and electrical parts to maintain their household systems for their health and safety.
- All workers in pet supply retailers — 84.9 million homes own a pet in the United States and pets are a beloved part of the American family. Consumers are relying on pet stores and the services they provide to be available when they need them.

- All workers who can support retail purchases through methods that augment social distancing requirements such as curbside pickup or delivery —allowing continued curbside pick-up or delivery at physical store locations provides an important option for the 55 million un-banked Americans for whom online shopping is not an option. Federal, state and local governments have rightly acknowledged that over 50% of U.S. food consumption takes place via restaurants, and these critical foodservice channels remain open through social distancing methods. We ask that the same considerations provided to restaurant workers be extended to all retail workers who can serve the public in a similar manner.

Furthermore, distribution centers have the capability to independently serve consumers through the fulfillment of online orders, and these workers are essential to retailers' ability to serve the public. The closure of these facilities will result in cascading negative consequences throughout the supply chain and economy. We are grateful that the CISA memorandum on essential workforce guidance includes the nation's ports, distribution centers, warehouses and the transportation and delivery supply chain that support it.

We also request that updates to the CISA memorandum specifically create an additional "essential retail worker" subpart under the "Identifying Essential Critical Infrastructure Workers" section. While some of these examples are incorporated within other subparts, there are several essential categories that are absent. The federal government must provide clear, uniform standards for state and local governments, while striking the proper balance for our entire economy. Therefore, we strongly recommend the following segments of the U.S. workforce be explicitly covered in future versions of the CISA memorandum:

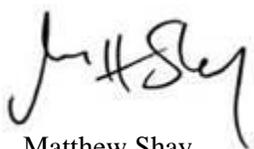
- Workers supporting grocery stores, convenience stores and other establishments engaged in the retail sale or provision of food, including big box stores, wholesale clubs and any other retailer of household consumer products (such as cleaning and personal care products). This includes workers that support stores that sell groceries and other non-grocery products, and products necessary to maintaining the safety, sanitation and essential operation of residences;
- Workers engaged in the local and regional transportation and delivery services, including but not limited to businesses that ship or deliver groceries, food, goods or services directly to residences and mailing and shipping services;
- Workers at facilities supporting interstate (and including the U.S.-Mexico border) delivery of goods, distribution centers, warehouse facilities and trucking and highway rest stops;
- Pharmacy and health care services workers;
- Hardware and home improvement store workers;
- Convenience store workers;
- Pet supply store workers;
- Home appliance store workers;
- Agricultural and farm retail store workers;
- Gas stations and auto supply stores, auto repair and related facilities workers;
- Employees of restaurants and other facilities that prepare and serve food, if operating under rules for social distancing;
- Workers supporting retailers that supply other essential businesses and people working from home with the support or supplies necessary to operate (for example, electronics, telecommunication and mobile technology); and,
- Workers at retailers that provide emergency preparedness supplies, medical supplies, home exercise and fitness supplies, and home school instructional supplies.

Finally, we respectfully request that the White House Coronavirus Taskforce and Department of Homeland Security remain open to adding more categories to the specified “essential retail worker” list as conditions continue to change.

Should you have any questions or require additional information, please contact both David French (frenchd@nrf.com) and Michael Hanson (michael.hanson@rila.org).

Thank you for your attention to these concerns and for your ongoing leadership. The National Retail Federation and the Retail Industry Leaders Association stand ready to assist as you consider how to best safeguard our communities.

Sincerely,



Matthew Shay
President & CEO
National Retail Federation



Brian Dodge
President
Retail Industry Leaders Association

cc: The Honorable Chad Wolf, Acting Secretary of Homeland Security
Christopher Krebs, Director, Cybersecurity and Infrastructure Security Agency