



Convenience Stores Designated as Essential Businesses

Homeland Security recognizes the c-store industry as critical workforce infrastructure.

NACS

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The Department of Homeland Security yesterday released updated coronavirus [guidance](#) identifying the essential critical infrastructure workforce during the ongoing national emergency.

Earlier this week, NACS sent a [letter](#) to the Department of Homeland Security urging the agency to designate convenience stores, their suppliers and distributors as critical businesses during the COVID-19 pandemic.

In its updated guidance, the Cybersecurity and Infrastructure Security Agency (CISA) recognizes key businesses as essential including:

- Retail fuel centers, such as gas stations and truck stops, and the distribution systems that support them
- Retailers that sell food and beverage products
- Restaurant carry-out and quick-serve food operations
- Food manufacturer employees and their supplier employees
- Employees and firms supporting food, feed and beverage distribution, including warehouse workers, vendor-managed inventory controllers and blockchain managers
- Farm workers and support service workers to include those who field crops; commodity inspection; fuel ethanol facilities; storage facilities and other agricultural inputs
- Employees supporting or enabling transportation functions, including dispatchers, maintenance and repair technicians, warehouse workers, truck stop and rest area workers and workers who maintain and inspect infrastructure
- Petroleum drilling, extraction, production, processing, refining, terminal operations, transporting and retail for use as end-use fuels or feedstocks for chemical manufacturing
- Truck drivers who haul hazardous and waste materials to support critical infrastructure, capabilities, functions and services
- Workers who are needed to provide consumer access to banking and lending services, including ATMs, and to move currency and payments (e.g., armored cash carriers)

“If you work in a critical infrastructure industry, as defined by the Department of Homeland Security, such as healthcare services and pharmaceutical and food supply, you have a special responsibility to maintain your normal work schedule,” stated the agency.

It’s important to note that CISA guidance is advisory and is not a federal directive to states, meaning state and local governments are not required to provide the same level of recognition.

NACS hopes and expects, however, that state and local governments heed the department’s decisions and do not interfere with businesses that the department deems to be critical.

The NACS Government Relations team is working to ensure convenience stores can stay open and meet the needs of the communities they serve during this time of crisis. The Department of Homeland Security’s recognition is a key milestone in the efforts to ensure that happens.

As part of that effort, NACS has been working closely with our state association partners to support their work to get convenience stores and their supplier companies designated as essential on the state and local level. NACS is hosting weekly calls with our partners who are leading efforts in their states to ensure that governors and local governments keep convenience stores open. These partners are also sharing valuable information with NACS on local responses to the pandemic.

In addition, NACS is hosting weekly calls with our Legislative Committee seeking feedback on federal policies and what NACS should be advocating for in upcoming stimulus packages. NACS sent a letter to congressional leadership on Wednesday asking for relief for our businesses in the third stimulus package, which Congress is currently drafting.

The [NACS letter](#) asked for the following:

- Any funds available to businesses should be available to businesses of all sizes
- The federal government should provide federally backed business interruption insurance
- Business loan funds should be made available to businesses of all sizes
- Any business, regardless of size, deemed to be an essential business should have access to the tax credits for the new paid time off requirements
- Treasury should allow employers to let employees cash out accrued paid time off without tax penalty
- Businesses should be allowed to carry back losses sustained this year to past tax years
- The tax code should be amended to allow for accelerated depreciation of assets

In addition, NACS organized a [joint association letter](#) to Congress requesting them to include language in the stimulus package to expand the U.S. Department of Agriculture’s authority and grant hot food waivers for SNAP families who need added flexibility during this time.

Activity at the federal, state and local level is extremely fluid as policymakers scramble to respond to the changing environment. NACS will continue to support and advocate on behalf of the industry throughout this crisis.