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March 20, 2020

The Honorable Donald J. Trump  
President of the United States  
The White House  
Washington, DC 20500

Dear President Trump:

On behalf of the members of the American Petroleum Institute,<sup>1</sup> I would like to thank you for your leadership in our nation's response to the global crisis arising from COVID-19. The oil and natural gas industry, like other critical infrastructure sectors, is working tirelessly to ensure there is no interruption in our supply chains as a result of this pandemic. We play a critical role in providing affordable and reliable energy to American families and businesses, which is essential to maintain our national security and will drive our economic recovery. We have identified two potential overarching issues we would like to bring to your attention: critical infrastructure designations and temporary relief through non-essential compliance discretion necessitated by the need to follow appropriate guidelines to mitigate this pandemic.

### **Critical Infrastructure Designations**

As a result of the restrictions and guidelines issued by the President of the United States' Coronavirus Task Force, the Centers for Disease Control and Prevention, and potential decisions at the state and local levels, I am writing to request that the Administration and states recognize that API's members provide the necessary fuels that ensure products and services are delivered in a timely fashion around the country. Our supply chain is robust and complex. Ensuring that our entire supply chain is protected from these impacts to the fullest extent possible is of great importance and will enable our industry to continue to provide the fuels that power our communities.

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<sup>1</sup> API represents all segments of America's oil and natural gas industry. Its more than 600 members produce, process, and distribute most of the nation's energy. The industry supports 10.9 million U.S. jobs and is backed by a growing grassroots movement of millions of Americans. API was formed in 1919 as a standards-setting organization. In its first 100 years, API has developed more than 700 standards to enhance operational and environmental safety, efficiency and sustainability.

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To achieve this goal, I request that your Administration ensure that state and local governments receive timely guidance on critical infrastructure personnel, including our employees. Such guidance should enable employees who provide critical support to our nation's infrastructure to reach their work locations and continue to provide their essential services. We worked with the Department of Homeland Security, through the Oil and Natural Gas Sector Coordinating Council, to ensure appropriate personnel were included in such guidance. We request your Administration's support in ensuring that this guidance reaches the appropriate state and local officials across the nation so that critical personnel designations are similar across different jurisdictions.

### **Non-essential Compliance Discretion**

We are grateful for the ongoing work of your Administration in providing appropriate guidelines for mitigation of the pandemic. In light of these guidelines, the oil and natural gas industry needs to maintain safe and reliable operations, taking into consideration that there may be limited personnel capacity to manage the full scope of the current regulatory requirements. As such, we will be requesting assistance in temporarily waiving non-essential compliance obligations from the relevant agencies and departments within your Administration and/or their state counterparts, and may include recordkeeping, training or other non-safety critical requirements. In the coming days and as events warrant, we will be providing these government entities with greater specificity regarding this request.

These types of requests could include, but are not limited to, issues such as:

- Department of Transportation
  - Hours of service limitations
  - Nonessential inspections
- Department of the Interior
  - Reporting and auditing requirements
  - Leasing and permitting considerations
  - Nonessential training
- Department of Homeland Security/Department of State
  - Foreign sourced goods
  - Resolution of visa issues

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- Environmental Protection Agency
  - Waivers of seasonal fuel requirements (and relevant associated state waivers)
  - Routine testing and reporting requirements

In closing, the COVID-19 pandemic represents a significant and historic threat to our nation. We thank the Administration for its continued efforts in combating this threat, and we look forward to partnering with you to help ensure that critical fuels are available, so that we as a nation can continue to respond to this crisis. Thank you for consideration of the requests outlined in this letter, and please do not hesitate to have your Administration contact API as we stand ready to assist in any way possible.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael J. Sommers".

Michael J. Sommers

cc: U.S. Governors

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