

January 18, 2021

Bill McBride
Executive Director
National Governors Association (NGA)
444 North Capitol Street NW, Suite 267
Washington, D.C. 20001

Dear Mr. McBride,

The success in producing and deploying multiple vaccinations for coronavirus disease 2019 (COVID-19) affords the opportunity to defeat the pandemic – and to save lives and alleviate the expansive effects that have undermined public health, safety, and well-being.

Our organizations represent the women and men who have worked throughout the COVID-19 pandemic to ensure that our nation's freight, rail, port and waterway, and energy infrastructure continues to safely and reliably transport the products that Americans need every day. Acknowledging the myriad demands you are managing due to the persistent effects of the pandemic, we respectfully propose a means for alleviating a substantial area of concern – the potential for supply chain disruptions, delays in vaccine distribution, and further adverse economic impacts, locally, regionally, and nationally. As we saw at the outset of the pandemic, when supply lines are disrupted, consequences are fast to follow. A recurrence of that ordeal can be avoided – by authorizing access in Phase 1 of COVID-19 vaccinations for essential freight, rail, port and waterway, and energy workers.

Collectively, our industries respect and fully support the high prioritization rightly accorded to medical and health care providers and to at-risk populations, notably the elderly and those with pre-existing conditions. Significantly, in late December 2020, the CDC's Advisory Committee on Immunization Practices (ACIP) made its recommendation on allocation of vaccinations to essential workers, categorizing them in Phase 1. However, some confusion has resulted from a distinction made in the CDC's vaccine allocation guidance between what are termed "frontline essential workers," categorized at "Phase 1b," and "other essential workers," categorized at "Phase 1c." As this distinction is not made by Department of Homeland Security's (DHS) Cybersecurity and Infrastructure Security Agency (CISA) in its *Guidance on the Essential Critical Infrastructure Workforce*, two points merit emphasis:

- 1) The work performed by freight, rail, port and waterway, and energy employees and contractors is essential to the ability of the designated "frontline essential workers" at "Phase 1b" to perform their critical functions; and
- 2) In performing critical functions, these transportation infrastructure employees and contractors work in conditions that place them at higher risk of exposure to COVID-19.

In addition to ensuring the safe and efficient movement and delivery of products and materials, organizations across transportation modes provide services that the CDC-designated "frontline essential workers" require to perform their critical functions. Manufacturers cannot produce goods without the materials and fuels that transportation workers handle and ship; nor can their products get to markets or customers without the capabilities that transportation infrastructure provides. Mail and packages handled and delivered by US postal service workers and other delivery services are shipped by surface transportation. Food and agriculture products are transported by surface modes. Items stocked and sold by grocery store workers are moved and delivered by surface transportation. In the numerous

metropolitan areas with commuter rail and Amtrak service, freight railroads often own the track – and their workers provide critical functions that ensure safe and efficient public transportation operations, including dispatching, track and signals inspections and maintenance, and, in some cases, operating commuter trains. Energy transportation infrastructure makes reliable power and heat available to all “Phase 1b” entities. In this context, the Phase 1 designation for essential workers in the CDC’s guidance does acknowledge the need to maintain resiliency in transportation infrastructure modes and the scope and impact of the critical functions these workers perform, which span across sectors and local and state jurisdictions.

On exposure risk to COVID-19, the Critical Infrastructure Cross-Sector Council, a forum established under the National Infrastructure Protection Plan (NIPP) and comprised of lead representatives of industries across sectors and subsectors, provided input to the CDC on risk factors that warrant consideration in allocating vaccines to essential workers. These factors apply to the freight, rail, port and waterway, and energy workforce, notably performance of critical functions in close quarters in dispatch centers, operations centers, transfer stations, or on board trucks, trains, ships, and other types of vehicles; recurring interactions with workers in other industries; transport with co-workers to job sites in crew vehicles; performance of critical functions in multiple states on a regular basis; and, for passenger services, regular interactions with the public.

The surges in COVID-19 infections during this fall and now winter season have escalated dramatically the exposure of essential workers to the virus, including transportation infrastructure workers. A healthy, safe, and efficient essential transportation workforce underpins a stronger economy that can avoid a second severe downturn in less than a year. The administration of vaccines to essential transportation infrastructure workers adds a very effective measure to the multi-faceted approach for mitigation of the spread of the virus that organizations across these industries have maintained since early 2020, encompassing worker education and assistance, facial coverings, other protective equipment, social distancing where practicable, and extensive cleaning and hygiene regimes.

For these reasons, we respectfully ask for your support for early vaccinations of essential workers in freight, rail, port and waterway, and energy under the Phase 1 allocation.

Your consideration in this important matter is greatly appreciated.

Sincerely,

American Association of Port Authorities

American Short Line & Regional Railroad Association

American Trucking Associations

American Waterways Operators

Association of American Railroads

Inland Rivers, Ports & Terminals

Interstate Natural Gas Association of America

National Association of Waterfront Employers

National Tank Truck Carriers

Truckload Carriers Association