



April 10, 2020

The Honorable Mitch McConnell  
Majority Leader  
United States Senate  
S-230, The Capitol  
Washington, D.C. 20510

The Honorable Charles Schumer  
Minority Leader  
United States Senate  
S-221, The Capitol  
Washington, D.C. 20510

The Honorable Nancy Pelosi  
Speaker of the House  
U.S. House of Representatives  
H-232, The Capitol  
Washington, D.C. 20515

The Honorable Kevin McCarthy  
Minority Leader  
U.S. House of Representatives  
H-204, The Capitol  
Washington, D.C. 20515

Dear Speaker Pelosi, Leader McConnell, Leader McCarthy and Leader Schumer:

As you consider the next phase of relief in response to the Coronavirus Disease 2019 (COVID-19) outbreak, our national associations<sup>1</sup> request your consideration of measures that would provide significant relief to our industry. As the trade associations representing the essential business of providing food and fuel to first responders and other Americans, our member companies desperately need expanded access to Small Business Loans under the CARES Act to ensure our doors can stay open to serve our customers.

The convenience and fuel marketing industry has over 152,000 stores, employing more than 2.3 million people which generated \$654.3 billion in sales last year. We are in every community in every state in this country. This industry is one of the closest to consumers and provides essential services—93% of Americans live within 10 minutes of a convenience store, including 86% of rural Americans. We sell 80% of the motor fuel Americans use and provide access to ATMs, over-the-counter medicine, milk, bottled water, and many foods, including those available to SNAP recipients. Convenience retailers are often even more important in communities

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<sup>1</sup>NACS is an international trade association representing the convenience store industry with more than 2,200 retail and 1,600 supplier companies as members, the majority of whom are based in the United States. NATSO currently represents approximately more than 3,000 travel plazas and truck stops nationwide, comprised of both national chains and small, independent locations. PMAA member associations represent wholesalers and retailers of gasoline, diesel, heating oil, lubricants and renewable fuels. Additionally, these companies supply motor fuels to 40,000 independently owned retail outlets. SIGMA represents a diverse membership of approximately 260 independent chain retailers and marketers of motor fuel.

identified by the USDA as “food deserts.” It is in these communities, in particular, that the convenience store is the community grocer and drug store.

During this COVID-19 pandemic, CMSPI estimates that the industry has experienced a 45% reduction in sales and is struggling to avoid mass layoffs and store closures, which would harm consumers who need access to essential supplies like food and fuel. Without immediate assistance, many of these layoffs or store closures may happen in the coming weeks. Given the country’s dependence on our ability to operate, something must be done.

The CARES Act recognized that some businesses need greater flexibility in applying for relief. The bill allows businesses to access small business loans if they are assigned a North American Industry Classification System (NAICS) code beginning with 72 and have fewer than 500 employees *per location*. The convenience and fuel marketing industry needs the same treatment. Many convenience stores and fuel marketers have more than 500 employees spread across multiple stores and therefore, cannot qualify for the SBA lending facility. Expanding the NAICS code exception to code 44 with the additional requirement that applicants be classified as Essential Critical Infrastructure as deemed by the Department of Homeland Security’s Cybersecurity and Infrastructure Security Agency (CISA) guidance would ensure our businesses have a better chance to survive this crisis.

Our industry prides itself on serving our customers what they need, when the need it in a convenient manner. We feel that now more than ever our services are critical to many Americans, including those on the front lines of the COVID-19 fight. In order for us to continue being able to provide that service, however, we need assistance from Congress as quickly as possible. We urge you **to amend the CARES Act to allow retail businesses that are assigned a NAICS code beginning with 44 and deemed essential by CISA to be eligible for small business loans.** Those on the CISA list with NAICS codes beginning with 44 is a limited category of businesses including convenience stores, gas stations, truckstops, grocery and other food stores, drug stores, hardware stores and auto parts stores.

We thank you for your prompt consideration of this matter.

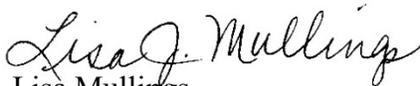
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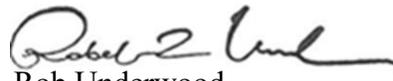
Henry Armour, Ph.D.  
President & CEO  
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Lisa Mullings  
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NATSO



Rob Underwood  
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