

**Subject:**  
**Date:**  
**Attachments:**

[Version 2.0 - CISA Guidance on Essential Critical Infrastructure Workers.. \(003\).pdf](#)  
[Essential Work Response to Coronavirus DCA March 2020.pdf](#)  
[Excavation Contractors Essential in Response to Coronavirus. March 2020.pdf](#)

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**This email is being sent on behalf of Eben Wyman of Wyman Associates. Please contact Eben at [eben@wymanassociates.net](mailto:eben@wymanassociates.net) or 703-740-6126 with any questions.**

DCA Members:

I wanted to update you on DCA's response to fastmoving actions by the federal government to the COVID-19 pandemic. Please see the attached documents for more information.

- **March 19<sup>th</sup>** - The Cybersecurity and Infrastructure Security Agency (CISA), which was

established as part of the Department of Homeland Security to “provide strategic guidance, promote a national unity of effort, and coordinate the overall federal effort to ensure the security and resilience of the Nation's critical infrastructure,” issued a guidance document with a list of “Essential Critical Infrastructure Workers” to help State and local officials decide which industry sectors should continue normal operations during this crisis.

- **March 21<sup>st</sup>** - DCA sent a letter encouraging CISA to include the gas distribution construction industry on that list. We also pointed out that “it’s important to recognize all facets of the construction industry, including contractors, manufacturers, and all service providers who collectively assure natural gas distribution infrastructure are considered essential service providers,” to make sure our associate members were included in this message.
- **March 23<sup>rd</sup>** - Two days later, DCA signed on a multi-industry letter to CISA saying basically the same thing, but working with contractors in the broadband, electric power, gas and oil transmission pipeline, and water/sewer construction sectors, we covered a wide-range of job functions that CISA was looking at.
- **March 28<sup>th</sup>** - On Saturday night, CISA released its “Version 2” of its guidance, identifying workers who conduct a range of operations and services that are typically essential to continued critical infrastructure viability...” These industries represent medical and healthcare, telecommunications, information technology systems, defense, food and agriculture, transportation and logistics, energy, water and wastewater, law enforcement, and public works.” CISA makes it clear that the list is “advisory in nature. It is not, nor should it be considered, a federal directive or standard.” State and local governments are taking action, some are simply following the federal guidelines, some are not.

The full list of operations and services is included in the attached guidance, but below are some of the more relevant ones to DCA.

### **Natural Gas**

- Transmission and distribution pipeline workers, including compressor stations and any other required, operations maintenance, construction, and support for natural gas, natural gas liquid, propane, and other liquid fuels;
- Supporting new and existing construction projects, including, but not limited to, pipeline construction;
- Natural gas, propane, natural gas liquids, and other liquid fuel processing plants, including construction, maintenance, and support operations;
- Workers who support onshore and offshore drilling operations, natural gas and natural gas liquid production, processing, extraction, storage and transportation; platform and drilling construction and maintenance; transportation (including helicopter operations); maritime transportation, supply, and dredging operations; maritime navigation; well intervention, monitoring, automation and control; waste disposal, and maintenance, construction, and operations;
- Workers in fuel sectors (including, but not limited to nuclear, coal, and gas types and liquid fuels) supporting the mining, manufacturing, logistics, transportation, permitting,

operation/maintenance, and monitoring of support for resources.

### **Transportation and Logistics**

- Employees supporting or enabling transportation functions, including truck drivers, bus drivers, dispatchers, maintenance and repair technicians, warehouse workers, and towing/recovery services;
- Workers including truck drivers, railroad employees and contractors, maintenance crew, and cleaners supporting transportation of chemicals, hazardous, medical, and waste materials to support critical infrastructure, capabilities, functions, and services, including specialized carriers, crane and rigging industry workers;
- Automotive repair, maintenance, and transportation equipment manufacturing and distribution facilities;
- Manufacturers and distributors of packaging materials, pallets, crates, containers, and other supplies needed to support manufacturing, packaging staging and distribution operations; and
- Workers critical to rental and leasing of vehicles and equipment that facilitate continuity of operations for essential workforces and other essential travel.

### **Critical Manufacturing**

- Workers necessary for the manufacturing of metals (including steel and aluminum), industrial minerals, semiconductors, materials and products needed for medical supply chains, and for supply chains associated with transportation, energy, communications, information technology, food and agriculture, chemical manufacturing, nuclear facilities, wood products, commodities used as fuel for power generation facilities, the operation of dams, water and wastewater treatment, processing and reprocessing of solid waste, emergency services, and the defense industrial base. Additionally, workers needed to maintain the continuity of these manufacturing functions and associated supply chains, and workers necessary to maintain a manufacturing operation in warm standby;
- Workers supporting the energy sector, regardless of the energy source (including but not limited to nuclear, fossil, hydroelectric, or renewable), segment of the system, or infrastructure the worker is involved in, or who are needed to monitor, operate, engineer, and maintain the reliability, safety, environmental health, and physical and cyber security of the energy system;
- Providing services related to energy sector fuels (including, but not limited, petroleum (crude oil), natural gas, propane, natural gas liquids, other liquid fuels, nuclear, and coal), supporting the mining, processing, manufacturing, construction, logistics, transportation, permitting, operation/maintenance, security, waste disposal and storage, and monitoring of support for resources; and
- Manufacturing and distribution of equipment, supplies, and parts necessary to maintain production, maintenance, restoration, and service at energy sector facilities (across all energy sector segments).

Again, this list is only advisory but should help keep folks at work in the gas distribution construction industry.

**CARES ACT (Third Coronavirus Bill** – \$2 Trillion Coronavirus relief package, the “Coronavirus Aid,

## Relief and Economic Security” (CARES) Act)

Listed below is a summary of the massive, \$2 trillion “CARES Act” that was enacted into law last week. We’re not sure what is up and running (or when it will be) about getting the small business loans provided in the bill (law), but we’ll out more info as it’s available.

### General Overview

- \$500 billion for loans and assistance to companies and state and local governments, including \$29 billion for loans to U.S. airlines and related businesses. Stock buybacks and executive compensation would be restricted. Additional funds would be provided to aviation workers.
- \$349 billion in low-interest small business loans that could be partially forgiven;
- Payments of as much as \$1,200 for individual taxpayers, and \$500 per child, phased out when incomes exceed \$75,000 for individuals and \$150,000 for couples filing jointly.
- An additional \$600 per week for those receiving unemployment benefits, and an expansion of payments from three months to four.
- \$150 billion for aid to state, local, and tribal governments.
- A suspension of Medicare sequestration through the end of the year and the extension of several health programs until December.

### Some specific features of the bill

- Direct Payments to Americans
  - The bill would cut a check to most Americans in the form of a refundable tax credit
    - \$1,200 per person
    - \$2,400 per married couple
    - \$500 per child
  - Phases out at \$75,000
    - Would not go to single persons without children making more than \$100,000 or families making more than \$150,000
- Unemployment expansion
  - Benefits increased by \$600/week over the current level in each state, with the aim to make up for 100% of lost wages
  - The legislation would create a temporary “pandemic unemployment assistance” program for independent contractors, freelance and contract workers and other members of the “gig economy,” and others not usually eligible for unemployment insurance.
  - Unemployment checks will continue for up to 39 weeks, up from the previous maximum of 26 weeks
  - The Federal government will cover the usual one-week waiting period between applying for benefits and when they begin
- Financial relief for companies
  - \$500 billion for loans and assistance to companies and state and local governments, including
    - Includes \$29 billion for loans to U.S. airlines and related businesses, and \$29 billion in grants
      - About half of the funds are designated for “the continuation of payment of employee wages, salaries, and benefits” for aviation workers
    - Stock buybacks and executive compensation would be restricted for recipients

- \$349 billion in low-interest small business loans that could be partially forgiven
- \$100 billion to the hospital industry
- \$150 billion for aid to state, local, and tribal governments
- Businesses will get a tax credit for keeping idled workers on their payrolls for the duration of the pandemic, so long as they meet certain criteria
  - To qualify, businesses have to prove they took a 50% loss compared to the same quarter in years past
    - Tax refund for half of what is spent on wages, up to \$5,000/employee
      - Employers opting for the tax credit will not be eligible for special SBA loans

Sorry for the length this email, but lots going on and a mile-a-minute. I'm available to answer any questions, if I can answer them – lots of differing interpretations out there right now. Hope all of you and your families are well and staying healthy.

Eben

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