



transmitted by e-mail: criticalmanufacturing@hq.dhs.gov; cisa.cat@cisa.dhs.gov

March 31, 2020

Christopher C. Krebs
Director
U.S. Cybersecurity & Infrastructure Security Agency (CISA)
U.S. Department of Homeland Security
245 Murray Lane
Washington, DC 20528-0380

Dear Director Krebs:

The Outdoor Power Equipment Institute and Equipment Dealers Association represent the companies that manufacture, and the dealerships that distribute, service, and maintain, outdoor power equipment for the public safety ("first-responder"), managed landscape, forestry, and utility sectors. Together we represent over one hundred U.S. OEMs and ten thousand dealerships across 50-states.

We would first like to thank you and all CISA employees for your efforts to protect U.S. residents and businesses during these unprecedented times. Like you, we take very seriously the health and safety of our country, as well as safeguarding the country's equipment production, distribution, and maintenance capability. Further we applaud CISA's expeditious issuance of its critical infrastructure guidance, as well as the necessary (2.0) revision.¹

In this second edition CISA addressed a critical omission by adding "landscapers" as a critical/essential workforce component under "Public Works and Infrastructure Support Services", "to provide services that are necessary to maintaining the safety, sanitation, and essential operation of residences, businesses and buildings". We applaud this necessary change, but we write today to recommend additional necessary changes [attached] to assure that the "Critical Manufacturing" and "Commercial Facilities" guidance is revised to clearly deem as essential the OEMs and dealers of equipment which landscapers rely upon to serve their critical functions.

First manufacturers, our attached proposed revisions to the "Critical Manufacturing" portion of the guidance is intended to clearly deem as essential the manufacturing of equipment which is essential to landscapers. OPEI member OEMs are working hard to protect their employees and customers, and operate within their respective state orders, but where CISA guidance is used or incorporated by reference by U.S. states, it is important that such manufacturing is provided an explicit designation as essential.

Second, equipment dealers, our attached proposed revisions to the "Commercial Facilities" guidance is intended to clearly deem as essential the repair and sale of equipment (and parts), done by EDA member dealers, which is essential to landscapers. Similarly, EDA member dealers are working hard to protect their employees and customers, and operate within their respective state orders, but where CISA guidance is

¹ U.S. Department of Homeland Security; Cybersecurity & Infrastructure Security Agency (CISA); Guidance on the Essential Critical Infrastructure Workforce: Ensuring Community and National Resilience in COVID-19 Response Version 2.0 (March 28, 2020)



used or incorporated by reference by U.S. states, it is important that such dealers are provided an explicit designation as essential.

While our shared members appreciate the efforts made by CISA to-date, through its guidance, to recognize the important critical products and services our members provide for the public safety ("first-responder"), managed landscape, forestry, and utility sectors, we would also like to highlight the special importance of safe and healthy outdoor spaces during this crisis. Whether its park land, roadway medians, or even the backyard, our industries are essential in assuring that these spaces continue to be maintained in a safe and healthy fashion, protecting for U.S. citizens a necessary and safe respite during this indefinite period of social distancing and stay-at-home orders.

OPEI through its TurfMutt Foundation and program² has been working actively during the last ten years to educate U.S. schoolchildren and stakeholders at-large about the health and safety benefits of the outdoor space. During this critical time, we urge the Federal government, and in-turn U.S. states to not overlook the critical health and safety role our yards and green spaces play during this time of crisis and our national response, and the necessity for their upkeep.

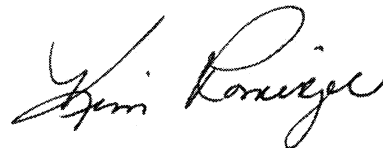
For these reasons we ask that CISA consider our attached recommended revisions to Federal guidance, to be included in the next iteration of this document (3.0). We of course would welcome the opportunity to discuss this request or answer any questions you might have.

Finally, we want to thank CISA for understanding the fluid nature of this crisis and government's response, which includes your helpful consideration of additional necessary revisions to the subject guidance. We also want to note the importance of CISA's guidance as a means by which stakeholders like us can urge states to pursue consistency and continuity in their COVID-19 policies.

Thank you for the tireless efforts by your agency to serve the public through this extraordinary time.



Kris Kiser
President & CEO
OPEI



Kim Rominger
President & CEO
EDA

attachment

² <https://www.turfmutt.com/>

*The **Outdoor Power Equipment Institute (OPEI)** is an international trade association representing the manufacturers and their suppliers of non-road gasoline powered engines, personal transport & utility vehicles, golf cars and consumer and commercial outdoor power equipment (“OPE”). OPE includes lawnmowers, garden tractors, trimmers, edgers, chain saws, snow throwers, tillers, leaf blowers and other related products. OPEI member companies and their suppliers contribute approximately \$16 billion to US GDP each year. OPEI members currently distribute their products across all 50 states, through a diversity of retail outlets including independent dealers.*

*The **Equipment Dealers Association (EDA)** Founded in 1900 – formerly known as the North American Equipment Dealers Association (NAEDA) – is a non-profit trade organization that represents approximately 4,500 retail equipment dealerships. We are committed to building the best business environment for equipment dealers, and this commitment is at the heart of everything we do.*

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 necessary for the manufacturing of materials and products needed to manufacture medical equipment and personal protective equipment (PPE).
- Workers necessary for mining and production of critical minerals, materials and associated essential supply chains, and workers engaged in the manufacture and maintenance of equipment and other infrastructure necessary for mining production and distribution.
- Workers who produce or manufacture parts or equipment that supports continued operations for any essential services and increase in remote workforce (including computing and communication devices, semiconductors, and equipment such as security tools for Security Operations Centers (SOCs) or data centers).
- Workers who produce or manufacture parts or equipment that supports continued operations that are necessary to maintaining the safety, sanitation, and essential operation of residences, businesses and buildings such as hospitals, senior living facilities, any temporary construction required to support COVID-19 response.

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COMMERCIAL FACILITIES

- Workers who support the supply chain of building materials from production through application/installation, including cabinetry, fixtures, doors, cement, hardware, plumbing, electrical, heating/cooling, refrigeration, appliances, paint/coatings, and employees who provide services that enable repair materials and equipment for essential functions.
- Workers supporting ecommerce through distribution, warehouse, call center facilities, and other essential operational support functions.
- Workers in hardware and building materials stores, consumer electronics, technology and appliances retail, and related merchant wholesalers and distributors - with reduced staff to ensure continued operations.
- Workers distributing, servicing, repairing, installing residential and commercial HVAC systems, boilers, furnaces and other heating, cooling, refrigeration, and ventilation equipment.
- Workers selling, distributing, servicing, repairing parts or equipment that supports continued operations that are necessary to maintaining the safety, sanitation, and essential operation of residences, businesses and buildings such as hospitals, senior living facilities, any temporary construction required to support COVID-19 response.

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