October 29, 2025

Ms. Ha Nguyen McNeill
Deputy Administrator
Transportation Security Administration
U.S. Department of Homeland Security
601 12th Street
Arlington, Virginia 22202

Mr. Michael A. Falcone
Acting Chief Counsel
Transportation Security Administration
U.S. Department of Homeland Security
601 12th Street
Arlington, Virginia 22202

Mr. Loren A. Smith
Deputy Assistant Secretary
Office of the Assistant Secretary
U.S. Department of Transportation
1200 New Jersey Avenue, S.E.
Washington, D.C. 20590

Hon. Derek Barrs
Administrator
Federal Motor Carrier Safety Administration
U.S. Department of Transportation
1200 New Jersey Avenue, S.E.
Washington, D.C. 20590

RE: Request for Regulatory Relief from Renewal of the Hazardous Materials Endorsement for CDL Fuel Drivers

Dear Ms. McNeill, Mr. Smith and Administrator Barrs:

The Energy Marketers of America (EMA) respectfully requests that the Transportation Security Administration (TSA) and the Department of Transportation (DOT) provide temporary relief from the Hazardous Materials Endorsement (HME) renewal requirements for commercial drivers licensed to transport motor fuels and heating oil during the ongoing Government shutdown.

Because TSA's processing functions for HMEs are disrupted by furloughs and reduced staffing during the Government shutdown, fuel haulers whose HMEs are expiring are experiencing significant obstacles in completing renewals. These delays are creating compliance risks and operational disruptions across the liquid fuels distribution sector.

As you are aware, CDL drivers transporting fuels must maintain a valid HME to remain compliant with federal law. Renewal of these endorsements requires a TSA Security Threat Assessment (STA)—a process currently impeded by the Government shutdown. As a result, an increasing number of drivers cannot complete HME renewals before expiration. Once expired, these drivers are legally barred from operating fuel-hauling vehicles, creating an immediate threat to the stability of the nation's transportation energy supply chain.

This operational gap poses serious risks to the public interest. Motor fuel delivery is an essential service that supports emergency response operations, transportation networks, and everyday commerce. Heating oil deliveries are equally critical for residential and commercial heating during the approaching winter months. Preventing qualified drivers from working due to administrative delays caused by the Government shutdown would jeopardize public safety and welfare.

Accordingly, **EMA urges TSA, in coordination with DOT and the Federal Motor Carrier Safety Administration, to grant a temporary exemption or extension pursuant to 49 U.S.C. § 114(q) and 49 U.S.C. § 5103(b) of at least 90 days beyond the date of HME expiration for drivers affected by the Government shutdown, or until normal renewal processing resumes**. Such a measure would allow qualified drivers to continue transporting fuels legally and safely while preserving operational continuity, especially for small fuel marketers, and ensuring uninterrupted service to the public.

EMA marketers take pride in providing safe, reliable fuel services to American families and businesses. We urge regulators to act swiftly so that no driver is rendered non-compliant because of circumstances beyond their control. By granting temporary relief, the agencies would uphold the public interest and safety while maintaining essential fuel distribution.

Thank you for your prompt attention to this urgent request. EMA appreciates your leadership and stands ready to assist in facilitating implementation of this temporary relief.

Sincerely,

Rob Underwood
President

Sherri Stone
Vice President

Jeffrey Leiter
Regulatory Counsel

Jorge Roman
Associate Regulatory Counsel