



March 20, 2020

Rep. Nancy Pelosi (D-12-CA)
Speaker
U.S. House of Representatives

Rep. Kevin McCarthy (R-CA-23)
Republican Leader
U.S. House of Representatives

Sen. Mitch McConnell (R-KY)
Republican Leader
U.S. Senate

Sen. Charles E. Schumer (D-NY)
Democratic Leader
U.S. Senate

Support for the Inclusion of NIOSH-Certified Respirators in the Coronavirus Aid, Relief, and Economic Security (CARES) Act

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

The American Industrial Hygiene Association (AIHA®) urges you support the inclusion of National Institute for Occupational Safety and Health (NIOSH)-certified respiratory protective devices (respirators) in the Public Readiness and Emergency Preparedness¹ ([PREP](#)) Act as part of the Coronavirus Aid, Relief, and Economic Security (CARES) Act. The PREP Act helps to ensure that certain items needed for public health emergency response will be immediately available. The PREP Act does this by transferring to the Federal government liability of items listed in a PREP Act declaration that is published in the *Federal Register*.

The Coronavirus Aide, Relief, and Economic Security (CARES) Act, includes such as provision and we urge Congress to make certain this language becomes law. It will mean that in the future, respiratory protection manufacturers can immediately begin to supply medical workplaces and first responders.

CDC has recommended respirators certified by NIOSH to protect healthcare workers against COVID-19 exposures and has recommended that NIOSH-certified respirators be used for protection against a number of past novel infectious agents².

The Federal government recognizes that NIOSH-certified respirators are an effective means of keeping healthcare workers safe. Adding NIOSH-certified respirators to the PREP Act would help protect our healthcare workforce and first responders during COVID-19 public health emergency.

¹ The PREP Act is Division C of the "Department of Defense, Emergency Supplemental Appropriations to Address the Hurricanes in the Gulf of Mexico and Pandemic Influenza Act, 2006.([PL-109-148](#)). PREP Act is at [42 CFR 247d-6d](#)

² CDC's Ebola-related PPE recommendations are [here](#).

Background on AIHA

Founded 81 years ago, AIHA is a nonprofit organization serving professionals dedicated to the anticipation, recognition, evaluation, control, and confirmation of environmental stressors in or arising from the workplace that may result in injury, illness, impairment, or affect the well-being of workers and members of the community.

More than half of AIHA's nearly 8,500 members are Certified Industrial Hygienists (CIHs) and many hold other professional designations. AIHA serves as a resource for those employed in the industrial, consulting, academic, and government sectors. AIHA has Local Sections located throughout the United States, including in Virginia and North Carolina. Collectively, AIHA's members impact millions of American workers.

AIHA provides comprehensive education programs and other products and services that help its members maintain the highest professional standards. We maintain more than 50 volunteer groups and have partnership agreements with governmental and nongovernmental organizations representing the full spectrum of worker health and safety vocations. AIHA also produces several award-winning publications, including the *Journal of Occupational and Environmental Hygiene (JOEH)*. The JOEH, which is jointly published by AIHA and the American Conference of Governmental Industrial Hygienists (ACGIH®), is a peer-reviewed publication that provides a written medium for the communication of ideas, methods, processes and research in the areas of occupational, industrial and environmental hygiene; exposure assessment; engineering controls; occupational and environmental epidemiology, medicine, and toxicology; ergonomics; and other related disciplines.

Conclusion and Next Steps

AIHA urges Congress to support the inclusion of National Institute for Occupational Safety and Health (NIOSH)-certified respiratory protective devices (respirators) in the Public Readiness and Emergency Preparedness³ ([PREP](#)) Act as part of the Coronavirus Aid, Relief, and Economic Security (CARES) Act. Working together, we can halt the spread of this pandemic, protecting workers and their communities. For additional information, please contact Mark Ames at mames@aiha.org or (703) 846-0730.

Respectfully,



Kathleen S. Murphy, CIH
President
AIHA

³ The PREP Act is Division C of the "Department of Defense, Emergency Supplemental Appropriations to Address the Hurricanes in the Gulf of Mexico and Pandemic Influenza Act, 2006." ([PL-109-148](#)). PREP Act is at [42 CFR 247d-6d](#)