

March 31, 2020

Christopher C. Krebs  
Director  
Cybersecurity and Infrastructure Security Agency  
Washington, DC 20528

Dear Mr. Krebs:

On March 28<sup>th</sup>, the Cybersecurity and Infrastructure Security Agency (CISA) released new guidance on Essential Critical Infrastructure Workforce highlighting the importance of maintaining operations of certain industries during the Covid-19 pandemic.

While the “essential workforce” list is solely advisory in nature, it has provided much needed guidance to state and local governments as they proceed with their own “stay at home” orders across the country. As a result, it is important to make this list as precise as possible with few vagueries that can be left to interpretation. The lack of precision can lead to unintended shut downs of critical industries that Americans are relying on during this historic pause in commerce.

Therefore, we have two specific recommendations we would like to bring to your attention:

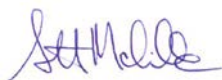
First, within the Healthcare/Public Health category of Essential Critical Infrastructure Workers we request that the term “consumer health products” be included when describing manufacturer workers for health manufacturing. While both dietary supplements and pharmaceuticals are currently individually listed as critical manufacturer workers, it is not entirely clear those terms include consumer health pharmaceuticals.

Secondly, the new guidance lacks a general exemption for “research and development” or “critical clinical research, development and testing” for pharmaceuticals, including consumer health pharmaceuticals. To account for this, we recommend revising the bullet in your guidance to read as follows: “Workers who perform critical clinical research, development, and testing needed for COVID-19 response, or other diseases.”

The availability of over-the-counter (OTC) medicines provides symptomatic relief for an estimated 60 million Americans who otherwise would not seek treatment. Additionally, OTC medicines offer \$34 billion in productivity benefits from avoided doctor's office visits.<sup>1</sup> Now more than ever, our country needs patients to access the benefits of OTC medicines to protect immune health, reduce fever from the common flu, and to treat other common ailments without burdening an already overstretched healthcare system.

As you continue finessing this “essential workforce” list, we respectfully request you consider our concerns. Our industry is ready to do our part in serving Americans during this pandemic.

Respectfully submitted,



Scott Melville  
President and CEO

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<sup>1</sup> <https://www.chpa.org/MarketStats.aspx>