



Comments of the Regulatory Action Center

RE: COVID-19 Vaccination and Testing: Emergency Temporary Standard

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December 6, 2021

The Regulatory Action Center at FreedomWorks Foundation is dedicated to educating Americans about the impact of government regulations on economic prosperity and individual liberty. FreedomWorks Foundation is committed to lowering the barrier between millions of FreedomWorks citizen activists and the rule-making process of government agencies to which they are entitled to contribute.

On behalf of the below-signed individuals and our activists nationwide, FreedomWorks Foundation appreciates the opportunity to offer these comments regarding whether the mandate for COVID-19 vaccinations and testing should be made permanent.

FreedomWorks Foundation writes in strong opposition to your imposition of a vaccine/testing mandate on America's private sector workers. This mandate is unwise, unnecessary, and will further inflame opposition to the COVID vaccines among the vaccine-resistant public.

We leave aside the question of whether this meets OSHA's statutory criteria for issuing an Emergency Temporary Standard, which denies the public an opportunity to comment and obviates other protections that the Administrative Procedure Act provides. We focus instead on the harm this will do to the end goal of protecting public health.

Contrary to popular portrayals, the "vaccine resistant" among our citizens are not just rural, red-state Trump supporters. Many people of color have expressed great distrust of the vaccine, remembering the sordid episode of government vaccine experimentation on their forebears. Whether "red-staters" or "blue-staters"; urban or rural; White, Black, or Brown--and whatever their reasons for hesitating or refusing the vaccine--mandating they take the shot will only deepen their suspicions and fuel conspiracy theories.

All the harm that the mandate will do is tragic, really, given that the federal government's heavy hand is unnecessary. Businesses are perfectly capable of determining what works for their employees. A number of businesses already require vaccination or regular testing. The workforces of a number of businesses are partially or completely remote, making potential

exposure to COVID in the workplace a nonissue. And some businesses, particularly in rural areas, may not be able to fill positions if potential employees face mandatory vaccination or regular testing. Instead of getting people back to work and growing the economy, people will sit idle--ultimately at the expense of beleaguered taxpayers.

President Biden campaigned as the right person to unite the country and heal our national divide. Ignoring the concerns of a large percentage of our citizens, and attempting to issue an Emergency Temporary Standard to short-circuit the governmental processes meant especially to protect those with minority views, is certainly not the way to bring people together. And the harm it will do to our nation's foundations of liberty and individual responsibility will ultimately far surpass this terrible virus.

Sincerely,

Beverly McKittrick
Director, Regulatory Action Center
FreedomWorks Foundation

[2,303 co-signers omitted]