

Congress of the United States  
House of Representatives  
Washington, DC 20515-2104

May 15, 2020

President Donald J. Trump  
The White House  
1600 Pennsylvania Avenue, N.W.  
Washington, D.C. 20500

Dear President Trump,

I write with urgent concern regarding reports that your Administration will soon implement rollbacks of key environmental, labor, workplace safety, and health care regulations in response to COVID-19. Additional reporting suggests that a plan to expand a program that directs federal agencies to revoke two regulations for each new regulation they issue is also under consideration.<sup>1</sup> To be clear: Deregulation is not an economic recovery plan. An approach like this will only intensify the profound inequalities that left us so vulnerable to this virus in the first place and keep our economy limping, our workers hurting, our small businesses suffering, and our entire country in crisis. They should be withdrawn immediately and permanently.

Afraid to leave their homes, the American people are begging for expanded testing, access to protective equipment, and increased hospital capacity, not widespread deregulation. Economic recovery cannot begin until we contain the spread of the virus and ensure Americans are safe and feel safe leaving their homes. To return to normal economic activities by mid-May, the Harvard Global Health Institute estimates that between 500,000 to 700,000 tests must be completed each day.<sup>2</sup> An average of 172,082 tests were conducted each day in April.<sup>3</sup> With one study finding that 18 percent of individuals infected with COVID-19 are asymptomatic but still capable of spreading the virus, widespread testing is the only way to contain the spread of the virus.<sup>4</sup> Extensive deregulatory actions have never proven to increase economic growth under normal conditions. At best, this effort will have a negligible impact during the immediate period following a pandemic, with drastic long-term consequences.

More than 36 million Americans have lost their jobs in the last two months.<sup>5</sup> More than 20 million jobs were lost in the month of April alone and unemployment soared to nearly 15 percent.<sup>6</sup> Loosening labor and workplace safety regulations will not replace those jobs; it will endanger those who are still employed. I am appalled by reports that your Administration intends to issue a liability waiver to clear employers of legal responsibility for employees who contract

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<sup>1</sup> <https://www.washingtonpost.com/business/2020/04/21/white-house-coronavirus-regulations/>

<sup>2</sup> <https://www.nytimes.com/interactive/2020/04/17/us/coronavirus-testing-states.html>

<sup>3</sup> <https://covidtracking.com/data/us-daily>

<sup>4</sup> <https://www.vox.com/2020/4/22/21230301/coronavirus-symptom-asymptomatic-carrier-spread>

<sup>5</sup> <https://www.politico.com/news/2020/05/14/coronavirus-unemployment-claims-numbers-257875>

<sup>6</sup> <https://www.cnn.com/2020/05/08/jobs-report-april-2020.html>

COVID-19 on the job. While it is impossible to completely prevent transmission of the virus in the workplace, blanket immunity for employers will enable bad actors and put workers and their families at risk. Paired with the Occupational Safety and Health Administration's refusal to issue an emergency temporary standard, this proposal showcases your Administration's prioritization of economic output over worker safety. Our economy is nothing without the workers who make it run, yet you are ready and willing to sacrifice their lives for the sake of economic growth. If your Administration allows and encourages people to go back to work without proper protections, all science indicates there will be a second surge of COVID-19 cases. Lives will be lost, and the economy will contract again. While the clear inoperability of your plan is frustrating, I am dumbfounded by your blatant disregard for human life. The America I know would never ask its citizens to sacrifice themselves for the sake of the stock market.

Your efforts to loosen environmental regulations will have a similarly deadly effect. COVID-19 attacks the respiratory system yet the Environmental Protection Agency (EPA) has chosen to freeze enforcement of key clean air regulations for the duration of the pandemic. There is a direct correlation between increased air pollution and increased mortality rates from COVID-19. In fact, a Harvard study found that a 15 percent increase in the COVID-19 death rate is associated with an increase of only one microgram of fine particulates per cubic meter.<sup>7</sup> Scientists tell us that air pollution increases COVID-19 mortality rates, yet you argue that increasing pollution is essential to improving economic growth. Killing people will not help the economy. The EPA's actions will have an outsized impact on low income neighborhoods and communities of color, which already face a significantly higher burden of damaging particulate air emissions and higher COVID-19 death rates.<sup>8</sup> Under normal circumstances relaxing environmental regulations would cost lives, but to do so during a pandemic, when we know that it will make people more vulnerable to the virus, is unconscionable. The American people deserve better from their government.

If implemented, the proposed reduction in regulations will burden small businesses while rewarding large corporations. With more staff and resources, large corporations adapt to a changing economic and regulatory environment more rapidly than small businesses. Implementing massive regulatory reforms at the start of an economic downturn will force small businesses to dedicate significant resources towards interpreting the new rules. With small businesses employing 47.3 percent of working Americans before the pandemic, it is difficult to understand how an economic plan that gives large corporations a "head start" over struggling small businesses will encourage economic growth.<sup>9</sup> Massive regulatory changes will only serve to further burden struggling small businesses. These businesses need increased government assistance, not unnecessary and harmful regulatory changes.

Slashing regulations will not take the place of widespread testing. It will not help small businesses. It will not keep workers from getting sick on the job. It will not protect Americans from the virus and it will not make up for the months your Administration wasted instead of

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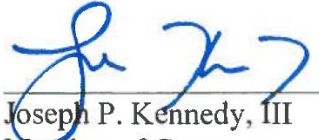
<sup>7</sup> <https://www.medrxiv.org/content/10.1101/2020.04.05.20054502v1>

<sup>8</sup> <https://thehill.com/policy/energy-environment/375289-epa-scientists-find-emissions-greater-impact-low-income-communities> and <https://www.npr.org/2020/04/12/832455226/what-coronavirus-exposes-about-americas-political-divide>

<sup>9</sup> <https://cdn.advocacy.sba.gov/wp-content/uploads/2019/04/23142719/2019-Small-Business-Profiles-US.pdf>

preparing to fight this pandemic. Partisan points may be won at the direct expense of American lives lost along the way. Do not sacrifice Americans for the sake of your partisan agenda.

Sincerely,



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Joseph P. Kennedy, III  
Member of Congress