

STATE OF KANSAS
LEGISLATURE



REP. DAN HAWKINS
HOUSE MAJORITY LEADER

REP. RON RYCKMAN
SPEAKER OF THE HOUSE

REP. BLAINE FINCH
HOUSE SPEAKER PRO TEM

SEN. LARRY ALLEY
SENATE MAJORITY LEADER

SEN. TY MASTERSON
SENATE PRESIDENT

SEN. RICK WILBORN
SENATE VICE PRESIDENT

September 14, 2021

Joe Biden
President, United States of America
1600 Pennsylvania Avenue, N.W.
Washington, D.C. 20500

President Biden,

While we agree that the Delta variant has exacted a toll on public health, we strongly disagree with the methods you recently announced in your COVID-19 action plan. In your September 9 remarks to the nation, you stated “This is not about freedom or personal choice. It’s about protecting yourself and those around you...” As American citizens we indeed have a moral responsibility to one another, but that responsibility cannot be dictated via unconstitutional executive orders from the federal government.

Your COVID-19 action plan contains many troubling elements. Most egregious among them is the use of OSHA regulatory authority to force private businesses to mandate that their employees become vaccinated. Kansas citizens should make their own healthcare decisions in conjunction with their doctor. This is not the realm of the federal government. In addition, your mandate places private business owners in a dangerous position. It is not the role of employers to monitor the health care decisions of their employees. With the threat of an OSHA fine, you are forcing private businesses into a role many are not capable of performing. This is a clear example of unconstitutional federal overreach.

Your vaccine mandate also threatens to further wreck an already struggling economy. Kansas and the nation are suffering from a severe labor shortage. One recent poll showed that approximately 40% of unvaccinated workers would quit their job if they were required to become vaccinated. If even a fraction of workers follow through, it will absolutely devastate our economy.

The number of concerning provisions in your COVID-19 action plan are too numerous to list. One that requires specific attention is your threat to withhold federal funding from health care providers. There is already a severe shortage of healthcare workers. You are instituting mandates that will undoubtedly intensify this worker shortage. Instead of allowing health care providers to make their own decisions, your plan holds them hostage – knowing full-well that these medical

facilities cannot operate without federal funding. It is unclear how they will operate without employees. Instead of issuing mandates to the health care industry, we support allowing them the flexibility they need to make the best possible decisions to help our nation and the individuals they serve through the COVID-19 pandemic.

Mr. President, we demand an immediate end to this federal overreach and the withdrawal of your decisions to push a national vaccine mandate and punish private businesses and health care providers. Your COVID-19 action plan is devoid of respect for the U.S. Constitution, the rule of law, and our country's division of power under the federalist system. It is our belief that the only way to bring our nation together is for you and your administration to respect the rule of law and focus your efforts on ensuring that vaccine doses are available for anyone who chooses to receive them, increasing access to testing, and increasing the availability of treatment options for those who have contracted COVID-19.

Our Kansas Attorney General, Derek Schmidt, is committed to vigorously challenging the unconstitutional overreach found in your COVID-19 action plan. We stand in full support of our Attorney General and if you persist with these unconstitutional measures, we will pursue all possible avenues to protect the rights of Kansas citizens and businesses. We also encourage our federal congressional delegation to take all possible actions to ensure any federal COVID-19 response is lawful.

Let's work together to beat COVID-19 and rebuild our economy in a way that is respectful to each other and our freedoms.

Respectfully,

Ron Ryckman, Speaker of the House
Dan Hawkins, House Majority Leader
Blaine Finch, House Speaker Pro-Tem
Les Mason, House Asst. Majority Leader
Blake Carpenter, House Majority Whip
Ken Rahjes, House Majority Caucus Chair

Ty Masterson, Senate President
Larry Alley, Senate Majority Leader
Rick Wilborn, Senate Vice President
Renee Erickson, Senate Asst. Majority Leader
Richard Hilderbrand, Senate Majority Whip

Additional signers listed on subsequent signature pages.

Cc:
Senator Jerry Moran
Senator Roger Marshall
Representative Tracey Mann
Representative Jake LaTurner
Representative Sharice Davids
Representative Ron Estes
Kansas Attorney General Derek Schmidt

Representative Michael Houser
Representative Kenneth Collins
Representative Charles (Chuck) Smith
Representative Trevor Jacobs
Representative Mark Samsel
Representative Samantha Poetter
Representative Richard Proehl
Representative Chris Croft
Representative Jim Kelly
Representative Doug Blex
Representative Joe Newland
Representative Charlotte Esau
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Senator Rick Kloos
Senator Brenda Dietrich
Senator Rob Olson
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Senator Gene Suellentrop
Senator Mike Peterson
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Senator Ron Ryckman, Sr.
Senator John Doll
Senator Rick Billinger