



U.S. Chamber of Commerce



COUNCIL OF
STATE CHAMBERS

April 28, 2020

Mr. President
The White House
1600 Pennsylvania Avenue, NW
Washington, DC 20500

The Honorable Lawrence J. Hogan, Jr.
Governor, State of Maryland
Chair
National Governors Association
444 North Capitol St NW #267
Washington, DC 20001

The Honorable Bryan K. Barnett
Mayor, Rochester Hills, Michigan
President
The United States Conference of Mayors
1620 I Street, NW
Washington, DC 20006

The Honorable Greg Fisher
Mayor, Louisville, Kentucky
Vice President
The United States Conference of Mayors
1620 I Street, NW
Washington, DC 20006

The Honorable Nan Whaley
Mayor, Dayton, Ohio
Second Vice President
The United States Conference of Mayors
1620 I Street, NW
Washington, DC 20006

Mr. Tom Cochran
CEO & Executive Director
The United States Conference of Mayors
1620 I Street, NW
Washington, DC 20006

The Honorable Andrew M. Cuomo
Governor, State of New York
Vice Chair
National Governors Association
444 North Capitol St NW #267
Washington, DC 20001

The Honorable Mary Ann Borgeson
Commissioner, Douglas County, NE
President
National Association of Counties
660 North Capitol St, NW, Suite 400
Washington, DC 20001

The Honorable Gary Moore
Judge-Executive, Boone County, KY
First Vice President
National Association of Counties
660 North Capitol St, NW, Suite 400
Washington, DC 20001

The Honorable Larry Johnson
Commissioner, DeKalb County, GA
Second Vice President
National Association of Counties
660 North Capitol St, NW, Suite 400
Washington, DC 20001

Dear Mr. President, Governors, Mayors, County Leaders,

On behalf of businesses of all sizes and across all industries in the United States that we are privileged to represent as chambers of commerce, we are writing to thank the Administration, the National

Governors Association, the United States Conference of Mayors, and the National Council of County Administrators for their efforts to initiate a safe reopening of the economy. The American business community appreciates that reopening safely will require that we all undertake measures to reduce further transmission of COVID-19. We stand ready to do our part. Make no mistake, employers want to reopen in a way that is safe and sustainable.

Many public health and workplace safety agencies have already issued guidance to help businesses prevent the spread of the coronavirus and we know further guidance is forthcoming.

We write to bring two issues to the organizations' attention that have emerged in discussion of the 50-State Task Force on Reopening formed by the U.S. Chamber of Commerce and the Council of State Chambers:

1. We urge federal, state, and local governments to refrain from converting public health and safety guidance into regulations that may add further challenges for businesses to reopen.
2. To the maximum extent possible, guidance should be generally consistent across federal, state, and local governments.

Our members are especially concerned by the push by some to impose new regulatory requirements rather than rely on guidance and best practices. There is no playbook for reopening millions of businesses while simultaneously fighting a pandemic. Yet those in favor of a regulatory approach envision government bureaucrats enforcing a rule book of regulations. For instance, they could issue fines when they find a sneeze guard out of place, an employee using the wrong mask, or two employees five feet ten inches apart, not the mandated six feet.

Such a one-size-fits-all regulatory approach is simply impossible when talking about adapting safety measures for every workplace in America. This approach will prevent businesses from making the appropriate adaptations necessary to ensure that their workplaces are as safe as possible. A heavy-handed regulatory approach will make it more difficult for safety measures to be quickly adjusted to reflect the changing reality of combatting the coronavirus.

Further, a regulatory approach ignores what we have already learned from the thousands of essential businesses that have remained open during the shutdown orders. In each of our communities, businesses have improvised and innovated in critical ways to protect the health of their employees and customers. We want to encourage even more innovation as additional businesses reopen.

The second area of concern is the emerging patchwork of differing and in some cases contradictory guidance differences between federal, state and local direction. While recognizing that guidance should meet local conditions, reducing unnecessary conflicts will make it easier for employers to implement responsible safety measures and instill confidence in the public by creating consistent expectations. For example, in one state restaurants that reopen must keep tables ten feet apart and limit occupancy to 25%. In another state that is reopening, restaurant tables only have to be six feet apart and capacity is limited on a square foot basis. We fully expect that reopening will happen at a different pace throughout the country based on local conditions. It would be preferable if the guidance from state and local governments was more uniform across the nation, which will speed the safe reopening.

Thank you for the Administration's, the National Governors Association's, the United States Conference of Mayors', and the National Council of County Administrators' consideration and we look forward to continuing to work with your organizations to safely return millions of Americans to work while showing the world that America is still the global leader in innovation and safety.

Respectfully,



Neil L. Bradley
Executive Vice President & Chief Policy Officer
U.S. Chamber of Commerce



Mark Wilson
President & CEO, Florida Chamber of Commerce
Chairman, Council of State Chambers

cc: The Members of the United States Congress