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The announced "Intent to Adopt a Permanent Standard for Infectious Disease Prevention Virginia DLI's Safety: SARS-CoV-2 Virus That Causes COVID-19, 16VAC25-220" by the Virginia Department of Labor & Industry's Safety & Health Codes Board is a spectacular example of unconstitutional governmental overreach that is not based in law, but rather on Governor Ralph Northam's purportedly "temporary" emergency powers as exercised through a dizzying number of constantly changing Executive Orders.

Since the beginning of the year, Governor Northam has issued over 20 executive orders related to both COVID and the ongoing leftist, civil unrest that his administration has tolerated. He has amended these emergency orders over two dozen times, preventing Virginians from being able to clearly understand as to what they are being admonished to comply. These orders have led to administrative agencies, such as yours, proposing or adopting new rules (all without proper legislative oversight) to further restrict the freedoms and liberties of the citizens of Virginia - a Commonwealth which once prided itself on being one of the nurturing parents of our American Republic through its several Founding Fathers: George Washington, Thomas Jefferson, James Madison, George Mason, and others. Given the Governor's unbridled use of the executive pen to adopt on a whim without the consent of the elected assemblies a host of constantly changing rules - I won't deign to call them "laws" because executive orders are not law - who among us Virginians even knows what is legal or illegal, what is punishable or unpunishable? I can tell you that probably none of you even in Richmond can either decipher or keep track of this slippery descent into authoritarian control.

These petty tyrannical acts are not founded on curbing the disease through a studied, scientific analysis of the virus, but rather on fear and control. If the decisions being made by Governor Northam, his cabinet, and officials in Richmond were based on science, most (if not all) of the COVID restrictions would be ending, not increasing, as they are in Florida. Recently compiled national data that was released by the CDC in late August indicates that 94% of the people that have died while infected with COVID had comorbidities (often several), leaving only 6% that died of COVID alone. It has been revealed that the COVID case and death rates across the country have been grossly in error, with numerous examples of people listed as dying of COVID when the actual cause of death was anything from a motorcycle accident to alcohol poisoning. This practice of overlisting COVID deaths has been perversely incentivized by the practice of giving more aid money to treatment facilities for COVID cases, thus encouraging false overreporting. Most recently, if one were to assume that the infection numbers and fatality cases were accurate (and that appears to be untrue), the CDC's own numbers demonstrate that, even if someone is infected with COVID, the infection fatality ratio is a fraction of fraction of a percent (meaning more than 99% of the people will recover) for *all age categories*, including those over 70 who are stated to be among the most vulnerable. Additionally, numerous practicing physicians both in the United States and abroad have shown a very high recovery rate using therapeutics and safe decades-used medications such as hydroxychloroquine (HCQ) or asthma-inhibiting corticosteroids, but this information has been regularly suppressed by Governor Northam's administration and other states' governors. For Virginia's governor to agree with the position of "my body, my choice" with regard to providing abortions up to the moment of birth in the Commonwealth, it is odd that he won't allow or promote Virginia's citizens to choose medical procedures that might aid in their recovery, such as the use of HCQ and asthma medications, even if they only work on some people. Let the people choose.

If your Board and Department passes these rules, it would be a further infringement on the liberties and freedoms of Virginians without being based on either good evidence or undisputed science. If these proposals were actually based on science, then the Board and Department should be able to readily publish a list and links to those sources for which these decisions are based - sources both for and against - and allow the public to comment on the foundational information for which you rely. Let the

wisdom of the crowd decide - isn't that the "democratic" basis for governing? But, if I am to guess, that is unlikely to take place.

So, now the current administration in Richmond is treading down a dangerous road, one that the governor's odious executive orders seem to be designed - in the words of Jefferson -- "for the sole purpose of fatiguing [us] into compliance with his measures." Jefferson's masterful language in the Declaration of Independence - that we are all endowed with "certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness" - are not now constitutionally diminished by any governor-declared state of emergency. This is true because there is no "except for COVID" clause in either the constitution of the nation or that of Virginia.

Like at the time of the American Revolution - a war for which several of my ancestors served - we the people are petitioning for a redress of our grievances for the oppressions of our state government in Richmond. I pray that you will provide my comments and those of the multitude of other written pleas that have been submitted against the passage of these new rules to both your Board and your Department. Perhaps people imbued with authority to make these decisions, such as you, will listen to your fellow Virginians in this matter and the related petitions calling for the end to the current emergency. If not, there is a storm of discontent developing among those of us who have patiently played by the rules hoping to contribute to the common good and health of the Commonwealth, while we have witnessed successive abuses by this administration of its authority and its failures to ensure safety to the life, safety, and property of law-abiding Virginians as they were perpetrated by people breaking both the laws and the emergency orders. The laws and rules are meaningless if they are not equally applied to all people. In sum, the approval of these new and more restrictive COVID rules is intolerable and should not go forward. If that is not what occurs, then I'm sure it will be reflected in good measure at the ballot box in November and in subsequent election cycles.

I thank you in advance for your consideration of these remarks and trust that you and the Board will do what is right and not what is politically expedient.