

FREEDOM FROM RELIGION *foundation*

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July 30, 2021

SENT VIA EMAIL & U.S. MAIL: Sen.Nass@legis.wisconsin.gov

The Honorable Steve Nass
State Senator
11th Senate District
P.O. Box 7882
Madison, WI 53707

Re: Follow the Science and Protect University of Wisconsin Students

Dear Senator Nass:

We are writing on behalf of the Freedom From Religion Foundation and our Wisconsin membership to object to your overreaching attempt to intimidate, interfere with and block the University of Wisconsin System from instituting reasonable, science-based COVID-19 prevention measures. We are also writing to protest your high-handed and anti-democratic attempt to do so without sunlight and public debate.

FFRF is a national nonprofit headquartered in Wisconsin, with more than 35,000 national members, including more than 1,500 throughout Wisconsin, which works to protect the constitutional principle of separation between state and church, and to educate about nontheism. The nonreligious in the United States, by the way, are the demographic most apt to be and willing to be vaccinated, according to Pew.¹ In addition to our concerns based on principle and science, FFRF has a personal stake in University of Wisconsin policies regarding COVID-19 mitigation. Our office, which re-opened fully to staff in June because all staff are fully vaccinated, is located near the UW-Madison campus in downtown Madison. We have great reason to be concerned about an influx of tens of thousands of students next month to downtown Madison who are not vaccinated, who may jeopardize local public health as well as Dane County's current CDC "yellow-light" status.

It is our understanding that you plan to block the University of Wisconsin from instituting COVID-19 testing, masking and vaccination protocols on campuses across the state by requiring advance approval by the Senate Administrative Rules Committee, which you chair. We understand it is your intention to reject any reasonable and science-based recommendations for preventing the spread of COVID-19, instead imposing the personal anti-vaccination beliefs of yourself and a majority of committee members upon the students and staff at every UW campus in the state. This reckless, autocratic and ill-advised maneuver comes as health officials are sounding warnings about the rapidly spreading, highly contagious delta variant. We understand that the committee intends to vote remotely on Tuesday without a public hearing on a motion declaring that UW policies related to COVID-19 may not be enacted without the approval of the rules committee. We

¹ <https://www.pewresearch.org/fact-tank/2021/03/23/10-facts-about-americans-and-coronavirus-vaccines/>

find it highly ironic that your committee is taking pandemic measures to conduct a *remote* meeting, whose very purpose is to sabotage pandemic mitigation efforts by the University of Wisconsin System.

Public policy must be based on science, reason, data, compassion and expertise, especially during a deadly pandemic. Since this pandemic began, the Wisconsin Legislature failed time and again to pass any COVID-19 related legislation, leaving Governor Evers, and other state and local actors, with no choice but to take action, based on science and data, to reduce the spread of the virus without help from the Legislature. Indeed, many of Governor Evers' appropriate measures have been voted down, challenged or sabotaged. The explosion of COVID-19 across the country and in Dane County in the fall of 2020 coincided with college students returning to campus and in-person classes. Universities in nearly every state quickly became hot spots for the outbreak, with UW-Madison becoming a case study after the virus rampaged through campus so quickly that classes had to go virtual after two weeks.

Now, you seek to remove the UW's ability to quickly adopt health and safety rules in response to rapidly changing conditions on its campuses at the worst possible time. The Associated Press has reported that the seven-day average of COVID-19 cases in Wisconsin grew to 556 on Thursday, nearly eight times as high as a month ago and the highest since early May. This steep increase has led state health officials to urge eligible state citizens to get vaccinated now to slow the spread and stop an even more deadly variant from developing.²

The University of Wisconsin has the right to adopt necessary health and safety rules to protect students. As UW-System President and former Wisconsin governor Tommy Thompson noted in response to your actions:³

From day one when I started as President of the UW System, the health and safety of our students, faculty, and staff during a global pandemic has been our top priority and responsibility. Given my experience as a former United States Health and Human Services Secretary, I know the biggest threat to in-person classes this fall would be actions that strip the UW System of the tools it has so successfully used to date to address outbreaks and reduce the spread of COVID-19. Just as we have this past year, the UW System will continue to use its authority to take nimble and reasonable steps that enable us to keep our campuses open for the education students need, parents expect, and Wisconsin deserves.

Everyone must do their part to prevent the spread of COVID-19. Devastatingly, more than 8,287 Wisconsinites have died from Covid-19 and more than 686,225 have tested positive.⁴ **COVID-19 mitigation efforts have worked in Wisconsin.** We went from being one of

² <https://apnews.com/article/health-coronavirus-pandemic-d780c891f55b321baceb63409e5820c4>

³ <https://www.wisconsin.edu/news/archive/uw-system-president-thompson-statement-on-proposed-jcrar-resolution/>

⁴ <https://www.nytimes.com/interactive/2021/us/wisconsin-covid-cases.html>

the nation's most consistent hotspots last fall to flattening the curve.⁵ We simply cannot accept any additional preventable deaths.

To protect the health and safety of UW students, faculty, staff, and community members, and to effectively deal with this highly infectious pandemic, it is essential that the UW System has the freedom and flexibility to make swift decisions based on the available science. Your disrespect for the law and for science, and your willingness to abuse power is not “pro-life” and would, if successful, without doubt, cost Wisconsin lives.

Very truly,

A handwritten signature in blue ink, reading "Annie Laurie Gaylor Dan Barker". The signature is written in a cursive style.

Annie Laurie Gaylor & Dan Barker
Co-Presidents

⁵ “COVID-19: Wisconsin Summary Data,” Wisconsin Department of Health Services, January 26, 2021, <https://www.dhs.wisconsin.gov/covid-19/data.htm#summary>