

Remarks by Rep Chris Smith (R-NJ)

H.R. 6800—May 15, 2020

Madame Speaker, over the last two months, I have pushed for and strongly supported four comprehensive, bipartisan [COVID-19 relief laws](#).

By enacting those laws, Congress and the President have provided over \$3 trillion to meet the challenges posed by the virus and loan guarantees backed by the [Federal Reserve](#) have added trillions more to the rescue.

Despite some stark differences of opinion on what constitutes the best federal, state and local response to the pandemic, we have managed to put partisanship aside and seek solutions.

We have rallied for the people we serve—to make our communities safer and to ensure that the tens of millions made unemployed by COVID-19 have a bridge to prosperity again.

Because so many Americans—especially those on the front lines—have sacrificed so much including their own lives to prevent the spread and heal the sick, many are alive today.

Still, the loss of life—and disability suffered by those who have survived—is staggering.

In my state of New Jersey, more than ten thousand people have tragically died so far with more than half of the fatalities suffered by women and men who resided in long term health facilities.

During this unprecedented crisis, there have been serious negotiations with all parties and stakeholders to craft legislation to mitigate the pandemic through an integrated plan to prevent, test and treat.

Much has been done—but much work remains.

As you know, Madame Speaker, I am a strong believer in principled bipartisanship—especially when faced with a globe-altering pandemic.

At its core, bipartisanship is about respect for others even when there are fundamental disagreements. Bipartisanship is not an end unto itself, but can be a practical, good faith path to understanding different views in order to achieve fair, equitable and sustainable solutions to problems.

More often than not, bipartisanship helps build support and consensus for effective policies.

Despite some harsh rhetoric by some, we have nevertheless managed to put partisanship aside and seek solutions.

Until today.

The bill before us today was crafted in secret with no input from Republicans in either the House or Senate or the White House—it is the quintessential example of a partisan bill.

There were no congressional hearings on new policy initiatives or changes to existing programs or changes to funding levels or what the costs might be for newly created entitlements.

Is there a Congressional Budget Office (CBO) estimate of the cost of H.R. 6800? Nope—it doesn't exist.

We had three days to read H.R. 6800's over 1,800 pages.

I read the bill. I have more questions now than answers.

And I am shocked by an unfair process that disallows revisions to the text or amendments to a \$3 trillion bill—the costliest piece of legislation in American history.

I would note parenthetically, that I've sponsored and managed many major bills on this floor. My [American Embassy Security Act of 1999](#) for example was debated on the floor of the House for the better part of a week and we debated over 50 amendments to the bill before it passed the House.

The rule today allows only one amendment to recommit.

H.R. 6800 is unfair, deeply offensive and discriminates against students attending Catholic, other faith-based or private schools.

The U.S. Conference of Catholic Bishops and a large number of faith-based school associations [wrote each of us last night](#) to convey their “extreme disappointment” that H.R. 6800 “eliminates from eligibility for aid almost all students enrolled by their parents in private schools. This would represent a stark departure from 55 years of precedent under federal education programs such as the Elementary and Secondary Education Act (ESEA) and the Individuals with Disabilities Education Act (IDEA) and rejects the approach taken by Congress during all emergency relief efforts in memory...this is shocking and unprecedented.”

H.R. 6800 also reopens the previously enacted CARES Act to restrict emergency services to Catholic, faith-based and other private school students.

That too is unconscionable.

Madame Speaker, where are the calculations to responsibly justify the need for taxpayer’s money, especially since funds provided in previously enacted COVID-19 appropriations laws are not even close to being exhausted?

I am disappointed because I support some key policy initiatives in the legislation including federal assistance at some significant level of funding to state and municipalities—especially those hardest hit like my state and district.

Today I introduced legislation—the [New Jersey, New York, and Highly Impacted States COVID-19 Relief Fund Act](#).

Joined by my good friend and colleague Peter King of New York, the bill appropriates \$500 billion in aid to the states, with significant amounts targeted to those with the highest infection rates—like New Jersey and New York.

Specifically, it appropriates:

- **\$280 billion to the states**
 - \$40 billion divided equally among 50 states
 - **\$100 billion awarded based on the state’s share of COVID cases provided by CDC data**
- \$140 billion awarded based on the state’s share of population

- **\$200 billion awarded within 30 days of enactment to all municipalities and counties**
 - \$100 billion to municipalities using a modified CDBG formula
 - \$750 million to entitlement municipalities (generally defined as those with populations of at least 50,000)
 - \$250 million to non-entitlement municipalities (generally defined as those with populations of less than 50,000). These funds will be awarded to states, which must make awards to non-entitlement cities based solely on population within 30 days of receipt.
 - \$100 billion to counties based on population

- **Territories - \$10 billion for the five territories and the District of Columbia**

- **Tribes - \$10 billion for tribal governments**

- **\$15 million for the Treasury Office of the Inspector General**

Given the death, morbidity and business lockdowns, many states will likely be unable to sustain their operations.

Comprehensive COVID-19 legislation should come to the floor of the House of Representatives for debate and votes after rigorous due diligence to the need and proposed remedies. H.R. 6800 has received no such scrutiny.

It's nearly certain that another COVID-19 bill will be considered by the House and Senate. We've got to get it right next time.

