



COUNCIL OF THE DISTRICT OF COLUMBIA
THE JOHN A. WILSON BUILDING
1350 PENNSLYVANIA AVENUE, N.W.
WASHINGTON, D.C. 20004

April 8, 2020

The Honorable Mitch McConnell
Senate Majority Leader
United States Senate
Washington, DC 20510

The Honorable Charles Schumer
Senate Minority Leader
United States Senate
Washington, DC 20510

Dear Leader McConnell and Minority Leader Schumer:

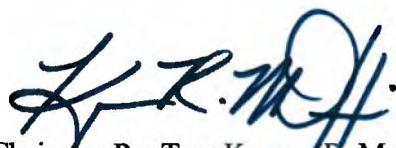
We write again to urge that Congress provide necessary and equitable relief to the District of Columbia, the nation's capital, and to rectify the unprecedented underfunding that was provided the District in the Coronavirus Aid, Relief, and Economic Security (CARES) Act adopted late last month.

As you know, the CARES Act guarantees every state at least \$1.25 billion. Although the District is not a state, we cannot identify any appropriation measure before this in which the District of Columbia was not treated on equal footing with the states. Yet the CARES Act treats the District as a territory, resulting in about \$500 million in direct payment to the District. Further, as a unified government entity the District is not eligible for local government funding available to other cities with over 500,000 residents.

The difference means the District will have \$725 million less than the smallest state to support businesses, hospitals, residents, and workers, despite the fact that the District has more coronavirus patients than 21 states and, as a densely populated jurisdiction, faces higher risks than states with extensive rural populations. It means the District has less than half the federal financial support of any state, even though 45% of hospital patients in the District last year were residents of Maryland and Virginia, and even though 63.6% of District-based workers eligible for unemployment benefits are residents of Maryland and Virginia. Moreover, throughout this pandemic the District government has worked closely with the Governors of Maryland and Virginia to ensure a unified approach to mitigating spread of the coronavirus, including similar business shutdowns and stay-at-home orders.

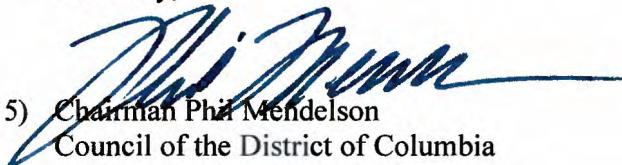
Our demand is about our public health and economy. It is bad policy to pay our smallest states at least \$2,000 per capita to fight the pandemic while funding the District at around \$700 per capita. Controlling the spread of COVID-19 should be a shared priority of all the states, and drastically underfunding one urban area that is closely connected to its surrounding states is bad policy.

As the nation's capital, the District of Columbia has always and continues to provide essential services to the Federal government. As with any other federal funding formula, the District should receive at least the minimum (\$1.25 billion) guaranteed to every state, and we request that this be rectified as soon as is legislatively possible.



Chairman Pro Tem Kenyan R. McDuffie (Ward 5)
Council of the District of Columbia

Sincerely,



Chairman Phil Mendelson
Council of the District of Columbia



Councilmember Anita Bonds (At-Large)
Council of the District of Columbia



Councilmember David Grosso (At-Large)
Council of the District of Columbia



Councilmember Elissa Silverman (At-Large)
Council of the District of Columbia



Councilmember Robert C. White, Jr. (At-Large)
Council of the District of Columbia



Councilmember Brianne K. Nadeau (Ward 1)
Council of the District of Columbia



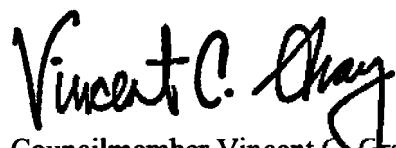
Councilmember Mary M. Cheh (Ward 3)
Council of the District of Columbia



Councilmember Brandon T. Todd (Ward 4)
Council of the District of Columbia



Councilmember Charles Allen (Ward 6)
Council of the District of Columbia



Councilmember Vincent C. Gray (Ward 7)
Council of the District of Columbia



Councilmember Trayon White, Sr. (Ward 8)
Council of the District of Columbia

enc. March 26, 2020 letters from Mayor Muriel Bowser and Attorney General Karl Racine



MURIEL BOWSER
MAYOR

March 26, 2020

The Honorable Donald J. Trump
President of the United States
1600 Pennsylvania Ave, NW
Washington DC 20220

Dear President Trump:

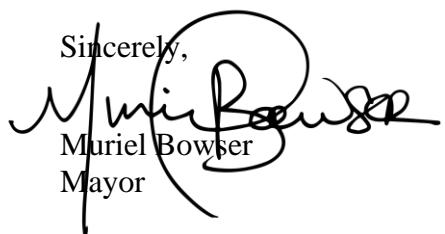
As a follow-up to our conversation today, I am asking you to help in rectifying the dramatic, inequitable, and unprecedented underfunding of the District of Columbia's coronavirus healthcare response efforts in the Coronavirus Aid, Relief, and Economic Security (CARES) Act that is rapidly working its way through Congress and will reach your desk in the coming days. At the level of funding provided in the bill—far less than states with far fewer coronavirus cases—the District of Columbia, the nation's capital city and emblem to the world, faces a healthcare catastrophe. The CARES Act is a monumental bipartisan accomplishment, and we appreciate the crucial role you played in bringing it to fruition. We ask for your help in rectifying a tragic oversight as the legislation has moved through Congress in so significantly underfunding the District of Columbia's healthcare response effort.

We cannot identify any other appropriation measure in which the District of Columbia was not treated on at least an equal footing with the states. Yet the CARES Act as passed by the Senate yesterday, scheduled to be voted on by the House of Representatives tomorrow, funds District of Columbia coronavirus healthcare response costs at less than half the minimum level provided for states—\$500 million versus \$1.25 billion. This despite the fact that DC has more coronavirus patients than 19 states, as a densely populated city faces higher risks than states with extensive rural populations, has a greater population than two states, draws patients to its hospitals from two surrounding states (as the most sizeable city in the region, 45% of the District of Columbia's hospital patients last year were from Maryland and Virginia), and has higher treatment costs than many states. District of Columbia residents pay the highest per capita income taxes in the nation and pay more in total taxes than the residents of 22 states.

If it is not fixed now, there may not be an opportunity for legislation to supply the necessary funding for months. The District of Columbia cannot operate its healthcare system at the level required to address the impact on its residents and the residents of the surrounding states who use its healthcare system without federal support at least at the minimum level of that received by the states. We are facing a looming catastrophe with the entire world looking on. Lives literally are at stake.

The District of Columbia government, its healthcare professionals, and its citizens are all determined to rise to the challenge of responding to the coronavirus pandemic. We understand that you are focused on leading the nation's response to this pandemic, and that is an enormous undertaking. We thank you for anything you can do in the midst of your other responsibilities to ensure that we in the District of Columbia have adequate resources to deal with what fate has placed before us.

Sincerely,



Muriel Bowser
Mayor



PRESIDENT
Tim Fox
Montana Attorney General

PRESIDENT-ELECT
Karl A. Racine
*District of Columbia
Attorney General*

VICE PRESIDENT
Tom Miller
Iowa Attorney General

IMMEDIATE PAST PRESIDENT
Jeff Landry
Louisiana Attorney General

EXECUTIVE DIRECTOR
Chris Toth

March 26, 2020

Hon. Donald J. Trump
President of the United States
The White House
Washington, DC 20050

Hon. Nancy Pelosi
Speaker
House of Representatives
Washington, DC 20515

Hon. Mitch McConnell
Majority Leader
United States Senate
Washington, DC 20510

Kevin McCarthy
Minority Leader
House of Representatives
Washington, DC 20515

Hon. Chuck Schumer
Minority Leader
United States Senate
Washington, DC 20510

Dear President Trump, Speaker Pelosi, and Leaders McCarthy, McConnell, and Schumer,

As state attorneys general, we write to express concern over the proposed allocation of funding for the District of Columbia in the Coronavirus Relief Fund in the latest relief package. The relief package allocates at least \$1.25 billion in direct payments to every state but allocates only \$500 million to the District by classifying it as a territory. Indeed, two states with smaller populations than the District will receive more than twice as much funding as the District.

We believe that the District should receive \$1.25 billion for purposes of the relief package. The District has nearly 200 confirmed coronavirus cases, which outpaces nearly two dozen states and territories. Indeed, as a densely populated urban center, the District is uniquely vulnerable to the spread of the virus and is already experiencing significant economic loss due to the ongoing public health emergency. The District's tourism, hospitality, and restaurant industries, along with its world-class colleges and universities, are already suffering, as are small businesses throughout the District. Restaurant sales tax revenue are estimated to be currently at 12% of normal levels with the hotel industry at 6%. Current estimates place revenue losses at over \$500 million by the end of September. Harm to the District, as measured by cases of coronavirus and resulting economic losses, is among the most severe in the nation.

The District's contributions to the federal government are unique and substantial. The District is the seat of the federal government and is thus obligated to protect the health and safety of hundreds of thousands of federal workers. Moreover, District residents pay the full panoply of federal taxes.

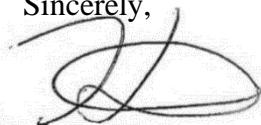
Indeed, District residents contribute more to the federal government on a per capita basis than residents of any other state or territory. At bottom, the need in the District and the contribution of its residents to the federal fisc are significant. It is critical that the District receive the funding it needs to ensure adequate services to residents and businesses.

As attorneys general, we are charged with protecting the public interest by ensuring that the public is safe and that local businesses comply with applicable laws during emergencies. We enforce critical emergency response measures, such as limitations on business operations and price gouging prohibitions to reduce the spread of the virus and to ensure that residents have access to critical goods and services. In addition, we have worked with the courts, corrections agencies, and other stakeholders to ensure that we can maintain public safety while prioritizing public health in the criminal justice system. All of this, and everything our state governments are doing to protect our residents, requires significant resources. With decreased funding, the District government will be able to do less for its more than 700,000 residents than comparably sized jurisdictions.

This deadly virus is not limited to any particular geographical boundary. Given the District's connections to nearby states, jeopardizing the ability to respond to the crisis puts not only District residents but all Americans at an increased risk.

As state attorneys general, we urge the federal government to ensure that the District government and all 50 states receive the minimum allocation of \$1.25 billion, so that the District government can protect its residents, federal employees, and all Americans. Thank you for considering our request.

Sincerely,



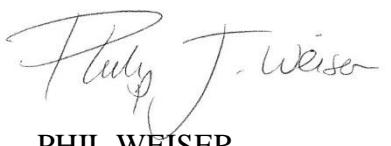
KARL A. RACINE
Attorney General for the District of Columbia



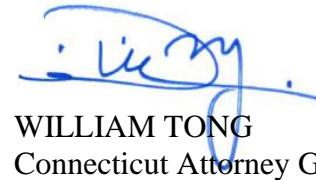
KEVIN G. CLARKSON
Alaska Attorney General



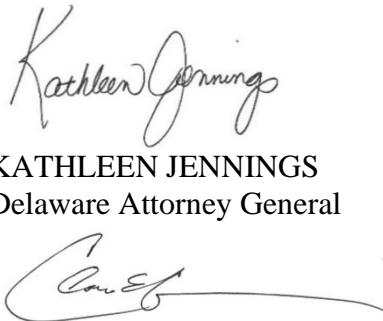
XAVIER BECERRA
California Attorney General



PHIL WEISER
Colorado Attorney General



WILLIAM TONG
Connecticut Attorney General



KATHLEEN JENNINGS
Delaware Attorney General



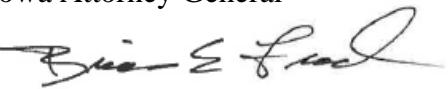
CLARE E. CONNORS
Hawaii Attorney General



KWAME RAOUL
Illinois Attorney General



TOM MILLER
Iowa Attorney General



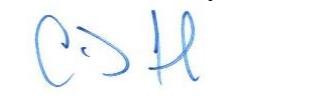
BRIAN FROSH
Maryland Attorney General



DANA NESSEL
Michigan Attorney General



TIM FOX
Montana Attorney General



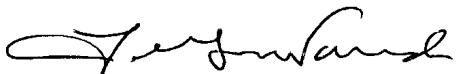
AARON D. FORD
Nevada Attorney General



HECTOR BALDERAS
New Mexico Attorney General



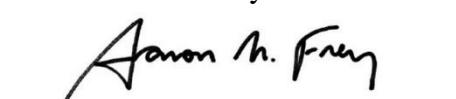
ASHLEY MOODY
Florida Attorney General



LAWRENCE WASDEN
Idaho Attorney General



CURTIS T. HILL, JR.
Indiana Attorney General



AARON M. FREY
Maine Attorney General



MAURA HEALEY
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KEITH ELLISON
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DOUGLAS PETERSON
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GURBIR S. GREWAL
New Jersey Attorney General



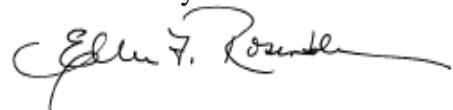
LETITIA JAMES
New York Attorney General



JOSH STEIN
North Carolina Attorney General



DAVE YOST
Ohio Attorney General



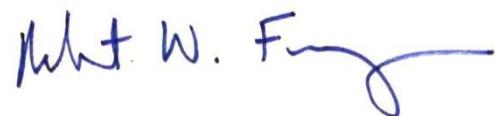
ELLEN F. ROSENBLUM
Oregon Attorney General



PETER F. NERONHA
Rhode Island Attorney General



TJ DONOVAN
Vermont Attorney General



ROBERT W. FERGUSON
Washington Attorney General



LEEVIN TAITANO CAMACHO
Guam Attorney General



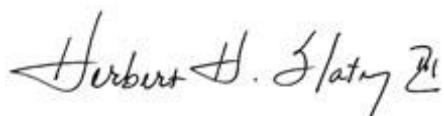
WAYNE STENEHJEM
North Dakota Attorney General



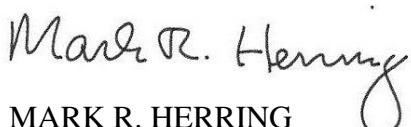
MIKE HUNTER
Oklahoma Attorney General



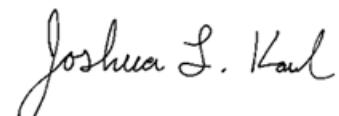
JOSH SHAPIRO
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HERBERT H. SLATTERY III
Tennessee Attorney General



MARK R. HERRING
Virginia Attorney General



JOSHUA L. KAUL
Wisconsin Attorney General



EDWARD MANIBUSAN
Northern Mariana Islands Attorney General