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July 23, 2020

Senator Robert Menendez
528 Hart Senate Office Building
Washington, DC 20510

Congressman Frank Pallone
2107 Rayburn House Office Building
Washington, DC 20515

Senator Cory Booker
717 Hart Senate Office Building
Washington, DC 20510

Congressman Tom Malinowski
426 Cannon House Office Building
Washington, DC 20515

Congressman Donald Norcross
2437 Rayburn House Office Building
Washington, DC 20515

Congressman Albio Sires
2268 Rayburn House Office Building
Washington, DC 20515

Congressman Jeff Van Drew
331 Cannon House Office Building
Washington, DC 20515

Congressman Bill Pascrell
2409 Rayburn House Office Building
Washington, DC 20515

Congressman Andy Kim
1516 Longworth House Office Building
Washington, DC 20515

Congressman Donald Payne
103 Cannon House Office Building
Washington, DC 20515

Congressman Christopher Smith
2373 Rayburn House Office Building
Washington, DC 20515

Congresswoman Mikie Sherrill
1208 Longworth House Office Building
Washington, DC 20515

Congressman Josh Gottheimer
213 Cannon House Office Building
Washington, DC 20515

Congresswoman Bonnie Watson Coleman
2442 Rayburn Office Building,
Washington, DC 20515

RE: Federal Funding and Liability Safe Harbor

Dear New Jersey Congressional Delegation Members,

As the leaders of the Garden State's major business associations, we write again to thank you for your ongoing advocacy for the businesses and residents of New Jersey that require additional resources during this COVID-19 crisis. The federal funding provided to New Jersey thus far has helped the state weather the public health and economic catastrophes. However, we write to renew our request for funding to replace lost revenue in the State Budget and for safe harbor

protections for businesses, higher education institutions, nonprofits, and other entities who reopen and follow all applicable safety standards and guidance.

Federal Assistance is Needed: After passing the three-month supplemental budget, New Jersey continues to face an unprecedented budget shortfall and severe uncertainty regarding the nine-month FY 2021 budget. The business community strongly encourages our state government to tighten its spending, but underfunding the government is not an option either. Without federal assistance, the state will surely turn to excessive tax increases and borrowing. Increasing the tax burden on New Jersey's families and businesses, who are among the most taxed in the nation, would seriously exacerbate the pain already felt in our state. Moreover, it would further strain New Jersey's already troubled business climate. Additionally, irresponsible borrowing would further depress an economic recovery that is already expected to take years.

We urge you to support legislation such as, or similar to, the bipartisan State and Municipal Assistance for Recovery and Transition (SMART) Act, sponsored by our own Sen. Robert Menendez (D-NJ) and Congresswoman Mikie Sherrill (D-NJ). It is also co-sponsored by New Jersey's Sen. Cory Booker (D-NJ) and Congressman Josh Gottheimer (D-NJ). The SMART Act would allocate \$500 billion in federal funding to state and local governments similar to the bipartisan request from the National Governors Association. In New Jersey, the bill could prevent excessive borrowing, lower the state's need to increase taxes on businesses as they lead the Garden State out of the current economic downturn, and avoid cuts to some services on which our businesses rely. To continue all of the great work you have been doing on behalf of New Jersey's taxpayers, we urge you to take action on the SMART Act or similar legislation soon.

Business Safe Harbor/Liability Protection: Another issue that could be a drag on the state's economic recovery is the lack of liability protections for businesses, higher education institutions, and nonprofits from COVID-19 related litigation. Over the last four months, the Garden State's businesses, higher education community and nonprofits have struggled to stay afloat amid an unprecedented government mandated shutdown. Those reopening their doors have committed their remaining resources to restoring wages and meeting applicable federal and state health guidelines. For entities who have done everything required, they simply cannot afford to be caught up in a meritless lawsuit.

We do not seek any reforms that would protect businesses that operate in reckless or intentional disregard of available guidance on reducing the spread of COVID-19. However, the plaintiff's bar should not be allowed to take advantage of this worldwide crisis by exploiting the worst public health emergency of our lifetimes. We believe public health authorities are well-equipped to determine the safety standards for businesses, whereas the judicial system would create a complicated set of rules that businesses, nonprofits, and governmental entities will find difficult to understand and follow. Enacting safe harbor liability protections makes it simple: those who

follow all applicable standards will have liability protections, others will not. We urge you to support federal liability protections so that our businesses will be free to restore our economy.

Thank you for your consideration and continued support of New Jersey residents during this unprecedented health crisis. If you have questions, please contact Chrissy Buteas, NJBIA Chief Government Affairs Officer, at cbuteas@njbja.org or 908-447-3466.

Sincerely,

African American Chamber of Commerce of New Jersey, Inc.
American Camp Association NY/NJ
Association of Independent Colleges and Universities in NJ
New Jersey Camps Government Affairs Project
American Council of Engineering Companies of New Jersey
American Physical Therapy Association of New Jersey
Bernards Township Regional Chamber of Commerce
BioNJ
Burlington County Regional Chamber of Commerce
Bus Association of New Jersey
Cape May County Chamber of Commerce
Capital Region Minority Chamber of Commerce
Chamber of Commerce of Greater Philadelphia
Chamber of Commerce Southern New Jersey
Chemistry Council of NJ
New Jersey Chemistry Council
CLB NJ
Commerce and Industry Association of New Jersey
CrossState Credit Union Association
Downtown New Jersey
Early Childhood Education Advocates
Eastern Monmouth Area Chamber of Commerce
Employers Association of NJ
Fuel Merchants Associates of NJ
Garden State Initiative
Garden State Pharmacy Owners, Inc
Global Business Alliance
Gloucester County Chamber of Commerce
Greater Atlantic City Chamber of Commerce
Greater Toms River Chamber of Commerce
Greater Westfield Area Chamber of Commerce
Health Care Association of NJ

Healthcare Institute of NJ
Hoboken Chamber of Commerce
Home Care & Hospice Association of New Jersey
Home Health Services Association of New Jersey
Hudson County Chamber of Commerce
Hunterdon County Chamber of Commerce
Insurance Council of New Jersey
Jersey Shore Partnership
Mahwah Regional Chamber of Commerce
Marine Trades Association of New Jersey
Medical Society of New Jersey
Middlesex County Regional Chamber of Commerce
Meadowlands Chamber
Monmouth Ocean Development Council
Morris County Chamber of Commerce
NAIOP-NJ
National Federation of Independent Business (NFIB)
Newark Regional Business Partnership
New Jersey Apartment Association
New Jersey Asphalt Pavement Association
New Jersey Association of Osteopathic Physicians and Surgeons
New Jersey Association of Mental Health & Addiction Agencies
New Jersey Bankers Association
New Jersey Builders Association
New Jersey Business & Industry Association
New Jersey Campground Owners and Outdoor Lodging Association
New Jersey Civil Justice Institute
New Jersey Coalition of Automotive Retailers
New Jersey Concrete and Aggregate Association
New Jersey Council of County Colleges
New Jersey Dental Association
New Jersey Food Council
New Jersey Gasoline-Convenience-Automotive Association
New Jersey Hospital Association
New Jersey Hotel and Lodging Industry Association
New Jersey Independent Electrical Contractors Association
New Jersey LGBT Chamber of Commerce
New Jersey Manufacturing Extension Program, Inc.
New Jersey Motor Truck Association
New Jersey Pharmacists Association
New Jersey Podiatric Medical Society

New Jersey Realtors
New Jersey Restaurant & Hospitality Association
New Jersey Retail Merchants Association
New Jersey Salon and Spa Coalition
New Jersey Self Insurers Association
New Jersey Society of Certified Public Accountants
NJ Society of Optometric Physicians (NJSOP)
New Jersey State Chamber of Commerce
New Jersey State Funeral Directors Association
New Jersey State Veterans Chamber of Commerce
New Jersey Tourism Industry Association
New Jersey Utilities Association
New Jersey Warehousemen & Movers Association
New Jersey Utilities Association
New York Shipping Association, Inc.
North Jersey Jewish Business Alliance
Ocean City Chamber of Commerce
Ocean City Regional Chamber of Commerce
Princeton Mercer Regional Chamber of Commerce
Professional Insurance Agents of New Jersey (PIANJ)
Recreational Fishing Alliance
Salem County Chamber of Commerce
Somerset County Business Partnership
Southern NJ Development Council
Southern Ocean County Chamber of Commerce
Statewide Hispanic Chamber of Commerce of NJ
Sussex County Chamber of Commerce
The New Jersey Leadership Council of the National Association of Professional Employer Organizations
The New Jersey YMCA State Alliance
The United Boatmen of N.J.
Union Township Chamber of Commerce
United Way of Northern New Jersey
Washington Borough BiD