

Prepared Statement of Ranking Member Richard Burr
School Reopening During COVID-19: Supporting Students, Educators, and Families

September 30, 2021

Good morning, let's start with some good news.

For the most part, across the country, children are back in public schools.

That's not really news for private schools, which mostly stayed open during the highs and lows of the pandemic.

But public schools have now taken steps to ensure that students and teachers are able to go back to school, and go back safely.

These are based on lessons learned from schools that stayed open even during the pandemic.

For example, a study out of Duke and UNC looking at North Carolina school districts showed that in-person learning can continue with minimal transmission of COVID by being thoughtful, having a plan, and taking common sense steps to make students and teachers safe.

More good news: Thanks to Operation Warp Speed and the development of vaccines, most teachers are vaccinated, though that number needs to get higher. And now that boosters are available for workers in high-risk settings who got the Pfizer vaccine, I hope teachers will get boosters too.

Hopefully individuals who received the Moderna and Johnson and Johnson vaccines will have information on boosters soon.

Even more good news: We now also have vaccines for children 12 and up.

Also Pfizer reports that they have good data on a lower dose of their vaccine for children ages 5 to 11, and have submitted their new data to the FDA.

It is my hope that we will have a vaccine for children under 12 very soon.

And the good news continues with therapeutics: We have at least 6 effective treatments for those who get COVID.

And more treatments are on the way, unless of course this Congress were to pass legislation that imposes price controls that kill the incentive to innovate and explore science so more treatments and cures can be developed.

I've said from the very beginning of this pandemic that vaccines and therapeutics were going to be the way out. We've seen the power of these vaccines and treatments and we all have a responsibility to do what we can to turn the tide on this pandemic.

I continue to encourage every American who is eligible for a vaccine or a booster shot to get one without delay.

While all of that is good news, this Administration needs to do a better job getting therapeutics approved and working with industry to increase supply of therapeutics that work.

Now for the bad news.

We're here today to hear from the Biden Administration Secretaries of Health and Human Services and Education about their efforts.

Gentlemen, welcome back to our hearing room.

The President has said that opening schools is a national priority. I agree.

As his cabinet members for health and education, the responsibility falls squarely in your hands to develop the federal response and help state and local leaders have the tools they need to keep schools open and students and teachers safe.

But I'm very displeased that your staff have failed to live up to the commitments you both made to me, privately and publicly, to be responsive to my oversight requests.

On August 25, I sent you both a letter asking a series of questions I received from students, parents, teachers, school administrators, and public health officials from my state and across the country, as well as many of my colleagues on both sides of the aisle.

I received a thoroughly inadequate response yesterday, less than 24 hours before this hearing.

Gentlemen, congressional oversight is not an option.

These questions were simple, no tricks.

In fact, this letter was aimed at helping you inform this committee about what was happening around the country as schools were already in the process of welcoming students back in to the classroom when I wrote the letter.

In many places in the country we are almost two months in to the school year. So this isn't a back *to* school hearing, it's a back *in* school hearing.

And our shared goal is: how do we help school districts stay open, which is why I sent my letter in August.

I asked about the \$97.8 billion in testing money that was made available to HHS, to learn how it was being administered, how schools were able to access this massive amount of money, whether Head Start would have access to that money, and how you were accounting for the testing needs of private schools in your plan.

Of course, if the schools are *still* asking about testing, it seems you have failed to communicate to them how to access these dollars.

I asked about the supply chain of tests and your testing strategy because if people still cannot access rapid tests when stores are out of stock and people go back to waiting days for testing results, you have squandered the gains we made in scaling up capacity last year.

I also asked about the \$190 billion in funding for our schools and why 92 percent of that money still remained unspent. You can't have it both ways. Either the money was urgently needed and should be spent quickly, or schools don't need

the money and it should be reallocated to other priorities. This isn't a slush funds for unrelated priorities or future needs.

I also asked for a snapshot of basic data about infections, breakthrough cases, hospitalizations, and fatalities so we could have a clear picture of what is happening on the ground.

You should have easy access to that data. There's no reason not to respond in a timely manner to share that with me.

I asked about the availability of therapeutics for children, to help ensure that children who get COVID-19 have access to life-saving treatments and that parents and health professionals know about them.

I also asked about the scientific evidence behind masks because the more you can share sound science and data the more you can use that to persuade people that the science exists. When you resort to pounding the table, you're losing the argument.

Which brings me to the inappropriate use of our civil rights laws by the Administration, which further politicizes the issue and ignores the importance of state and local policy decision-making.

I believe that your civil rights investigation into states that have banned mask mandates is counterproductive. The theory behind it is unwise, and the potential for abuse of our bipartisan civil rights laws causes grave harm to all of us.

If you want to use your bully pulpit and encourage masks, or if you want to use your bully pulpit to criticize and condemn those that have banned mask mandates, that's a perk of your job.

Developing preposterous legal theories and abusing the powers you do have to try to bully your political opponents into submission is a step too far.

I turned to you for your agencies' help in developing clear and consistent answers to questions from my constituents, people from around the country, and my colleagues.

Waiting over a month for a reply is not acceptable.

This is the first time either of you have appeared before our committee since you were confirmed. If you aren't going to respond to oversight letters in a timely manner, we certainly can't wait six months for you to appear before this Committee again to answer critical questions from Americans.

Maybe we should just ask you to appear before us once a month until the pandemic is over to make sure we are getting responses to these and other vital questions.

The reason I raise the importance of our oversight work is that it helps to inform where we go from here.

As we transition in to the fall and winter, students and teachers will be spending more time indoors, we will likely see more cases of COVID, flu, and

other respiratory illnesses, and we will need to determine how to manage a potential surge in demand for testing and treatments that will come with the holiday season.

We need a clear, straightforward strategy of what must happen in the next 60 and 90 days and beyond so that Americans don't have to spend another holiday season apart from their friends and families.

Last week, some of my colleagues and I wrote to Jeffrey Zients to ask about the Administration's strategy and I hope to get a more timely response from him than I have from the two of you.

Finally, I need to take a few moments and confront the skunk at the picnic.

The reckless tax and spend agenda of a partisan majority is threatening to tear apart this Congress and the country.

You have the barest of majorities. Just three seats in the House. Only with the Vice President breaking a tie in the Senate do Democrats get the role of chairman and Republicans the role of ranking member.

This is not the moment for grand and sweeping legislation to reshape every aspect of the American family on your own.

It is unconscionable to take issues in this Committee's jurisdiction, propose to spend \$723 billion on those priorities without a hearing, without a markup where we can offer amendments, or without consulting anyone outside of those

writing this terrible piece of legislation about the real world effect of these proposals on faith-based providers, on small mom and pop child care providers, and on the cost of college and state oversight of community colleges.

If you succeed in ramming through partisan legislation like this, Republicans and Democrats may no longer ever be able to agree on higher education, or child care, or national service, or even public health.

Bipartisanship means getting some, not all, of your wish list.

Bipartisanship means having to accept that the other side may have a good idea.

We reach uneasy compromises here, we work ideas out, so that more, not less, of the elected members of Congress, the representatives of the American people, can get to yes.

It is sometimes slow, and frequently messy, but it brings about unity and lasting change that is supported by the American people.

If that's not the goal, I don't know why any of us are here.

I yield back.