

May 27, 2020

TO THE MEMBERS OF THE UNITED STATES CONGRESS:

The undersigned organizations urge you to quickly enact temporary and targeted liability relief legislation related to the COVID-19 pandemic. These crucial protections should safeguard businesses, non-profit organizations, and educational institutions, as well as healthcare providers and facilities from unfair lawsuits so that they can continue to contribute to a safe and effective recovery from this pandemic.

Right now, countless healthcare workers and facilities, as well as businesses and non-profit organizations of all types and sizes, are working around the clock to get our nation through this pandemic. From front-line medical professionals treating the afflicted and pharmaceutical companies racing to develop treatments and cures, to distillers producing alcohol-based hand sanitizers and manufacturers transforming their operations to construct vital personal protective equipment (PPE) and ventilators, to those providing a stable food supply, American businesses have rallied to help our country endure and emerge from this crisis. Many businesses also have had to shut their doors and absorb enormous losses for the sake of public health and are now looking for a path to reopen.

However, as those workers and businesses keep our communities safe and provide for the American people, our members and constituencies are concerned that, despite doing their best to follow applicable guidelines, they will be forced to defend against an onslaught of frivolous lawsuits. The prospect of such litigation and associated exorbitant legal costs are a deterrent to reopening. Further, this litigation could devastate those entities that are just beginning to reopen their doors or have kept them open throughout the crisis. Indeed, past surveys have shown that many small businesses are one lawsuit away from closing for good.

Absent a targeted safe harbor for those that work to follow applicable guidelines, the fear and uncertainty from boundless liability threatens to impede our country's social and economic recovery. In the wake of prior crises, Congress came together to pass timely and targeted liability protections with strong bipartisan support because lawmakers understood the acute economic threat of lawsuits at moments of maximum economic vulnerability. And while Congress has acted to provide some limited COVID-19-related liability protections for volunteer healthcare providers and some manufacturers of PPE in the CARES Act, much more must be done.

We ask that you quickly enact temporary liability protections for: (1) businesses, non-profit organizations, and educational institutions that work to follow applicable public health guidelines against COVID-19 exposure claims; (2) healthcare workers and facilities providing critical COVID-19-related care and services; (3) manufacturers, donors, distributors, and users of vaccines, therapeutics, medical devices, as well as PPE and other supplies (such as hand sanitizer and cleaning supplies) that are critical to the COVID-19 response; and (4) public companies targeted by unfair and opportunistic COVID-19-related securities lawsuits. In addition to being temporary, we believe that these liability protections should be limited in scope and preserve recourse for those harmed by truly bad actors who engage in egregious misconduct.

The need for liability protections and relief is clear. Several governors and state legislatures have already implemented COVID-19-related liability protections for key sectors in their states, but a uniform national response is necessary. Now is the time for Congress to take strong action to stop a growing wave of lawsuits from getting in the way of what we all want and need: healthy citizens and a strong economy.

Sincerely,

U.S. Chamber of Commerce  
U.S. Chamber Institute for Legal Reform  
ABC Central California Chapter  
ABC Southern California Chapter  
Aeronautical Repair Station Association  
Aerospace Industries Association  
Airlines for America  
Airports Council International – North America  
Alabama Restaurant & Hospitality Association  
Alaska Hotel & Lodging Association  
Alliance for Automotive Innovation  
America’s Health Insurance Plans  
American Academy of Family Physicians  
American Association of Post-Acute Care Nursing  
American Bankers Association  
American Beverage Licensees (ABL)  
American Business Conference  
American Car Rental Association  
American Chemistry Council  
American Council for Capital Formation (ACCF)  
American Council of Engineering Companies  
American Council of Life Insurers  
American Dental Association  
American Farm Bureau Federation  
American Forest and Paper Association  
American Foundry Society  
American Gaming Association  
American Gas Association  
American Health Care Association (AHCA) & National Center for Assisted Living (NCAL)  
American Hotel & Lodging Association  
American Institute of Certified Public Accountants  
American International Automobile Dealers Association  
American Medical Association  
American Mold Builders Association  
American Property Casualty Insurance Association  
American Rental Association  
American Resort Development Association (ARDA)  
American Society of Travel Advisors (ASTA)

American Staffing Association  
American Supply Association (ASA)  
American Tort Reform Association  
American Trucking Associations  
American Veterinary Medical Association  
AMT – The Association For Manufacturing Technology  
Argentum  
Arizona Lodging & Tourism Association  
Arkansas Hospitality Association  
Asian American Hotel Owners Association (AAHOA)  
Associated Builders & Contractors – South Texas Chapter  
Associated Builders & Contractors Greater Tennessee  
Associated Builders and Contractors  
Associated Builders and Contractors New Mexico  
Associated Builders and Contractors of San Diego  
Associated Builders and Contractors of Western PA  
Associated Builders and Contractors of Wisconsin  
Associated Equipment Distributors  
Associated General Contractors of America  
Association for Accessible Medicines (AAM)  
Association of American Publishers  
Association of the Wall and Ceiling Industry  
Auto Care Association  
Automotive Recyclers Association (ARA)  
Bank Policy Institute  
Biocom – Life Science Association of California  
Biotechnology Innovation Organization  
Blue Cross Blue Shield Association  
Business Roundtable  
California Hotel & Lodging Association  
CCIM Institute  
Chamber of Shipping of America  
Colorado Hotel & Lodging Association  
Commercial Vehicle Solutions Network (CVSN)  
Community Associations Institute  
Connecticut Lodging Association  
Construction Industry Round Table (CIRT)  
Consumer Bankers Association  
Consumer Technology Association  
Convenience Distribution Association (CDA)  
Council of Insurance Agents and Brokers  
Credit Union National Association  
CTIA – The Wireless Association  
Delaware Hotel & Lodging Association  
Direct Selling Association  
Distilled Spirits Council of the United States

Edison Electric Institute  
Energy Equipment and Infrastructure Alliance  
Equipment Leasing and Finance Association (ELFA)  
Equipment Marketing & Distribution Association (EMDA)  
Federation of American Hospitals  
Financial Executives International  
Florida Restaurant & Lodging Association  
FMI – The Food Industry Association  
Forum for Community Leaders  
Gases and Welding Distributors Association  
Georgia Hotel & Lodging Association  
Global Business Travel Association  
Global Cold Chain Alliance  
GPA Midstream Association  
Graphic Media Alliance  
HealthCare Institute of New Jersey (HINJ)  
Healthcare Leadership Council  
Hospitality Maine  
Hospitality Minnesota  
Hotel Association of New York City  
Hotel Association of Washington DC  
Illinois Hotel & Lodging Association  
Independent Bakers Association  
Independent Electrical Contractors  
Independent Insurance Agents & Brokers of America  
Independent Office Products & Furniture Dealers Alliance  
Independent Petroleum Association of America  
Indiana Restaurant & Lodging Association  
Information Technology Industry Council (ITI)  
Institute of Real Estate Management  
International Association of Amusement Parks and Attractions  
International Association of Plastics Distribution (IAPD)  
International Council of Shopping Centers  
International Foodservice Distributors Association  
International Franchise Association  
International Sign Association  
International Warehouse Logistics Association  
International Wood Products Association  
ISSA › The Worldwide Cleaning Industry Association  
Job Creators Network  
Lawyers for Civil Justice  
LeadingAge  
Leading Builders of America  
Manufactured Housing Institute  
Manufacturer & Business Association  
Maryland Hotel & Lodging Association

Massachusetts Lodging Association  
Medical Device Manufacturers Association (MDMA)  
Metals Service Center Institute  
Michigan Restaurant & Lodging Association  
Montana Lodging & Hospitality Association  
Motion Picture Association  
Motor & Equipment Manufacturers Association  
National Air Carrier Association  
National Apartment Association  
National Association of Broadcasters  
National Association of Chain Drug Stores  
National Association of Chemical Distributors (NACD)  
National Association of Electrical Distributors (NAED)  
National Association of Fastener Distributors  
National Association of Mutual Insurance Companies (NAMIC)  
National Association of Professional Employer Organizations  
National Association of Professional Insurance Agents  
National Association of REALTORS®  
National Association of Security Companies (NASCO)  
National Association of Theatre Owners  
National Association of Wholesaler-Distributors  
National Automobile Dealers Association  
National Business Aviation Association  
National Community Pharmacists Association (NCPA)  
National Cotton Council  
National Council of Chain Restaurants  
National Demolition Association  
National Electrical Contractors Association (NECA)  
National Grocers Association  
National Limousine Association  
National Lumber & Building Material Dealers Association  
National Marine Distributors Association  
National Mining Association  
National Multifamily Housing Council  
National Ocean Industries Association  
National Office Products Alliance  
National Propane Gas Association  
National Ready Mixed Concrete Association  
National Restaurant Association  
National Retail Federation  
National Roofing Contractors Association  
National RV Dealers Association  
National Shooting Sports Foundation (NSSF)  
National Small Business Association  
National Tooling and Machining Association  
National Waste & Recycling Association

NCTA – The Internet & Television Association  
Nebraska Grocery Industry Association  
Nebraska Hotel & Lodging Association  
Nevada Hotel & Lodging Association  
Nevada Resort Association  
New Jersey Hotel & Lodging Association  
New York State Hospitality & Tourism Association  
NFIB  
North American Association of Food Equipment Manufacturers (NAFEM)  
North American Die Casting Association  
North American Meat Institute  
North Carolina Restaurant and Lodging Association  
Office Furniture Dealers Alliance  
Ohio Hotel & Lodging Association  
Oklahoma Hotel & Lodging Association  
Oregon Restaurant & Lodging Association  
Outdoor Power Equipment and Engine Service Association  
Pacific-West Fastener Association  
Paperboard Packaging Council  
Pennsylvania Coalition for Civil Justice Reform  
Pennsylvania Restaurant & Lodging Association  
Pet Industry Distributors Association (PIDA)  
Petroleum Equipment & Services Association (PESA)  
Petroleum Equipment Institute (PEI)  
Pharmaceutical Research and Manufacturers of America  
Plastics Industry Association (PLASTICS)  
Plumbing-Heating-Cooling Contractors – National Association  
Portland Cement Association  
Precision Machined Products Association  
Precision Metalforming Association  
PRINTING United Alliance  
Professional Background Screening Association (PBSA)  
Professional Beauty Association (PBA)  
Reinsurance Association of America (RAA)  
Retail Industry Leaders Association  
Rhode Island Hospitality Association  
S Corporation Association  
Secondary Materials and Recycled Textiles Association (SMART)  
Securities Industry and Financial Markets Association (SIFMA)  
Security Hardware Distributors Association  
Small Business & Entrepreneurship Council  
Society for Human Resource Management  
Society of Collision Repair Specialists (SCRS)  
Society of Industrial and Office REALTORS®  
South Carolina Restaurant & Lodging Association  
Specialty Equipment Market Association (SEMA)

St. Louis Area Hotel Association  
Tag & Label Manufacturers Institute (TLMI)  
TechNet  
Tennessee Hospitality & Tourism Association  
Texas Civil Justice League  
Texas Hotel & Lodging Association  
The Advanced Medical Technology Association (AdvaMed)  
The American Waterways Operators  
The Association for Hose and Accessories Distribution  
The Hardwood Federation  
The Real Estate Roundtable  
The Transportation Alliance  
The Travel Technology Association  
Truck Renting and Leasing Association  
U.S. Travel Association  
USTelecom Association  
Utah Tourism Industry Association  
Vermont Chamber of Commerce  
Virginia Restaurant, Lodging, and Travel Association  
Washington Hospitality Association  
Washington Liability Reform Coalition  
West Virginia Hospitality & Travel Association  
Western Equipment Dealers Association  
Wholesale Florist and Florist Supplier Association  
Wholesale & Specialty Insurance Association (WSIA)  
Wine Institute  
Wisconsin Hotel & Lodging Association  
Women's Business Enterprise National Council (WBENC)  
Wyoming Lodging & Restaurant Association