

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
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 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 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 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
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
Colorado Hotel & Lodging Association
Commercial Vehicle Solutions Network (CVSN)
Connecticut Lodging Association
Construction Industry Round Table (CIRT)
Consumer Bankers Association
Consumer Technology Association
Convenience Distribution Association (CDA)
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 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
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
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 Insurance Agents
National Association of REALTORS®
National Association of Security Companies (NASCO)
National Association of Theatre Owners
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
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
Precision Machined Products Association
Precision Metalforming Association
PRINTING United Alliance
Professional Beauty Association (PBA)
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
West Virginia Hospitality & Travel Association
Western Equipment Dealers Association
Wholesale Florist and Florist Supplier Association
Wine Institute
Wisconsin Hotel & Lodging Association
Women's Business Enterprise National Council (WBENC)
Wyoming Lodging & Restaurant Association