



May 5, 2020

The Honorable Nancy Pelosi
Speaker of the House
United States House of Representatives
204 Capitol Building
Washington, D.C. 20510

The Honorable Mitch McConnell
Majority Leader
United States Senate
S-230 Capitol Building
Washington, D.C. 20510

The Honorable Charles E. Schumer
Minority Leader
United States Senate
S-221 Capitol Building
Washington, D.C. 20510

The Honorable Kevin McCarthy
Minority Leader
United States House of Representatives
H-204 Capitol Building
Washington, D.C. 20510

Re: COVID-19 Business Liability Waiver

Dear Speaker Pelosi and Leaders McConnell, Schumer and McCarthy:

I respectfully write your offices on behalf of the Association for a Better Long Island (“ABLI”), a leading economic development organization serving a region of 2.7 million people, to express our support of federal legislation establishing a COVID-19 business liability waiver that will be crucial to restarting the nation’s economy.

We applaud and fully support your shared efforts to pass the CARES Act and additional spending bills to protect American lives as well as American businesses. However, we believe the business “liability shield” may ultimately be a key determining factor in how, or even whether, America’s economy begins to rebuild in the next weeks and months. Until there is a vaccine, experts have stated that we will continue to live in a pandemic vulnerable world. As a result, individuals may continue to contract the virus, either from friends, family, colleagues or passing strangers. Stores and companies that reopen, many who have no other choice in order avoid bankruptcy or to prevent closing altogether, could unintentionally allow the spread of the virus.

Regardless of how stringent a business follows CDC disinfectant protocols, tests its employees and monitors those who enter and exit its premises, it will be impossible to completely eliminate the threat of infection. Therefore, unless Congress acts, business owners will be liable from employee, visitor and/or customer lawsuits should they contract the virus. Furthermore, a cottage industry of “COVID-19 employee lawsuits” could emerge, severely exposing business owners who are trying recover and retain their employees. This threat will make businesses, large and small, think twice about reopening and/or whether it is even worthwhile to continue operations. As a result, we

anticipate hundreds of businesses and tens of thousands of jobs could be lost on Long Island and countless others across the nation. This disturbing but likely scenario makes it critical to address this issue now if our nation is to successfully restart our economy.

Long Island is located within the epicenter of the COVID-19 pandemic, with approximately 70,000 positive cases and over 3,000 fatalities. Our economy is closely tied to the neighboring New York City economy and, since the middle of March, it has been effectively shut down. Currently, New York State is in the process of developing a phased plan to restart our economy, consulting with health officials, business experts and elected officials and targeting a date in early June. We are not unique in reflecting the experience of other communities and regions, mourning our lost ones while seeking a roadmap to recovery. Without legislation establishing a COVID-19 business liability waiver to protect and encourage businesses to restart our country's economy we fear the current economic wasteland that threatens America will last for a generation.

ABLI writes in full support and encourages Congress to pass legislation establishing a COVID-19 business liability waiver to protect and encourage businesses as we begin to restart the country's economy.

Sincerely,

A handwritten signature in black ink, appearing to read 'Kyle Strober', with a long horizontal line extending to the right.

Kyle Strober, Executive Director
Association for a Better Long Island

cc: U.S. Senator Kirsten Gillibrand
U.S. House of Representatives Long Island Delegation