

August 5, 2020

The Honorable Lindsey Graham  
Chairman  
Senate Committee on the Judiciary  
290 Russell Senate Office Building  
Washington, DC 20510

The Honorable Diane Feinstein  
Ranking Member  
Senate Committee on the Judiciary  
331 Hart Senate Office Building  
Washington, DC 20510

The Honorable Mitch McConnell  
Majority Leader  
317 Russell Senate Office Building  
Washington, DC 20510

The Honorable Charles Schumer  
Minority Leader  
322 Hart Senate Office Building  
Washington, DC 20510

Re: State Attorneys General on SAFE TO WORK Act Liability Protections

Dear Chairman Graham and Ranking Member Feinstein,

The undersigned Attorneys General, representing 22 states, are encouraged to see the introduction of S. 4317, the SAFE TO WORK Act, by U.S. Senator John Cornyn of Texas, and we urge you to adopt the COVID-19 civil liability protections included in this important legislation. As we wrote in our previous letter dated May 11, 2020, we believe this framework for federal pandemic liability protections will benefit all of our states and citizens as we continue working to slow the spread of COVID-19 and minimize the detrimental impact it has had on our state economies.

Attorneys General have a responsibility to protect the interests of the residents of our states. Notably, it is the role of the Attorney General to help maintain a stable legal and regulatory environment. We have seen the tragedies and widespread loss of life that the COVID-19 pandemic has caused in our states. We have also observed firsthand the livelihoods that have been lost due to joblessness, business closures, and the abandonment of traditional activities in daily lives and places of work.

As the economies in our states have started reopening, and as we continue to work to protect public health, safety, and the economic security of our residents, the need for a stable, predictable legal environment has never been greater. In order to avoid even greater damage to our economy and people's livelihoods, it is important that we are able to continue the operation of our free enterprise system, safely and appropriately, and to protect schools, colleges, and nonprofit organizations.

Unfortunately, the COVID-19 pandemic has the potential to create a surge in frivolous civil litigation targeting well-intentioned businesses, educational institutions and non-profit organizations that have implemented and utilized applicable pandemic mitigation measures. In fact, lawsuits are already being filed. We know that in order for our economy to fully recover, customers and employees have to have the confidence to return to the marketplace, students need to be able to safely return to school, and at the same time, entities of all types that follow applicable guidelines need to be protected from devastating civil liability litigation concerning baseless COVID-related claims. Therefore, we are encouraged by this common-sense framework to provide federal liability protections for much-needed goods and services while still ensuring victims are able to seek legal redress and compensation where appropriate.

As you are probably aware, states across the country have taken steps to address the need for timely, targeted and temporary civil liability protections in light of the pandemic, but the need for a uniform national baseline of liability protection still exists. As such, we are very encouraged by the introduction and consideration of this important framework for federal pandemic liability protections while still preserving states' autonomy to tailor protections based on each one's unique circumstances.

If adopted, these important protections will lead to meaningful results for our states, and we look forward to supporting the implementation of this type of legislation in any way we can.

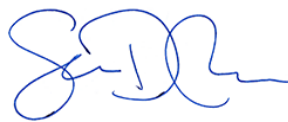
Sincerely,



Christopher M. Carr  
Georgia Attorney General



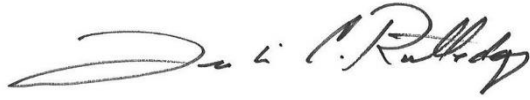
Steve Marshall  
Alabama Attorney General



Sean D. Reyes  
Utah Attorney General



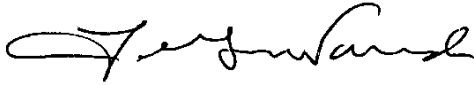
Kevin G. Clarkson  
Alaska Attorney General



Leslie Rutledge  
Arkansas Attorney General



Ashley Moody  
Florida Attorney General



Lawrence G. Wasden  
Idaho Attorney General



Curtis T. Hill, Jr.  
Indiana Attorney General



Derek Schmidt  
Kansas Attorney General



Daniel Cameron  
Kentucky Attorney General



Jeff Landry  
Louisiana Attorney General



Lynn Fitch  
Mississippi Attorney General



Eric S. Schmitt  
Missouri Attorney General



Douglas J. Peterson  
Nebraska Attorney General



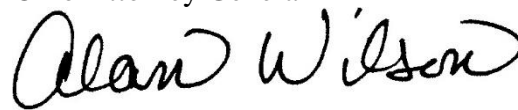
Wayne Stenehjem  
North Dakota Attorney General



Dave Yost  
Ohio Attorney General



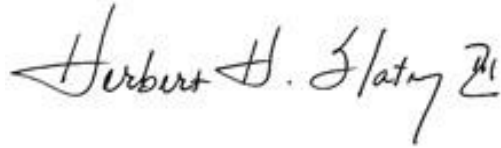
Mike Hunter  
Oklahoma Attorney General



Alan Wilson  
South Carolina Attorney General



Jason R. Ravensborg  
South Dakota Attorney General



Herbert H. Slatery III  
Tennessee Attorney General



Ken Paxton  
Texas Attorney General



Patrick Morrissey  
West Virginia Attorney General