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WRITTEN STATEMENT

OF

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ON

“EXAMINING LIABILITY DURING THE COVID-19 PANDEMIC”

BEFORE THE
U.S. SENATE COMMITTEE ON THE JUDICIARY
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Chairman Graham, Ranking Member Feinstein, members of the Committee, good afternoon.

My name is Helen Hill, CEO of the Charleston Area Convention & Visitors Bureau in Charleston, South Carolina. Thank you for inviting me today to represent 850 tourism businesses, 40,000 hospitality employees and nine municipal governments in South Carolina. I hope to share with you a current, broad perspective on tourism in the United States. I have a great concern for the future of the tourism industry, and I am here to ask for your help.

The U.S. travel industry is made up of many job-creating segments, including hotels, airports, state and local tourism offices, car rental companies, theme parks and attractions and many others. The COVID-19 pandemic is a crisis unlike anything our industry has ever faced, bringing global travel to a halt, canceling meetings and events and imperiling millions of Americans' livelihoods.

In 2019, \$1.1 trillion in traveler spending in the U.S. generated a total economic impact of \$2.6 trillion and supported a total of 15.8 million American jobs.¹ So far this year, declines in travel have cost our economy eight million jobs, and we are on track to lose half a trillion dollars in travel spending by the end of this year. This is a total economic impact nine times greater than the aftermath of the September 11 attacks.² In Charleston alone, our tourism economy has declined 70%.

Recently, many of us have missed traveling. We've missed weddings, anniversary trips, birthday parties, our children's spring breaks, and this month we'll miss high school and college

¹ https://www.ustravel.org/system/files/media_root/document/Research_Fact-Sheet_US-Travel-Answer-Sheet.pdf

² https://www.ustravel.org/sites/default/files/media_root/document/Coronavirus2020_Impacts_April15.pdf

graduations. Travel in our great country is the hallmark of our freedom. People travel and take vacations to recharge, to enjoy time with loved ones and to learn about and experience different cultures. Travel opens our eyes to the wonderful beauty of our country and provides us with a sense of community.

As elected leaders, you get a front row seat to see what makes America so special. Senator Graham, it always gives me such joy when you bring a guest to Charleston and my team has the opportunity to show off the very best that South Carolina has to offer. Senator Feinstein, I know you must feel the same way when you share your beautiful hometown of San Francisco. And each of you on the committee has a favorite hotel, a treasured restaurant, an important attraction or an historic site that makes your state special. We don't want to lose the businesses that give America its unique character.

This economic crisis was not caused by businesses or their employees behaving irresponsibly. Travel business of all sizes closed or emptied in the interest of public health, with small travel businesses bearing the brunt of the economic losses. These are the small businesses that we all know and love, the backbone of our communities: the mom and pop restaurants, the quaint hotels, the independent walking tour guides and the historic attractions. These small businesses build character and make destinations unique. When the time is right, these are the businesses that will be so critical to America's economic recovery.

However, it isn't just small travel businesses that have been devastated by this pandemic. The whole of the travel industry has been rocked to its core—businesses small, medium and large.

And no matter the size of a travel business, the health and safety of all guests and employees is paramount. Businesses closed or emptied in the interest of public health, but they are now working to ensure they can reopen in a way that protects the health of their employees and customers.

The U.S. Travel Association, of which I'm a board member, convened a task force of travel industry leaders and health experts to create a core set of health and safety guidance that the industry can adapt to reopen responsibly.³ We understand that without guidance to promote the health and safety of travelers, there can be no travel, no reopening of businesses and no revival of our economy. To be clear, we are not encouraging Americans to travel until public health experts say it is okay to do so. This guidance is intended to prepare our industry for the day when travel can resume.

This comprehensive guidance aligns with CDC guidelines for reopening America.⁴ The guidance is focused on six main areas:

1. Limiting crowding in public spaces;
2. Providing touchless solutions for identification and payments;
3. Sanitation;
4. Encouraging health screening;
5. Modifying food and beverage preparation and;
6. Developing procedures for if an employee tests positive for COVID-19.

Right now, this is the most important service that travel businesses can provide their communities: to reopen responsibly, put Americans back to work and spur economic activity. If

³ https://www.ustravel.org/sites/default/files/media_root/document/HealthandSafetyGuidance.pdf

⁴ <https://www.whitehouse.gov/wp-content/uploads/2020/04/Guidelines-for-Opening-Up-America-Again.pdf>

these businesses take the necessary steps to protect the health of customers and employees, there must be protections in place to allow them to reopen with confidence.

To that end, we are seeking liability protections for businesses that are limited, temporary and put in place immediately; a coalition of several dozen travel industry associations sent a letter to congressional leadership this week urging action on this issue.⁵ Protections should be limited to American businesses that are reopening in accordance with health and safety guidance and acting in good faith. These measures should be temporary to protect responsible businesses from frivolous lawsuits during this pandemic and through a period of the economic recovery. And importantly, these measures must be put in place immediately. It is crucial that these protections are implemented as soon as possible so businesses can reopen, and we can get our economy moving again. If businesses do not have confidence in their ability to reopen, America's recovery efforts will be further delayed, causing even more severe economic harm.

Through every crisis the travel industry has faced, the health and safety of customers and employees alike have always been our top priority. This crisis is no different. The U.S. travel industry understands that reopening our industry is dependent on businesses taking the necessary steps to promote the health and safety of customers and employees. We simply ask for measures to protect businesses making a good faith effort to reopen responsibly.

As our nation prepares to emerge from this public health crisis, I'd like to once again thank the committee for convening this important hearing. We look forward to working with you to establish protections to allow travel industry businesses to reopen with confidence, help power our economic recovery, and bring back the joy of travel in the United States of America.

⁵ https://www.ustravel.org/sites/default/files/media_root/document/5.11_Association_Liability_Letter.pdf