

# Congress of the United States

Washington, DC 20515

September 9, 2005

The Honorable J. Dennis Hastert  
Speaker of the U.S. House of Representatives  
H232 Capitol  
Washington, D.C. 20515

Dear Mr. Speaker:

Thank you for your swift response to bring aid to the victims of Hurricane Katrina and provide the resources necessary to begin clean up and recovery efforts. Throughout our nation's history, in times of extreme crisis, Americans have joined together to help those in need. Our shared spirit of collaboration and teamwork was especially evident in the weeks and months after 9/11. Now, as America struggles to recover from the destruction of Hurricane Katrina and care for its thousands of victims, our nation must come together to repair, rebuild, and restore the communities devastated by this terrible storm.

As Congress considers legislation to bring aid to the victims of the Hurricane Katrina, we strongly urge the inclusion of language to grant construction entities limited immunity from liability when they provide services or equipment on a volunteer basis in response to a declared emergency or disaster. This immunity would not be provided for gross negligence or willful misconduct and would only cover the limited time that construction contractors are extremely vulnerable—before government contracts are awarded. The fear of lawsuits should not make construction contractors hesitate, or decide not to assist our nation, when we desperately need their help.

In addition to emergency personnel from the local, state, and federal levels, the construction industry is vital in times of disasters and emergencies. For example, construction companies volunteered their expertise and equipment to assist in the search, recovery, and cleanup from the 9/11 terrorist attacks. They want to be able to contribute in the same way in the aftermath of Hurricane Katrina. Unfortunately, despite their selfless service to our nation, after 9/11 some construction companies were faced with lawsuits for the volunteer work they completed in the immediate aftermath of the terrorist attacks because government contracts had not yet been issued.

In these critical days, we must not delay the assistance contractors can offer as they wait for government contracts to be signed. When construction expertise is needed, there should not be anything to make the construction industry hesitant in volunteering to help and possibly save lives. We look forward to working with you to ensure contractors are available to help with the immediate relief and recovery efforts following Hurricane Katrina. Thank you in advance for your consideration.

Sincerely,



GARY G. MILLER  
Member of Congress



RICK RENZI  
Member of Congress



MARK KENNEDY  
Member of Congress



GINNY BROWN-WAITE  
Member of Congress



WALTER B. JONES  
Member of Congress



WALLY HERGER  
Member of Congress



MARILYN N. MUSGRAVE  
Member of Congress



MICHAEL T. McCAUL  
Member of Congress



BARBARA CUBIN  
Member of Congress



THELMA DRAKE  
Member of Congress