



December 7, 2020

The Honorable Nancy Pelosi
Speaker of the House
U.S. House of Representatives
Room H-305, The Capitol
Washington, D.C. 20515

The Honorable Kevin McCarthy
Minority Leader
U.S. House of Representatives
Room H-204, The Capitol
Washington, D.C. 20515

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

The Honorable Chuck Schumer
Minority Leader
United States Senate
Room S-221, The Capitol
Washington, D.C. 20510

Re: COVID-19 Limited Liability Protections

Dear Speaker Pelosi, Minority Leader McCarthy, Majority Leader McConnell, and Minority Leader Schumer:

As discussed in more detail in the attached letter dated July 29, 2020, we urge Congress to enact S. 4317, the “SAFE TO WORK Act,” on its own or as part of the next COVID-19 relief package. The Act would create a timely and temporary safe harbor from COVID-19 exposure liability for colleges and universities engaging in hundreds of careful and reasoned COVID-19-related decisions and actions in compliance with local, state, and federal public health standards.

The Act will help ensure that colleges and universities can devote their resources to safety and preventing the spread of the virus, as well as supporting many other student, faculty, and staff needs, rather than being forced to hold substantial funds in reserve for anticipated litigation expenses.

The Act’s goal is to incentivize entities to follow government guidelines because doing so will protect them from civil liability, not to deny relief to those harmed by bad actors that flout or ignore government guidelines. We believe the Act is appropriately calibrated to limit the prospect of frivolous or meritless litigation related to COVID-19, while ensuring that courthouse doors remain open to individuals with legitimate claims.

Legislative protections that provide clarity and confidence for colleges and universities need to be put in place before the full force of the litigation wave hits, not afterwards.

Thank you for your attention to this important matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Terry W. Hartle". The signature is written in a cursive, flowing style.

Terry W. Hartle
Senior Vice President
Government Relations and Public Affairs