

June 24, 2020

The Honorable Lamar Alexander
United States Senate
455 Dirksen Senate Office Building
Washington, DC 20510

Dear Senator Alexander,

As our community and our country continue to address the health and economic ramifications of COVID-19, Vanderbilt University is leaning in by simultaneously conducting ground-breaking research on potential treatments and vaccines and determining how we will bring our students, researchers, and staff back to campus in a safe and responsible way to continue our mission of education, research, and service. We are extremely grateful for the support shown to universities so far, primarily through the CARES Act. However, and put quite simply, the aid provided to date is not sufficient.

Universities such as Vanderbilt need additional federal support as we work through the myriad ramifications of the pandemic. The federal government has the sole ability to provide assistance to students and families, researchers, and institutions of higher education that will not only allow colleges and universities to meet the needs of our students, faculty, and staff, but to continue as engines of local and regional economies. The costs Vanderbilt has incurred due to COVID-19 are real and substantial. We estimate those costs to total at least \$30 million through the end of June. Hard decisions have already been made to reduce spending, suspend capital projects, and manage expenses—all while maintaining our commitment to make a Vanderbilt education financially accessible to our students. As we work to bring students back to campus, we anticipate we will incur up to \$22 million in unanticipated costs, including testing and tracing; securing supplies such as gloves, masks, and plexiglass; additional IT resources; hotel rooms as we de-densify our residence halls; and foregone revenue as students move off campus.

Vanderbilt is not alone in facing the impacts of the coronavirus. Our country's leading research universities are collectively leaning in during these uncertain times and are feeling similar impacts. The assistance we are seeking from Congress will help ensure our country does not face long-term, devastating impacts due to the erosion of our research and education enterprise.

Support for the research enterprise

To that end, we urge Congress to provide at least \$26 billion in additional funding to support and maintain the research workforce, mitigate the disruptions to federally supported research and core research facilities, and restart research that has been halted or slowed due to COVID-19.

The nation's federal research agencies, such as the National Institutes of Health, the National Science Foundation, the Institute of Education Sciences, and the Departments of Defense and Energy, are at the forefront of our fight against COVID-19 and are partnering with research universities and academic medical centers to test and treat patients and to seek new treatments, diagnostics, and cures. They are also partnering to use advanced computing to understand the virus' transmissibility and spread and to design and produce personal protective equipment and ventilators. Unfortunately, due to the pandemic, there are countless non-COVID research projects that have been disrupted and are on hold. With support from our federal science agency partners, research universities like Vanderbilt have continued to keep the research workforce employed despite the inability of a majority of researchers to continue planned grant activities. However, these funds will run out before work can be completed.

Developing and sustaining the U.S. talent pipeline is critical to maintaining the innovation-rich sectors of our economy. We are deeply concerned that a gap in agency funding will put the research workforce, and U.S. competitiveness, at risk—especially the early-career workforce made up of graduate students and postdocs whose training and education in areas of national need will be cut short or limited. Many graduate students are unable to complete their research as planned; the resulting changes in their research will delay their time to degree, in some cases for several years. Some of those who successfully defended their dissertation this spring are now finding their fellowship offers rescinded or deferred in light of the economic impact of the pandemic.

Many of our researchers had to stop all in-person data collection as of mid-March as our research labs ramped down all but COVID-19-related research. While this was the right decision and many researchers have been able to identify safe ways to continue their work, due to delays caused by COVID-19, they may require additional resources to complete the grant's activities. For example, NSF-funded engineers developing new technologies for individuals with lower limb amputation can no longer test their prototypes. Another NSF-funded researcher will require additional resources to finish collecting data related to how children develop number knowledge; this work will contribute to how we address number-related learning disabilities. An NIH-funded project to develop new technologies to aid human vision has continued to develop the new software but the behavioral testing, which will be necessary to understand the true impact of the technology, has been paused, delaying progress on this work.

While prior COVID-19 relief packages included funding to support COVID-related research at NIH, NSF, and elsewhere, relief packages to date have fallen far short of recognizing the reality that many research activities are slowed or stopped, and that federally funded research projects will not be completed without supplemental funding. The \$26 billion in requested funds are not intended to expand the nation's investment in research but are desperately needed to preserve the current investment already made by taxpayers. Specifically, we request at least the following agency-specific funding levels:

- Department of Defense (DOD) – \$3 billion
- Department of Energy (DOE) – \$5 billion
- National Institutes of Health (NIH) – \$10 billion
- National Science Foundation (NSF) – \$3 billion
- Institute of Education Sciences – \$200 million

Temporary, targeted federal safe harbors

In addition to support for the research enterprise, to sensibly, safely, and swiftly ramp up on-campus operations, universities require timely, temporary, and targeted federal safe harbor from liability for illness or the spread of illness when good faith efforts are made to comply with applicable local, state, and federal public health standards. To that end, we urge Congress to create an immediate and temporary safe harbor from COVID-19 exposure liability that will permit universities acting sensibly, carefully, and in good faith to begin to reopen. We do not believe that a safe harbor should shield gross negligence or willful misconduct; bad actors should be held accountable.

We recognize that these are extraordinary requests for universities to make. We find ourselves in extraordinary times. In responding to the pandemic, our overriding concern is keeping students, faculty, staff, visitors, and local communities safe. Despite our best efforts to prevent community transmission, we cannot guarantee complete protection against COVID-19 exposure. We are not seeking to avoid responsibility or to immunize colleges and universities from their own or others' bad acts. Rather, we are in need of certainty around the standard of care and the legal liability institutions and those who work for them face regarding COVID-19 exposure claims. Without some clarity on the standards of care, as well as temporary, limited liability protections, we face enormous transactional costs associated with defending against speculative legal claims around alleged COVID-19 issues, even when we have taken all reasonable steps to keep students, employees, and visitors safe.

From the beginning of the pandemic, Vanderbilt has been committed to supporting our students, faculty, and staff as well as the larger Nashville community. We provided housing for use by Vanderbilt University Medical Center (VUMC) clinical providers. Vanderbilt labs donated PPE and other supplies to VUMC. Vanderbilt researchers pivoted to innovative, COVID-related research, including engineering faculty who developed an open-source ventilator for which we have applied for an

Emergency Use Authorization with the FDA. Student aid provided in the CARES Act meant over 2,560 of our neediest students received an emergency grant of approximately \$1,100, in addition to funds students received through our institutional Student Hardship Fund.

We recognize the powerful message we send by bringing students, faculty, and staff back to campus, albeit in a new normal. As a major employer in middle Tennessee and an inextricable part of the fabric of our community, we are determined to return our campus to its mission of educating and training America's future scientists, engineers, public servants, and leaders; conducting ground-breaking research to find cures and improve lives; and preserving employment for thousands of Tennesseans. Our decisions on how and when to bring our community back to research labs and the classroom are being informed by mandates and guidance from local, state, and federal public health authorities—and obviously, our colleagues at VUMC. Our mission of teaching, discovery, and service, which we have pursued for nearly 150 years, matters more now than ever before.

These unprecedented times demand action and support from Congress. We urge you to partner with us to ensure that we can come back from this pandemic stronger than before and even more committed to improving the lives of our fellow Tennesseans and our global community.

Sincerely,



Susan R. Wentz
Interim Chancellor and Provost



Daniel Diermeier
Incoming Chancellor