



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

WASHINGTON, D.C. 20460

OFFICE OF MISSION SUPPORT

MEMORANDUM

SUBJECT: Emergency Information Collection Request for EPA's Vaccination and Testing Status System (OMB Control Number 2030-NEW; EPA ICR Number 2694.01)

FROM: Daniel Coogan, Acting Director
Office of Resources and Business Operations

THRU: Courtney Kerwin, PRA Clearance Officer
and Director for Regulatory Support Division
Office of Enterprise Information Programs

TO: Danielle Jones, OMB Desk Officer
Office of Information and Regulatory Affairs
Office of Management and Budget

Pursuant to section 3507(j) of the Paperwork Reduction Act (PRA) (44 U.S.C. 3501 et seq.), as implemented in the Office of Management and Budget (OMB) regulations at 5 CFR §1320.13, the Environmental Protection Agency (EPA) is hereby requesting emergency processing of an information collection necessary for vaccination status and testing results of EPA employees, contractors and grantee recipients that work in EPA facilities. EPA has authority to collect this information under the System of Record Notice for the agency's Public Health Emergency Workplace Response System, EPA-89.

Following the normal clearance procedures for approval of this information collection during the COVID-19 pandemic response will delay the Agency's ability collect vaccination status and testing results and to adequately protect its workforce. EPA certifies the requirements of 5 CFR 1320.13(a) are met and it is vital for this collection to be implemented immediately, because: (1) this information is necessary to protect EPA's workforce, (2) public harm is reasonably likely to result if normal clearance procedures are followed, and (3) an unanticipated event has occurred.

Information Collection is Essential to the Mission of the Agency

The Safer Federal Workforce Task Force's "COVID-19 Workplace Safety: Agency Model Safety Principles," dated July 29, 2021, requires employers to ask about the vaccination status of Federal employees and onsite contractors. The guidance states that Federal employees and onsite contractors must sign an attestation confirming their vaccination status, or they will be treated as not fully vaccinated for purposes of safety protocols. Federal agencies also must establish a program to test not fully vaccinated Federal employees and onsite contractors weekly or twice-weekly. EPA is including additional information in this request related to test results and certification of vaccination status and test results. While EPA has no intention of collecting the certification of vaccination status or test results at

this time, the agency understands that dealing with COVID-19 is a dynamic environment with ever-changing guidance from OMB. EPA aim to establish a forward-looking information collection structure such that should new direction come from OMB, EPA will be prepared to adapt the application it uses to manage this information and will not have to submit another ICR.

Information Collection Activities Involved in this Emergency Request

Because of the substantial risk to life, safety, or health of the workforce and the public, EPA requests an emergency approval to collect the necessary information on vaccination status and testing results from detailees, interns, volunteers, grantee recipients and contractors that perform work in EPA facilities.

Each item of information requested is based on CDC or industry best practice for tracking vaccination. This information is necessary to identify the vaccination status of EPA personnel and testing results of individuals entering EPA facilities. Including contractors, interns, grantees, and volunteers, enables EPA to capture the total workforce and take appropriate action.

The following information will be collected for COVID Contact Testing:

- Name;
- Vaccination status;
- Documentation of vaccination status;
- Vaccine brand;
- Date of second vaccine shot (or first shot for J&J);
- COVID test results; and
- Documentation of COVID test results.

EPA Cannot Reasonably Comply with the Normal Clearance Procedures

EPA cannot reasonably comply with the normal clearance procedures because: (1) an unanticipated event has occurred; and (2) public harm is reasonably likely to result if normal clearance procedures are followed.

As the COVID-19 pandemic continues to grow, the full scope of the impact to Americans remains unknown. We do know however that for government offices to safely open, a robust method for tracking vaccination status and testing results must be implemented. Tracking vaccination status and testing results is a critical tool to control the spread of COVID-19. Delay in approval of this information collection will disrupt EPA's ability to protect the EPA workforce. In order to properly protect its workforce of federal employees, contractors, volunteers, grantees, and interns, EPA must be aware of vaccination status and testing results to prevent the further spread of COVID-19. It would be impracticable and contrary to the public health to delay implementing this collection of information collection until after EPA has completed the normal PRA clearance procedures.

Agency Has Taken All Practicable Steps to Consult with Affected Parties in Order to Minimize Burden

To formulate the data elements to be collected for proper and efficient contact tracing, EPA consulted the Safer Federal Workforce Task Force and EPA Public Health experts.

Requested Time Period for OMB Action

EPA requests that OMB take action on this request by September 8, 2021.

Thank you for your assistance in processing this request. Should any questions arise, please contact me at 202-564-1862 or Courtney Kerwin at 202-566-1669.

ATTACHMENT 1: Estimated Annual Burden and Costs for This Information Collection Activity

Type of Respondent	Form Name	Number of Respondents	Number of Responses per Respondent	Number of Responses (Total)	Average Burden per Response	Total Annual Burden (hours)
Contractors, Interns, Grantees, and Volunteers	Vaccination and Testing Status System	20,000	2	40,000	.05	2,000

Bottom Line Burden

Respondents: 20,000
Responses: 40,000
Hours: 2,000
Capital/O&M Costs: \$0

ATTACHMENT 2: Information Collection Instrument

< ☰ Emergency Outreach
COVID Certification Of Vaccination Test

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Update Insert and Stay Save Download Report Resend Notification ↑

* Event name

Description

When to run
Select targeted audience
Content configuration

Mode

Update
Insert and Stay
Save
Download Report
Resend Notification

Outreach Acknowledgements (1)
Additional Channels

☰ Outreach Acknowledgements Resend User Notification

Search
Acknowledgement Status
▼

⏪ ⏩ 1 to 1 of 1 ▶ ☐

🔍 Emergency Outreach = COVID Certification Of Vaccination Test

⚙️
🔍
☰ User
☰ Department
☰ Acknowledgement Status ▼
☰ Health Status
☰ Acknowledged via email
☰ Acknowledged via Now Mobile App

ATTACHMENT 3: Email to Employees

Please select the status below that coincides with your COVID-19 vaccination status.

I am fully vaccinated for COVID-19.

Personnel are considered "fully vaccinated" two weeks after completing the second dose of a two-dose COVID-19 vaccine (e.g., Pfizer or Moderna) or two weeks after receiving a single dose of a one-dose vaccine (e.g., Johnson & Johnson/Janssen).

I am not yet fully vaccinated for COVID-19.

Personnel are considered "not yet fully vaccinated" if they have received their first dose of the Moderna or Pfizer vaccine, and their second appointment is scheduled, or if they received their final dose of a vaccine [e.g. the second dose of a two-dose vaccine (e.g. Pfizer or Moderna) or their single dose of a one-dose vaccine (e.g. Johnson & Johnson/Janssen)] less than two weeks ago.

I have not been vaccinated for COVID-19.

Personnel are considered not vaccinated if they have not received any dose of a COVID-19 vaccination. Personnel are not required to provide a reason for not being vaccinated.

I decline to respond.

Personnel may choose not to provide their vaccination status for any reason at this time.

Effects of Certification of Vaccination or Failure to Respond

Providing this information is voluntary. However, per the Safer Federal Workforce Taskforce, personnel who are not fully vaccinated will be subject to enhanced workplace safety protocols, including with respect to face coverings, physical distancing, travel, quarantine, and at least weekly COVID-19 testing if they are entering the workplace. Personnel who decline to provide their vaccination status or do not send a response to this form will be assumed to be not fully vaccinated for purposes of application of the workplace safety protocols. Note that personnel who are not yet fully vaccinated will be treated as not fully vaccinated (e.g. subject to enhanced workplace safety protocols) until they are at least two weeks past their final COVID-19 vaccination dose. Personnel whose vaccination status changes (e.g. personnel who become fully vaccinated and/or wish to update their response) should return to this email and resubmit their vaccination status.

Attestation of Accuracy of Response

By responding to this form, I attest that I understand that a knowing and willful false statement on this submission can be punished by fine or imprisonment or both (18 U.S.C. 1001). Checking "I decline to respond" does not constitute a false statement. I understand that making a false statement on this response could result in additional administrative action including an adverse personnel action up to and including removal from my position.

PRIVACY ACT STATEMENT

Authority: We are authorized to collect the information requested on this form pursuant to Executive Order 13991, *Protecting the Federal Workforce and Requiring Mask-Wearing* (Jan. 20, 2021); Executive Order 12196, *Occupational Safety and Health Program for Federal Employees* (Feb. 26, 1980); and 5 U.S.C. chapters 63, and 79.

Purpose: This information is being collected and maintained to promote the safety of Federal buildings and the health and safety of the Federal workforce consistent with the above-referenced authorities, the *COVID-19 Workplace Safety: Agency Model Safety Principles* established by the Safer Federal Workforce Task Force, and guidance from the Centers for Disease Control and Prevention and the Occupational Safety and Health Administration. This information may be used to determine the workplace safety requirements for Agency personnel.

Routine Uses: This information may be disclosed to Agency employees with a need to know, and, per the routine uses found in the system of records notice associated with this collection of information, EPA-89, Public Health Emergency Workplace Response System, 86 Fed. Reg. 34738 (June 30, 2021), available at <https://www.federalregister.gov/documents/2021/06/30/2021-13989/privacy-act-of-1974-system-of-records>. For example, Routine Use disclosures may be made to: appropriate public health authorities to address communicable disease exposures and to satisfy applicable reporting requirements; to Federal, State, local, tribal or foreign government agencies to combat significant public health threats; to adjudicative bodies (e.g., the Merit System Protection Board), arbitrators, and hearing examiners to the extent necessary to carry out their authorized duties regarding administrative proceedings; to contractors, grantees, or volunteers as necessary to perform their duties for the Federal Government; and as necessary and relevant in the course of litigation or for law enforcement purposes.

Voluntary Disclosure and Consequences of Failure to Provide Information:

Providing this information is voluntary. However, if you fail to provide this information, you will be treated as not fully vaccinated for purposes of implementing safety measures, including with respect to mask wearing, physical distancing, testing, travel, and quarantine.