

SUPPORTING STATEMENT - PART A

Request for a Medical Exemption or Delay to the COVID-19 Vaccination Requirement – OMB
Control Number 0704-DMEF

1. Need for the Information Collection

Consistent with Executive Order 14043, of September 9, 2021, “Requiring Coronavirus Disease 2019 Vaccination for Federal Employees”, and included within the Safer Federal Workforce Task Force Guidance mandating all Federal employees be vaccinated by November 22, 2021, the Department of Defense (DoD) has established specific safety protocols for individuals fully vaccinated and not fully vaccinated against coronavirus disease 2019 (COVID-19). Individuals who are not fully vaccinated against COVID-19 by November 22, 2021, or who choose not to provide this information will be required to comply with applicable OMB, OPM and DoD guidance for individuals not fully vaccinated against COVID-19, including wearing masks regardless of the transmission rate in a given area, physical distancing, regular screening testing, and adhering to applicable travel requirements.

DoD civilian employees may request an exemption on the basis of a medical condition or circumstance or a sincerely held religious belief, practice or observance. Exemptions will be granted in limited circumstances and only where legally required.

2. Use of the Information

DoD is seeking approval of DD Form 3176, “Request for a Medical Exemption or Delay to the COVID-19 Vaccination Requirement,” which will be completed by employees who seek a medical exemption. DoD seeks OMB’s approval to process the form as emergency clearance requests in accordance with 5 C.F.R. § 1320.13, Emergency Processing. The DD Form 3176 will be used by DoD staff and provided to employees to ensure they submit adequate information to support the exemption request. This form will also ensure the information collected is consistent among the components and minimize the need to seek additional evidence. Rendered decisions should be in accordance with guidelines established by the Safer Federal Workforce Task Force Guidance.

DoD issued Force Health Protection Guidance (FHP), Supplement 23 on September 7, 2021, and Revision 1 thereto on October 18, 2021, in response to OMB and OPM guidance. FHP 23 Revision 2 which includes the process for requesting either a medical or religious exemption is currently being coordinated and expected to be signed and published on October 22, 2021. DoD will provide OMB a copy of the FHP 23 Revision 2 once it is approved and published. The DD Form 3176 will be provided directly by the individuals who is requesting a medical exemption. In establishing exemption processes, Heads of DoD Components, the Director of Administration and Management (for the Office of the Secretary of Defense Components, the Chairman of the Joint Chiefs of Staff, the Defense Agencies, and DoD Field Activities), and the Commanders of the Combatant Commands will ensure that the management official(s) who are designated to make decisions concerning requests for exemption from COVID-19 vaccination make such decisions in coordination with the organization’s servicing legal office and are at an

appropriate level within the organization to consider the impact, if any, of the volume of requests and to ensure that similar cases are handled in a consistent manner.

3. Use of Information Technology

DD Form 3176 will be available on the DoD Forms Website. It will be fillable with the ability to digitally sign and submit electronically via email. An estimated 75% of respondents will be submitting the form electronically.

4. Non-duplication

The information obtained through this collection is unique and is not already available for use or adaptation from another cleared source.

5. Burden on Small Businesses

This information collection does not impose a significant economic impact on a substantial number of small businesses or entities.

6. Less Frequent Collection

It is anticipated that the respondent will only need to provide this information one time, so there is no way to change the frequency without compromising the results of this collection.

7. Paperwork Reduction Act Guidelines

This collection of information does not require collection to be conducted in a manner inconsistent with the guidelines delineated in 5 CFR 1320.5(d)(2).

8. Consultation and Public Comments

Part A: PUBLIC NOTICE

Emergency approval was received to waive the public notice requirement under the Paperwork Reduction Act.

Part B: CONSULTATION

Aside from discussions with Office of Management and Budget (OMB) personnel, no additional consultation was conducted for this submission.

9. Gifts or Payment

No payments or gifts are being offered to respondents as an incentive to participate in the collection.

10. Confidentiality

The Privacy Act Statement is provided near the top of the form provided to the respondent.

The Systems of Records Notices (SORNs) associated with this data collection is as follows:

- DoD 0007, Defense Reasonable Accommodations and Assistive Technology Records, 86 Fed. Reg. 38692 (July. 22, 2010)- also available at <https://www.govinfo.gov/content/pkg/FR-2021-07-22/pdf/2021-15601.pdf>

A Privacy Impact Assessment (PIA) is not required for this collection because PII is not being collected electronically.

11. Sensitive Questions

The questions included on this form are consistent with OMB's guidance for requesting a medical exemption.

12. Respondent Burden and its Labor Costs

Part A: ESTIMATION OF RESPONDENT BURDEN

- 1) Collection Instrument(s)
[DD Form 3176]
 - a) Number of Respondents: 180,000
 - b) Number of Responses Per Respondent: 1
 - c) Number of Total Annual Responses: 180,000
 - d) Response Time: 5 minutes
 - e) Respondent Burden Hours: 15,000 hours
- 2) Total Submission Burden
 - a) Total Number of Respondents: 180,000
 - b) Total Number of Annual Responses: 180,000
 - c) Total Respondent Burden Hours: 15,000 hours

Part B: LABOR COST OF RESPONDENT BURDEN

- 1) Collection Instrument(s)
[DD Form 3176]
 - a) Number of Total Annual Responses: 180,000
 - b) Response Time: 5 minutes
 - c) Respondent Hourly Wage: \$27.07
 - d) Labor Burden per Response: \$2.25
 - e) Total Labor Burden: \$405,000
- 2) Overall Labor Burden
 - a) Total Number of Annual Responses: 180,000
 - b) Total Labor Burden: \$405,000

The Respondent hourly wage was determined by using the Department of Labor Wage Website (<http://www.dol.gov/dol/topic/wages/index.htm>)

13. Respondent Costs Other Than Burden Hour Costs

There are no annualized costs to respondents other than the labor burden costs addressed in Section 12 of this document to complete this collection.

14. Cost to the Federal Government

Part A: LABOR COST TO THE FEDERAL GOVERNMENT

1) Collection Instrument(s)

[DD Form 3176]

- a) Number of Total Annual Responses: 180,000
- b) Processing Time per Response: 1 hour
- c) Hourly Wage of Worker(s) Processing Responses: \$27.07
- d) Cost to Process Each Response: \$27.07
- e) Total Cost to Process Responses: \$4,872,600

2) Overall Labor Burden to the Federal Government

- a) Total Number of Annual Responses: 180,000
- b) Total Labor Burden: \$4,872,600

Part B: OPERATIONAL AND MAINTENANCE COSTS

1) Cost Categories

- a) Equipment: \$0.00
- b) Printing: \$280,000
- c) Postage: \$0.00
- d) Software Purchases: \$0.00
- e) Licensing Costs: \$0.00

2) Total Operational and Maintenance Cost: \$280,000

Part C: TOTAL COST TO THE FEDERAL GOVERNMENT

Total estimated costs for the DoD include labor costs and potential printing of the DD Forms 3176 (for those that are not able to access computers).

- 1) Total Labor Cost to the Federal Government: \$4,872,600
- 2) Total Operational and Maintenance Costs: \$280,000
- 3) Total Cost to the Federal Government \$5,152,600

15. Reasons for Change in Burden

This is a new collection with a new associated burden.

16. Publication of Results

The results of this information collection will not be published.

17. Non-Display of OMB Expiration Date

DoD is not seeking approval to omit the display of the expiration date of the OMB approval on the collection instrument.

18. Exceptions to “Certification for Paperwork Reduction Submissions”

DoD is not requesting any exemptions to the provisions stated in 5 CFR 1320.9.