



MANPOWER AND
RESERVE AFFAIRS

OFFICE OF THE ASSISTANT SECRETARY OF DEFENSE
1500 DEFENSE PENTAGON
WASHINGTON, D.C. 20301-1500

October 18, 2021

Ms. Sharon Block
Acting Administrator
Office of Information and Regulatory Affairs
Office of Management and Budget
725 17th Street, NW
Washington, DC 20503

Dear Ms. Block:

Pursuant to Office of Management and Budget (OMB) procedures established at 5 C.F.R. Part 1320, Controlling Paperwork Burdens on the Public, I request that the proposed Department of Defense (DoD) information collection covered by DD Form 3176, "Request for a Medical Exemption or Delay to the COVID-19 Vaccination Requirement," (enclosed) be processed as an emergency clearance request in accordance with 5 C.F.R. § 1320.13, Emergency Processing.

I have determined that this information must be collected prior to the time periods established under Part 1320 of the regulations and that this information collection is essential to implement health and safety measures requiring all civilian Federal employees be vaccinated as mandated by Executive Order 14043 of September 9, 2021, *Requiring Coronavirus Disease 2019 Vaccination for Federal Employees*, and included within Safer Federal Workforce Task Force Guidance which mandated all Federal employees be vaccinated by November 22, 2021.¹ The only exception is for individuals who receive a legally required exception approved under established agency processes. DoD issued Force Health Protection Guidance (Supplement 23) on September 7, 2021, and Revision 1 thereto on October 18, 2021 in response to OMB and OPM guidance. Revision 2 includes the process for requesting either a medical or religious exemption. The Department is requesting an expedited approval of the medical exemption form to ensure consistency amongst the components when they receive Revision 2. The Components have also urged the form be approved expeditiously so they can begin the review processes as provided in the Safer Federal Workforce Task Force Guidances.² Applying regular Paperwork Reduction Act clearance procedures is likely to cause harm because of the threat of COVID-19 exposure and transmission.

¹ See generally Executive Order 13991: Protecting the Federal Workforce and Requiring Mask-Wearing (January 20, 2021); Executive Order 13994: Ensuring a Data-Driven Response to COVID-19 and Future High-Consequence Public Health Threats (January 21, 2021). See also Executive Order 12196: Occupational Safety and Health Programs for Federal Employees, as amended (February 26, 1980) ("The head of each agency shall . . . [f]urnish to employees places and conditions of employment that are free from recognized hazards that are causing or are likely to cause death or serious physical harm").

² For the purpose of this memorandum, the reference to component means any DoD agency and DoD installation such as a base, camp, post, station, yard, center, homeport facility for any ship, or other area under the jurisdiction of the Secretary of a Military Department or the Secretary of Defense, including any leased location, or in the case of an activity in a foreign country, any area under the operational control of the Secretary of a Military Department or the Secretary of Defense, without regard to the duration of operational control.

Because of the nature of the public health emergency and the urgent need for the Department to meet the November 22, 2021 deadline that all Federal employees be vaccinated except those approved under a medical or religious exemption, it is impracticable for DoD to consult in advance with interested agencies and members of the public in order to minimize the burden of the collection of information pursuant to 5 C.F.R. § 1320.13(c). Therefore, DoD requests a 180-day emergency clearance to obtain the information required in DD Form 3176, "Request for a Medical Exemption or Delay to the COVID-19 Vaccination Requirement." During the 180-day emergency clearance period, DoD will work to establish a regular clearance submission. As this request for approval concerns an urgent safety need, DoD is also seeking OMB's approval to waive the need for the Federal Register Notices otherwise required by 5 C.F.R. 1320.5(a)(1)(iv) and 1320.8(d)(1) prior to publication and implementation of this disclosure.

We would appreciate if you could please provide an approval/disapproval determination of this request to collect information under an emergency clearance by close of business on Wednesday, October 20, 2021.

Sincerely,



Nancy Anderson Speight
Deputy Assistant Secretary of Defense
Civilian Personnel Policy

Enclosure:
As stated