



November 8, 2021

MEMORANDUM

TO: Michael McManus, USAID Desk Officer Office of Information and Regulatory Affairs (OIRA)
Office of Management and Budget (OMB)

FROM: Heather Bomans
Senior Operations Management Coordinator, Bureau for Management, Critical Coordination Structure (M/CCS) at the U.S. Agency for International Development (USAID)

SUBJECT: Justification for Emergency Processing

To protect the health and safety of the Federal workforce, Executive Order 14042 (Ensuring Adequate COVID Safety Protocols for Federal Contractors) requires all U.S. Personal Services Contractors (USPSC) to be fully vaccinated by January 18, 2022, other than in limited circumstances where the law requires an accommodation. USAID is implementing this vaccination requirement for its workforce and reviewing contractors requests for religious or medical exceptions, or delays to the requirement because of a temporary condition or medical circumstance. Determining whether an exception or delay is legally required includes consideration of factors such as the basis for the claim; the nature of the contractor's job responsibilities; and the reasonably foreseeable effects on the agency's operations, including protecting other agency employees and the public from COVID-19.

For USAID USPSCs who believe they are not able to get vaccinated because of a qualifying medical condition and submit an exception request, USAID must evaluate the medical conditions on a case-by-case basis. Since an evaluation requires the collection of medical information in order to help determine whether the contractor is entitled to an exception or delay, USAID proposes to utilize a medical information collection form, based directly on the template form provided by the Safer Federal Workforce Task Force and with no material changes, to ensure USAID has the most accurate and current information on requesting contractors' medical conditions. The form will require the contractor to obtain information on their medical condition from their medical provider, including the signature of their provider, in order to move forward with review of their medical exception request. As such, USAID requests OMB approval to conduct this information collection with USAID USPSCs requesting medical exceptions to the

COVID-19 vaccination requirement. The information obtained in these forms would inform who is granted a legally-required medical exception to the federal vaccine mandate.

The Paperwork Reduction Act (PRA) of 1995 requires that agencies obtain OMB approval before requesting most types of information from the public ("information collections" include forms, interviews, and record keeping). USAID seeks emergency approval of information collection associated with administering this form and requests OIRA approval to not publish a Federal Register notice in relation to this form. USAID cannot reasonably comply with the normal clearance procedures under the PRA because complying would delay the Agency's efforts to comply with the guidance issued by the Safer Federal Workforce Task Force and the deviation contract clauses issued to implement that guidance (FAR 52.223-99, DFARS 252.223-7999, etc.) by the January 18, 2022 deadline. Our request meets the standard for emergency processing as the Agency needs adequate medical information and time to process legally-required medical exceptions to the federal vaccine requirement, and USPSCs must receive their last dose of their vaccine no later than January 4, 2022, to meet the January 18, 2022 deadline to be fully vaccinated. Additionally, the COVID-19 pandemic is an unanticipated event with immediate risks to workforce lives, warranting emergency processing. These forms are critical to USAID's compliance with the federal vaccination mandate and COVID-19 response efforts as we need contractors requesting medical exceptions to obtain verified medical information from their health care provider(s) in order to adequately evaluate contractors for an exception or delay. As such, we request expedited approval of this information collection. Further, USAID respectfully requests that OIRA waive the requirement for publication of a federal register notice for the proposed collection prescribed by 5 CFR § 1320.5(a)(1)(iv), in accordance with the procedures for emergency processing set forth at 5 CFR § 1320.13(d).

Signed by:

Heather Bomans
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Bureau for Management, Critical Coordination Structure (M/CCS)
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