

Supporting Statement for Paperwork Reduction Act Submission
Medical Exception or Delay to COVID Vaccination Requirement
OMB Control # 2501-New

Part A. Justification

- 1. Explain the circumstances that make the collection of information necessary. Identify any legal or administrative requirements that necessitate the collection. Attach a copy of the appropriate section of each statute and regulation mandating or authorizing the collection of information.**

The Office of the Chief Human Capital Officer at the U.S. Department of Housing and Urban Development (HUD) is seeking approval to collect information from employees regarding requests for medical exceptions in accordance with the following authorities:

The Rehabilitation Act, 29 U.S.C. § 791, and Title VII of the Civil Rights Act, 42 U.S.C. § 2000e, as well as Executive Orders 13164 and 14043, and 29 C.F.R. §§ 1605 and 1614.

Collection of information regarding medical exceptions will enable the agency to render well-informed decisions in accordance with the federal authorities. Exceptions will be granted in limited circumstances and only where legally required.

Overview

President Biden signed Executive Order 14043 on September 9, 2021, requiring federal employees to be vaccinated against COVID-19 in order to ensure the health and safety of federal workers and efficiency of the civil service. Requests for an exception to the COVID vaccination requirement will be documented on Form HUD-1001 *Request to Medical Exception to the COVID-19 Requirement*. The instructions on the form require the requestor to provide their name, title, supervisor, contact information and to sign and date the following attestation:

I am requesting a medical exception to the requirement for COVID-19 vaccination or a delay because of a temporary condition or medical circumstance. I declare that the information I have provided is true and correct to the best of my knowledge and ability.

The instructions also include a portion to be completed and signed by the requestor's medical provider.

- 2. Indicate how, by whom and for what purpose the information is to be used. Except for a new collection, indicate the actual use the agency has made of the information received from the current collection.**

This is a new data request. It will be made available in electronic format for employees seeking an exception to the COVID vaccine mandate. The form will be collected by HUD's Reasonable Accommodation Branch. Information on the form will be utilized to determine the requestor's eligibility for an exception to the COVID vaccine mandate. Certain information on the form that is not PII may be used for intragovernmental reporting purposes and internal HUD reporting purposes.

- 3. Describe whether, and to what extent, the collection of information involves the use of automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses, and the basis for the decision for adopting this means of collection. Also describe any consideration of using information technology to reduce burden.**

It is estimated that most employees will submit their medical exception request forms to a designated outlook email box. Designated HUD personnel will then upload the request forms into an adaptive case management system. The purpose of this system is to allow HUD to collect and maintain records on employees for employment requesting or receiving medical exception requests. Another purpose of this system is to monitor, process, track and report the processing of exception requests while ensuring compliance with applicable laws and regulations, including confidentiality requirements.

- 4. Describe efforts to identify duplication. Show specifically why any similar information already available cannot be used or modified for use for the purposes described in Item 2**

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

- 5. If the collection of information impacts small businesses or other small entities (Item 5 of OMB Form 83-I) describe any methods used to minimize burden.**

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

- 6. Describe the consequence to Federal program or policy activities if the collection is not conducted or is conducted less frequently, as well as any technical or legal obstacles to reducing burden.**

President Biden signed Executive Order 14043 on September 9, 2021 requires federal employees to be vaccinated against COVID-19 in order to ensure the health and safety of federal workers and efficiency of the civil service unless their employer approves an exception. If the information included in this information collection is not collected, HUD would potentially be unable to determine whether to approve individual exception requests. This could result in terminations of individuals who may have a valid cause for an exception to the vaccine requirement.

7. Explain any special circumstances that would cause an information collection to be conducted in a manner:

- requiring respondents to report information to the agency more than quarterly;
 - In general, individuals will not be required to provide quarterly reports of vaccination status. However, the medical condition of some individuals may warrant a temporary exception for a duration that ends within the same quarter that they made their initial exception request. The following is a non-exhaustive list of examples where this may apply: An individual has a recent COVID-19 infection, and his/her medical provider recommends waiting a specified period of time before receiving the vaccine; a pregnant individual's medical provider recommends waiting to receive the vaccine until after childbirth; etc.)
- requiring respondents to prepare a written response to a collection of information in fewer than 30 days after receipt of it;
 - An individual may be required to clarify information provided with his/her initial vaccine exception request form or provide supplemental information to enable HUD to make an informed decision to approve or deny the request.
- requiring respondents to submit more than an original and two copies of any document;
 - This circumstance is not applicable.
- requiring respondents to retain records other than health, medical, government contract, grant-in-aid, or tax records for more than three years;
 - This circumstance is not applicable.
- in connection with a statistical survey, that is not designed to produce valid and reliable results than can be generalized to the universe of study;
 - This circumstance is not applicable.
- requiring the use of a statistical data classification that has not been reviewed and approved by OMB;
 - This circumstance is not applicable.
- that includes a pledge of confidentiality that is not supported by authority established in statute or regulation, that is not supported by disclosure and data security policies that are

consistent with the pledge, or which unnecessarily impedes sharing of data with other agencies for compatible confidential use; or

- o This circumstance is not applicable.
- requiring respondents to submit proprietary trade secret, or other confidential information unless the agency can demonstrate that it has instituted procedures to protect the information's confidentiality to the extent permitted by law.
 - o This circumstance is not applicable.

8. If applicable, provide a copy and identify the date and page number of publications in the Federal Register of the agency's notice, required by 5 CFR 1320.8(d), soliciting comments on the information collection prior to submission to OMB. Summarize public comments received in response to that notice and describe actions taken by the agency in response to these comments. Specifically address comments received on cost and hour burden.

- Describe efforts to consult with persons outside the agency to obtain their views on the availability of data, frequency of collection, the clarity of instructions and recordkeeping disclosure, or reporting format (if any) and the data elements to be recorded, disclosed, or reported.
- Consultation with representatives of those from whom information is to be obtained or those who must compile records should occur at least once every 3 years -- even if the collection of information activity is the same as in prior periods. There may be circumstances that preclude consultation in a specific situation. These circumstances should be explained.

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

Seeking emergency approval to waive public notice requirement under the Paperwork Reduction Act.

9. Explain any decision to provide any payment or gift to respondents, other than remuneration of contractors or grantees.

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

10. Describe any assurance of confidentiality provided to respondents and the basis for assurance in statute, regulation or agency policy.

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

The Systems of Records Notices (SORNs) associated with this data collection was published on November 16, 2021.

A Privacy Impact Assessment (PIA) is in the approval process.

11. Provide additional justification for any questions of a sensitive nature, such as sexual behavior and attitudes, religious beliefs, and other matters that are commonly considered private. This justification should include the reasons why the agency considers the questions necessary, the specific uses to be made of the information, the explanation to be given to persons from whom the information is requested, and any steps to be taken to obtain their consent.

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

12. Provide estimates of the hour burden of the collection of information. The statement should:

- indicate the number of respondents, frequency of response, annual hour burden, and an explanation of how the burden was estimated. Unless directed to do so, agencies should not conduct special surveys to obtain information on which to base hour burden estimates. Consultation with a sample (fewer than 10) of potential respondents is desirable. If the hour burden on respondents is expected to vary widely because of differences in activity, size, or complexity, show the range of estimated hour burden, and explain the reasons for the variance. Generally, estimates should not include burden hours for customary and usual business practices;
- if this request covers more than one form, provide separate hour burden estimates for each form and aggregate the hour burdens in Item 13 of OMB Form 83-I; and
- provide estimates of annualized cost to respondents for the hour burdens for collections of information, identifying and using appropriate wage rate categories.
- The cost of contracting out or paying outside parties for information collection activities should not be included here. Instead, this cost should be included in Item 13.

Information Collection	Number of Respondents	Frequency of Response	Responses Per Annum	Burden Hour Per Response	Annual Burden Hours	Hourly Cost Per Response	Annual Cost
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Disability Exemption Request COVID-19	200	1	200	1.5	300	\$49.68	\$14,904
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13. Provide an estimate of the total annual cost burden to respondents or recordkeepers resulting from the collection of information (do not include the cost of any hour burden shown in Items 12 and 14).

- **The cost estimate should be split into two components: (a) a total capital and start-up cost component (annualized over its expected useful life); and (b) a total operation and maintenance purchase of services component. The estimates should take into account costs associated with generating, maintaining, and disclosing or providing the information. Include descriptions of methods used to estimate major cost factors including system and technology acquisition, expected useful life of capital equipment, the discount rate(s) and the time period over which costs will be incurred. Capital and start-up costs include, among other items, preparations for collecting information such as purchasing computers and software; monitoring, sampling, drilling and testing equipment; and record storage facilities;**
- **If cost estimates are expected to vary widely, agencies should present ranges of cost burdens and explain the reasons for the variance. The cost of purchasing or contracting out information collection services should be a part of this cost burden estimate. In developing cost burden estimates, agencies may consult with a sample of respondents (fewer than 10) utilize the 60-day pre-OMB submission public comment process and use existing economic or regulatory impact analysis associated with the rulemaking containing the information collection, as appropriate.**
- **Generally, estimates should not include purchases of equipment or services, or portions thereof made: (1) prior to October 1, 1995, (2) to achieve regulatory compliance with requirements not associated with the information collection, (3) for reasons other than to provide information or keep records for the government, or (4) as part of customary and usual business or private practices.**

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. Provide estimates of annualized cost to the Federal government. Also, provide a description of the method used to estimate cost, which should include quantification of hours, operational expenses (such as equipment, overhead, printing, and support staff), and any other expense that would not have been incurred without this collection of information. Agencies also may aggregate cost estimates from Items 12, 13, and 14 in a single table.

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GS-13, Step 1

15. Explain the reasons for any program changes or adjustments reported in Items 13 and 14 of the OMB Form 83-I.

This is a new information collection request thus there are no program changes or adjustments.

16. For collection of information whose results will be published, outline plans for tabulation and publication. Address any complex analytical techniques that will be used. Provide the time schedule for the entire project, including beginning and ending dates of the collection of information, completion of report, publication dates, and other actions.

The results of this information collection will not be published.

17. If seeking approval to not display the expiration date for OMB approval of the information collection, explain the reasons that display would be inappropriate.

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

18. Explain each exception to the topics of the certification statement identified in “Certification for Paperwork Reduction Act Submissions.”

There are no exceptions to the certification statement.