



Federal Communications Commission
Washington, D.C. 20554

October 29, 2021

VIA ELECTRONIC MAIL

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:

The Federal Communications Commission (Commission or FCC) requests Office of Management and Budget (OMB) approval to submit the information collection described herein under the “emergency processing” provisions of the Paperwork Reduction Act (PRA) of 1995, 5 CFR 1320.13. The Commission is requesting clearance for a new information collection entitled [3060-XXXX], Request for a Medical Exception to the COVID-19 Vaccination Requirement, FCC Form 5643. For the reasons explained below, We respectfully request OMB approval for this new information collection at the earliest possible time.

Background

The information collection requirements to be reported under this new collection are the result of requirements imposed by an Executive Order issued by President Biden regarding mandatory COVID-19 vaccination among Federal employees.

On September 9, 2021, President Biden issued Executive Order 14043 to protect the health and safety of the Federal workforce and to promote the efficiency of the civil service. Pursuant to the Executive Order and implementing guidance, the Federal Communications Commission (FCC) informed its workforce that, other than in limited circumstances where a reasonable accommodation is legally required, all employees need to be fully vaccinated against COVID-19 by November 22, 2021, regardless of where they are working.

Among the limited exceptions to the vaccination requirement, FCC employees may request reasonable accommodation to the requirement to be vaccinated against COVID-19 due to a documented medical necessity. Employees seeking consideration of such reasonable accommodation requests must provide a release form to permit the FCC to seek relevant information from their medical provider to support the employee’s request. As stated above, this process must be completed by November 22, 2021.

Request for Emergency Processing

Accordingly, as provided under 5 CFR § 1320.13, *Emergency Processing*, the FCC is requesting emergency processing for the new collection of information as specified in the Paperwork Reduction Act of 1995 and its implementing regulations. Specifically, the FCC cannot reasonably comply with normal clearance procedures because the use of normal clearance procedures is unlikely to be complete in time for the FCC to scrutinize requests for reasonable accommodation, and is thus likely to disrupt the collection of information necessary to comply with Executive Order 14043. Requiring the Commission to seek OMB's approval for this new collection under the regular PRA processing procedures would significantly delay the processing of reasonable accommodation requests and, in turn, compliance with Executive Order 14043. Moreover, if the Commission were to wait 120 days to formally notify the public and potential interested parties of its intent to collect this information, then the Commission's ability to comply with this Government-wide mandate will be significantly hindered.

Due to the emergency nature of this request, the Commission is also requesting a waiver of the requirement to publish notice in the Federal Register. In addition to the reason provided above, absent a waiver of such notice requirements, public harm will result due to the potential harm to the ability of the FCC to fulfill its mission should employees seeking such an accommodation be prohibited from working after November 22 pursuant to the terms of Executive Order 14043.

Upon OMB approval of its emergency clearance request, the FCC will begin to process requests for reasonable accommodation from the COVID-19 vaccination requirement asserted by FCC employees.

The Commission's staff is ready to work with your PRA Desk Officer to immediately provide any additional information needed to facilitate OMB's approval of this emergency request for this new information collection. Please have your PRA desk officer contact Nicole Ongele at (202) 418-2991, or Nicole.ongele@fcc.gov, if there are any questions or any additional information that may be needed.

Sincerely,

Mark Stephens
Managing Director

Enclosure