



Federal Communications Commission
Washington, D.C. 20554

November 19, 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], Vaccination Attestation and Documentation, FCC Form 5644. 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.

To ensure compliance with this mandate, the FCC is requiring employees to complete and submit an electronic form attesting to their current vaccination status. For some special categories of individuals who perform (or will perform) work for the agency but are not considered employees, however, the FCC is required to obtain OMB approval prior to collecting such information. These include incoming employees, unpaid interns, unpaid legal fellows, individuals performing work for the FCC pursuant to an Intergovernmental Personnel

Agreement, participants in advisory committees, and possibly other similar classes of individuals who are not on the FCC payroll but are performing work for the agency.

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 collect COVID-19 vaccine attestation forms from these categories of “special” employees by the November 22 deadline, and is thus likely to disrupt the collection of information necessary to ensure 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 may result due to the potential impact on the FCC’s ability to fulfill its mission should these special classes of employees be prohibited from working after November 22 pursuant to the terms of Executive Order 14043.

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