



National Science Foundation

EMERGENCY PRA CLEARANCE REQUEST

November 10, 2021

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 under the Paperwork Reduction Act (PRA), 5 C.F.R. Part 1320, the National Science Foundation (NSF) requests that two proposed NSF information collection forms be processed as an **Emergency Clearance Request** in accordance with 5 C.F.R. § 1320.13 (Emergency Processing).

The proposed NSF forms are entitled, respectively, “Request for a Medical Exception to the COVID-19 Vaccination Requirement” and “Request for a Religious Exception to the COVID-19 Vaccination Requirement.” They are based directly upon the information collection forms prescribed by the Safer Federal Workforce Task Force for use by all Federal agencies.¹

I have determined that this information must be collected prior to the time periods established under Part 1320, and that this information is essential to the proper implementation of health and safety measures under current Centers for Disease Control and Prevention and Safer Federal Workforce Task Force guidance.² Applying regular PRA clearance procedures is likely to cause harm because of the threat of COVID-19 exposure and transmission, and could result in violations of Federal law (e.g., title VII of the Civil Rights Act of 1964, Americans with Disabilities Act, and Rehabilitation Act of 1973), for failure to timely identify and respond to individuals who may be entitled to reasonable accommodation from mandatory Federal workplace vaccination requirements on medical disability or religious grounds.

¹ https://www.saferfederalworkforce.gov/downloads/DISABILITY%20REQUEST%20FORM%20-%2020211004_510pm%20-%20MH508.pdf (medical exception, issued Oct. 4, 2021); https://www.saferfederalworkforce.gov/downloads/RELIGIOUS%20REQUEST%20FORM_FINAL%20REVIEW_20211003%2010.29%2011am.pdf (religious exception, updated Oct. 29, 2021).

² *See generally* Executive Order 13991: Protecting the Federal Workforce and Requiring Mask-Wearing (Jan. 20, 2021); Executive Order 13994: Ensuring a Data-Driven Response to COVID-19 and Future High-Consequence Public Health Threats (Jan. 21, 2021); Executive Order 14043: Requiring Coronavirus Disease 2019 Vaccination for Federal Employees (Sept. 21, 2021). *See also* Executive Order 12196: Occupational Safety and Health Programs for Federal Employees, as amended (Feb. 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”).



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Moreover, I have determined that because of the nature of the public health emergency and the urgent need for this collection, it is impracticable for NSF to consult in advance with interested agencies and members of the public to minimize the burden of the collection of information pursuant to 5 C.F.R. § 1320.13(c). NSF intends to consult with other agencies as appropriate through the Safer Federal Workforce Task Force. NSF estimates that the information collection will entail minimal public burden, as described in NSF's Supporting Statement for these forms, since these forms are primarily for use by NSF employees, who are not members of the public.

Therefore, **NSF requests a 180-day emergency clearance** to establish and utilize the two information collection forms, based directly on the forms prescribed by the Task Force, to allow individuals to seek medical or religious accommodation from Federal vaccination requirements at NSF. During the 180-day approval, NSF will consult with the Task Force as appropriate to prepare a regular clearance submission of this information collection request under normal PRA procedures in anticipation of the expiration of the 180-day emergency period.

In addition, as this request for emergency approval concerns an urgent safety need, NSF also requests 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) before conducting or sponsoring the information collection discussed above.

For the above reasons, NSF respectfully request that OMB approve this request to collect information under an emergency clearance by or before close of business on **November 20, 2021**.

Sincerely,

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Enclosures