

This new information submission is being made pursuant to 5 C.F.R. § 1320.13 and 44 U.S.C. § 3507(j) to obtain emergency processing from the Office of Management and Budget (OMB) for new information collection requirements related to COVID-19 vaccine certification by volunteers to comply with Executive Order 14043, as explained further below.

SUPPORTING STATEMENT

This new information collection establishes the collection requirements related to COVID-19 vaccine certification by new volunteers to comply with Executive Order 14043, which requires Federal workers to be vaccinated no later than November 22, 2021 unless they request and receive a religious or medical exemption.

A. Justification:

1. *Circumstances that make the collection necessary.* The Commission seeks emergency processing under the Paperwork Reduction Act (PRA), 5 U.S.C. § 1320.13. The Commission is requesting approval from OMB for this new information collection as soon as possible after it is received at OMB.

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 all employees to complete and submit a form attesting to their current vaccination status. For volunteer workers, the FCC is choosing to require applicants to certify as to their vaccination status when applying for a position as part of the agency's existing Volunteer Service Agreement form. However, the FCC is required to obtain OMB approval prior to collecting such information. Moreover, the FCC recently discovered that although its Volunteer Service Agreement form has been used to collect basic identifying information about volunteer applicants for approximately a decade, PRA approval was never sought for the use of this form. Emergency processing is being sought so that the FCC can continue to process volunteer service requests while it seeks approval for use of the existing portion of the form without a lengthy disruption.

This information does affect individuals.

The Privacy Act Statement for this collection is the following:

Privacy Act Statement

Authority: The authority to collect this information derives from 5 U.S.C. 3111, Acceptance of volunteer service. Certification of compliance with COVID-19 vaccine requirements for Federal workers derives from several sources, including most recently Executive Order 13991, Protecting the Federal Workforce and Requiring Mask-Wearing; Executive Order 14043, Requiring Coronavirus Disease 2019 Vaccination for Federal Employees; and OMB Memorandum M 21-15, COVID-19 Safe Federal Workplace: Agency Model Safety Principles (Jan. 24, 2021), as amended.

Purpose and Routine Uses: The information collected on this form is to allow the FCC to determine an individual's eligibility to participate in a volunteer service program administered by the agency. FCC may release information contained in this system to other individuals and entities when necessary and appropriate under 5 U.S.C. § 552a(b) of the Privacy Act, which may include but is not limited to the routine uses identified in FCC/OMD-16 (Personnel Security Files); FCC/OMD-24 (Physical Access Control System); FCC/OMD-32 (FCC Telework Program); and FCC/OMD-33 (Ensuring Workplace Health and Safety in Response to a Public Health Emergency), all posted at <https://www.fcc.gov/managing-director/privacy-transparency/privacy-act-information#systems>. Failure to provide the information requested on this form will result in an individual being deemed ineligible for volunteer service at the FCC.

2. *Use of information.* The requirements contained herein are necessary to implement Executive Order 14043. The information collected herein provides the Commission with confirmation whether individuals performing volunteer work for the FCC have been fully vaccinated against COVID-19, in order for the agency to fully comply with the terms of EO 14043. In addition, the information contained in the existing portion of the form allows the FCC to receive, evaluate, and process requests to provide volunteer service to the agency.
3. *Use of automated, electronic, mechanical, or other technological collection techniques or other forms of information technology.* We anticipate that respondents will submit information through e-mail using a fillable PDF form.
4. *Efforts to identify duplication.* There will be no duplication of information. The information sought is unique to each employee. The Commission does not otherwise collect this information, and it is not available from other sources.
5. *Impact on small entities.* As respondents are individuals who wish to perform work for the FCC as volunteers, there will be no impact on small entities.
6. *Consequences if information not collected.* Failing to collect the information, or collecting it less frequently, would prevent the Commission from complying with Executive Order 14043 by the required deadline. It will also complicate the effort to evaluate and process requests by individuals to work for the agency on a volunteer basis.
7. *Special circumstances.* As explained above, without this information collection, the FCC will be unable to fully comply with the terms of Executive Order 14043, unnecessarily barring potential volunteers from gaining important work experience at the agency.
8. *Federal Register notice; efforts to consult with persons outside the Commission.* Emergency processing is being sought for this information collection requirement, and the Commission seeks waiver of all notice requirements due to the emergency nature of this request under 5 CFR § 1320.18(d).
9. *Payments or gifts to respondents.* There will be no payments or gifts to respondents.
10. *Assurances of confidentiality.* Due to the personal and sensitive nature of the information to be collected, there is an assurance of confidentiality provided to respondents concerning this information collection.

11. *Questions of a sensitive nature.* As explained above, the information to be collected relates to the vaccination status of individuals seeking to work as volunteers for the FCC, which is considered medical in nature and therefore could constitute private matters of a sensitive nature.
12. *Estimates of the hour burden of the collection to respondents.* The following represents the hour burden of the collection of information for whom this notice applies.
 - a. Number of estimated annual respondents: 25.
 - b. Total number of annual responses: 25.
 - c. Frequency of response: One-time reporting requirement.
 - d. Total estimated annual burden: 0.25 hours per respondent for 25 respondents filing once. Total estimated annual hours burden is calculated as follows:

25 estimated responses x 0.25 hours per response = 6 total estimated burden hours.
 - e. Total estimate of annual in-house cost to respondents for the hours burden: \$254.
 - f. Explanation of calculation: Although respondents will be unpaid volunteers and mostly (if not entirely) students, we value their time at an average rate equivalent to the hourly rate of a GS-11, Step 5 government staff member (*i.e.*, the rate paid to a recent law school graduate) (\$40.70/hour). Therefore, the maximum anticipated in-house cost is as follows:

25 estimated responses x 0.25 hours per response x \$40.70/hour = \$254.
13. *Estimates for cost burden of the collection to respondents.* There are no external costs to respondents related to this information collection.
14. *Estimate of the cost burden to the Commission.* There will be few, if any, costs to the Commission because reviewing the completed forms will be quick and is encompassed by regular Commission duties performed by human resources personnel.
15. *Program changes or adjustments.* This is a new information collection resulting in a program change/increase of 25 respondents, 25 responses, and 6 total estimated burden hours.
16. *Collections of information whose results will be published.* The collected information will not be published for statistical use.
17. *Display the expiration date for OMB approval of the information collection.* The Commission seeks approval to not display the expiration date for OMB approval on this information collection. The Commission publishes a list of all OMB-approved information collections in 47 CFR § 0.408 of the Commission's rules.

B. Collections of Information Employing Statistical Methods:

The Commission does not anticipate that the collection of information will employ statistical methods.