



U.S. MERIT SYSTEMS PROTECTION BOARD

Office of the Executive Director

1615 M Street, N.W.
Washington, DC 20419

Phone: (202) 653-7200; Fax: (202) 653-7208; E-Mail: william.spencer@mspb.gov

January 6, 2022

Sharon Block, Acting Administrator
Office of Information and Regulatory Affairs
Office of Management and Budget
725 17th Street, NW
Washington, DC 20503

RE: Request for Emergency Clearance, OMB Control No. 3124-0NEW

Dear Ms. Block,

Pursuant to Office of Management and Budget (OMB) procedures established in 5 C.F.R. Part 1320, Controlling Paperwork Burdens on the Public, I request that the proposed U.S. Merit Systems Protection Board (MSPB) information collection, Request for Medical and Religious Exception to the COVID-19 Vaccination Requirement (OMB Control No. 3124-0NEW), including the two proposed information collection forms, be processed as an emergency clearance request in accordance with 5 C.F.R. § 1320.13, Emergency Processing.

I have determined that this information must be collected prior to the time periods established under Part 1320 of the regulations. This information is essential to implement health and safety measures mandated by Executive Order 14043, "Requiring Coronavirus Disease 2019 Vaccination for Federal Employees" (Sept. 9, 2021) and included within recent Safer Federal Workforce Task Force Guidance. Government agencies have an urgent need to request medical and religious exception information from federal employees with input from medical professionals and religious or spiritual advisors. Applying regular Paperwork Reduction Act clearance procedures is likely to cause harm because of the threat of COVID-19 exposure and transmission (5 C.F.R. § 1320.13(a)(2)(i)). Further, I have determined that because of the nature of the public health emergency and the urgent need for this collection, it is impracticable for MSPB to consult in advance with interested agencies and members of the public in order to minimize the burden of the collection of information pursuant to 5 C.F.R. § 1320.13(c).

Therefore, MSPB requests a 180-day emergency clearance to establish the Request for Medical and Religious Exception to the COVID-19 Vaccination Requirement information collection and its two proposed forms to allow individuals to seek medical or religious exceptions to the vaccine mandate in Executive Order 14043. During the 180-day emergency approval, MSPB will work to establish a regular clearance submission of this information collection request under the Paperwork Reduction Act procedures. As this request for approval concerns an urgent safety need, MSPB is also seeking 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) prior to the publication and implementation of these forms.

We would appreciate it if your staff could please provide an approval/disapproval determination of this request to collect information under the emergency clearance by the close of business on January 10, 2022.

Should you or your staff have further questions or require additional information, please do not hesitate to contact D. Fon Muttamara, MSPB's Chief Privacy Officer, at (202) 254-4772 or fon.muttamara@mspb.gov.

Sincerely,

William D. Spencer
Acting Executive Director and
Senior Agency Official for Privacy

Enclosures

WDS/fm