



September 29, 2021

Subject: Vaccination Requirement - [Executive Order \(EO\) 1404](#)

Dear Partners,

On September 9, 2021, President Biden announced his Path Out of the Pandemic: COVID-19 Action Plan. As part of that plan, the President signed [Executive Order \(EO\) 14042](#) on Ensuring Adequate COVID Safety Protocols for Federal Contractors that directs Executive departments and agencies, including independent establishments subject to the Federal Property and Administrative Services Act, 40 U.S.C. 102(4)(A), to ensure that contracts and contract-like instruments (including cooperative agreements) include a clause that the contractor and any subcontractors (at any tier) shall incorporate into lower-tier subcontracts. This was done to promote economy and efficiency in federal procurement by ensuring that parties that contract with the federal government provide adequate COVID-19 safeguards to their workers performing on or in connection with a federal government contract or contract-like instruments. The EO also expanded the application of new requirements for federal contractors beyond those individuals performing on-site under contracts in federal facilities.

USAID is working with the Office of Management and Budget (OMB) and the Office of Federal Procurement Policy (OFPP) to develop the contract clause required to be implemented by the E.O. and the associated guidance. The clause will specify that the contractor or subcontractor will, for the duration of the contract, comply with all guidance for contractor or subcontractor workplace locations published by the [Safer Federal Workforce Task Force](#) (SFWTF). The clause will not apply to solicitations and contracts if performance is outside of the United States or its outlying areas; however, the exclusion is limited to employees who are performing work outside the U.S. or its outlying areas.

On September 24, 2021, the SFWTF issued [Guidance for Federal Contractors and Subcontractors](#) (also available on the [SFWTA website under "What's New?"](#)). We encourage all contractors to review the Guidance, including guidance conveyed through its FAQs, and be prepared to comply with it.

USAID anticipates that the contract clause will be issued on or after October 8, 2021. For new awards, and modifications to extend a contract or exercise an option, the requirements will be incorporated as specified in the Guidance's [FAQ#12](#). Additionally, USAID is planning to incorporate this clause into existing contracts and contract-like instruments that provide onsite services at USAID domestic facilities. USAID will provide information on the clause and implementation as soon as it becomes available. Existing awardees whose staff provide services

at USAID domestic facilities should review their awards to determine if the mandatory vaccination requirement would have any impact on the budget or other terms and conditions of the contract so that modifications can be executed expeditiously when the clause is issued.

Until your award has been modified to incorporate this new clause, or you have been informed otherwise, all employees of contractors and contract-like instruments requiring access to USAID facilities must follow the most up-to-date procedures regarding federal contractors and visitors available in the [Safer Federal Workforce FAQs](#), in particular those in the Vaccinations section. Specifically, onsite contractors are required to complete [OMB Form no. 3206-0277](#) in order to access a USAID facility, and carry with them a physical copy of their completed form at all times while in a USAID facility. Onsite contractors and visitors may be asked to show their form to authorized Agency officials who have a need to know their vaccination status (forms are available in the lobbies of USAID facilities). Onsite contractor employees who are not fully vaccinated or who decline to provide information about their vaccination status must provide proof of a negative COVID-19 test from no later than the previous 3 days prior to entry to a federal building.

Following SFWTF procedures helps to ensure USAID mission readiness, protects all of the workforce, and bolsters public health and safety. While localized facility guidance takes precedence, you can monitor areas of high transmission via the [CDC COVID-19 Data Tracker County View](#).

USAID's Office of Acquisition and Assistance will continue to update its website [COVID-19 Guidance for Implementing Partners](#). Additionally, OFPP has shared a blog "[Ensuring Adequate COVID Safety Protocols for Federal Contractors](#)" discussing the evolving role of Federal contractors in fighting this pandemic.

I will continue to share relevant updates as information becomes available. Within the first two weeks of October, the Office of Acquisition and Assistance will schedule a call with USAID's institutional support contractors to discuss the new requirements and our approach to implementation.

For questions about this message, please contact IndustryLiaison@usaid.gov.

All the very best,

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Office of Acquisition & Assistance