



**Homeland
Security**

November 5, 2021

Subject: Reminder Regarding Ongoing Testing Requirements for Unvaccinated Contractor Employees

Dear Industry Partner,

This letter is a reminder of the Department of Homeland Security's implementation of [Executive Order \(EO\) 14042 on Ensuring Adequate COVID Safety Protocols for Federal Contractors](#), signed on September 9, 2021, and that all of the guidance provided by the Safer Federal Workforce Task Force concerning [COVID-19 Workplace Safety: Agency Model Safety Principles](#), remains in effect.

EO 14042 directs federal agencies to include a clause in applicable contracts that specifies that the contractor shall, for the duration of the contract, comply with all guidance for contractor or subcontractor workplace locations published by the Safer Federal Workforce Task Force. DHS is actively including the required clause (FAR 52.223-99 (Deviation)) in new solicitations and contracts in accordance with the Task Force guidance. Our contracting officers are encouraged to engage with covered contract service providers well before an option is exercised to ensure contractors are implementing the requirements on time without adverse impacts on mission.

As a reminder, contractors are still required to comply with all the Task Force guidance for unvaccinated employees. This is applicable until such time as there is a contractual requirement. This means that onsite contractor employees, who are not fully vaccinated or who decline to provide their vaccination status to their employer, are required to obtain a negative COVID-19 test within three days of attempting to enter a federal building or a federally controlled indoor worksite. In August 2021, I directed that contractors with onsite employees provide a one-time general attestation to the company to the program manager or contracting officer's representative administering the contract in order to comply with the Task Force guidance. If your company has not provided this attestation, please provide your attestation that all onsite contractor employees are fully vaccinated or otherwise in compliance with DHS's safety protocols to satisfy the Task Force's requirement. Contractor personnel are also required to follow all signage posted in DHS facilities or operational locations regarding masking or other requirements and comply with all instructions by Federal Protective Service (FPS) officers and facility managers. However, regardless of signage, the Task Force requirements remain in effect.

I encourage you to regularly review the Frequently Asked Questions on the Task Force website ([Federal Contractors | Safer Federal Workforce](#)) because the information is continuously updated to reflect answers to industry questions. Please make sure you are also continuing to monitor your area's COVID-19 transmission information via the [CDC COVID-19 Data Tracker County View](#) and take appropriate action to safeguard your employees. We are currently reviewing the Occupational Safety and Health Administration's (OSHA) emergency temporary standard for employers with 100 or more employees related to mandatory vaccination policies and the impact

SUBJECT: Reminder Regarding Ongoing Testing Requirements for Unvaccinated Contractor Employees

Page 2

that it will have on guidance for federal contractors. I will provide updated information regarding the OSHA rule and the rule's implication for DHS contractors as further guidance becomes available.

Thank you for your partnership in implementing this Executive Order so we can keep the entire workforce, both contractors and federal employees, safe. I will continue to share relevant updates to ensure you have the information you need to implement vaccination and testing requirements appropriately.

Sincerely,

PAUL R
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Date: 2021.11.05
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Paul R. Courtney
Chief Procurement Officer