



May 12, 2023

CAAC Letter 2021-03
Supplement 1

MEMORANDUM FOR CIVILIAN AGENCIES

FROM: WILLIAM CLARK
CHAIR
CIVILIAN AGENCY ACQUISITION COUNCIL (CAAC)

SUBJECT: Supplement to rescind CAAC Letter 2021-03 Class Deviation From the Federal Acquisition Regulation (FAR) Regarding Implementation of Executive Order 14042, Ensuring Adequate COVID Safety Protocols for Federal Contractors

This supplement rescinds CAAC letter 2021-03.

CAAC Letter 2021-03 was issued to serve as consultation in accordance with FAR 1.404, authorizing agencies to issue a class deviation to implement Executive Order (E.O.) 14042, Ensuring Adequate COVID Safety Protocols for Federal Contractors. Executive Order 14042 was signed by the President on September 9, 2021, and published in the Federal Register at 86 FR 50985 on September 14, 2021. The E.O. required agencies to include a clause requiring contractors and subcontractors at any tier to comply with all guidance for contractor or subcontractor workplace locations as published by the Safer Federal Workforce Task Force (Task Force Guidance) at <https://www.saferfederalworkforce.gov/contractors/>. The clause applied to solicitations and contracts for services, including construction.

Executive Order titled "Moving Beyond COVID-19 Vaccination Requirements for Federal Workers" effective at 12:01am on May 12, 2023, revokes E.O. 14042. Consistent with the "Moving Beyond COVID-19 Vaccination Requirements for Federal Workers" E.O., any agency policies that have been adopted to implement E.O. 14042 can no longer be enforced and must be rescinded. As such, clause 52.223-99, Ensuring Adequate COVID-19 Safety Protocols for Federal Contractors, shall no longer be included or enforced in any solicitation or contract.

Effective upon issuance of this supplemental CAAC letter, agencies are advised to review any relevant deviations or policies resulting from E.O. 14042 and take actions to rescind those policies.

If you have any questions or require additional information about this Letter, please contact Malissa Jones at (571) 882-4687 or at malissa.jones@gsa.gov.