DATE: May 15, 2023

TO: U.S. Department of Education Contractors

FROM: Kerry K. Neal
Deputy Assistant Secretary for Acquisition, Grants, and Risk Management
Senior Procurement Executive

SUBJECT: Revocation of Executive Order 14042, Ensuring Adequate COVID Safety Protocols for Federal Contractors

On May 9, 2023, President Biden issued Executive Order on Moving Beyond COVID-19 Vaccination Requirements for Federal Workers, revoking Executive Order (EO) 14042, Ensuring Adequate COVID Safety Protocols for Federal Contractors. EO 14042 required certain parties contracting with the Federal Government to provide COVID-19 safeguards to their workers. As a result of EO 14042, your contract may have included FAR clause 52.223-99 (Ensuring Adequate COVID-19 Safety Protocols for Federal Contractors). Please be advised that this clause is not enforceable and is self-deleting, effective May 12, 2023.

Although the requirements of EO 14042 have been rescinded, EO 13991 (Protecting the Federal Workforce and Requiring Mask-Wearing) currently remains in effect and the federal agency workplace safety protocols for federal buildings and federally-controlled facilities still apply. Contractor employees working onsite at Department of Education facilities must still follow federal agency workplace safety protocols. For additional information on those protocols, go to https://www.saferfederalworkforce.gov/.

Thank you to all of the contractor employees who continued to provide mission support throughout the COVID-19 pandemic.