



UNITED STATES TAX COURT
Washington, D.C. 20217

November 16, 2021

REPEALED BY ADMINISTRATIVE ORDER 2022-01

Administrative Order No. 2021-03

Subject: Protocol for Court Personnel and Contractors Entry into Washington, D.C. Courthouse

I. Background

The President of the United States declared a national emergency caused by the novel coronavirus disease (COVID-19) on March 13, 2020. The United States Tax Court closed the courthouse in Washington, D.C. to the public on March 20, 2020. On October 5, 2021, the Tax Court entered an order providing limited public entry solely for the purpose of providing public access to observe scheduled in-person Court proceedings in Washington, D.C.

The Tax Court continues to closely monitor the public health emergency created by the COVID-19 pandemic. Currently, safe and effective COVID-19 vaccines are widely available in the United States and one (Pfizer-BioNTech) has received full approval from the United States Food and Drug Administration. All judicial officers are fully vaccinated as defined by the Center for Disease Control (CDC). To protect the health and safety of the public and Court staff, the Court is adopting a protocol for entry by court personnel and contractors into the Washington, D.C. courthouse.

II. Court Personnel

Effective November 22, 2021, court personnel will be required to show for entry into the D.C. courthouse a COVID-19 vaccine attestation form, a vaccination card showing full COVID-19 vaccination, or a negative COVID-19 test result that is no older than 7 days. (This can be done electronically via Zoom or in person at the Courthouse.) The fully vaccinated will be placed on a list of those eligible for nonconditional admittance to the building. All others will be eligible for conditional admittance on presentation of a negative test result no older than 7 days. The Court will not keep records of the attestation form, proof of vaccination card, or negative test results.

Those coming into the building who are not vaccinated or who do not disclose their vaccination status must be tested each week prior to entry into the building. Court personnel not in compliance with the Court's policy will be asked to leave and not return until compliant. Depending on the circumstances, the employee may be required to take annual leave or leave without pay or may be designated absent without leave.

Supervisors and employing judges should coordinate the ongoing review of test results provided to them by court personnel subject to the testing requirement. Supervisors will approve administrative leave for time associated with testing but testing costs will not be reimbursed.

Accommodations based on an individual's official duties and the specific situation will be made for those who are not vaccinated for religious or health reasons.

III. Contractors

Effective November 22, 2021, contractors will be required to have with them a COVID-19 attestation form or vaccination card showing full vaccination or negative COVID-19 test result that is no older than 7 days. The Court will not keep records of attestation forms, vaccination cards, or negative test results.

There will be signs at the entrances of the Washington, D.C. courthouse stating the following:

For entry into the building, contractors are required to have with them a COVID-19 attestation form, a vaccination card, or a negative test result that is less than 7 days old.

Court personnel supervising contractors can ask for COVID-19 attestation forms, vaccination cards, or negative test result less than 7 days old. Contractors not in compliance with the Court's policy will be asked to leave and not return until compliant.

IV. Guidance on Entry

Court personnel and contractors will follow CDC guidance while in the Washington, D.C. courthouse, including the guidance regarding face coverings. See [Your Guide to Masks | CDC](#).

All Court personnel are required to report a positive COVID-19 test immediately to HR and to comply with CDC guidance regarding quarantining.

Maurice B. Foley
Chief Judge