

**United States Court of Appeals
for the Federal Circuit**

—and—

**United States Court of
Federal Claims**

O R D E R

**Restricting Court Access to the National Courts
Building Through June 30, 2021**

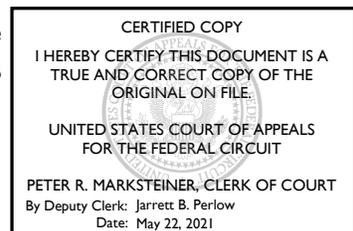
Based on declared public health emergencies impacting Washington, D.C. and the National Capital Region and ongoing efforts to mitigate community transmission and the impact of COVID-19, there is a need for the United States Court of Appeals for the Federal Circuit and the United States Court of Federal Claims to restrict public access to the Howard T. Markey National Courts Building. These restrictions modify and supersede those outlined in the administrative orders of the United States Court of Appeals for the Federal Circuit and the United States Court of Federal Claims both dated March 16, 2020, and will remain in place as a temporary measure through June 30, 2021, unless modified by subsequent order.

On behalf of both courts, we find pursuant to 28 U.S.C. § 2071(e) that there is an immediate need for this Order altering the rules of both courts, effective May 24, 2021, 12:01 a.m. (Eastern).

IT IS ORDERED THAT:

- (1) Judges, special masters, law clerks, chambers staff, court staff, interns, General Services Administration personnel, and contractor personnel regularly performing work in the National Courts Building and connecting buildings

Administrative Order No. 2021-09



(NCB), and law enforcement and security personnel and contractors assigned to the NCB will be admitted to the NCB upon the presentation of appropriate identifying credentials.

- (2) Litigants, witnesses, and any other parties who will be physically present in the NCB because of their participation in a scheduled hearing that day will be admitted to the NCB upon the presentation of appropriate identifying credentials.
- (3) All others will be granted access to the NCB on a case-by-case basis by the Chief Judge of whichever court is appropriate under the circumstances, or her designee.
- (4) Requests for access must be submitted in writing, ideally via email, no later than 24 hours in advance, to the Circuit Executive and Clerk of Court of the United States Court of Appeals for the Federal Circuit or to the Clerk of Court of the United States Court of Federal Claims, whichever court is appropriate under the circumstances.
- (5) The following rules apply to all individuals entering the NCB for any purpose:
 - a. Fully vaccinated individuals may forego wearing masks and physical distancing. (Individuals are considered “fully vaccinated” for COVID-19 two weeks after receiving their second dose in a two-dose series vaccine or two weeks after receiving a single dose vaccine.)
 - b. Maximum capacity in the elevators located in the public lobby will be limited to no more than four riders at a time. Maximum capacity in the private judges and staff elevators will be limited to no more than two riders at a time.
 - c. Unvaccinated individuals must continue to wear masks and observe physical distancing in accordance with CDC guidance.

- d. Mask wearing and physical distancing is optional for individuals who are fully vaccinated.
 - e. All individuals must comply with any additional protocols, procedures, practices, or policies issued by the courts intended to minimize the possibility of viral transmission, as reflected in posted signs or placards and/or information posted on the courts' public websites.
- (6) These restrictions will remain in effect beginning May 24, 12:01 a.m. (Eastern) and continue through June 30, 2021, or until this Order is either amended or rescinded.
- (7) The Circuit Executive and Clerk of Court of the United States Court of Appeals for the Federal Circuit, and the Clerk of Court for the United States Court of Federal Claims are directed to provide public notice of this Order and to take any necessary and proper actions to implement these restrictions.

FOR THE COURTS

May 22, 2021
Date

/s/ Kimberly A. Moore
Kimberly A. Moore
Chief Judge
United States Court of
Appeals for the
Federal Circuit

May 22, 2021
Date

/s/ Elaine D. Kaplan
Elaine D. Kaplan
Chief Judge
United States Court of
Federal Claims