



EXECUTIVE ORDERS IMPACTING PUBLIC HEALTH
Table

One Month of Executive Orders for the Biden Administration: Public Health Impact Chart

As of February 20, 2021, President Biden had issued 32 Executive Orders (EOs), several of which are intended to protect the public’s health. While the majority of the EOs use the power of the federal government to protect Americans from the COVID-19 pandemic, there are also measures designed to strengthen our public health infrastructure more broadly, and specifically relate to the impact of climate change. This table details Biden Administration EOs that impact public health and provides a summary of each EO’s provisions.

TITLE	CITATION	RELATION TO PUBLIC HEALTH SUMMARY
America's Supply Chains	Exec. Order No. 14017, 86 Fed. Reg. 11849 (Feb. 24, 2021).	<ul style="list-style-type: none"> States the policy of the Biden Administration to “strengthen the resilience of America’s supply chains” in order to protect the county in the case of events that can reduce the availability of goods and manufacturing. Requires the Secretaries of Commerce, Energy, Defense, and Health and Human Services to review any supply chain risks and provide a report to the President within 100 days of the order. Within 1 year of the date of this order, the Secretaries of Defense; Health and Human Services; Commerce; Homeland Security; Energy; Transportation; and Agriculture shall submit a sectoral supply chain assessment to the President that will include: <ol style="list-style-type: none"> Critical goods and materials; Manufacturing capabilities; Anything that may strain, disrupt, or compromise the supply chain; The resilience and capacity of American supply chains to support national security and emergency preparedness; Allied and partner actions;

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- 6. Primary causes of risk;
 - 7. Prioritization of critical goods and materials;
 - 8. Specific policy recommendations for ensuring a resilient supply chain;
 - 9. Executive, legislative, or regulatory changes that can be made to strengthen capabilities; and
 - 10. Proposals for improving the government wide effort to strength supply chains.
- The President shall be provided with reports reviewing all actions taken to strengthen the supply chain as well as recommendations to continue that work.
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- Directs the Secretary of HHS to consider establishing a Special Enrollment Period for the Federally Facilitated Marketplace for uninsured and under-insured Americans amid the COVID-19 crisis.
 - Directs the Secretaries of HHS, Treasury, and Labor to review all existing regulations, orders, guidance documents, policies, etc. and to consider new agency action to strengthen Medicaid and the Affordable Care Act (ACA).
 - Specific direction for review of agency action:
 1. Policies that undermine protections for pre-existing conditions including COVID-19;
 2. Demonstrations or waivers that reduce coverage or otherwise undermine Medicaid or the ACA;
 3. Policies that undermine the federal marketplace, the small group market, or the large group insurance markets;
 4. Policies/practices that present unnecessary barriers to individuals and families attempting to secure Medicaid or ACA coverage; and
 5. Policies/practices that reduce affordability of coverage or financial assistance for coverage.
 - Revokes Executive Orders (EOs) 13765 and 13813. Directs agency heads to review actions relating to or arising out of these orders.
 1. [EO 13765](#): Minimizing the Economic Burden of the Patient Protection and Affordable Care Act Pending Repeal—allowed the Secretary of HHS to waive, defer, grant exemptions from, or delay the implementation of any provision of the ACA which had a fiscal burden on states, health care providers, insurers, etc.
 2. [EO 13813](#): Promoting Healthcare Choice and Competition Across the United States—sought to facilitate the purchasing of coverage across state lines. Also expanded access/availability of Association Health Plans; Short Term, Limited Duration Insurance; and Health Reimbursement Arrangements.
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[Strengthening Medicaid and the Affordable Care Act](#)

Exec. Order No. 14009, 86 Fed. Reg. 7783 (Feb. 2, 2021).

[Tackling the Climate Crisis at Home & Abroad](#)

Exec. Order No. 14008, 86 Fed. Reg. 7610 (Feb. 1, 2021).

- Creates the President’s Special Envoy for Climate.
 - Establishes the White House Office of Domestic Climate Policy and a National Climate Task Force.
 - Seeks to revitalize the Federal Government’s sustainability efforts and to make clean energy, and energy efficient procurement decisions.
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- Establishes the Interagency Working Group on Coal and Power Plant Communities and Economic Revitalization.
- Establishes the White House Environmental Justice Interagency Council.

[President's Council of Advisors on Science and Technology](#)

Exec. Order No. 14007, 86 Fed. Reg. 7615 (Feb. 1, 2021).

- Establishes the President's Council of Advisors on Science and Technology (PCAST)
- PCAST functions as an advisor to the President on policy affecting science, technology, and innovation, as well as on matters involving scientific and technological information that is needed to inform public policy relating to the economy, worker empowerment, education, energy, the environment, public health, national and homeland security, and racial equity.
- Administration and funding provided for PCAST by the Department of Energy.
- Terminates 2 years from the date of the order unless extended (January 27, 2023).
- Revokes EO 13895.

[Reforming Our Incarceration System to Eliminate the Use of Privately Operated Criminal Detention Facilities](#)

Exec. Order No. 14006, 86 Fed. Reg. 7483 (Jan. 29, 2021).

- Seeks to reduce profit-based incentives of imprisonment.
- Incarceration and correctional systems should prioritize rehabilitation and redemption.
- Directs the Attorney General to not renew DOJ contracts with privately operated criminal detention facilities (i.e., for-profit prisons).

[Protecting the Federal Workforce](#)

Exec Order No. 14003, 86 Fed. Reg. 7231 (Jan. 27, 2021).

- This EO relates to certain personnel procedures generally.
- Ensures the right of federal employees to engage in collective bargaining.
- Requires the Director of Office of Personnel Management to prepare a report with recommendations to support a \$15 minimum wage for federal employees.

[Economic Relief Related to the COVID-19 Pandemic](#)

Exec. Order No. 14002, 86 Fed. Reg. 7229 (Jan. 27, 2021).

- Requires all executive departments and agencies to identify actions to address the current economic crisis resulting from the COVID-19 pandemic.

[A Sustainable Public Health Supply Chain](#)

Exec. Order No. 14001, 86 Fed. Reg. 7219 (Jan. 26, 2021).

- Requires the Secretaries of State, Defense, HHS, and Homeland Security to inventory critical items needed to combat COVID-19 including PPE and assess whether U.S. industry can provide such supplies in a timely manner.
- Requires assessment of pricing schedules to facilitate State, local, Tribal, and territorial government buyers and compacts in purchasing pandemic response supplies.
- Authorizes use of the Defense Production Act to improve stockpiles, distribution, building market capacity, etc.
- Requires report on the status and inventory of the Strategic National Stockpile (SNS).
- Requires the creation of a Pandemic Supply Chain Resilience Strategy which is to include plans to manage emergency supply needs of State, local, Tribal, and territorial authorities including considerations for access to the SNS.

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- Secretary of HHS shall consult with Tribal authorities to facilitate access to the SNS.
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[Supporting the Reopening and Continuing Operation of Schools and Early Childhood Education Providers](#)

Exec. Order No. 14000, 86 Fed. Reg. 7215 (Jan. 26, 2021).

- Requires the Secretary of Education to provide evidence-based guidance regarding opening elementary and secondary schools and institutions of higher education for in-person learning.
 - Requires the Secretary of Education to provide advice on distance and online learning.
 - Requires the Secretary of Education to develop a Safer Schools and Campuses Best Practices Clearinghouse to enable schools to share lessons learned and best practices.
 - Requires report on the disparate impacts of COVID-19 on students.
 - Encourages the FCC to increase connectivity options for students lacking reliable home broadband.
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[Protecting Worker Health and Safety](#)

Exec. Order No. 13999, 86 Fed. Reg. 7211 (Jan. 21, 2021).

- Requires the Secretary of Labor to:
 1. Issue within 2 weeks revised guidance on workplace safety during COVID-19;
 2. Consider whether emergency temporary standards on masks are necessary (issued by March 15, 2021);
 3. Review enforcement efforts of OSHA related to COVID-19;
 4. Launch a national program to focus OSHA enforcement efforts on COVID-19 violations that put the largest number of workers at serious risk or are contrary to anti-retaliation principles;
 5. Conduct a multilingual outreach campaign to inform workers of their rights;
 6. Coordinate with states to ensure workers are adequately protected from COVID-19 that are covered by state occupational safety and health plans; and
 7. Consider whether emergency measures are necessary for the coal and metal and non-metal mines on COVID-19.
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[Promoting COVID-19 Safety in Domestic and International Travel](#)

Exec. Order No. 13998, 86 Fed. Reg. 7205 (Jan. 21, 2021).

- Requires the Secretaries of Labor, HHS, Transportation, Homeland Security, and the Commandant of the Coast Guard to take immediate action requiring masks in or on:
 1. Airports;
 2. Commercial Airplanes;
 3. Trains;
 4. Public Maritime Vessels (including ferries);
 5. Intercity Bus Services; and
 6. All Forms of Public Transportation
 - Requires the Secretaries of Transportation and Homeland Security to coordinate with the COVID-19 Response Coordinator as to how to impose additional public health measures for domestic travel.
 - Requires the Secretaries of HHS, Homeland Security, and Transportation to assess the CDC order requiring negative COVID-19 test for international travelers. Shall also consider additional requirements such as
 1. Timing and types of COVID-19 tests to satisfy the requirement;
 2. Proof travelers should be required to provide; and
 3. Feasibility of implementing protective public health measures such as testing, self-quarantine, and self-isolation upon arrival.
 - Requires the Secretaries of Homeland Security and Transportation to submit to the President a plan to implement PH measures at land ports of entry within 14 days.
 - Requires the Secretary of Homeland Security to submit to the President a plan to implement PH measures at seaports of entry within 14 days.
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[Improving and Expanding Access to Care and Treatments for COVID-19](#)

Exec. Order No. 13997, 86 Fed. Reg. 7201 (Jan. 21, 2021).

- This EO aims to improve and expand access to healthcare and treatments for COVID-19 by:
 1. Having the Secretary of HHS create a plan to help to further develop promising treatments and therapies;
 2. Having Secretary of Defense, HHS Secretary, and VA Secretary use their agencies to improve the capacities of the nation's healthcare systems; and
 3. Establishing targets for production, allocation, and distribution of COVID-19 treatments, including providing support to State, local, Tribal, and territorial authorities.
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[Establishing the COVID-19 Pandemic Testing Board and Ensuring a Sustainable Public Health Workforce for COVID-19 and Other Biological Threats](#)

Exec. Order No. 13996, 86 Fed. Reg. 7197 (Jan. 21, 2021).

- This EO aims to establish a national COVID-19 testing strategy, expand the available supply of tests, work to bring their manufacture to the US, expand the public health workforce, and ensure a clarity of messaging about tests by:
 1. Establishing a COVID-19 Pandemic Testing Board;
 2. Taking action to ensure free access to tests for those who lack comprehensive insurance; and
 3. Establishing a Public Health Workforce Program.
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[Ensuring an Equitable Pandemic Response and Recovery](#)

Exec. Order No. 13995, 86 Fed. Reg. 7193 (Jan. 21, 2021).

- This EO aims to ensure that the Federal Government takes steps to remedy differences in COVID-19 care and outcomes within underserved populations by:
 1. Creating a COVID-19 Health Equity Task Force; and
 2. Directing federal agencies to consider equity in their pandemic response.
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[Ensuring a Data-Driven Response to COVID-19 and Future High-Consequence Public Health Threats](#)

Exec. Order No. 13994, 86 Fed. Reg. 7189 (Jan. 21, 2021).

- This EO looks to respond to the COVID-19 pandemic by using science and data, specifically asking:
 1. Federal agencies to take steps to improve their data collection and interagency cooperation;
 2. HHS to work to improve public health data systems; and
 3. Office of Science and Technology Policy to develop a plan for innovation in public health data and analytics.
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[Protecting the Federal Workforce and Requiring Mask-Wearing](#)

Exec. Order No. 13991, 86 Fed. Reg. 7045 (Jan. 20, 2021).

- This EO requires the wearing of masks and adherence to social distancing for federal employees, contractors, buildings, and lands;
 - Directs the HHS Secretary to engage in a campaign to encourage mask wearing and other public health measures; and
 - Establishes a Safer Federal Workforce Task Force.
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[Protecting Public Health and the Environment and Restoring Science To Tackle the Climate Crisis](#)

Exec. Order No. 13990, 86 Fed. Reg. 7037 (Jan. 20, 2021).

- This EO aims to reverse regulations promulgated during the Trump administration that the Biden administration believes are harmful to the public health or to the administration's attempts to tackle the climate crisis.
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[Organizing and Mobilizing the United States Government To Provide a Unified and Effective Response To Combat COVID-19 and To Provide United States Leadership on Global Health and Security](#)

Exec. Order No. 13987, 86 Fed. Reg 7019 (Jan. 20, 2021).

- This EO aims to combat the COVID-19 pandemic by:
 1. Creating the position of Coordinator of the COVID-19 Response;
 2. Organizing the White House to combat COVID-19, including coordination with State, local, Tribal and territorial authorities as appropriate;
 3. Working to regain the US's leadership role in the field of public health; and
 4. Ensuring the COVID-19 Response Coordinator is aware of any and all agency obstacles related to the COVID-19 response.

SUPPORTERS



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This document was developed by law students Jordan Fisher, J.D. Candidate '21, and Erin Weinstock, J.D. Candidate '21, under the supervision of Professor Kathleen Hoke, J.D., Director, Network for Public Health Law—Eastern Region Office. The Network for Public Health Law provides information and technical assistance on issues related to public health. The legal information and assistance provided in this document does not constitute legal advice or legal representation. For legal advice, please consult legal counsel.

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