

## CLIENT ALERT

### Biden Day Five – President Biden Takes Executive Action to Advance Racial Equity Agenda; Announces Additional Steps to Increase COVID-19 Vaccine Supply

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Today, President Biden signed 4 new actions and announced new steps to increase COVID-19 vaccine supply and transparency to help states, tribes, and territories in their vaccination efforts. Building on his campaign promise to combat racial inequities, the executive order and memoranda signed today include: phasing out the Justice Department's use of private prisons, recommitting the government to respecting tribal sovereignty, directing agencies to mitigate racial bias in federal housing policies and addressing xenophobia and violence against Asian Americans and Pacific Islanders. President Biden also issued a fact sheet committing the administration to a number of actions to accelerate supply of the COVID-19 vaccine. The following is a summary and link to each of today's actions:

1. Executive Order – [Reforming Our Incarceration System to Eliminate the Use Privately Operated Criminal Detention Facilities](#). Directs the Attorney General to not renew contracts the Department of Justice has with privately-operated criminal detention facilities.
2. Memorandum – [Memorandum on Tribal Consultation and Strengthening Nation-to-Nation Relationships](#). Requires all executive departments and agencies to engage in regular, meaningful, and robust consultation with tribal officials in the development of Federal policies that have tribal implications. The head of each agency shall submit to the Director of the Office of Management and Budget, within 90 days of the date of this memorandum, a detailed plan of actions the agency will take to implement the policies and directives of Executive Order 13175 (issued in 2000), Consultation and Coordination with Indian Tribal Governments.
3. Memorandum – [Memorandum Condemning and Combating Racism, Xenophobia and Intolerance Against Asian Americans and Pacific Islanders in the United States](#). Acknowledges the role the federal government has played in perpetuating racism and xenophobia and directs the Secretary of Health and Human Services to issue guidance to describe best practices for advancing cultural competency, language access, and sensitivity towards Asian Americans and Pacific Islanders in the context of the Federal Government's COVID-19 response.
4. Memorandum – [Memorandum on Redressing Our Nation's and the Federal Government's History of Discriminatory Housing Practices and Policies](#). Directs federal agencies to work with communities to:
  - End housing discrimination,
  - Provide redress to those who have experienced housing discrimination,
  - Eliminate racial bias and other forms of discrimination in all stages of home-buying and renting,
  - Lift barriers that restrict housing and neighborhood choice,
  - Promote diverse and inclusive communities,

- Ensure sufficient physically accessible housing, and
- Secure equal access to housing opportunity for all.

The EO also directs The Secretary of Housing and Urban Development to examine recent regulatory actions impeding compliance with the Fair Housing Act, and to reinstate the “Affirmatively Furthering Fair Housing” law enacted under the Obama administration, rolled back by the Trump administration.

In addition to the actions taken to begin addressing what the Administration describes as racial inequities, the Biden Administration also announced a plan and released a related fact sheet to outline future action to bolster the country’s vaccine supply. The following is a summary and link to the fact sheet:

Fact Sheet: [President Biden Announces New Steps to Boost Vaccine Supply and Increase Transparency for States, Tribes and Territories](#). The administration will:

- Increase overall, weekly vaccine supply to states, tribes and territories from 8.6 million doses to a minimum of 10 million doses, maintaining these levels as the minimum supply level for the next three weeks.
- Increase transparency for states, tribes and territories to help manage their vaccination efforts. The Department of Health and Human Services will provide allocation estimates for the upcoming three weeks as opposed to the one week look-ahead that they previously received.
- Purchase 200 million additional vaccine doses by end of summer. The administration is working to purchase an additional 100 million doses of each of the two Food and Drug Administration-authorized vaccines (Pfizer and Moderna), increasing the total vaccine order for the U.S. by 50% -- from 400 million to 600 million -- with these additional doses expected to deliver this summer.

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