



Path Out of the Pandemic: President Biden's Covid Action Plan Summary

On September 9, the Biden Administration announced new measures to battle the COVID-19 pandemic. The President's plan to combat COVID-19 this fall has six main components. While all of these have the potential to affect schools indirectly, the provisions that can impact schools more directly are in red.

1. **Vaccinating the Unvaccinated**
2. Furthering Protection for the Vaccinated
3. **Keeping Schools Safely Open**
4. Increasing Testing and Requiring Masking
5. Protecting Our Economic Recovery
6. Improving Care for Those with COVID-19

1. Vaccinating the Unvaccinated

The White House plan will seek to reduce the number of unvaccinated Americans by a sweeping new set of policies to require Americans who have not yet been vaccinated against COVID-19 to receive a COVID-19 vaccination. These include:

Requiring All Employers with 100+ Employees to Ensure their Workers are Vaccinated or Tested Weekly: The Department of Labor's Occupational Safety and Health Administration (OSHA) is developing a rule that will require all employers with 100 or more employees to ensure their workforce is fully vaccinated or require any workers who remain unvaccinated to produce a negative test result on at least a weekly basis before coming to work. OSHA will issue an Emergency Temporary Standard to implement this requirement.

- State Plans are OSHA-approved workplace safety and health programs operated by individual states or U.S. territories. There are currently 22 State Plans covering both private sector and state and local government workers, and there are six State Plans covering only state and local government workers. You can check the OSHA State Plan status of your state here: [State Plans | Occupational Safety and Health Administration \(osha.gov\)](#)
- The rule is expected to include fines of up to \$14,000 per employee for employers that do not comply with the new requirements. It is anticipated that the states that have OSHA plans in place will also be required to include public school teachers in those requirements, though details are still forthcoming and it is not clear how the rule will account for those states that have passed state laws forbidding vaccination requirements.

Requiring Vaccinations for all Federal Workers and for Millions of Contractors that Do Business with the Federal Government: The President has signed an Executive Order to require all federal executive branch

workers to be vaccinated. The President also signed an Executive Order directing that this standard be extended to employees of contractors that do business with the federal government.

Requiring COVID-19 Vaccinations for Over 17 Million Health Care Workers at Medicare and Medicaid Participating Hospitals and Other Health Care Settings: The Centers for Medicare & Medicaid Services (CMS) is taking action to require COVID-19 vaccinations for workers in most health care settings that receive Medicare or Medicaid reimbursement. Some facilities and states have begun to adopt hospital staff or health care sector vaccination mandates. This action will create a consistent standard across the country.

Calling on Large Entertainment Venues to Require Proof of Vaccination or Testing for Entry: The President's plan calls on entertainment venues like sports arenas, large concert halls, and other venues where large groups of people gather to require that their patrons be vaccinated or show a negative test for entry.

Requiring Employers to Provide Paid Time Off to Get Vaccinated: OSHA is developing a rule that will require employers with more than 100 employees to provide paid time off for the time it takes for workers to get vaccinated or to recover if they are under the weather post-vaccination.

2. Furthering Protection for the Vaccinated

The White House plan includes plans to help further protect those who are currently vaccinated by preparing to make booster shots available starting September 20. Implementation of this plan depends on authorization of boosters by the Food and Drug Administration (FDA) and recommendations by the CDC's independent Advisory Committee on Immunization Practices (ACIP).

Providing Easy Access to Booster Shots for All Eligible Americans: The Administration is preparing for boosters to start as early as the week of September 20th, subject to authorization or approval by the FDA and a recommendation from ACIP. Booster shots will be free, and widely available across 80,000 locations—from pharmacies to doctors' offices to health centers.

Ensuring Americans Know Where to Get a Booster: When the booster shots are approved, individuals will be able to find a vaccination site at Vaccines.gov, including what vaccines are available at each site and, for many sites, what appointments are open. A toll-free number, 1-800-232-0233, will also be available in over 150 languages.

3. Keeping Schools Safely Open

The President's plan calls for additional actions to ensure all schools consistently implement the science-based prevention strategies recommended by the CDC so that they can remain open for in-person learning and maintain the health and safety of all students, staff, and families. For those adolescents aged 12 and above who are eligible for vaccination, parents are strongly encouraged to get them vaccinated. To date, over half of the nation's adolescents have been vaccinated. For those too young to be vaccinated, it is especially critical that they are surrounded by vaccinated people and mask in public indoor spaces, including schools. The FDA is undergoing a process now to evaluate a vaccine for children under the age of 12.

Requiring Staff in Head Start Programs, Department of Defense Schools, and Bureau of Indian

Education-Operated Schools to be Vaccinated: The President’s plan includes requirements that teachers and staff at Head Start and Early Head Start programs, teachers and child and youth program personnel at the Department of Defense (DOD), and teachers and staff at Bureau of Indian Education-operated schools get vaccinated.

- The Department of Health and Human Services (HHS) will initiate rulemaking to implement this policy for Head Start and Early Head Start programs.

Calling on All States to Adopt Vaccine Requirements for All School Employees: The President is asking more states to join in requiring the vaccine for school employees to make sure we are keeping students safe. Currently, California, Connecticut, Hawaii, Illinois, New Jersey, New Mexico, New York, Oregon, and Washington, as well as the District of Columbia and Puerto Rico, have vaccination requirements for K-12 school staff.

Providing Additional Funding to School Districts for Safe School Reopening, Including Backfilling Salaries and Other Funding Withheld by States for Implementing COVID Safety Measures:

The American Rescue Plan provides \$130 billion to states, school districts, and tribes to support the safe reopening of schools. The President has previously announced that, if a state cuts the funding to a local school district or the pay of a local education leader who is implementing CDC-recommended prevention strategies like universal masking, the school district may use ARP funds to fill those gaps. School districts can begin spending their ARP funds right away, including to reimburse for any allowable cost dating back to when the national emergency for COVID-19 was declared.

Through the President’s plan, the Department of Education plans to make additional funding available—beyond the ARP dollars—to help local school districts fill gaps when funding has been withheld by their state for implementing COVID safety measures. Local school districts will be able to apply to the Department of Education in the coming weeks to restore funding withheld by state leaders—such as for school board member or superintendent salaries who have had their pay cut—when a school district implemented strategies to help prevent the spread of COVID-19 in schools.

Using the Department of Education’s Full Legal Authority to Protect Students’ Access to In-Person

Instruction: President Biden has directed the Department of Education to assess all its available tools to take action, as appropriate and consistent with applicable law, to ensure that state and local officials are giving all students the opportunity to safely participate in full-time, in-person learning. To date, the Department has launched investigations in five states that have prohibited mask mandates at schools: Iowa, Oklahoma, South Carolina, Tennessee, and Utah. These investigations will examine whether statewide mask mandate prohibitions discriminate against students with disabilities who are at heightened risk for severe illness from COVID-19 by preventing them from safely accessing in-person education.

Getting Students and School Staff Tested Regularly: In April, HHS provided \$10 billion in funding for COVID-19 screening testing for teachers, staff, and students in K-12 schools. As schools return to in-person learning, the Administration is calling on all schools to set up regular testing in their schools for students, teachers, and staff consistent with CDC guidance.

- CDC currently recommends that screening testing should be offered to students who have not been fully vaccinated when community transmission is at moderate, substantial, or high levels;

and screening testing should be offered to all teachers and staff who have not been fully vaccinated at any level of community transmission. HHS and the CDC will continue to help schools to accelerate the establishment of screening testing programs in all schools.

Providing Resources to the FDA to Support Timely Review of Vaccines for Individuals Under the Age of 12: President Biden’s plan supports the independent scientific review of a vaccine for those individuals under the age of 12 and will provide the FDA with any needed resources to support its ongoing efforts to do this safely and as quickly as possible.

4. Increasing Testing and Requiring Masking

Testing is a key tool to identify infected individuals and prevent spread to others. Likewise, masking can also help slow and contain the spread of the virus. President Biden’s plan takes new actions to increase the amount of testing—in homes, at pharmacies, and in doctors’ offices—and ensures that strong mask requirements remain in place.

Mobilizing Industry to Expand Easy-to-Use Testing Production: President Biden’s plan will accelerate the production of rapid COVID-19 tests, including at-home tests, and continue to ensure that manufacturers prioritize creating these products to prevent the spread of COVID-19 and its variants. Using authorities of the Defense Production Act, these tests will be available to support a range of needs, including long-term care facilities, community testing sites, critical infrastructure, shelters serving individuals experiencing homelessness, prisons and jails, and other vulnerable populations and congregate settings.

Making At-Home Tests More Affordable: To improve access to rapid tests for all consumers, top retailers that sell at-home, rapid COVID-19 tests—Walmart, Amazon, and Kroger—will offer to sell those tests at-cost for the next three months. The Administration has also taken action so that Medicaid must cover at-home tests for free for beneficiaries, and that states should ensure that any tools they use to manage at-home testing do not establish arbitrary barriers for people seeking care.

Sending Free Rapid, At-Home Tests to Food Banks and Community Health Centers: To ensure that every American—no matter their income level—can access free, convenient, at-home tests, the Administration will send 25 million free at-home rapid tests to 1,400 community health centers and hundreds of food banks.

Expanding Free, Pharmacy Testing: The plan will expand the number of retail pharmacy sites around the country where anyone can get tested for free through the HHS free testing program to 10,000 pharmacies.

Continuing to Require Masking for Interstate Travel and Double Fines: President Biden’s Executive Order, *Promoting COVID-19 Safety in Domestic and International Travel*, directed applicable agencies to take action to require mask-wearing in airports and on certain modes of public transportation, including on many airplanes, trains, maritime vessels, and intercity bus services. TSA has extended its implementing orders for air and ground travel through January 18th, 2022, and the President’s plan will double fines for those who are not in compliance.

Continue to Require Masking on Federal Property: President Biden’s Executive Order, *Protecting the Federal Workforce and Requiring Mask-Wearing*, requires masks and specific physical distancing requirements in federal buildings, on federal lands, on military bases, and other overseas locations, consistent with CDC guidance.

5. Protecting our Economic Recovery

COVID-19 impacts our economy. The President’s plan seeks to limit the damage and ensure that the Delta variant cannot undo this progress. The Administration will offer new support to small businesses as they continue to weather the surge caused by the Delta variant. These reforms include:

New Support for Small Businesses Impacted by COVID-19: The President’s plan will help more than 150,000 small businesses by strengthening the COVID Economic Injury Disaster Loan (EIDL) program, which provides long-term, low-cost loans.

Streamlining Paycheck Protection Program (PPP) loan forgiveness for small loans: The White House plan will make it easier for more than 3.5 million PPP borrowers with loans of \$150,000 or less to get their loans wiped clean.

Launching the Community Navigator Program to Connect Small Businesses to the Help They Need: Community Navigators will work with small business owners to ensure that they are able to access the help that they need. Under the President’s plan, the SBA will complete the competitive review process to select Community Navigators and put them to work in underserved communities this Fall.

6. Improving Care for those with COVID-19

As the country continues to battle the Delta surge, the President’s plan will continue to send response teams to states that request them and take additional actions to accelerate this work.

Increasing Support for COVID-Burdened Hospitals: The President’s plan will provide additional support for hospitals facing capacity issues. The Department of Defense is announcing a commitment to double the number of DOD teams of clinicians deployed to support hospitals battling a surge in COVID-19 cases. These clinicians will be available for mission assignment through FEMA’s response across surge states.

Getting Life-Saving Monoclonal Antibody Treatment to Those Who Need It: The Administration will increase the average weekly pace of shipments of free monoclonal antibody treatment to states by 50% in September, continuing to accelerate the federal government’s efforts to deliver lifesaving COVID-19 treatment.

Expanding the Pool of Health Care Professionals Providing Treatment by Deploying Federal Monoclonal Antibody Strike Teams: The Administration’s COVID-19 surge response effort will launch monoclonal antibody strike teams to deploy clinical personnel through HHS, FEMA, and DOD to help hospitals and health systems stand up the delivery of this key treatment option. HHS will also take action to amend the Public Readiness and Emergency Preparedness (PREP) Act declaration to allow more providers, including pharmacists, to administer this treatment. These actions will ensure that more patients receive lifesaving treatments if they are infected or exposed to COVID-19.