

Date: February 10, 2021

To: Mayor and Members of the City Council 

From: Thomas B. Modica, City Manager

Subject: **President Biden's Early Executive Actions**

President Joseph R. Biden and Vice President Kamala D. Harris were sworn into their respective offices on January 20, 2021. In response to the nation's four leading crises—the COVID-19 pandemic, economic recovery, climate change, and racial equity—President Biden has signed more than 40 Executive Orders and taken actions in the first two weeks of his presidency. This memorandum includes information about the early executive actions pertinent to the City of Long Beach (City). A full list of executive orders President Biden has signed can be found on the White House [Briefing Room](#) site.

COVID-19 Pandemic

Shortly after the inauguration, President Biden announced a two-phase plan for COVID-19 relief and recovery. The first phase, called the American Rescue Plan, totals \$1.9 trillion in support for vaccine supply and coordination, direct community relief, and business and government support. The plan proposes \$350 billion in flexible funding for state and local governments. Congress is currently working out the legislative language for this proposal, and staff will provide additional information about the allocation methodology and its impact to the City when available. Details regarding the second phase of the Biden Administration's plan, which will focus on infrastructure investments and economic recovery, are expected later this month.

One of the first executive orders signed by President Biden, Executive Order (E.O.) 13987, established the White House's structure to combat COVID-19. E.O. 13987 recognized several new posts to respond to and counsel the President on COVID-19 matters. One of the open posts, the COVID-19 Response Coordinator, is directed to collaborate with the Assistant to the President for National Security Affairs to report back within 180 days on recommendations to respond to emerging domestic and global biological threats and pandemics, incorporating lessons learned from the COVID-19 pandemic. Dr. Deborah Birx will retire as the COVID-19 Response Coordinator upon assisting the Biden Administration's transition into the White House. The new COVID-19 Response Coordinator, in partnership with relevant agencies, will be responsible for apprising the President of fundamental obstacles facing COVID-19 response that require executive decision-making.

On his second day in office, President Biden signed E.O. 14001 as part of his administration's intent to combat COVID-19 urgently and effectively. E.O. 14001 directs review of the COVID-19 supply chain and lays the groundwork to invoke the Defense Production Act (DPA). Review of the supply chain includes assessing the current

availability of critical materials to combat COVID-19, identify shortfalls, and revise operations to alleviate shortfalls. President Biden provides permission to use any legal means necessary, including the DPA, as means to fill shortfalls.

Via memorandum, President Biden extended federal support to states, including 100 percent reimbursement from the Federal Emergency Management Agency (FEMA) for emergency costs to combat COVID-19, including masks, gloves, emergency food services, sheltering for at-risk populations, and National Guard mobilization. The complete coverage is an increase from the 75 percent reimbursement typically allowed. States may be reimbursed for use of the National Guard through September 30, 2021. This reimbursement will be retroactive to the beginning of the COVID-19 pandemic in January 2020. Staff are currently analyzing the local fiscal impact of this action and will provide additional details as information becomes available from FEMA.

Additionally, on his first day in office, President Biden wrote a letter to United Nations Secretary-General António Guterres to express the United States' intent to remain a member of the World Health Organization (WHO). The letter retracts former-President Trump's intent to rescind from the WHO, which otherwise would have been effective July 6, 2021.

Economic Recovery

The Biden Administration requested the Department of Housing and Urban Development (HUD), in coordination with other federal agencies, to extend the federal evictions moratorium through March 31, 2021. The moratorium prohibits mortgage lenders from initiating or proceeding with foreclosure eviction actions for HUD-insured or guaranteed mortgages, except for mortgages secured by legally vacant and abandoned properties. Further, HUD requires mortgage lenders to provide up to six months of COVID-19 forbearance when a property owner experiencing a financial hardship due to COVID-19 requests this assistance, and up to an additional six months of COVID-19 forbearance for a borrower who requests an extension of the initial forbearance. These actions directly align with the City Council's July 14, 2020 direction to support mortgage forbearance and renter protections during the emergency.

Within his first week in office, President Biden also requested HUD to take necessary steps to promote equitable housing policies. The order specifically directs HUD to examine the impacts of three federal rulings on HUD's responsibility to affirmatively further fair housing. HUD is directed to examine the effects of the "Preserving Community and Neighborhood Choice," including its repeal of the rule entitled, "Affirmatively Furthering Fair Housing." Additionally, HUD will examine the effects of the rule entitled, "HUD's Implementation of the Fair Housing Act's Disparate Impact Standard," including HUD's statutory duty to ensure compliance with the Fair Housing Act. In an official statement in response to the order, Acting HUD Secretary Matthew E. Ammon stated, "With this executive order, President Biden is taking meaningful action to advance racial equity in housing and expand opportunity for all. HUD looks forward to working closely with the President and his administration to expand equitable access to housing for millions of Americans."

Climate Change

President Biden took executive action to rejoin the Paris Climate Agreement, a global comprehensive effort to address climate change. The declaration will take effect on February 19, 2021, 107 days after former-President Trump withdrew the country from the Agreement.

A week into his presidency, President Biden signed the Executive Order on Tackling the Climate Crisis at Home and Abroad. The order directs the Department of the Interior (DOI) to suspend new oil and gas leasing on federal land, building upon a 60-day moratorium issued by the DOI on President Biden's first day in office. Federal agencies also will be required to procure clean-energy and zero-emission vehicles produced in the United States with prevailing-wage labor.

These executive actions align with the City's sustainability efforts. On January 5, 2021, the City Council unanimously confirmed the City's first proposed Climate Action and Adaptation Plan (CAAP). The CAAP provides direction to City staff for commitments to reduce greenhouse gas emissions and adapt to the impacts of climate change while maintaining quality of life, prosperity, and equity for all residents. The CAAP builds upon the City's existing actions, such as transitioning to an all-electric fleet.

Racial Equity

President Biden established a precedent for his administration to pursue a comprehensive approach to advance equity for all through E.O. 13985, Advancing Racial Equity and Support for Underserved Communities. Within the White House, the Domestic Policy Council is responsible for coordinating efforts to embed equity throughout the federal government. E.O. 13985 motions for studies, review, and investments to ensure resources address the historic failure to invest justly in underserved communities. It also revokes former-President Trump's E.O. 13958 of November 2, 2020, establishing the President's Advisory 1776 Commission, which prevented federal agencies and contractors from engaging in diversity and inclusion trainings.

The federal government's renewed interest in equity mirrors the City's Racial Equity and Reconciliation Initiative – Initial Report, unanimously passed by the City Council on August 11, 2020. The goals and strategies of the report include actions related to government operations, such as pursuing advocacy with other government agencies to improve opportunities for success for Long Beach residents. City staff will monitor how E.O. 13985 reshapes the priorities and practices of executive agencies regarding equity.

It is also the policy of the Biden Administration to address overlapping forms of discrimination. To prevent and combat discrimination based on gender identity or sexual expression, E.O. 13988 directs each federal agency to review and correct all existing agency actions to comply with Title VII and related statutes. E.O. 13988 further grants the head of each agency 100 days to consult with the Attorney General to devise a plan undoing and preventing discrimination of individuals based on gender identity and sexual orientation.

Subsequent executive action allows all qualified individuals, regardless of gender identity, to serve in the United States military, by revoking the Presidential Memorandum of March 23, 2018 (Military Service by Transgender Individuals) and the Presidential Memorandum of August 25, 2017 (Military Service by Transgender Individuals). The order states, "...transgender servicemembers will no longer be subject to the possibility of discharge or separation on the basis of gender identity," and are accepted throughout the Armed Forces.

Immigration

Regarding immigration, President Biden revoked and reinstated several orders dealing with entry to the United States. Among them is a proclamation issued on January 20, 2021 to revoke executive orders issued by former-President Trump preventing individuals from Muslim and largely African countries from seeking entry in the United States. The proclamation orders all embassies and consulates to resume visa processing procedures, including any related to COVID-19.

Additionally, President Biden directed the Department of Homeland Security and Department of Justice to take all actions appropriate to preserve and fortify the Deferred Action for Childhood Arrivals (DACA). Introduced in 2012 during the Obama Administration, DACA defers the removal of undocumented individuals brought to the United States as children who have obeyed the law and are enrolled in school or enlisted in the military.

Next Steps

City staff will continue to monitor Executive Orders and actions taken by President Biden in his first 100 days in office that might impact the City and will provide updates when appropriate. If you have any questions, please contact Tyler Bonanno-Curley, Manager of Government Affairs, at (562) 570-5715 or Tyler.Curley@longbeach.gov.

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