

**CED POLICY BRIEF:
CORONAVIRUS POLICY UNDER A BIDEN ADMINISTRATION
NOVEMBER 9, 2020**

It now appears almost certain that former Vice President Joe Biden will assume the office of President on January 20 of next year. The President-elect today announced the membership of a new thirteen-member [advisory board](#) of non-governmental experts to develop recommendations so that they can be implemented by his new Administration, further emphasizing that this is the priority focus of his transition. This memo, covering the handling of the coronavirus pandemic, is the first in a series of short pieces to explain what you can expect from the new Administration.

Candidate Biden's campaign laid out in considerable detail a [five-point program](#) (counting the number of major headings in the document; some news outlets specified six) for how he would attack the pandemic, which was claimed to be sharply different from the practices under the Trump Administration. President-elect Biden yesterday stood up his new transition website, with what is now characterized as a [seven-point plan](#), which is shorter (a little more than one-seventh the word count) and less-detailed than the campaign document. And the President-elect today announced the membership of a new thirteen-member [advisory board](#) of non-governmental experts to develop these recommendations so that they can be implemented by his new Administration.

Presumably his Administration's program could evolve with ideas from the new task force, and in the face of further developments in the pandemic. Also, given that candidate Biden emphasized respect for the experts within government who participated in President Trump's governmental task force, the President-elect's policy proposals may evolve further as those experts come on line with the new Administration. While the new transition website did not address cost, the campaign website stated: Biden believes we must spend whatever it takes, without delay, to meet public health needs and deal with the mounting economic consequences.

The seven points of the new document from the transition do not align with the five from the campaign document, and provide less detail. We begin with the new seven-point plan from the transition (using mostly language from the document itself, but with some clarification):

1. **Ensure all Americans have access to regular, reliable, and free testing.** Double drive-through testing sites, develop new test technologies (including in-home), create a Pandemic Testing Board (echoing World War II), and create a US Public Health Job Corps of at least 100,000 persons to do contact tracing.
2. **Fix personal protective equipment (PPE) problems for good.** Use the Defense Production Act, and create American-sourced production capacity.
3. **Provide clear, consistent, evidence-based guidance for how communities should navigate the pandemic – and the resources for schools, small businesses, and families to make it through.** This includes considering differing degrees of social distancing in different settings (bars and restaurants, schools, and so on); and establishing a fund for state and local government budget shortfalls and for schools, and a fund for small business restarting with necessary safety supplies.
4. **Plan for the effective, equitable distribution of treatments and vaccines — because development isn't enough if they aren't effectively distributed.** Invest \$25 billion in a vaccine manufacturing and distribution plan (this is the only element of the entire seven-point plan that

is priced), take politics out of the safety and efficacy determination, and prevent price gouging on new drugs and therapies.

5. **Protect older Americans and others at high risk.** Create a COVID-19 Racial and Ethnic Disparities Task Force and a Nationwide Pandemic Dashboard.
6. **Rebuild and expand defenses to predict, prevent, and mitigate pandemic threats, including those coming from China.** Restore the White House National Security Council Directorate for Global Health Security and Biodefense, rejoin the World Health Organization, re-launch the US AID pathogen tracking program, and expand the number of CDC disease detectives.
7. **Implement mask mandates nationwide by working with governors and mayors and by asking the American people to do what they do best: step up in a time of crisis.** The goal is to have every governor impose a statewide mandate, and to have mayors reinforce those with local mandates.

As you know, the idea of a mask mandate was hotly contested in the campaign. The campaign's five-point plan did not address a mask mandate. Legal observers have questioned a president's authority to impose a mask mandate. Some advocates of a more-active policy against the coronavirus have argued for the president to use his moral suasion to encourage mask wearing, or to impose mask-wearing requirements on federal property (for which he would clearly have authority), or to use the authority inherent in federal funding to incentivize the imposition of requirements by others who have clear legal authority. The example of auto seat-belt requirements that were almost irresistibly incentivized through federal highway funds has been raised, as has the similar example of smoking bans; states and localities, which had clearer legal authority, imposed those mandates under the pressure of potential loss of federal funding if they did not. It is not clear from the transition document exactly how the President-elect plans to "work with" the governors and mayors to achieve an effective mandate.

There were a few ideas that were raised in the more-lengthy campaign plan that are not included in the transition program. It is not clear that those items have been dropped or disavowed. The most significant of those items are:

- Mount an effective national emergency response: increase surge capacity for outbreaks by preparing to stand up temporary hospitals; prepare DoD to deploy military resources, including the Medical Reserve Corps, Veterans health care equipment and HHS Disaster Assistance medical teams; and supply qualified health centers, rural health clinics, and safety-net hospitals. Expand tele-health resources, and home- and community-based services. Expand the staff of first responders, and the supplies of PPE for them; and establish and fund a Public Health Service Reserve Corps.

The Biden program also includes economic recovery initiatives, which we will discuss elsewhere.