

116TH CONGRESS
2D SESSION

S. 3667

To require the establishment of a repatriation task force during major infectious disease outbreaks, to authorize additional paid leave for employees of certain independent agencies involved in the conduct of foreign affairs, and to extend the application period and use of certain special immigrant visas.

IN THE SENATE OF THE UNITED STATES

MAY 7, 2020

Mr. MENENDEZ introduced the following bill; which was read twice and referred to the Committee on Foreign Relations

A BILL

To require the establishment of a repatriation task force during major infectious disease outbreaks, to authorize additional paid leave for employees of certain independent agencies involved in the conduct of foreign affairs, and to extend the application period and use of certain special immigrant visas.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Consular and Adminis-
5 trative Support Act of 2020”.

1 **SEC. 2. CONSULAR AFFAIRS AND REPATRIATION RE-**
2 **SOURCES OF THE DEPARTMENT OF STATE.**

3 Section 1 of the State Department Basic Authorities
4 Act of 1956 (22 U.S.C. 2651a) is amended by adding at
5 the end the following:

6 “(h) RESPONDING TO EPIDEMICS OR PANDEMICS.—

7 “(1) STATEMENT OF POLICY.—It shall be the
8 policy of the United States, during any public health
9 emergency caused by an epidemic or pandemic—

10 “(A) to not leave any United States na-
11 tional involuntarily stranded in a foreign coun-
12 try; and

13 “(B) to provide all appropriate and avail-
14 able assistance to United States nationals to fa-
15 cilitate their return to the United States, when
16 requested, for the duration of the public health
17 emergency.

18 “(2) DEFINITIONS.—In this subsection—

19 “(A) the term ‘tier two response’ means a
20 single, comprehensive approach to incident
21 management for the National Passport Center
22 and the National Visa Center during a national
23 emergency caused by an epidemic or pandemic,
24 including—

25 “(i) the promulgation of protocols for
26 communication, information and planning,

1 emergency assistance, logistics manage-
2 ment and support, staffing, and financial
3 management; and

4 “(ii) the identification of roles and re-
5 sponsibilities for response and staffing,
6 critical infrastructure, and international
7 and interagency coordination; and

8 “(B) the term ‘United States national’
9 means an individual who is—

10 “(i) a United States citizen; or

11 “(ii) an alien lawfully admitted for
12 permanent residence to the United States.

13 “(3) ESTABLISHMENT OF REPATRIATION TASK
14 FORCE.—In responding to an infectious disease out-
15 break that is sustained, severe, and spreading, in-
16 cluding a determination by the Director-General of
17 the World Health Organization of a public health
18 emergency of international concern under Article 12
19 of the International Health Regulations, done at Ge-
20 neva May 23, 2005, the Secretary shall establish,
21 under the direction of the Assistant Secretary for
22 Consular Affairs, a Repatriation Task Force, which
23 shall—

24 “(A) formulate and implement policies that
25 protect and advance United States interests in

1 protecting and safeguarding the needs of
2 United States nationals, including repatriation
3 and other health and medical needs;

4 “(B) manage, in coordination with relevant
5 diplomatic posts, all communication and coordi-
6 nation with United States nationals regarding
7 their needs, including repatriation and health
8 and medical matters;

9 “(C) ensure that procedures implemented
10 by American Citizen Services are integrated
11 into, and reflected in, the decision-making proc-
12 ess within the Department of State;

13 “(D) coordinate the functions of American
14 Citizen Services, including repatriation, re-
15 sponding to health and medical needs, and
16 other relevant functions, within the Department
17 of State;

18 “(E) incorporate the functions of American
19 Citizen Services, including repatriation and
20 other health and medical needs priorities, into
21 the activities of the Department of State;

22 “(F) coordinate efforts of the Department
23 of State with relevant Federal departments and
24 agencies to meet the needs of American Citizen

1 Services, including repatriation and other
2 health and medical needs; and

3 “(G) support American Citizen Services
4 with repatriation and other health and medical
5 needs, including coordinating and providing re-
6 sources to meet all repatriation needs.

7 “(4) PERSONNEL.—The Secretary shall ensure
8 that there are sufficient personnel serving in the Of-
9 fice of American Citizen Services and Crisis Manage-
10 ment and the Bureau of Consular Affairs or other
11 Department of State personnel in the countries af-
12 fected by the epidemic or pandemic, to carry out the
13 responsibilities set forth in paragraph (3), including
14 repatriation matters.

15 “(5) NATIONAL PASSPORT CENTER AND NA-
16 TIONAL VISA CENTER.—In responding to an infec-
17 tious disease outbreak described in paragraph (3),
18 the Secretary should activate a tier two response by
19 the National Passport Information Center and the
20 National Visa Center.

21 “(6) NOTIFICATION REQUIREMENT.—Not later
22 than 15 days before the Department of State in-
23 tends to discontinue the repatriation services de-
24 scribed in paragraph (3) in any region, country, or
25 part thereof during a public health emergency

1 caused by an epidemic or pandemic affecting such
2 region, country, or part, the Secretary shall notify,
3 by all appropriate means, all United States nationals
4 affected by this service interruption, the Committee
5 on Foreign Relations of the Senate, and the Com-
6 mittee on Foreign Affairs of the House of Rep-
7 resentatives of the date after which the Department
8 of State will no longer provide such services to
9 United States nationals seeking repatriation to the
10 United States.”.

11 **SEC. 3. ADDITIONAL PAID LEAVE FOR EMPLOYEES OF CER-**
12 **TAIN INDEPENDENT AGENCIES INVOLVED IN**
13 **THE CONDUCT OF FOREIGN AFFAIRS.**

14 Section 21007 of the CARES Act (Public Law 116–
15 136) is amended—

16 (1) by inserting “, the Director of the Peace
17 Corps, the Chief Executive Officer of the Millennium
18 Challenge Corporation, the Chief Executive Officer
19 of the International Development Finance Corpora-
20 tion, the President and Chief Executive Officer of
21 the United States African Development Foundation,
22 the President and Chief Executive Officer of the
23 Inter-American Foundation,” after “the Secretary of
24 State”; and

1 (2) by striking “the Secretary and the Adminis-
2 trator” and inserting “each of the agency heads au-
3 thorized to provide additional paid leave under this
4 section”.

5 **SEC. 4. EXTENSION OF APPLICATION PERIOD AND USE OF**
6 **CERTAIN SPECIAL IMMIGRANT VISAS.**

7 (a) COVERED VISA DEFINED.—In this section, the
8 term “covered visa” means a special immigrant visa
9 that—

10 (1) is authorized under—

11 (A) section 1059 of the National Defense
12 Authorization Act for Fiscal Year 2006 (Public
13 Law 109–163; 8 U.S.C. 1101 note);

14 (B) section 1244 of the Refugee Crisis in
15 Iraq Act of 2007 (Public Law 110–181; 8
16 U.S.C. 1157 note); or

17 (C) section 602 of the Afghan Allies Pro-
18 tection Act of 2009 (Public Law 111–8; 8
19 U.S.C. 1101 note);

20 (2) was issued during fiscal year 2020; and

21 (3) was not used for travel to the United
22 States.

23 (b) EXTENSION OF VALIDITY PERIOD.—

24 (1) IN GENERAL.—Given the current travel re-
25 strictions and health concerns related to inter-

1 national travel due to the coronavirus pandemic, not
2 later than 60 days after the date on which the Inter-
3 national Organization for Migration resumes flights
4 for refugee resettlement to the United States, the
5 Secretary of State, in cooperation with the Secretary
6 of Homeland Security, shall extend the period of va-
7 lidity of a covered visa until a date that is not ear-
8 lier than 6 months after such extension date.

9 (2) NO EFFECT ON NUMERICAL LIMITATION.—
10 Any extension under paragraph (1) may not be
11 counted against any numerical limitation on the
12 number of visas available under any law referred to
13 in subsection (a)(1).

14 (c) EXTENSION OF APPLICATION PERIOD.—If the
15 application period for any covered visa is scheduled to ex-
16 pire between February 1, 2020, and 60 days after the date
17 on which the International Organization for Migration re-
18 sumes flights for refugee resettlement to the United
19 States, the Secretary of State shall extend such applica-
20 tion period so that eligible applicants may apply for a cov-
21 ered visa until the date that is 6 months after such flight
22 resumption date.

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