

Office of Refugee Services

1300 Repatriation

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Department of Human Services
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Subject

Repatriation – The emergency movement of noncombatant U.S. citizens from foreign countries.

Policy

The policy of the Department of Human Services is to assist eligible repatriates referred from the U.S. Department of State (DOS) by providing them with effective and efficient temporary assistance necessary for their transition and reestablishment in the United States.

Background

The United States Repatriation (Program) was established in 1935 under Section 1113 of the Social Security Act (42 U.S.C. § 1313) to provide temporary assistance to U.S. citizens and their dependents who have been identified by the Department of State (DOS) as having returned, or been brought from a foreign country, to the United States because of destitution, illness, war, threat of war, or a similar crisis, and because they are without resources immediately accessible to meet their needs. The Program was expanded in 1958, in response to legislation enacted by Congress to support the needs of persons with mental illness who are returned to the United States from foreign countries (24 U.S.C. §§ 321-329).

Temporary assistance is defined by Section 1113 as money payments, medical care, temporary shelter, transportation, and other goods and services necessary for the health or welfare of individuals (including guidance, counseling, and other welfare services) furnished to eligible repatriates who need assistance. Assistance can be provided for up to ninety (90) days from the date of arrival. In any given case, assistance under this section can be furnished beyond the 90-day period if the Health and Human Services (HHS) Administration for Children and Families (ACF) finds that the circumstances necessitate or justify furnishing the assistance beyond such period. Temporary assistance is provided in the form of a loan and must be repaid to the United States Government. Repatriates are able to request a waiver or deferral of their loans.

Section 801 of Executive Order 12656 (53 C.F.R 47491) as amended, designated the U.S. Department of Health and Human Services (HHS) as the federal lead responsible to “develop plans and procedures, in coordination with the heads of Federal departments and agencies, for assistance to United States (U.S.) citizens or others evacuated from overseas areas.” The HHS Secretary delegated the authority to administer this Program to the Administration for Children and Families (ACF) in 1991.

In 2018, ACF transitioned the Program to the Office of Human Services Emergency Preparedness and Response (OHSEPR), to lead federal planning, coordination, and execution of domestic repatriation plans and operations. Each day, ACF/OHSEPR and its agent utilize routine repatriation procedures to support U.S. citizens that are returned to the United States by DOS. ACF/OHSEPR coordinates with DOS to ensure that eligible repatriates receive temporary assistance in the state or territory of their final destination.

ACF utilizes the concepts detailed in the National Emergency Repatriation Framework (NERF) to enhance coordination and ensure unity of effort across all partners when conditions overseas necessitate mass evacuations or departures coordinated by DOS.

Authority

Executive Order (E.O.) 12656 (53 CFR 47491):

Section 1113 of the Social Security Act (42 U.S.C. §1313)

Title 45, Chapter II, Part 211 and 212 of the Code of Federal Regulations

References

NONE

Applicability

This policy applies to all Divisions and Offices of DHS.

Definitions

Congregate shelter

Any private or public facility that provides short term lodging in an aggregate capacity for evacuees and/or repatriates to sleep and/or rest while waiting for their onward travel to final destination. Examples include schools, stadiums, military facilities, churches, etc.

Congregate services

Short-term assistance provided in an aggregate capacity to evacuees and/or repatriates while waiting for processing and onward travel to final destination. These services may include mass feeding, Emergency Repatriation Center emergency medical services, congregate shelter, among other HHS/ACF authorized congregate assistance.

Dependent of U.S. citizens

A dependent generally refers to the citizen's spouse, unmarried minor children (including adopted and stepchildren), unmarried adult children (who are dependent because they are disabled or with qualifying access and functional needs), and under certain circumstances, parents and other immediate family member with qualifying access and functional needs who are financially dependent on an adult U.S. citizen either temporarily or permanently. A dependent family member ordinarily refers to a person who lives with the adult U.S. citizen, and is related through blood, marriage, adoption, or other legal family relationship.

Eligible person

For the purpose of the HHS U.S. Repatriation Program, a U.S. citizen and his/her dependent/s identified by the Department of State (DOS) as having returned or being brought to the United States due to destitution, illness, war, threat of war, invasion, or similar crisis, and is without resources immediately accessible to meet his/her needs. For purposes of DOS evacuation to a safe haven, an eligible person is a U.S. citizen, U.S. noncitizen national, or certain non-U.S. citizens identified by the DOS as meeting eligibility requirements of one or more loan programs to travel to the United States due to destitution, illness, war, threat of war, invasion, or similar crisis.

Emergency Repatriation Activities

Department of State Emergency repatriation activities are characterized by contingency events such as civil unrest, war, threat of war or similar crisis, among other incidents. Depending on the type of event, number of evacuees and resources available, HHS/ACF/OHSEPR responds utilizing two scalable mechanisms, group repatriations (evacuations or repatriations of 50 to 500 individuals) and emergency repatriations (evacuations or repatriations of more than 500 individuals).

Emergency Repatriation Center (ERC)

A joint service center established and managed by the State on behalf of HHS/ACF/OHSEPR. This site is used for processing noncombatant evacuees and for the provision of temporary assistance as defined by Program regulations. ERCs are usually located at commercial service airports and/or military bases. Under rare circumstances, ERCs may be located in facilities or areas outside an airport or military base (e.g., hotel, seaport).

Evacuees

Individuals evacuated during a DOS authorized or ordered departure. This term includes but is not limited to U.S. citizens, dependents of U.S. citizens, lawful permanent residents (i.e. “LPRs” or green card holders), third country nationals, and other individuals with proper documentation to enter the United States (e.g., visa holders).

Evacuation

The act of moving designated eligible persons from an area usually of danger to a safer area.

Lawful Permanent Resident (LPR)

Any person not a citizen of the United States who is residing in the U.S. under legally recognized and lawfully recorded permanent residence as an immigrant.

Noncombatant Evacuees (NCEs)

U.S. and non-U.S. citizens who may be authorized or assisted in evacuation. It may include (1) civilian employees of U.S. Government agencies and their dependents; (2) U.S. citizens and their dependents; and (3) designated aliens and others.

Noncombatant Evacuation Operations (NEO)

DOS-ordered or authorized evacuations executed by DOD wherein NCEs and others are evacuated to a safe haven. If the safe haven is the United States, the NEO is complete when the non-combatants have arrived at the port of entry within the United States.

Non-emergency activities

The ongoing routine operations of the HHS U.S. Repatriation Program where DOS refers individuals or families to HHS/ACF/OHSEPR Program eligibility, reception and provision of temporary assistance in the United States upon arrival.

Port of Entry (POE)

Place of debarkation where one may lawfully enter the United States. The POE can be a commercial service airport, military base, border, seaport, or other federally authorized entry point.

Private citizen

Term use for U.S. citizens who do not hold any U.S. public or official position and/or are non-combatants.

Reception services

Emergency services provided at the ERC to evacuees and repatriates following their evacuation and/or repatriation by DOS. During emergency repatriation activities, reception services are generally provided at the ERC for up to the first 24 hours and do not include U.S. Repatriation Program temporary assistance.

Refugees

A status that may be granted to people who have been persecuted or fear they will be persecuted because of race, religion, nationality, and/or membership in a particular social group or political opinion.

Repatriation

The procedure whereby private U.S. citizens and their dependents are officially processed back into the United States subsequent to DOS facilitated/coordinated evacuation.

Repatriation case

One repatriate or a nuclear family composed of eligible evacuees who are processed using the same HHS Emergency and Group Processing Form.

Safe haven

A place where NCEs under the U.S. Government's responsibility may be evacuated during an emergency. This location can be in the United States or outside the United States.

State

The terms United States and States are defined by 45 C.F.R. 212.1(g) to include the District of Columbia, Puerto Rico, the Virgin Islands, and Guam along with the fifty (50) States. These are the only geographical areas where HHS/ACF may provide repatriation assistance during emergencies and non-emergency activities.

State Emergency Repatriation Coordinator (SERC)

State-designated staff responsible for coordinating the development, implementation, and execution of the State emergency repatriation plan (SERP). This person is the main State POC before, and potentially during and immediately after an emergency evacuation.

State Non-emergency Repatriation Coordinator (SNERC)

State-designated staff responsible for coordinating, in consultation with OHSEPR and its designated grantee, the provision of up to 90 days of temporary services to eligible repatriates at the State of final destination. Also responsible for coordinating the repatriate's meet and greet at the POE during non-emergency repatriation activities.

Supporting agency

Government (e.g., Federal, State) and non-governmental agency or organization with which HHS/ACF/OHSEPR has entered into an agreement to assist with specific U.S. Repatriation Program functions. Also referred to "Partners" or "Service Providers."

Temporary Services or Assistance

Services provided to eligible HHS repatriates and include cash payment, medical care (including counseling), temporary billeting (e.g., shelter), transportation, and other goods and services necessary for the health or welfare of individuals. It is given to eligible individuals upon arrival to the United States for up to 90 calendar days. Services are provided in the form of a loan repayable to the United States Federal Government.

Third Country National (TCN)

A non-U.S. citizen who is in a country other than the person's country of nationality. On a case-by-case, space-available and reimbursable basis, DOS may provide evacuation transportation to TCNs to the designated safe haven.

Tribal member

A member of a group or community of Indigenous peoples in the United States. For the purpose

of the HHS U.S. Repatriation Program, these evacuees are considered U.S. citizens.

Unaccompanied minors

U.S. citizen minor or dependent of U.S. citizens from birth to 17 years who are traveling alone.

U.S. national

An individual who owes his or her sole allegiance to the United States, including all U.S. citizens and some individuals who are not U.S. citizens. For the purpose of this program, individuals who were born in American Samoa or in the Commonwealth of the Northern Mariana Islands who have made the election to be treated as U.S. nationals and not as U.S. citizens are generally eligible for HHS temporary assistance if repatriated due to mental illness and/or during emergency repatriation activities.

Responsibilities

The Director of the DHS Office of Communications is responsible for issuing and updating, as appropriate, procedures to implement this policy.

History

NONE

Evaluation

The Department of Human Services is responsible for designing, carrying out, and evaluating exercises as it relates to the State Emergency Repatriation Plan (SERP) biannually. All exercises will follow Homeland Security Exercise and Evaluation Program (HSEEP) standards for development and evaluation.