



U.S. Repatriation Program – Emergency Repatriation Information Memorandum

IM: OHSEPR-IM-2022-02
DATE: June 28, 2022
TO: U.S. Repatriation Program Grantee and Federal, State, and Local Partners
FROM: Natalie N. Grant, Director, Office of Human Services Emergency Preparedness and Response
SUBJECT: U.S. Repatriation Program – Emergency Repatriation Guidance

1 Purpose

This memorandum provides policies and guidance for emergency repatriation operations, including agency roles and responsibilities and allowable activities and costs.

2 Audience

Federal agencies, states, territories, and grantees.

3 Background

The U.S. Repatriation Program (hereinafter referred to as “Program”) was established in 1935 under Section 1113 of the Social Security Act to support eligible U.S. citizens and their dependents returned from a foreign country by the Department of State (DOS). The Program provides them with temporary assistance upon their arrival in the United States. This assistance is in the form of a service loan repayable to the U.S. government.

Per Section 1113, the U.S. Department of Health and Human Services (HHS) is authorized to develop plans and make arrangements for the provision of temporary assistance, after consultation with DOS, Department of Justice, and the Department of Defense (DOD). This authority has been delegated to the Office of Human Services Emergency Preparedness and Response (OHSEPR) within the Administration for Children and Families (ACF).

4 Roles

4.1 Department of State

DOS facilitates the evacuation and return of U.S. citizens and their dependents from a foreign country to the United States to a port of entry (POE).

4.2 U.S. Department of Health and Human Services

Within HHS, OHSEPR leads all emergency repatriation planning and operations. OHSEPR coordinates with other federal agencies and develops and implements Program policies and procedures. OHSEPR may request assistance from other federal, state, and local entities as needed to support emergency repatriation operations.

4.3 States

When requested by OHSEPR, states may support emergency repatriation activities.

5 Legal Authority

5.1 Assistance for United States Citizens Returned from Foreign Countries

The statutory authority for the repatriation of U.S. citizens is located at [42 U.S.C. 1313](#). The regulations for the repatriation of U.S. citizens are located at [45 CFR Part 212](#).

5.2 Hospitalization of Mentally Ill Nationals Returned from Foreign Countries

The statutory authority for the repatriation of mentally ill nationals is located at [24 U.S.C. 321- 329](#). The regulations for the repatriation of mentally ill nationals are located at [45 CFR Part 211](#).

5.3 Assignment of Emergency Preparedness Responsibilities

The Executive Order to develop plans and procedures in coordination with heads of federal departments and agencies, for assistance to U. S. citizens or other evacuated from overseas areas can be found in [Executive Order 12656 Section 801](#).

5.4 HHS Grant Award Regulations

The Uniform Administrative Requirements, Cost Principles, and Audit Requirements for HHS Awards are located at [45 CFR Part 75](#).

6 Activation and Deactivation

6.1 Emergency Repatriation Activation

OHSEPR determines when to initiate an emergency repatriation operation during a DOS-coordinated return of U.S. citizens and their dependents to the United States and will request support from relevant agencies, states, and entities as appropriate via written notification.

6.1.1 State Activation

OHSEPR will provide written notification in the form of an activation notice to states requesting support. Only costs incurred on or after the date specified in the written activation notice may be charged to OHSEPR.

6.2 Emergency Repatriation Deactivation

OHSEPR determines when to conclude emergency repatriation operations. OHSEPR provides written notice to relevant agencies and states regarding closing operations.

6.2.1 State Deactivation

Upon receipt of a written deactivation notice, the state should not enter into any new contracts for an emergency repatriation operation unless authorized by OHSEPR.

7 Eligibility

7.1 Definition of Evacuees and Repatriates

7.1.1 Evacuees

For the purposes of the Program, all individuals returning to the United States on DOS-coordinated transportation during an emergency repatriation operation (due to destitution, illness, war, threat of war, invasion, or similar crisis) are referred to as *evacuees*.

7.1.2 Repatriates

Individuals who OHSEPR determines eligible for temporary assistance per 42 U.S.C. 1313 or 24 U.S.C. 321(d) and the implementing regulations are referred to as *repatriates*.

7.2 Assistance to U.S. Citizens without Resources

The Program provides services to U.S. citizens and their dependents who lack resources and are returned to the United States. The eligibility requirements, found at 42 U.S.C. 1313 and 45 CFR §212.3, are as follows:

1. The person must be a U.S. citizen or a dependent of a U.S. citizen;
2. The person must be identified by the DOS as returning to the United States from a foreign country because of destitution, illness, war, threat of war, invasion, or similar crisis; and
3. The person must be without resources immediately accessible to meet their needs.

7.2.1 U.S. Citizen or Dependent

To be eligible for the Program, an individual must either be a U.S. citizen or a dependent of a U.S. citizen. For purposes of demonstrating that an individual is a U.S. citizen (as defined in 8 U.S.C. 1401), certain legal documents (e.g., a United States passport or birth certificate from a U.S. state or territory) serve as proof of citizenship.

A dependent of a U.S. citizen generally refers to the citizen's spouse or minor children, or to another family member who is 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. The dependent is not required to be a U.S. citizen to receive assistance.

7.2.2 Returned by Department of State

DOS provides notification to OHSEPR regarding authorized and ordered departures for DOS employees and evacuations. To be eligible for the Program, individuals must return on DOS-coordinated or DOS-chartered transportation. This may include DOD transportation coordinated by DOS.

7.2.3 United States

The definition of "state" in 45 CFR §212.1 also includes later-incorporated U.S. territories.

7.2.4 Without Available Resources

The repatriate must state that he/she is without resources immediately accessible to meet his or her needs. Resources are considered immediately accessible when in the possession of and under the control of the individual.

7.3 Assistance to Mentally Ill Nationals

The Program also provides services to U.S. nationals who are determined to be mentally ill in a foreign country under 24 U.S.C. 321(d) and 45 CFR §211.3.

A U.S. Public Health Service Commissioned Corps Officer may serve as the appropriate authority to provide the required certificate stating the individual was in a foreign country and is in need of mental health care and treatment.

7.4 Eligibility Determinations

Eligibility determinations during an emergency repatriation operation require a completed [Form RR-01 – Emergency Repatriation Eligibility Application](#) and [Form RR-05 – Repatriation Repayment and Privacy Agreement](#). OHSEPR makes all final eligibility determinations.

States should coordinate with OHSEPR for eligibility determinations for Program assistance. Eligible repatriates may receive temporary assistance at the emergency repatriation center (ERC) or through the routine repatriation program (see [OHSEPR-IM-2022-01](#)).

8 Temporary Assistance

Temporary assistance is defined in 42 U.S.C. 1313(c) as money payments, medical care, temporary lodging, transportation, and other goods and services necessary for the health or welfare of individuals, including guidance, counseling, and other welfare services furnished to them within the United States upon their arrival in the United States.

Eligible repatriates may receive temporary assistance upon arrival to the United States at the POE, an ERC, and/or at their final destination.

8.1 Temporary Assistance During Emergency Repatriation Operations

Temporary assistance during an emergency repatriation operation is limited and focused on assisting repatriates to reach their final destination in the United States. OHSEPR will determine the types and amounts of assistance available as part of an emergency repatriation operation.

8.2 Case Management

The goal of case management is to determine eligibility, conduct a needs assessment, and offer appropriate temporary assistance.

8.3 Financial Obligation

Temporary assistance is provided to repatriates in the form of a service loan repayable to the U.S. government. All individuals requesting temporary assistance under the Program must sign [Form RR-05 – Repatriation Repayment and Privacy Agreement](#) upon arrival in the United States. The repatriate, or an

appropriate party, may request an extension of time to make payments (deferral) or a waiver of payment by submitting [Form RR-03: Repatriation Loan Waiver and Deferral Application](#).

8.4 Right of Refusal

Repatriates accept services through the Program on a voluntary basis. The repatriate has the right to refuse services ([Form RR-06 – Refusal of Temporary Assistance](#)).

8.5 Duration of Assistance

Eligible repatriates may receive temporary assistance for up to 90 days from the date of their arrival in the United States, or until the repatriate has resources immediately accessible to meet his or her needs, whichever comes first. The repatriate may not receive temporary assistance retroactively. For extensions beyond 90 days, repatriates may submit [Form RR-07 – Temporary Assistance Extension Assistance Request](#). See [Routine Repatriation Information Memorandum \(OHSEPR-IM-2022-01\)](#) for additional information.

8.6 Repatriate’s Final Destination

The repatriate may choose their final destination in the United States (e.g., state and/or local jurisdiction) where they will reside and may receive assistance under the Program. If the repatriate is subject to quarantine, isolation, or some other form of public health order, they may travel to their final destination once they receive formal written notification that such order is lifted.

8.7 Transition to Routine Repatriation

Upon arrival in their final destination, repatriates may continue to receive temporary assistance through the routine repatriation program (see [Routine Repatriation Information Memorandum \(OHSEPR-IM-2022-01\)](#)).

9 Emergency Repatriation Costs

OHSEPR requires pre-approval ([Form RR-08 – Emergency Repatriation Request for Cost Approval and Federal Support](#)) before costs are incurred to ensure the costs are: 1) chargeable to OHSEPR; and 2) reasonable, allowable, and allocable to the repatriation operation.

9.1 Reasonable, Allowable, and Allocable

All costs must be reasonable, allowable, and allocable.

9.1.1 Reasonable

A cost is reasonable if, in its nature and amount, it does not exceed that which would be incurred by a prudent person under the circumstances prevailing at the time the decision was made to incur the cost. See [45 CFR §75.404](#).

9.1.2 Allowable

In accordance with 45 CFR § 75.403, a cost is allowable if it is allocable to the Program; necessary and reasonable for the proper and efficient provision of temporary assistance under the Program; and

consistent with federal regulations and statutes that apply to this Program, and to the terms and conditions of the federal grant award. See [45 CFR §75.403](#).

9.1.3 Allocable

A cost is allocable to a particular federal award or other cost objective if the goods or services involved are chargeable or assignable to that federal award or cost objective in accordance with relative benefits received. See [45 CFR §75.405](#).

9.2 Operational Costs

The following are common costs for emergency repatriation operations.

9.2.1 Port of Entry

POE costs may include the establishment of operations to receive repatriates (e.g., airport costs such as hangars or additional security). Costs billed to OHSEPR must be proportional to the number of repatriates.

9.2.2 Emergency Repatriation Center Location

The ERC must be accessible to and appropriate for repatriates. Leases and contracts must be pre-approved by OHSEPR.

9.2.3 Congregate Medical Services

Congregate medical services include any expenditures for medical services provided at the ERC such as first aid, assessment and treatment of minor illnesses and injuries, over-the-counter and prescription medicines, and appropriate medical transport. Staff may include medical technicians, paramedics, nurses, and/or physicians.

9.2.4 Counseling Services

Counseling services may be provided at the ERC. States should coordinate with OHSEPR on scope of practice requirements and appropriate staffing levels.

9.2.5 Equipment

Equipment costs must be reasonable, allowable, and allocable to the incident and should be pre-approved by OHSEPR. Donated equipment and/or materials will not be reimbursed. See [45 CFR §75.320](#) for additional information.

9.2.5.1 *Rented Equipment*

The state may use rented equipment consistent with Section 9.2.5.

9.2.5.2 *Purchased Equipment*

The state agency may purchase equipment in support of the ERC operation. OHSEPR will not reimburse for lost or stolen equipment.

9.2.5.3 Damaged Equipment

State-owned equipment that is damaged during its utilization at the ERC must be reported immediately to the designated OHSEPR staff and may be eligible for reimbursement. OHSEPR is the payor of last resort.

9.2.6 Security

Security (to include personnel) may be required to provide services at the POE or ERC to keep repatriates and personnel safe and secure. Confer with OHSEPR for additional security costs.

9.2.7 Staff Time

The state may request reimbursement for employees' direct support of emergency repatriation operations for actual hours. Staffing and the work performed must be reasonable and required to support the ERC. Standby time is not eligible for reimbursement. All payments must be in accordance with state policies established prior to the incident. Donated labor will not be reimbursed. States must ensure that claims for staff time are not also covered by other federal programs or funds.

9.2.8 Supplies

Supplies needed to carry out the operation such as office supplies may be allowable. See [45 CFR 75.453](#). Unused supplies exceeding \$5,000 in total aggregate value may be retained by the recipient, but the recipient must compensate the OHSEPR for its share. See [45 CFR 75.321](#).

9.2.9 Transportation

9.2.9.1 Congregate Transportation

Congregate transportation may include arrangements to and/or from the POE, ERC, lodging, and airport for repatriates and staff. The use of state or county vehicles, such as buses, to support the ERC and/or provide services to repatriates, is generally allowable.

9.2.9.2 Staff Transportation

For ERC staff transportation using a privately owned vehicle, states should follow established state emergency practices.

9.2.10 Other Costs

OHSEPR may approve other costs that are necessary for emergency repatriation operations. These may include but are not limited to: services purchased from another agency; after action reports; and budget reconciliation and reimbursement. See [Form RR-08 – Emergency Repatriation Request for Cost Approval and Federal Support](#).

9.3 Temporary Assistance for Repatriates

Temporary assistance must be cost-effective, reasonable, allowable, allocable, and appropriate for the repatriate. Temporary assistance needs vary by individual and are assessed during the case management process; assistance should be specific to the repatriate's needs. Services provided to the repatriate must accommodate any access and functional needs (e.g., wheelchair ramp, interpretation assistance, quiet intake area for people who are hard of hearing, etc.).

The following are examples of temporary assistance that may be available during an emergency repatriation incident. These costs are allocable to the repatriate and must be noted on [Form RR-01 – Emergency Repatriation Eligibility Application](#) and will be included in the repatriate’s loan.

9.3.1 Money Payments

The state may provide cash assistance not exceeding the [per diem rates set by the General Services Administration \(GSA\) for the locality](#) of the ERC. Cash may be provided using tools such as debit cards or cash cards and must be tracked and billed to the repatriate. Cards purchased in bulk must be pre-approved by OHSEPR.

9.3.2 Lodging

Lodging must be appropriate for repatriates and take into consideration any incident-specific requirements. Lodging costs may be included in the repatriate’s loan. Costs must be reasonable and not exceed the [per diem rates set by GSA for the locality](#).

9.3.2.1 Temporary Congregate Accommodations

Any private or public facility that provides short-term lodging in a large open place for repatriates to sleep and/or rest while waiting for their onward travel to final destination (e.g., schools, stadiums, churches, community centers, etc.).

9.3.2.2 Non-Congregate Accommodations

Any private or public facility that provides short-term lodging with private rooms (e.g., hotels and motels). The state must seek prior approval from OHSEPR before reserving a block of rooms.

9.3.2.3 Other Types of Accommodations

If military facilities are utilized, OHSEPR will make arrangements with DOD.

9.3.3 Food

Food (e.g., meals, snacks, drinks) may be provided to repatriates at the ERC.

Planning considerations should include the number of repatriates and the repatriates’ cultural and religious practices as well as special requirements such as infants or young children, individuals with diabetes, and those with dietary restrictions.

OHSEPR must pre-approve the purchase of food. Food may be included in the repatriate’s loan. If food is provided at no cost to the state, OHSEPR will not reimburse the state.

9.3.4 Transportation

9.3.4.1 Travel to Final Destination

OHSEPR will coordinate onward travel to one final destination for the repatriate.

9.3.4.2 Local Transportation

Transportation (e.g., rideshare, taxis, and subway fares) from the ERC is allowable.

9.3.5 Medical Services

The services delineated below are allocable to the repatriate and must be included in the repatriate's loan. See [Section 9.2.3 Congregate Medical Services](#) for allowable operational costs in setting up emergency medical services.

9.3.5.1 Pharmaceuticals

This may include over-the-counter and prescription medicine provided to the repatriate at the ERC.

9.3.5.2 Medical Transportation

Medical transportation coordinated on behalf of the repatriate must follow Centers for Medicare and Medicaid Services (CMS) rates and guidelines in the locality. The transportation shall transport the repatriate to the nearest appropriate medical facility.

9.3.5.3 Hospitalizations

The Program is the payor of last resort and will not supplement unpaid health coverage or supplant insurance coverage.

The Program will reimburse reasonable and allowable medical costs using the CMS rates and guidelines.

9.3.6 Escort Services

Repatriates with medical and mental health issues may need escort services for travel to their final destination. Escort services will be provided on a case-by-case basis and require pre-approval from the designated OHSEPR staff. Escort services must be included in the repatriate's loan.

9.3.7 Service Animals

OHSEPR generally allows the cost for temporary emergency care of a repatriate's service animal. The costs must be included in the repatriate's loan.

10 Special Populations

Some repatriates arriving at the POE or the ERC may require prioritization, additional coordination, and specialized services, such as those experiencing emotional distress or mental health issues, repatriates with medical issues, and unaccompanied minors.

10.1 Repatriates Experiencing Distress or Mental Health Issues

Repatriates experiencing emotional distress or mental health issues should be provided an appropriate level of assistance (e.g., hotline, counseling, etc.).

10.2 Repatriates with Medical Issues

Potential repatriates may require immediate medical attention upon arrival (at the POE) or after entering the ERC. If needed, states should arrange transport to the hospital. States should coordinate with the individual and OHSEPR for eligibility determinations for temporary assistance. See [7.4 Eligibility Determinations](#).

10.3 Unaccompanied Minors

States should follow existing protocols for assisting unaccompanied minors upon arrival in the United States. OHSEPR has no authority to take custody of unaccompanied minors for any purpose or length of time, however brief.

OHSEPR will work with the designated state agency on a case-by-case basis to facilitate any assistance (e.g., onward travel assistance, escort services, etc.).

11 Reimbursement

Upon OHSEPR's written activation notice to a state regarding an emergency repatriation operation, the state may charge OHSEPR for reasonable, allowable, and allocable costs using [Form RR-02 – Emergency Repatriation Reimbursement Request](#). All reimbursements are contingent on the availability of Program funds.

Services and goods provided to the state at no cost may not be charged to OHSEPR.

11.1 Tracking Operational and Temporary Assistance Costs

States should track operational costs and collect supporting documentation (e.g., invoices, contracts, receipts, signed pre-approval forms, etc.). Additionally, states must track temporary assistance costs allocable to individual repatriates (e.g., lodging, money payments, transportation, etc.).

11.2 Submitting for Reimbursement

The state should identify one entity to submit reimbursement packages and receive reimbursement from OHSEPR. Claims may be submitted on an ongoing basis. OHSEPR will only reimburse states up to one year after the date on the deactivation notice.

The state or agency submitting this form must maintain all fiscal records supporting expenditures on this form, including vendor bills, invoices, vouchers receipts, and cleared checks for three years.

For states with repatriation planning, training, exercises cooperative agreements, please refer to [OHSEPR-IM-2023-01](#) and confer with OHSEPR.

11.3 Fiscal Responsibility

If any item claimed as expenditure is paid and later canceled, voided, or refunded it should be reported immediately to ACF. The state or support agency should provide a brief explanation of the situation. In addition, the state must issue a check or authorized form of payment to the U.S. Government.

12 Nondiscrimination

No eligible person shall, on the basis of race, color, national origin, age, disability, or religion be excluded from participation in the Program, be denied any benefits, or otherwise be subjected to discrimination of any nature or form in the provision of benefits as described in 42 U.S.C. 1313 and 24 U.S.C. 321-329. No eligible person shall, on the basis of sex (including sexual orientation and gender identity), be excluded from participation from any health or education activities within the Program.

13 Privacy

13.1 Disclosure of Information

No disclosure of information of a personal and private nature of an individual obtained at any time by any person, organization, or institution in the course of discharging duties under 24 U.S.C. 321-329 or under Section 1113 of the Social Security Act shall be made except as specified in federal regulations at [45 CFR §211.14](#) and [§212.9](#), as required by the Freedom of Information Act, or as permitted by the Privacy Act. Such disclosures will be made consistent with restrictions imposed by the Privacy Act, the Health Insurance Portability and Accountability Act, and any other applicable federal and state laws or requirements.

Revision History

Version	Changes	Date
1.0		06/28/2022
1.1	Updated staff time allowability; refreshed CFR links; including references to planning, training, exercises information memorandum	2/1/2023