117TH CONGRESS
1ST SESSION

H. R. 2076

To direct the Secretary of Homeland Security to create a strategy to ensure no individual in custody is released into the community during a public health emergency related to coronavirus if the individual may have a communicable disease relating to any public health emergency, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 19, 2021

Mr. CLYDE (for himself, Mr. KATKO, Mr. BISHOP of North Carolina, Mr. NORMAN, Mr. GIMENEZ, Mr. GARBARINO, Mr. GUEST, Mr. HIGGINS of Louisiana, Mr. VAN DREW, Mr. C. SCOTT FRANKLIN of Florida, Mr. SIMPSON, Mr. MAST, Mrs. CAMMACK, Mrs. MILLER of Illinois, Ms. VAN DUYNE, Ms. TENNEY, Mr. GOSAR, Mr. MOONEY, Mr. ROSE, Mr. SCHWEIKERT, Mr. CARTER of Georgia, Mr. WEBER of Texas, Ms. GRANGER, Mr. CARTER of Texas, Mrs. HARSHBARGER, and Mr. MEIJER) introduced the following bill; which was referred to the Committee on the Judiciary, and in addition to the Committees on Homeland Security, and Foreign Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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A BILL

To direct the Secretary of Homeland Security to create a strategy to ensure no individual in custody is released into the community during a public health emergency related to coronavirus if the individual may have a communicable disease relating to any public health emergency, and for other purposes.

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 "COVID–19 Border

5 Protection (CBP) Act".

6 **SEC. 2. STRATEGY RELATING TO RELEASE OF ALIENS WHO**

7 **MAY HAVE A COMMUNICABLE DISEASE DUR-**

8 **ING A PUBLIC HEALTH EMERGENCY.**

9 (a) IN GENERAL.—Not later than 45 days after the

10 date of the enactment of this Act, the Secretary of Home-

11 land Security, in consultation with the Secretary of Health

12 and Human Services, shall finalize a strategy to ensure

13 that no alien in the custody of the Secretary of Homeland

14 Security, as well as no unaccompanied alien child in the

15 custody of the Secretary of Health and Human Services,

16 is released into a community in the United States during

17 a public health emergency related to coronavirus if the in-

18 dividual may have a communicable disease relating to any

19 public health emergency. The Secretary shall implement

20 the strategy not later than 15 days after the date on which

21 the strategy is finalized, and shall submit a copy of the

22 strategy to the Congress not later than 72 hours after

23 such finalization.

24 (b) COVID TESTING.—The strategy developed under

25 subsection (a) shall include a plan—

1   (1) to test aliens coming across the United

2 States border for COVID–19; and

3   (2) to quarantine aliens in the event of a posi-

4 tive COVID–19 case.

5 (c) DEFINITION.—For purposes of subsection (a), the

6 term "public health emergency" means—

7   (1) a public health emergency declared by the

8 Secretary of Health and Human Services pursuant

9 to section 319 of the Public Health Service Act (42

10 U.S.C. 247d) on January 31, 2020, with respect to

11 the Coronavirus Disease 2019 (COVID–19), includ-

12 ing any renewal;

13   (2) a public health emergency declared for

14 COVID–19 by any State, including any renewal; or

15   (3) any period for which the Director of the

16 Centers for Disease Control and Prevention in-

17 creases the travelers' health risk level for intro-

18 ducing, transmitting, and spreading COVID–19 in

19 or from Canada, Mexico, or both, to above Level 1.

20 (d) FUNDING.—To the extent provided in advance in

21 appropriations Acts, the cost of implementing the strategy

22 under subsection (a) shall be derived from transferring to

23 the Secretary of Homeland Security $100,000,000 from

24 the amount appropriated to the Secretary of State under

1 section 10004 of the American Rescue Plan Act of 2021

2 (Public Law 117–2).

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