

116TH CONGRESS
2D SESSION

S. _____

To ensure that all communities have access to urgently needed COVID-19 testing, treatment, public health information, and relief benefits regardless of immigration status or limited English proficiency, and for other purposes.

IN THE SENATE OF THE UNITED STATES

Ms. HIRONO (for herself, Ms. HARRIS, Mr. BOOKER, Mr. MARKEY, Mrs. GILLIBRAND, Ms. WARREN, Mr. SANDERS, Mr. WYDEN, Mr. BLUMENTHAL, Mr. MERKLEY, Mr. MENENDEZ, Ms. CORTEZ MASTO, Ms. ROSEN, and Mr. DURBIN) introduced the following bill; which was read twice and referred to the Committee on _____

A BILL

To ensure that all communities have access to urgently needed COVID-19 testing, treatment, public health information, and relief benefits regardless of immigration status or limited English proficiency, 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 “Coronavirus Immi-
5 grant Families Protection Act”.

1 **SEC. 2. DEFINITIONS.**

2 In this Act:

3 (1) CORONAVIRUS PUBLIC HEALTH EMER-
4 GENCY.—The term “coronavirus public health emer-
5 gency” means—

6 (A) an emergency involving Federal pri-
7 mary responsibility determined to exist by the
8 President under section 501(b) of the Robert T.
9 Stafford Disaster Relief and Emergency Assist-
10 ance Act (42 U.S.C. 5191(b)) with respect to
11 COVID-19 or any other coronavirus with pan-
12 demic potential;

13 (B) an emergency declared by a Federal
14 official with respect to coronavirus (as defined
15 in section 506 of the Coronavirus Preparedness
16 and Response Supplemental Appropriations
17 Act, 2020 (Public Law 116–123));

18 (C) a national emergency declared by the
19 President under the National Emergencies Act
20 (50 U.S.C. 1601 et seq.) with respect to
21 COVID-19 or any other coronavirus with pan-
22 demic potential; and

23 (D) a public health emergency declared by
24 the Secretary of Health and Human Services
25 pursuant to section 319 of the Public Health
26 Service Act (42 U.S.C. 247(d)) with respect to

1 COVID-19 or any other coronavirus with pan-
2 demic potential.

3 (2) CORONAVIRUS RESPONSE LAW.—The term
4 “coronavirus response law” means—

5 (A) the Coronavirus Preparedness and Re-
6 sponse Supplemental Appropriations Act, 2020
7 (Public Law 116–123);

8 (B) the Families First Coronavirus Re-
9 sponse Act (Public Law 116–127);

10 (C) the Coronavirus Aid, Relief, and Eco-
11 nomic Security Act (Public Law 116–136); and

12 (D) any subsequent law enacted as a re-
13 sponse to a coronavirus public health emer-
14 gency.

15 (3) COVID-19.—The term “COVID-19” means
16 the Coronavirus Disease 2019.

17 (4) ENFORCEMENT ACTION.—The term “en-
18 forcement action” means an apprehension, an arrest,
19 a search, an interview, a request for identification,
20 or surveillance for the purposes of immigration en-
21 forcement.

22 (5) SENSITIVE LOCATION.—The term “sensitive
23 location” means all physical space located within
24 1,000 feet of—

1 (A) a medical treatment or health care fa-
2 cility, including a hospital, an office of a health
3 care practitioner, an accredited health clinic, an
4 alcohol or drug treatment center, an emergent
5 or urgent care facility, and a community health
6 center;

7 (B) a location at which emergency service
8 providers distribute food or provide shelter;

9 (C) an organization that provides—

10 (i) disaster or emergency social serv-
11 ices and assistance;

12 (ii) services for individuals experi-
13 encing homelessness, including food banks
14 and shelters; or

15 (iii) assistance for children, pregnant
16 women, victims of crime or abuse, or indi-
17 viduals with significant mental or physical
18 disabilities;

19 (D) a public assistance office, including
20 any Federal, State, or municipal location at
21 which individuals may apply for or receive un-
22 employment compensation or report violations
23 of labor and employment laws;

1 (E) a Federal, State, or local courthouse,
2 including the office of the legal counsel or rep-
3 resentative of an individual;

4 (F) a domestic violence shelter, rape crisis
5 center, supervised visitation center, family jus-
6 tice center, or victim services provider;

7 (G) an office of the Social Security Admin-
8 istration;

9 (H) a childcare facility or a school, includ-
10 ing a preschool, primary school, secondary
11 school, post-secondary school up to and includ-
12 ing a college or university, and any other insti-
13 tution of learning such as a vocational or trade
14 school;

15 (I) a church, synagogue, mosque or any
16 other institution of worship, such as a building
17 rented for the purpose of a religious service;

18 (J) the site of a funeral, wedding, or any
19 other public religious ceremony;

20 (K) in the case of a jurisdiction in which
21 a shelter-in-place order is in effect during a
22 coronavirus public health emergency, any busi-
23 ness location considered to provide an essential
24 service, such as a pharmacy or a grocery store;
25 and

1 (L) any other location specified by the Sec-
2 retary of Homeland Security.

3 **SEC. 3. SUSPENSION OF ADVERSE IMMIGRATION ACTIONS**
4 **THAT DETER IMMIGRANT COMMUNITIES**
5 **FROM SEEKING HEALTH SERVICES IN A PUB-**
6 **LIC HEALTH EMERGENCY.**

7 (a) IN GENERAL.—Beginning on the date on which
8 a coronavirus public health emergency is declared and end-
9 ing on the date that is 60 days after the date on which
10 the coronavirus public health emergency expires—

11 (1) the Secretary of Homeland Security, the
12 Secretary of State, and the Attorney General shall
13 not—

14 (A) implement the final rule of the Depart-
15 ment of Homeland Security entitled “Inadmis-
16 sibility on Public Charge Grounds” (84 Fed.
17 Reg. 41292 (August 14, 2019));

18 (B) implement the interim final rule of the
19 Department of State entitled “Visas: Ineligi-
20 bility Based on Public Charge Grounds” (84
21 Fed. Reg. 54996 (October 11, 2019));

22 (C) implement the proposed rule of the De-
23 partment of Justice entitled “Inadmissibility on
24 Public Charge Grounds” published in the Fall
25 2018 Uniform Regulatory Agenda;

1 (D) conduct any enforcement action
2 against an individual at, or in transit to or
3 from, a sensitive location unless the enforce-
4 ment action is conducted pursuant to a valid ju-
5 dicial warrant;

6 (E) detain or remove—

7 (i) a survivor of domestic violence,
8 sexual assault, or human trafficking, or
9 any other individual, who has a pending
10 application under section 101(a)(15)(T),
11 101(a)(15)(U), 106, 240A(b)(2) of the Im-
12 migration and Nationality Act (8 U.S.C.
13 1101(a)(15)(T), 1101(a)(15)(U), 1105a,
14 1229b(b)(2)) or section 244(a)(3) of that
15 Act (as in effect on March 31, 1997); or

16 (ii) a VAWA self-petitioner described
17 in section 101(a)(51) of that Act (8 U.S.C.
18 1101(a)(51)) who has a pending applica-
19 tion for relief under—

20 (I) a provision referred to in any
21 of subparagraphs (A) through (G) of
22 that section; or

23 (II) section 101(a)(27)(J) of that
24 Act (8 U.S.C. 1101(a)(27)(J)); and

1 (F) require an individual subject to super-
2 vision by U.S. Immigration and Customs En-
3 forcement to report in person.

4 (2) The Attorney General shall conduct fully
5 telephonic bond hearings and allow supporting docu-
6 ments to be faxed and emailed to the appropriate
7 clerk.

8 (3) The Secretary of Homeland Security, to the
9 extent practicable, shall stipulate to bond determina-
10 tions on written motions.

11 (b) USE OF BENEFITS FUNDED BY CORONAVIRUS
12 RESPONSE LAW.—The Secretary of Homeland Security,
13 the Secretary of State, and the Attorney General shall not
14 consider in any determination affecting the current or fu-
15 ture immigration status of any individual the use of any
16 benefit of any program or activity funded in whole or in
17 part by amounts made available under a coronavirus re-
18 sponse law.

19 **SEC. 4. ACCESS TO COVID-19 TESTING AND TREATMENT**
20 **FOR ALL COMMUNITIES.**

21 (a) CLARIFICATION REGARDING EMERGENCY SERV-
22 ICES FOR CERTAIN INDIVIDUALS.—Section 1903(v)(2) of
23 the Social Security Act (42 U.S.C. 1396b(v)(2)) is amend-
24 ed by adding at the end the following flush sentence:

1 “For purposes of subparagraph (A), care and
2 services described in such subparagraph include any
3 in vitro diagnostic product described in section
4 1905(a)(3)(B) that is administered during any por-
5 tion of the emergency period described in such sec-
6 tion beginning on or after the date of the enactment
7 of this sentence (and the administration of such
8 product), any COVID-19 vaccine that is adminis-
9 tered during any such portion (and the administra-
10 tion of such vaccine), any item or service that is fur-
11 nished during any such portion for the treatment of
12 COVID-19 or a condition that may complicate the
13 treatment of COVID-19, and any services described
14 in section 1916(a)(2)(G).”.

15 (b) EMERGENCY MEDICAID FOR INDIVIDUALS WITH
16 SUSPECTED COVID-19 INFECTIONS.— Section
17 1903(v)(3) of the Social Security Act (42 U.S.C.
18 1396b(v)(3)) is amended by striking “means a” and in-
19 serting “means any concern that the individual may have
20 contracted COVID-19 or another.”.

21 (c) TREATMENT OF ASSISTANCE AND SERVICES PRO-
22 VIDED.—For any period during which a coronavirus public
23 health emergency is in effect—

24 (1) the value of assistance or services provided
25 to any person under a program with respect to

1 which the a coronavirus response law establishes or
2 expands eligibility or benefits shall not be considered
3 income or resources; and

4 (2)(A) any medical coverage or services shall be
5 considered treatment for an emergency medical con-
6 dition (as defined in section 1903(v)(3) of the Social
7 Security Act (42 U.S.C. 1396b(v)(3))) for any pur-
8 pose under any Federal, State, or local law, includ-
9 ing law relating to taxation, welfare, and public as-
10 sistance programs;

11 (B) a participating State or political subdivision
12 of a State shall not decrease any assistance other-
13 wise provided to an individual because of the receipt
14 of benefits under the Social Security Act (42 U.S.C.
15 301 et seq.); and

16 (C) assistance and services described in this
17 paragraph shall be considered noncash disaster as-
18 sistance, notwithstanding the form in which the as-
19 sistance and services are provided, except that cash
20 received by an individual or a household may be
21 treated as income by any public benefit program
22 under the rules applicable before the date of the en-
23 actment of this Act.

24 (d) NONDISCRIMINATION.— No person shall be, on
25 the basis of actual or perceived immigration status, ex-

1 cluded from participation in, denied the benefits of, or
2 subject to discrimination under, any program or activity
3 funded in whole or in part by amounts made available
4 under a coronavirus response law.

5 **SEC. 5. LANGUAGE ACCESS AND PUBLIC OUTREACH FOR**
6 **PUBLIC HEALTH.**

7 (a) GRANTS AND COOPERATIVE AGREEMENTS.—

8 (1) IN GENERAL.—The Director of the Centers
9 for Disease Control and Prevention (referred to in
10 this section as the “Director”) shall provide grants
11 to, or enter into cooperative agreements with, com-
12 munity-based organizations for the purpose of sup-
13 porting culturally and linguistically appropriate pre-
14 paredness, response, and recovery activities, such as
15 the development of educational programs and mate-
16 rials to promote screening, testing, treatment, and
17 public health practices.

18 (2) DEFINITION OF COMMUNITY-BASED ORGA-
19 NIZATION.—In this subsection, the term “commu-
20 nity-based organization” means an entity that has
21 established relationships with hard-to-reach popu-
22 lations, including racial and ethnic minorities, indi-
23 viduals with limited English proficiency, and individ-
24 uals with disabilities.

25 (b) TRANSLATION.—

1 (1) IN GENERAL.—The Director shall provide
2 for the translation of materials on awareness,
3 screening, testing, and treatment for COVID-19 into
4 the languages described in the language access plan
5 of the Federal Emergency Management Agency
6 dated October 1, 2016, as the languages most fre-
7 quently encountered.

8 (2) PUBLIC AVAILABILITY.—Not later than 7
9 days after the date on which the materials described
10 in paragraph (1) are made available to the public in
11 English, the Director shall ensure that the trans-
12 lations required by that paragraph are made avail-
13 able to the public.

14 (c) HOTLINE.—The Director shall establish an infor-
15 mational hotline line that provides, in the languages re-
16 ferred to in subsection (b)(1), information to the public
17 directly on COVID-19.

18 (d) INTERAGENCY COORDINATION.—With respect to
19 individuals with limited English proficiency, the Director
20 shall facilitate interagency coordination among agencies
21 activated through the National Response Framework
22 based on the language access standards established under
23 the language access plans of the Federal Emergency Man-
24 agement Agency and the Department of Health and
25 Human Services.

1 (e) AUTHORIZATION OF APPROPRIATIONS.—

2 (1) IN GENERAL.—There is authorized to be
3 appropriated to carry out this section \$100,000,000
4 for fiscal year 2020, to be available until expended.

5 (2) GRANTS AND COOPERATIVE AGREE-
6 MENTS.—Of the amount authorized to be appro-
7 priated under paragraph (1), not less than
8 \$50,000,000 shall be made available to carry out
9 subsection (a).

10 **SEC. 6. ACCESS TO SUPPORT MEASURES FOR VULNERABLE**
11 **COMMUNITIES.**

12 (a) DISASTER SUPPLEMENTAL NUTRITION ASSIST-
13 ANCE PROGRAM BENEFITS.—The Robert T. Stafford Dis-
14 aster Relief and Emergency Assistance Act (42 U.S.C.
15 5121 et seq.) is amended—

16 (1) in section 102(1) (42 U.S.C. 5122(1)), by
17 inserting “or pandemic” after “catastrophe”;

18 (2) in section 301 (42 U.S.C. 5141), by insert-
19 ing “or an emergency due to a pandemic” after
20 “major disaster” each place the term appears;

21 (3) in section 412 (42 U.S.C. 5179)—

22 (A) by inserting “or an emergency due to
23 a pandemic” after “major disaster” each place
24 the term appears;

1 (B) in subsection (a), by inserting “with-
2 out regard to regular allotments” before “and
3 to make surplus”; and

4 (C) by adding at the end the following:

5 “(d) ASSISTANCE DURING A PANDEMIC.—In the case
6 of an emergency due to a pandemic, for purposes of pro-
7 viding benefits under this section, the Secretary of Agri-
8 culture shall remove or delay the requirement of an in-
9 person interview, and if an interview occurs, provide an
10 alternative to the in-person interview requirement for all
11 applicants. Assistance shall be provided based on need and
12 not lost provisions.

13 “(e) AUTHORIZATION OF APPROPRIATIONS.—There
14 are authorized to be appropriated such sums as are nec-
15 essary to carry out this section, only if such sums are des-
16 ignated by Congress as being for an emergency require-
17 ment pursuant to section 251(b)(2)(A)(i) of the Balanced
18 Budget and Emergency Deficit Control Act of 1985 (2
19 U.S.C. 901(b)(2)(A)(i)).”; and

20 (4) in section 502(a) (42 U.S.C. 5192(a))—

21 (A) in paragraph (7), by striking “and” at
22 the end;

23 (B) in paragraph (8)(B), by striking the
24 period at the end and inserting a semicolon;
25 and

1 (C) by adding at the end the following:

2 “(9) provide assistance in accordance with sec-
3 tion 412.”.

4 (b) ACCESS TO BENEFITS USING INDIVIDUAL TAX-
5 PAYER IDENTIFICATION NUMBER.—Subsection (g)(2)(A)
6 of section 6428 of the Internal Revenue Code of 1986,
7 as added by section 2201 of the Coronavirus Aid, Relief,
8 and Economic Security Act (Public Law 116–136), is
9 amended by inserting before the period at the end “or a
10 taxpayer identification number”.

11 (c) EXTENSION OF IMMIGRATION STATUS AND EM-
12 PLOYMENT AUTHORIZATION.—

13 (1) IN GENERAL.—Notwithstanding any other
14 provision of law, including the Immigration and Na-
15 tionality Act (8 U.S.C. 1101 et seq.), the Secretary
16 of Homeland Security shall automatically extend the
17 immigration status and employment authorization,
18 as applicable, of an alien described in paragraph (2)
19 for the same period for which the status and em-
20 ployment authorization was initially granted.

21 (2) ALIEN DESCRIBED.—An alien described in
22 this paragraph is an alien (as defined in section
23 101(a) of the Immigration and Nationality Act (8
24 U.S.C. 1101(a))) whose immigration status, includ-

1 ing permanent, temporary, and deferred status, or
2 whose employment authorization—

3 (A) expired during the 30-day period pre-
4 ceding the date of the enactment of this Act; or

5 (B) will expire not later than—

6 (i) one year after such date of enact-
7 ment; or

8 (ii) 90 days after the date on which
9 the national emergency declared by the
10 President under the National Emergencies
11 Act (50 U.S.C. 1601 et seq.) with respect
12 to the Coronavirus Disease 2019 (COVID–
13 19) is rescinded.

14 (d) LANGUAGE ACCESS.—Any agency receiving fund-
15 ing under a coronavirus response law shall ensure that all
16 programs and opportunities made available to the general
17 public provide translated materials describing the pro-
18 grams and opportunities into the languages described in
19 the language access plan of the Federal Emergency Man-
20 agement Agency dated October 1, 2016, as the languages
21 most frequently encountered.