

The “Coronavirus Containment Act of 2020” Section-by-Section Summary

The “Coronavirus Containment Act of 2020,” requires viral testing for SARS-CoV-2 of all individuals slated for repatriation or removal by Immigration and Customs Enforcement (ICE), and prohibits the repatriation or removal of such individuals who test positive for SARS-CoV-2 or exhibit symptoms of COVID-19.

Sec. 1. Short Title. Section 1 sets forth the short title of the bill as the “Coronavirus Containment Act of 2020.”

Sec. 2. Findings. Section 2 sets forth Congress’ findings related to ICE’s recent efforts to repatriate foreign nationals, many of whom tested positive for COVID-19 prior to their departure from the United States or upon arrival in their country of destination, thus furthering the global spread of this deadly disease.

Sec. 3. Testing Before Repatriation or Removal.

Section 3(a) requires the Director of ICE, prior to the repatriation or removal of individuals, to test such individuals for SARS-CoV-2 and engage with the receiving country to ensure that they can be safely repatriated.

Section 3(b) bars the repatriation or removal of individuals who test positive for SARS-CoV-2 until such individuals exhibit no symptoms of COVID-19 for at least 10 days and test negative for SARS-CoV-2 following the administration of two additional viral tests that are conducted at least 24 hours apart.

Section 3(c) requires ICE to abide by the terms of this section beginning on the date of the enactment of this Act and ending 180 days after the date on which the COVID-19 public health emergency declared by the Secretary of Health and Human Services is terminated.

Section 4. Reporting Requirements. Section 4 requires the Director of ICE to publish data relating to the testing and removal or repatriation of individuals during the COVID-19 public health emergency. Such data must be published within 60 days of the date of enactment of this Act and updated weekly for the duration of the COVID-19 public health emergency.

Section 5. Definitions. Section 5 defines “viral test” to mean any SARS-CoV-2 test that is approved, cleared, or authorized by the Food and Drug Administration. This section also defines the “symptoms of COVID-19,” based on the symptoms recognized by the Centers for Disease Control and Prevention.