

New York State Comprehensive Emergency Management Plan

Emergency Repatriation Annex



**Disaster Preparedness
Commission**

**Prepared by the New York State
Disaster Preparedness Commission**

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Executive Summary/Policy

The mission of the State of New York and the Disaster Preparedness Commission (DPC) is to provide leadership, coordination, and support for efforts to prepare for, respond to, and recover from incidents that require a State emergency response. In times of disaster, State agencies will be used to augment local resources by providing and administering programs with the focus of responding quickly and compassionately to the needs of disaster survivors, typically through the use of Emergency Support Functions (ESFs). These programs include support to eligible private United States (U.S.) citizens and their dependents who have been identified by the U.S. Department of State as having been returned or being brought from a foreign country to the U.S. due to destitution, illness, war, the threat of war or similar crisis, and do not have resources immediately accessible. Non-eligible or ineligible person(s) who are brought to the U.S. under emergency repatriations circumstances will be the responsibility of the Federal government upon arrival in the U.S. and will be transported to a predetermined location by the Federal government.

Repatriation events can include non-emergency and emergency repatriation. Non-emergency repatriation events are repatriation of individuals and repatriation of the mentally ill. This occurs on a normal day-to-day basis. Emergency repatriation events is the repatriation of 50-500 repatriates defined as group repatriation and the repatriation of 500 plus repatriates defined as emergency repatriation. This occurs when a large number of repatriates are being brought to the U.S. by the Federal government, typically due to destitution, illness, war, the threat of war, or a similar crisis in the foreign country they were residing in. For the purposes of this Annex, emergency repatriation events will be for 50 or more repatriates.

The only method of activation for the Emergency Repatriation Annex is by a request from the Federal government. Emergency repatriation operations are non-Stafford Act incidents.

Comprehensive Approach

The objective of the Emergency Repatriation Annex is to minimize the impact on repatriates during their emergency relocation to New York or repatriates using New York as an entry point, by quickly and efficiently providing comprehensive services through the coordination of repatriation operations. The Federal government is responsible for the initiation of repatriation services and for all activities prior to and immediately after the arrival of the plane at the port of entry (POE). New York State is responsible for coordinating the delivery of services as part of the State's response. This could include providing temporary assistance such as money payments, medical care, temporary public sheltering, transportation, and other goods and services necessary for the health or welfare of individuals (including guidance, counseling, and other welfare services) to eligible repatriates within New York State for up to 90 days to assist them with resettlement into the area. After providing assistance at the emergency repatriation centers (ERCs), the State is responsible for notifying the local social services offices, if they have not already been notified by their State counterpart or present at the ERC, of the arrival of repatriates in their respective counties and service areas.

Management Responsibilities, Authority, and Coordination

The National Emergency Repatriation Framework (NERF) provides foundational doctrine for planning and operations conducted as part of the U.S. Repatriation Program under the direction and stewardship of the U.S. Department of Health and Human Services (HHS), Administration for Children and Families (ACF), and the Office of Human Services Emergency Preparedness and Response (OHSEPR). The NERF will guide and inform the development of operational plans and procedures for repatriation operations conducted as part of the U.S. Repatriation Program.

Emergency repatriation activities will be initiated at the Federal level of government. The OHSEPR is the domestic lead for the U.S. Repatriation Program. Referrals come to New York State from the U.S. Department of State. Operational implementation of emergency repatriation is assigned to the State and will be supported by Federal resources. It is expected that the State and local levels of government, including ESFs, services at POE locations, and social service districts, will be required to operationally support this Annex.

Non-emergency repatriation programs are coordinated under the Office of Temporary and Disability Assistance's (OTDA) Refugee Services programs. This is a normal day-to-day program provided by OTDA. Under non-emergency repatriation and upon receipt of a referral, the OTDA/Bureau of Refugee Services forwards the referral to the social services district. The district plans for the arrival of the repatriate and makes any necessary and allowable arrangements and provides services for the assistance that is being requested or needed.

The Non-emergency Repatriation Coordinator is:

- New York State Office of Temporary and Disability Assistance Refugee Services

Emergency repatriation programs will be coordinated through the Division of Homeland Security and Emergency Services (DHSES) Office of Emergency Management (OEM). As the lead coordinating agency for the State's response and chair of the DPC, State OEM will serve in the role of Emergency Repatriation Coordinator. State OEM will serve as the primary conduit and coordinating entity for the State emergency repatriation operational response and will be responsible for coordination both laterally with other State agencies and vertically with Federal and local partners.

The Emergency Repatriation Coordinator is:

- State OEM

As any changes or updates occur to the State Repatriation Coordinators, both non-emergency and emergency, the U.S. Repatriation Program Attachment B form needs to be updated and sent to the federal contact. The federal contact is:

- OHSEPR-Repatriation@acf.hhs.gov

Upon receipt that emergency repatriation is occurring, and that the Federal government has requested the activation of the New York State Emergency Repatriation Annex, the State, with assistance from the OTDA and ESF #6, will plan for the arrival of the repatriates, including any necessary and allowable arrangements, wraparound services, and assistance that is being requested or needed by the eligible repatriates. ESF #6 and the OTDA will be the primary conduit and coordinating entities for operational support of ERCs.

Costs for temporary assistance must be reasonable, allowable, and allocable. The OHSEPR defines reasonable, allowable, and allocable as the following:

- A cost is **reasonable** if, in its nature and amount, it does not exceed which would be incurred by a prudent person under the circumstances prevailing at the time the decision was made to incur the cost. See 45CFR §75.404.
- 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 45CFR §75.403.

- A cost is **allocable** to a particular federal award or other cost objective if the good or services involved are chargeable or assignable to the federal award or cost objective in accordance with relative benefits received. See 45CFR §75.405.

A list of reasonable, allowable, and allocable cost reimbursements by OHSEPR is located in Attachment 4.

Notification will be made to the local governments, counties, airports, and local social services districts when the Federal government has determined a POE. Notification procedures will follow the process described in *Section III: Response 1. Alert, Notification, and Plan Activation*.

Section I: General Considerations and Planning Guidelines

1. Introduction

The State of New York must be prepared to provide temporary assistance and allowable repatriation services to private U.S. citizens and their dependents that have become destitute, ill, incapacitated, or incarcerated in a foreign country and are without available resources, and where the U.S. Department of State has referred these eligible repatriates to New York State. At the State level, coordinating emergency repatriation operations may include cash assistance, medical care, mental health treatment, temporary shelter, transportation, and other goods and services necessary for the health and welfare for up to 90 days to assist the eligible repatriates to resettle into the area. This Annex is intended to provide information, guidance, and a process for coordinating available State, Federal, and Non-governmental organization (NGO) resources to support repatriation operations through the response and recovery phases.

2. Purpose

This document applies to all State agencies and authorities that may be directed to assist with repatriation operations and builds upon the process and structure of the State Comprehensive Emergency Management Plan (CEMP). The State CEMP has been structured into three distinct, but interconnected volumes. These are:

- Volume 1: All-Hazard Mitigation Plan
- Volume 2: Response and Short-Term Recovery
- Volume 3: Long-Term Recovery Plan

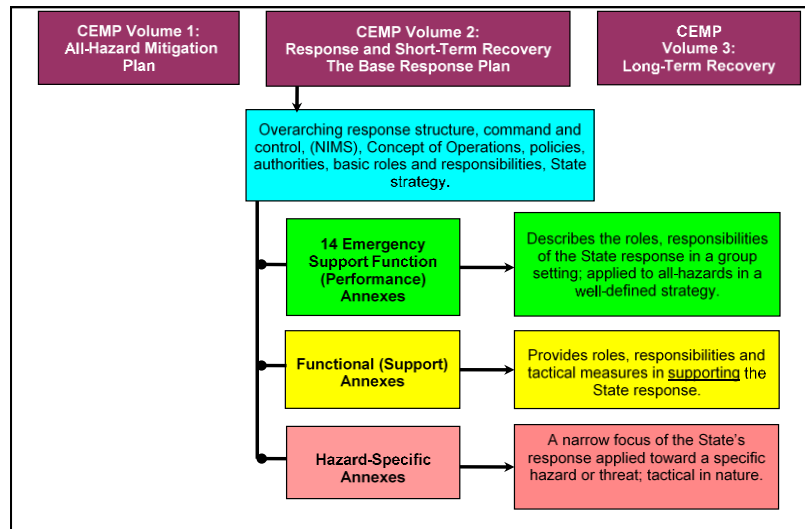


Figure 1: Structure of the State Comprehensive Emergency Management Plan

The purpose of the CEMP is to identify the State's overarching policies, authorities, and response organizational structure that will be implemented in an emergency or disaster situation that warrants a State response. The CEMP serves as the foundational framework for the State's response levels and serves as the operational basis of which other functional and hazard-specific annexes are built upon. Response operations to this type of event will encompass the efforts identified in this Annex and utilize existing capabilities of other hazard-specific annexes to the State CEMP. It is important to note that several other State plans, either agency-specific or multi-agency, may be utilized to support the implementation of this Annex. To avoid redundancy, such plans are not reiterated here, but referenced.

The purpose of this Annex is to ensure that the State can adequately prepare for and coordinate emergency repatriation operations to eligible repatriates. Emergency repatriation operations may include cash assistance, medical care, mental health treatment, temporary shelter, transportation, and other goods and services necessary for the health and welfare for up to 90 days to assist the eligible repatriates to resettle into the area. Further, this Annex identifies the

key mechanisms in coordinating with the U.S. Department of State, the OHSEPR, New York State government, State agencies, jurisdictions, POE, and local social services districts.

3. Scope

Repatriation events can include individual repatriation, repatriation of the mentally ill, group repatriation (50-500 repatriates), and emergency repatriation (500 plus repatriates). This Annex applies to the support of group and emergency repatriation events. This Annex does not apply to individual repatriation or repatriation of the mentally ill, which is considered non-emergency repatriation and coordinated under the OTDA Refugee Services program as part of their day-to-day services. For the purposes of this Annex, emergency repatriation events will be for 50 or more repatriates.

This Annex applies to any incident that warrants emergency repatriation operations in the State of New York after emergency repatriation activities have been initiated by the Federal government. This Annex applies to all ESFs, State agencies, and authorities that may be directed to respond to such an incident. Response operations requiring repatriation resources and wraparound services will encompass the efforts identified in this Annex and utilize existing State capabilities. Further, this Annex acknowledges that coordination between Federal, State, and local agencies and resources will be necessary to ensure flexibility, standardization, and unity of effort.

4. Situation

A large number of U.S. citizens and their dependents live, visit, and/or travel in countries throughout the world. Certain emergencies may occur that would necessitate the rapid evacuation of such persons to the continental U.S. and New York State. Rapid evacuations may provide repatriates little time to coordinate packing of personal items, medical supplies, documents, and/or financial resources thus requiring the repatriates to rebuild their lives upon arrival in the U.S. and New York State.

The State may need to provide temporary assistance to support eligible repatriates, whether New York State may be a layover point to a final destination within the U.S. or be the final destination of repatriates. Local government, counties, airports, and local social services districts at the identified POE may have limited capabilities for emergency repatriation operations therefore, ERCs will be organized and coordinated through ESF #6 and the OTDA. Federal, State, and local presence at the ERCs will be encouraged, as applicable and as capabilities allow.

Non-eligible or in-eligible person(s) who are brought to the U.S. under emergency repatriation circumstances will be the responsibility of the Federal government upon arrival in the U.S. and will be transported to a predetermined location by the Federal government.

Among the evacuees, eligible repatriates may include a diverse population including persons with various religious beliefs, ethnicity, age, gender, physical abilities, political beliefs, or socio-economic status. Additional social or physical barriers may exist for persons that are considered at-risk populations¹, especially with rapid evacuations.

¹ The Emergency Management Accreditation Program 2016 definitions identified at-risk groups to include people who are physically or mentally disabled (e.g., blind, deaf, hard-of-hearing, have learning disabilities, mental illness and/or mobility limitations), people with limited English language skills, individuals who are geographically and/or culturally isolated, people who are homeless, senior citizens, and/or children.

5. Planning Assumptions

- The evacuation of emergency repatriates from foreign countries may take place in the presence or absence of a Presidential Declaration of National Emergency and may be inclusive of both U.S. citizens and foreign nationals. Americans located overseas may be ordered to repatriate by the President of the United States.
- New York State and other states have been designated to provide POEs into the U.S. for emergency repatriation of private U.S. citizens and their dependents. Emergency repatriation incidents may or may not use New York State POEs.
- New York State will receive verbal and written notification of Emergency Repatriation from the U.S. Department of State and/or OHSEPR. The State will request a minimum 48-hour notice prior to the arrival of the first flight into a designated State POE to activate this plan and mobilize necessary resources. New York State may be activated with less notice due to diversion or emergency conditions necessitating minimum notification times.
- Activation of the National Emergency Repatriation Plan will precede and support activation of this Annex.
- Non-emergency repatriation events will mostly likely not warrant a State Emergency Operations Center (EOC) activation, as it is a normal day-to-day activity of OTDA. Emergency repatriation events will warrant a State EOC activation and will follow the processes described in *Section III: Response 2. Emergency Response Levels*.
- Local governments, counties, and/or social service district areas may not have the capabilities or capacity to support emergency repatriation operations.
- Repatriates will be processed through an initial screening conducted overseas by the U.S. Department of State to determine program eligibility. The U.S. Department of State will provide flight manifests and/or establish a mechanism for providing repatriation information to New York State to facilitate the planning and implementation of repatriation services and supports.
- Rapid evacuations may provide repatriates little time to coordinate packing of personal items, medical supplies, documents, and/or financial resources thus requiring the repatriates to need adequate shelter, medical care, cash assistance, and/or transportation.
- Non-eligible or in-eligible person(s) who are brought to the U.S. under emergency repatriations circumstances will be the responsibility of the Federal government upon arrival in the U.S. and will be transported to a predetermined location by the Federal government.
- Individuals and families may have specific needs which may not be adequately relayed prior to repatriation and may require assistance from ESF #6 for mass care, emergency assistance, housing, and/or human service needs inclusive of any mass care activities that meet the needs of individuals with Access and Functional Needs (AFN), language access and supports, family reunification needs, and hygiene and relief items; ESF #8 to support medical and/or mental health needs; and ESF #11 to support service animals and/or domestic/companion pets.
- ESF #13 may need to coordinate with Federal and local law enforcement to augment security needs.
- ESF #15 may be used to coordinate information, orders, and instructions relayed to the general public and provide rumor control.
- The U.S. Repatriation Program will assist eligible repatriates upon their return to the U.S. by providing allowable repatriation services, which may include cash assistance, medical care, mental health treatment, temporary shelter, transportation, and other goods and

services necessary for their health or welfare for up to 90 days to assist them to resettle into the area.

- The Federal government will reimburse the State of New York for all reasonable, allowable, and allocable expenses incurred during the emergency repatriation processing activities.

6. Concept of Operations

The concept of operations listed below is based on emergency repatriation events that occur and warrants a response from the State. This operational framework will be applied to all POEs in NYS, unless otherwise noted.

Non-Emergency Repatriation Events

- The OTDA will receive a receipt of referral from the OHSEPR that an eligible repatriate will be arriving in New York State.
- The OTDA/Bureau of Refugee Services will forward the referral to the local social services district in the area of the repatriate's final destination.
- The local social services district will prepare for the arrival of the repatriate and make any necessary and allowable arrangements and provide services for the assistance that is being requested or needed.
- The local services district and/or the OTDA will submit any reimbursement paperwork to the Federal government for non-emergency repatriation events.

Emergency Repatriation Events

Prior to the Arrival of Repatriates from Abroad:

- New York State will receive notification from OHSEPR that emergency repatriation is or may occur using New York State POEs. The State will be part of conference and coordination calls regarding emergency repatriation and the potential use of New York State's POEs. Under optimal conditions, New York State will be provided with a minimum of 48-hours' notice. New York State may be activated with less notice due to diversion or emergency conditions necessitating minimum notification times.
- Activation of the NERF will precede and support activation of the New York State Emergency Repatriation Annex.
- The State OEM will be provided with verbal and written notice from the U.S. Department of State or OHSPER, requesting activation of the New York State Emergency Repatriation Annex in support of the Federally initiated emergency repatriation event.
- The State OEM will commence Multi-Agency Coordination (MAC) calls with appropriate DPC agency representatives, local governments, counties, airport, and POE service providers. The first MAC call will determine which agencies may be needed for the operation, the size of the response needed, the anticipated footprint needed at the POE, and needs to be scalable based on the current information provided by OHSEPR.
- The State OEM will activate the State EOC and the New York State Emergency Repatriation Annex. The ERC Mobilization Checklist is attached for guidance.
- If conditions and/or request for wraparound services warrant the activation of any ESFs, the New York State Watch Center (SWC) will notify the appropriate DPC agency representatives, local governments, counties, airport, and POE service providers.
- State agency representatives from ESF #6 and OTDA will be requested to deploy to the identified POE to setup and establish an ERC. The Mobilization Checklist is attached for guidance.

- If conditions warrant the activation of ESF #6, ESF #8, ESF #11, and/or ESF #13, the ESFs will augment local resources through ESF #6 for mass care, emergency assistance, housing, and/or human service needs inclusive of any mass care activities that meet the needs of individuals with AFN, language access and supports, family reunification needs, and hygiene and relief items; ESF #8 for support of medical and/or mental health needs; ESF #11 for support to service animals and/or domestic/companion pets; and ESF #13 for public safety and security services.
- A dedicated crew may be needed for resource transportation to the POE.
- The Governor could exercise gubernatorial authority in declaring a State Disaster Emergency. In doing so, the Governor may direct any and all State agencies, including non-DPC agencies, to provide assistance under the coordination of the DPC.
- The State OEM will coordinate with the U.S. Department of State, OHSPER, U.S. Customs and Border Protection (CBP), and Immigration and Customs Enforcement (ICE), as warranted.
- Repatriates will be processed through an initial screening conducted overseas by the U.S. Department of State to determine program eligibility. The U.S. Department of State will provide flight manifests and/or establish a mechanism for providing repatriation information to New York State to facilitate the planning and implementation of repatriation services and supports.
- If it is determined that there is a need to perform isolation and/or quarantine functions for concerns due to the spread of infectious diseases, this will take place prior to the unloading of passengers from the aircraft and will be performed based upon the requirements set forth by the Centers for Disease Control (CDC) and the New York State Department of Health (DOH).

After Arrival in New York State from Abroad:

- Federal agencies will be responsible for the secondary screening and inspection upon arrival at the New York State POE.
- Upon successful processing through customs, eligible repatriates will have the option to proceed onward making their own travel arrangements, or if they are deemed eligible and with insufficient resources to proceed onward, they will have the opportunity to utilize the services of the ERC.
- Non-successful processing, or non-eligible or in-eligible person(s) who are brought to the U.S. under emergency repatriations circumstances will be the responsibility of the Federal government upon arrival in the U.S. and will be transported to a predetermined location by the Federal government.
- It is assumed that once eligible repatriates make their connections with their onward travel arrangements, they will no longer be under the responsibility of the State, and any additional provisions for temporary assistance will be provided by the county and/or state of their final destination.
- Overall closure and cessation of the ERC will be determined collectively by the U.S. Department of State, OHSEPR, and State OEM once it has been identified that emergency repatriation operations will be concluding or New York State POEs will no longer be utilized.
- Demobilization of the ERCs will occur and State agencies will provide reimbursement information to the identified point of contact.

7. Authorities and Policies

The authority to develop this Annex and implement specific response actions to effectively respond to emergency repatriation events can be found in a variety of New York State Laws, regulations, and Federal authorities, including but not limited to:

State Authorities

- NYS Executive Law Article 2-B, State and Local Natural and Man-made Disaster Preparedness
- OTDA Administrative Directive Memorandum
 - 19-ADM-09, United States Repatriation Program District Responsibilities

Federal Authorities

- Presidential Executive Order 12656, Assignment of Emergency Preparedness Responsibilities, as amended
- Memorandum of Agreement Between Department of State and Defense on the Protection and Evacuation of U.S. Citizens and Nationals and Designated Aliens from Threatened Areas Overseas
- 22 U.S. Code §4802, Responsibility of Secretary of State
- 22 U.S. Code §2671, Emergency Expenditures
- 22 U.S. Code §1535, Agency Agreements
- 42 U.S. Code §1313 and 45 C.F.R. §212, Assistance for United States Citizens Returning from Foreign Countries
- 24 U.S. Code §321-329 and 45 C.F.R. §211, Hospitalization of Mentally Ill Nationals Returned from Foreign Countries
- HHS/ACF U.S. Repatriation Program Memorandum of Understanding with States and U.S. Territories
- ACF U.S. Repatriation Program Interagency Agreements with Federal and Non-Federal Agencies
- Section 1113 of the Social Security Act, Establishment of the U.S. Repatriation Program
- HHS Grant Award Regulations 45 C.F.R. §75
- Americans with Disabilities Act of 1990
- Rehabilitation Act of 1973
- Civil Rights Act of 1964

8. Eligibility, Case Management, and Temporary Assistance

OHSEPR provides eligibility definitions for evacuees, repatriates, and U.S. citizens without resources that may be eligible for assistance. The person(s) is defined below:

- Evacuees: 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.
- 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.
- Assistance to U.S. Citizens without Resources
 - The person must be a U.S. citizen or a dependent of a U.S. citizen;
 - 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

- The person must be without resources immediately accessible to meet their needs.

To determine eligibility during an emergency repatriation operation, the following forms must be completed:

- Form RR-01 Emergency Repatriation Eligibility Application
- Form RR-05 Repatriation Repayment and Privacy Agreement

OHSEPR makes the final eligibility determination.

The following information for Eligibility, Case Management, and Temporary Assistance was taken directly from the National Emergency Repatriation Framework dated June 2021.

Eligibility

In accordance with 45 C.F.R. §212.3(a) (U.S. citizenship or dependency on a U.S. citizen) and 45 C.F.R. §212.3(b) (referral by the U.S. Department of State), evacuees must satisfy the below criteria in order to be eligible for temporary assistance:

- **Identification by DOS:** Individuals must arrive on DOS-chartered and/or coordinated transportation modes. DOS provides written notification of the scope of the evacuation; and
- **U.S. Citizenship:** Department of Homeland Security's (DHS)/ Customs and Border Protection (CBP) verifies citizenship during its routine clearance process; or
- **Dependents of U.S. Citizens:** A dependent of a U.S. citizen refers to the spouse or minor children of a U.S. citizen, or to another family member who is financially dependent on an adult U.S. citizen either temporarily or permanently. A dependent family member
- refers to a person who lives with the adult U.S. citizen and is related through blood, marriage, adoption, or other legal family relationship.

Additionally, evacuees must be **without available resources** upon arrival in the United States. ACF considers resources as immediately accessible only when they are in the possession of and under the control of the evacuee, and they can draw upon them to meet their immediate or temporary needs.

Evacuee Type	Description	Eligibility for Temporary Assistance
<i>Private U.S. Citizens and their Dependents</i>	Individuals working, studying, visiting, residing in a foreign country.	Eligible for temporary assistance.
<i>U.S. Nationals</i>	Individuals who were born in American Samoa or in the Commonwealth of the Northern Mariana Islands.	Eligible for temporary assistance.
<i>U.S. Tribal Members</i>	Evacuees that are members of Federally recognized Tribes.	Eligible for temporary assistance.
<i>Lawful Permanent Residents</i>	Includes any person who is not a U.S. citizen but resides in the United States under legally recognized and lawfully recorded permanent residence as an immigrant.	Not eligible unless determined to be a dependent of a U.S. citizen.
<i>Refugees and Asylees</i>	Evacuees that meet the definition of refugee or asylee as determined by the Department of Homeland Security's U.S. Citizenship and Immigration Services. They may separately qualify for refugee assistance, in which case, the state of final destination may provide assistance according to its approved state refugee assistance plan.	Not eligible unless determined to be a dependent of a U.S. citizen.
<i>Third Country Nationals</i>	Citizens of other countries evacuated along with U.S. citizens.	Not eligible unless determined to be a dependent of a U.S. citizen.

Table 1: Evacuee Eligibility for Temporary Assistance from the National Emergency Repatriation Framework

Case Management

After determining U.S. Repatriation Program eligibility, ACF/OHSEPR or its agent’s case managers will:

- Conduct remote intake assessments of evacuees to identify immediate unmet needs that may be supported by non-governmental partners;
- Facilitate onward travel to the repatriate’s final destination in the U.S.; and,
- Identify needs that require temporary assistance via the U.S. Repatriation Program.

Temporary Assistance

The Social Security Act, Section 1113 define temporary assistance as money payment, medical care, temporary shelter/lodging, transportation, and other goods and services necessary for the health or welfare of individuals, including guidance, counseling, and other welfare services.

Temporary assistance is provided as a loan which is payable to the U.S. government upon closure of a repatriate's case.

Temporary assistance is available for up to 90 days from the repatriate's date of arrival to the United States. Temporary assistance may be extended if ACF determines that the circumstances involved necessitate or justify the furnishing of such assistance to eligible repatriates and their dependents beyond the 90-day limit (42 United States Code [U.S.C.] 1313). All temporary assistance is provided in accordance with 45 C.F.R 211 and 212. Repatriates may not receive temporary assistance retroactively.

In accordance with 45 CFR § 212.7 (a), eligible repatriates may apply to ACF to have their debt waived or deferred if:

- The cost is not readily allocable to the repatriate;
- The probable recovery would be uneconomical or otherwise impractical;
- The repatriate does not have, and is not expected within a reasonable time to have, income and financial resources sufficient for more than ordinary needs; or,
- Recovery would be against equity and good conscience.

Right of Refusal

Repatriates have the right to refuse services. If a repatriate opts out of receiving temporary assistance through the U.S. Repatriation Program, the repatriate will complete the Form RR-06 Refusal of Temporary Assistance. Repatriates may not receive temporary assistance retroactively.

The ACF evaluates each repatriate's case to assess their available resources, including benefits and services.

9. Annex Maintenance, Distribution, and Revision Process

The State OEM Planning Section has the responsibility for the development, review, and maintenance of all multi-agency response plans under the New York State CEMP. As required under New York State Executive Law Article 2-B, each plan shall undergo an annual review, update, and be posted online (if applicable) no later than March 31 of each year.

During the annual review by the Planning Section for its material, this Annex is examined for both content and format. For updates that do not impact operational mechanisms or processes, the appropriate edits are initiated within the Planning Section and do not warrant external involvement. Plan updates will also be conducted based upon experiences and lessons learned from exercises or real-world events, or through administrative changes in government. Planning Section updates and/or edits affecting operational capabilities, responsibilities, or otherwise impacting operations will engage stakeholders in a variety of ways, such as verbally, by document review, meetings, webinars, or any combination thereof. Final drafts will be socialized to all appropriate agencies/personnel upon completion.

Section II: Preparedness

1. Mitigation

Each state has been requested to enter into a Memorandum of Agreement (MOA) between the OHSEPR, Administration for Children and Families (ACF), and the U.S. Department of Health and Human Services (HHS). The MOA outlines the work that New York State will perform, which will be reimbursed by OHSEPR, and that New York State will perform this work to enhance the State's readiness to conduct repatriation activities for emergency repatriation response operations through planning, training, and exercises.

2. Prevention

State OEM has a process to coordinate activities, to monitor the identified threats and hazards, and adjust the level of prevention activities commensurate with the risk.

The SWC is New York State's 24/7 alert and warning point. It supports the mission of the DHSES by maintaining situational awareness of state, national, and international incidents; sharing information with Division staff, State agencies, and other emergency officials; and notifying State agencies and counties of developing incidents. Additional threat assessments and surveillance programs are conducted by both internal and external stakeholders including but not limited to the Office of Counter Terrorism (OCT), New York State Intelligence Center (NYSIC), and the U.S. Department of State who would alert the State to worldwide activities that may be a trigger for emergency repatriation activities.

3. Planning and Risk Assessment

A variety of mechanisms are used to understand the various risks and associated threats and hazards facing the State. As required by the Homeland Security Grant Program (HSGP) and the National Preparedness Goal (NPG), the State must complete an annual Threat Hazard Identification Risk Assessment (THIRA). The process involves the identification of scenarios that will most stress the State's capabilities and an assessment of those capabilities. Those capabilities are mapped to the core capabilities in each of these ESF Annexes created under the State CEMP. Further, New York State has developed additional programs and methodologies to better understand risk at the local level. This includes a County Emergency Preparedness Assessment (CEPA), which the State has conducted in each of the 57 counties of New York, and New York City. Counties also participate in their own CEPA to help understand their risks. CEPA provides great insight as to the State's risk profile from a local level perspective. The CEPA is not specific to repatriation operations. The CEPA does address each county's response capabilities for mass care and sheltering.

4. Mitigation Measures

A variety of other planning efforts are ongoing throughout the State. In large part, those planning efforts are attached or scoped to address a certain asset, grant deliverable, or program. Regardless of the design parameter, there are several lead efforts that can be leveraged, with caveats, to support emergency repatriation operations. These include, but are not limited to, supplies, equipment, plans, procedures, signage, office equipment, and comfort kits.

Mass Care Annex

- The purpose of this Annex is to ensure that ESF #6 can adequately prepare for and provide mass care support to affected populations. This includes life-sustaining and human services resources such as hydration, feeding, sheltering, temporary housing,

evacuee support, reunification, and distribution of emergency supplies. Further, this Annex identifies the key mechanisms in coordinating with the local response and identifies the lines of coordination to interoperate with the Federal ESF #6 via the National Response Framework.

Previous Events and Operations

- The State has the capability to review previous incident data and request data from other states to determine a general idea of the number of people processed through local POEs, the amount and types of resources that were requested, and the logistical resources used to provide assistance in acquiring, transporting, and distributing the resource and throughput of repatriates.

5. Facilities

Port of Entry

A port of entry is a place where one lawfully enters a country. This may be an international airport, military base, seaport, or border station, as long as there is a dedicated customs presence available to check passports, visas, and luggage to ensure that contraband or other unauthorized items are not brought into the country.

New York State has identified potential POEs for emergency repatriation operations for the State. The POE may be adjusted based on the request from the Federal government.

Each facility can support military and commercial aircraft, has access to mass transportation such as rail and bus services, has access to local lodging and local area establishments (food, retail, etc.), and can meet the expectation that eligible repatriates will be able to proceed to onward destinations in a timely manner. Supports may be limited if there are simultaneous incidents occurring within New York State.

Emergency Repatriation Center (ERC)

An Emergency Repatriation Center is a joint service center established and managed by the State on behalf of ACF/OHSEPR. Depending on the complexity of the incident, ACF/OHSEPR may determine that an ERC needs to be established by the state(s) at the POEs selected for arrival. The main purpose of an ERC is to serve as a place for eligible repatriates to be processed, informed of services, and provided with temporary services for immediate unmet needs in a timely manner. In support of ACF/OHSEPR, New York State is responsible for the establishment of the ERC and necessary coordination of the reception, temporary care, and onward movement of eligible repatriates.

The ERC is typically located at the receiving POE and is strictly used for the expeditious processing of assistance services for evacuees. In rare circumstances, other facilities may be used with prior approval.

Each POE facility has designated onsite space that can be used to support the establishment of an onsite ERC. Each POE facility is located in areas where State agencies can rapidly deploy resources in the event that ERCs will be established with little notice.

Reception and temporary resources provided at the ERC are designed to meet the immediate emergency needs of the eligible repatriates for up to the first 24 hours. The provision of temporary assistance for up to 90 days will be provided by local area social service districts in the state of final destination. Temporary assistance should only be provided to eligible

repatriates after the Federal Loan Approving Officer approves the case. Final Eligibility Determinations are made by designed ACF staff.

6. Memorandums of Understanding (MOUs)

The OTDA has an Administrative Directive Memorandum 19-ADM-09 dated September 2019 which provides documentation and reimbursement of repatriation activities, including eligible expenses for federal reimbursement in OTDA's Bureau of Refugee Services social service districts.

In 2009, a General Agreement was signed by the U.S. Department of Health and Human Services and New York State regarding the non-emergency and emergency arrivals of repatriates. This document is reviewed annually and as points of contact change.

7. Testing, Training, Exercising, and Real-World Events

Testing, Training, and Exercising

The State of New York sponsors and conducts a variety of training to improve knowledge and response capability. This includes varying levels of training in the Incident Command System, the Professional Development Series (PDS) curriculum, and EOC Trainings. The State also participates in a wide variety of specialized training, including training to meet Federal program and grant requirements, such as the Emergency Management Performance Grant (EMPG). Further, many State agencies identify training requirements within their own organization to meet the needs of the agency for that specific discipline.

The State of New York has incorporated the Homeland Security Exercise and Evaluation Program (HSEEP) into its emergency management program. HSEEP consists of both doctrine and policy for designing, developing, conducting, and evaluating exercises. The State has instituted HSEEP into a host of exercise activities, including those that involve tests and activations of the State EOC. Further, some exercises are often linked to a specific grant requirement, while others are conducted as part of ongoing or existing programs, such as those for the Radiological Emergency Preparedness Program.

The State also utilizes an exercise component as part of the planning process to test the effectiveness of an emergency management plan. These exercises vary in scope and cross several state-level plans or annexes. As a point of reference, the planning process that resulted in the creation of all of the State's ESF annexes included an exercise component.

Real-World Events

New York State has never been part of an emergency repatriation operation initiated by OHSEPR or the Department of State. New York State prepared for various emergency repatriation operations through disaster and medical evacuations noted below. These events, while not done as part of this program, have become lessons and examples on how to improve response and recovery efforts for future events.

- Following Hurricane Katrina in 2005, New York State was postured to receive evacuees from the impacted areas of Louisiana and Mississippi, if necessary.
- Between July 19 and August 2, 2006, the U.S. Health and Human Services Administration for Children and Families Office of Refugee Resettlement (ORR) offered social services to over 12,400 U.S. citizens and others returning to the U.S. from Lebanon, due to the international conflict between Lebanon and Israel. The Unified

Response chose military installations and ports in Florida and South Carolina as port of entries to the U.S., although New York State was postured to receive citizens.

- During October 2014 to January 2015, U.S. citizens repatriated from Ebola-infected countries that returned through JFK airport required quarantine and/or medical services in New York City, if they met criteria obtained during the airport screening.
- During the COVID-19 pandemic, from January 2020 to May 2020, over 85,000 Americans were repatriated to the U.S. from over 130 countries and territories. New York State assisted with the repatriation of State University of New York (SUNY) and City University of New York (CUNY) students that were studying abroad.
- In February 2021, New York State participated in conference calls regarding the repatriation of U.S. citizens coming from Burma due to civil and political unrest. Destination states/airports considered for the repatriation operations included California, Florida, New York, and Washington.
- In August 2021, New York State prepared for the emergency mass repatriation of evacuees from Afghanistan due to civil and political unrest. Although New York State was postured to receive repatriates through JFK Airport, emergency repatriation POEs were selected elsewhere in the U.S.
- In May 2023, OHSEPR provided email updates to State Coordinators regarding coordinated evacuations from Sudan due to military conflict. No ERCs were needed or requested.
- In October 2023, OHSEPR provided email updates to State Coordinators regarding involvement of the DOS in assisting repatriates to a bordering country during the Israel, Gaza, and West Bank Hamas' attacks. No ERCs were needed or requested.

8. After Action Reports (AAR) and Corrective Actions Programs (CAP)

Following an exercise or an actual event, an After-Action Report (AAR) should be completed by all staff involved in the event. The information gathered in the AAR will provide insight into future refinement of this Annex. AARs will be completed as soon as possible following any relevant exercise and will be facilitated by the State OEM for plan updates, ideally at the end of the exercise. The AAR should be completed as soon as possible following the of deactivation of the State EOC. A Corrective Action Program (CAP) will be initiated by State OEM based on the feedback in the AAR.

This Annex was updated as a result of the 2021 potential ERC activations.

Section III: Response

1. Alert, Notification, and Plan Activation

Federal Notification

Emergency repatriation activities will be initiated by the Federal level of government. The OHSEPR is the domestic lead for the U.S. Repatriation Program. The U.S. Department of State will provide formal notice to the OHSEPR Director regarding the emergency repatriation event. Notice will contain necessary information to coordinate the reception of repatriates. In consultation with the U.S. Department of State and the Department of Defense, OHSEPR will determine various non-military POEs within the U.S. for the emergency repatriation event. OHSEPR determines when to initiate an emergency repatriation operation and establishes intergovernmental coordination and communication. OHSEPR will send an activation notice to the selected state(s) requesting support. OHSEPR will contact the New York State Emergency Repatriation Coordinator.

The following are the types of notifications that the U.S. Department of State will provide to New York State.

- **Standby:** Potential for repatriation or evacuation from overseas; notification is made to DHSES and the State EOC; requires a formal State response to support; and initiates calls.
- **Cancel Previous Notice:** This notice will be provided after sufficient information is obtained from the U.S. Department of State that a mass evacuation has materialized, and the State is not selected as a designated POE, or there will be no mass evacuation.
- **Activate State Emergency Repatriation Plan:** Evacuation has materialized; State has been selected as the designated POE; notification will be made to the Governor, Emergency Repatriation Coordinator, and the State EOC; and coordination meetings commence.
- **Demobilization:** The emergency has ended; the State requests closing the ERC; and a federal decision is made to close the ERC.

State Notification

Upon receipt of notification from the U.S. Department of State, State OEM will assess the potential needs and demands of the emergency repatriation operation, then determine the level of activation necessary to effectively manage the response to the event. The capabilities that are needed to support the emergency repatriation operation will also be identified, and agencies will be notified to staff the State EOC using the ESF construct, and the ERC.

The SWC serves as the focal point for receiving or providing notification of incidents in the State. In response to an incident that warrants an increase in State response posture, the SWC will be used to notify State agencies, local government, counties, airports, and POE service providers that the State EOC is activating for an emergency repatriation event.

The OTDA should never be the point of contact for an emergency repatriation event. Should the OTDA inadvertently be the point of contact, the OTDA will immediately contact the Emergency Repatriation Coordinator and/or the SWC if they do not make positive contact with the Emergency Repatriation Coordinator.

2. Emergency Response Levels

Emergency repatriation needs and services will occur as a direct result of an incident that occurs overseas. Emergency repatriation activities will be initiated by the Federal level of

government. The State OEM, through consultation with the Governor's Office, will direct and implement State response activities as identified in the State CEMP. Depending on the nature and scope of the incident or event, participation from State agencies may vary.

As identified in the State CEMP Volume 2, the State EOC maintains several activation levels based upon event severity and the overall level or volume of State response operations. These levels are indicated in response to a specific hazard or threat and include a host of operational functions and mechanisms. Those functions may be broad in scope, or may be narrow, such as providing assistance in emergency repatriation operations, management, and support.

The following levels of activation outline the operational steps the State may take in responding to any event. The inclusion of emergency repatriation response mechanisms is identified, where indicated. In addition, emergency repatriation mechanisms for no-notice events (e.g. attack on U.S. Embassies, war declaration) are included in almost all response levels.

Steady State: The SWC actively monitors reports and incidents that occur across the world as part of their Daily Operations. Should an incident occur that meets the criteria as an International/National Incident, the SWC will follow the reporting mechanisms noted in their Standard Operating Guide (SOG). Not all International/National Incidents will warrant emergency repatriation considerations.

Level 3 Limited Activation: A Federal "Standby" Notification may trigger a State Level 3 Limited Activation. The incident or event may require a partial activation of the State EOC, with ESF Coordinating Agency activation.

- A MAC Call will commence with the ESFs to determine which ESFs will be utilized for the emergency repatriation event.
- Depending on the scope and severity of the event, ESFs #5, #6, #7, #8, #11, #13, and #15 Member Agencies may be activated.
- ESFs will identify and establish a staffing pattern for EOC support for a minimum of 12-hour shifts.
- A POE will be identified, and an Incident Command Post will be setup at or near the POE.
- Daily conference calls will commence with the ESF Coordinating Agencies, jurisdiction, and the identified POE.
- ESF Coordinating Agencies will identify which State agencies will have an immediate role and deploy personnel to setup and establish an ERC at the POE. Individual agencies that have immediate roles may include OEM, OTDA, OCFS, DOH, OMH, PANYNJ, the POE, and the local jurisdiction/emergency management office. ESFs will support ERC setup for a minimum of 12-hour shifts.
- Deployed personnel will use the attached Operational Checklist as guidance. See Attachment 1.
- ESF #6 will use the attached Mobilization Checklist for ERC setup guidance. See Attachment 2.
- ESFs will begin pre-identifying staffing for AM/PM shifts at the ERC with times to be determined as staffing levels are assessed.
- ESF Coordinating Agencies will determine the use of conference calls for situational awareness with ESF Member Agencies.

Level 2 Partial Activation: A Federal “Activate State Emergency Repatriation Plan” Notification with aircraft arrival to the POE within 48 hours may trigger a State Level 2 Partial Activation. The incident may require full activation of the State EOC, with ESF activation.

- Most, if not all, ESF #5, #6, #7, #8, #11, #13, and #15 Member Agencies will be activated.
- ESFs will identify and establish a staffing pattern for the EOC and ERC for 12-hour shifts, covering 24 hours a day.
- A minimum of twice daily conference calls will commence with the ESF Coordinating Agencies, jurisdictions, identified POE, and Federal agencies.

Level 1 Full Activation: A Federal “Activate State Emergency Repatriation Plan” Notification with aircraft arrival to the POE with less than 24 hours to arrival may trigger a State Level 1 Full Activation.

- The activities of the ESFs may be integrated with those of their federal counterparts, and/or their Federal Emergency Repatriation Functions (ERFs) counterparts, as warranted. There are no Federal ESFs as being identified as coming online during an emergency repatriation event. Federal integration may be agency specific.

3. Direction and Control

The State endorses the development of one response organizational structure that will include all responding agencies. State agencies and ESFs will be organized under the framework of the National Incident Management System (NIMS) ICS as required by Executive Order 26.1 of 2006 and Homeland Security Presidential Directive (HSPD)-5. As such, a variety of direction and control components may be utilized to manage and coordinate the State’s resources in an efficient and effective manner and to provide the interoperability between the local and Federal response organizations.

The organizational structure of the State’s ESFs is inherently different than the Federal construct under the National Response Framework (NRF). With the exception of ESF #5 (Planning), ESF #7 (Logistics), and ESF #15 (External Affairs), the State ESFs will be situated organizationally in the Operations Section, and report directly to the Operation Section Chief (OSC), or Branch Chiefs if established. ESF #5 is assumed by the Planning Section in the State EOC. ESF #7 is assumed by the Logistics Section in the State EOC. ESF #15 is situated in the Command Element.

As emergency repatriation events have not previously occurred within New York State, it is unknown if the Federal government will activate ESFs, ERFs, or activate individual Federal agencies to assist with the emergency repatriation event. The State should be prepared to respond using the ESF construct, regardless of the Federal response.

4. Assignment of Responsibilities/Operational Coordination

Supporting the return of U.S. citizens and their dependents to the U.S. requires coordination across Federal, State, and local governments, agencies, and NGOs. This section reviews existing roles, responsibilities, and capabilities of Federal, State, and local governments and agencies.

Federal Government

- **Department of State:** The U.S. Department of State is the lead Federal agency in the evacuation and repatriation of official U.S. citizens and their dependents. The U.S. Department of State determines who is evacuated from overseas and ensures that these

individuals possess the right to legally enter the U.S. and provide relevant documentation when necessary and feasible. The Department of State notifies ACF/OHSEPR when emergency repatriation activities are needed.

- **Washington Liaison Group (WLG):** The WLG is led by U.S. Department of State to promote collaboration, coordination, synchronize policy, and advise principals on issues aimed at improving and guiding the U.S. government's overseas emergency evacuation decisions, including recommendations for the development of necessary plans, policies, implementation of plans, coordination of repatriation activities, and recovery from crises abroad.
- **Department of Homeland Security (DHS)/Customs and Border Protection (CBP):** DHS and CBP ensures and processes proper legal entrance into the U.S.; coordinates application of domestic immigration policy; coordinates the implementation of DHS senior leadership guidance into repatriation planning of the DHS components; and coordinates DHS/Office of Civil Rights and Civil Liberties actions with the Department of Justice, U.S. Department of State, and other agencies' engagement with diaspora communities within the U.S.
- **Administration for Children Families:** ACF serves as the lead agency for Federal emergency repatriation planning and operations within the U.S. Within HHS, ACF/OHSEPR is the lead for planning, coordination, and operations of reception, temporary care, and onward movement of private U.S. citizens and their dependents evacuated from overseas. ACF/OHSEPR manages and oversees all repatriation operations of the U.S. Repatriation Program, including emergency repatriation activities performed by states. ACF/OHSEPR coordinates with other Federal agencies, activates states, determines the eligibility of repatriates, and reimburses states for reasonable, allowable, and allocable costs.

State Government

- **Division of Homeland Security and Emergency Services/Office of Emergency Management:** As the lead Coordinating Agency for the State's response and chair of the DPC, State OEM will serve in the role of Emergency Repatriation Coordinator. State OEM will serve as the primary conduit and coordinating entity for the State emergency repatriation operational response and will be responsible for coordination both laterally with other State agencies and vertically with Federal and local partners.
- **Office of Temporary and Disability Assistance:** Non-emergency repatriation programs are coordinated under the OTDA's Refugee Services programs. Under non-emergency repatriation and upon receipt of a referral, the OTDA/Bureau of Refugee Services forwards the referral to the social services district. The district plans for the arrival of the repatriate and makes any necessary and allowable arrangements and provides services for the assistance that is being requested or needed.
- **ESF #5:** ESF #5 will manage and provide timely, reliable, and accurate situational information aimed at informing decision makers and field-level responders. ESF #5 will work closely with other State ESFs and credible sources to provide situation status updates to guide incident action planning activities.
- **ESF #6:** ESF #6 will plan for the arrival of the repatriates, including any necessary and allowable arrangements, wraparound services, and assistance that is being requested or needed by the eligible repatriates. ESF #6 and the OTDA will be the primary conduit and coordinating entities for operational support of ERCs.
- **ESF #7:** ESF #7 will provide logistical support and resource management for the State. Responsibilities may include efforts such as donations management and locating, procuring, issuing, and tracking resources.

- **ESF #8:** ESF #8 will provide coordination and support of local efforts in the assessment of public health and medical needs, coordinate emergency medical services and medical shelters, and coordinate the response for all situations that have health-based consequences that warrants a multi-agency approach.
- **ESF #11:** ESF #11 will coordinate response activities that support evacuation, sheltering, care, and other services for household pets, when they are impacted by the emergency repatriation event.
- **ESF #13:** ESF #13 will coordinate the activities of public safety and security services to protect life and property during the emergency repatriation event. ESF #13 will augment local law enforcement response activities when local resources have been, or expected to become, overwhelmed. ESF #13 will support local efforts with protection of life and property, evacuations, perimeter control, maintenance of traffic and access control points, general law enforcement, investigative support, and security support.
- **ESF #15:** ESF #15 will provide accurate and well-timed information to the public and media. ESF #15 will work closely with Federal, State, local, and non-governmental partners to collect, analyze, and release public information in a coordinated manner.

Local Government

Local government will be actively involved in emergency repatriation operations, to the fullest extent possible. Each county, and many local governments, has a CEMP which provides the framework for the jurisdiction's response to emergencies and disasters. Although a majority of the plans do not address repatriation operations, the plans do have a mass care component. Each locally developed plan will differ in its implementation, including in response capabilities, surge capacities, and in the ability to exercise authorities. Each State OEM Regional Staff have pre-identified a local point of contact for each county that will coordinate local mass care efforts and act as a primary point of contact. The OTDA have pre-identified a local point of contact for each county that will coordinate referrals at the local social services district.

5. Integration of Federal Emergency Repatriation Functions

The Federal Government organizes its response resources and capabilities under the ERF construct. This structure coordinates Federal interagency emergency repatriation responses. ACF/OHSEPR activates ERFs to facilitate interagency coordination for emergency repatriation responses. Depending on the overseas incident that triggers an emergency repatriation operation, some ERFs may not be activated.

It is noted that the Federal ERF highlights State integration as part of ERF #2 Human Services, Case Management, and Temporary Assistance. The State will utilize the ESF construct for emergency repatriation operations. A majority of the operational aspects that the State would engage to support emergency repatriation can be found in ERF #2 Human Services, Case Management, and Temporary Assistance and would align with the capabilities of NYS ESF #6. Coordinating Agencies in the respective NYS ESFs will integrate with their federal counterparts.

The table below summarizes the Federal Emergency Repatriation Functions and indicates the core responsibilities that the ERF most directly supports. Detailed repatriation capabilities and activities are listed in the NERF.

<p>ERF 1 – Evacuation and Reentry Coordinating Agency – Department of State</p> <p>Determines and advises ACF/OHSEPR of evacuations of private U.S. citizens and their dependents from overseas; identifies Safe Havens; coordinates with interagency partners to arrange flights, entry, and arrival at selected ports of entry; identifies individuals eligible for evacuation; develops manifests; and supports ACF/OHSEPR in obtaining eligibility criteria.</p> <p>Members: Department of Defense, Department of Homeland Security (DHS)/Customs and Border Protection, DHS/Citizenship and Immigration Services, Department of Transportation (DOT), DOT Federal Aviation Administration, HHS/Centers for Disease Control and Prevention</p>
<p>ERF 2 – Human Services, Case Management, and Temporary Assistance Coordinating Agency – HHS/Administration for Children and Families</p> <p>Coordinates the intake assessment, triaging and case management of evacuees to determine eligibility for temporary assistance via the U.S. Repatriation Program and the resolution of immediate unmet needs through partner agencies.</p> <p>Members: American Red Cross, HHS/Office of the Assistant Secretary for Health, HHS/Substance Abuse and Mental Health Services Administration, U.S. States</p>
<p>ERF 3 – Public Health, Health, and Medical Support Coordinating Agency – HHS/Office of the Assistant Secretary for Preparedness and Response</p> <p>Coordinates the mechanisms for assistance in response to an actual or potential public health and medical disaster or incident. Functions include but are not limited to the following: Public health; Medical evacuation support, and medical, and public health services.</p> <p>Members: HHS/Centers for Disease Control and Prevention, DHS/Office of Health Affairs</p>
<p>ERF 4 – Legislation, Policy, Anti-Discrimination, and Inclusion Primary Agency – HHS/Office of General Counsel</p> <p>Ensures compliance with all laws, regulations, and authorities.</p> <p>Members: HHS/Office for Civil Rights, HHS/Immediate Office of the Secretary/Office of National Security, Department of Justice</p>
<p>ERF – 5 Budget and Finance Primary Agency – HHS/ACF Office of Legislation and Budget</p> <p>Responsible for budgetary assistance in the procurement and administration of funds for emergency repatriation operations; provides advice and guidance to the Secretary on all aspects of budget, financial management, grants, and acquisition management; and provides for the direction and implementation of these activities across the Department of Health and Human Services.</p> <p>Members: HHS/Office of the Assistant Secretary for Financial Resources, HHS/Office of the Assistant Secretary for Legislation, HHS/Assistant Secretary for Administration/Program Support Center</p>
<p>ERF 6 – Intergovernmental and External Affairs Primary Agency – HHS/Office of Intergovernmental and External Affairs</p> <p>Coordinates the release of accurate, coordinated, timely, and accessible public information to affected audiences, including the government, media, NGOs, and the private sector.</p> <p>Members: DHS/Federal Emergency Management Agency, HHS/Office of Global Affairs, HHS/Office of the Assistant Secretary for Public Affairs</p>

Table 2: Federal Emergency Repatriation Functions

State integration is only identified in ERF #2 Human Services, Case Management, and Temporary Assistance. Possible State linkage, either by agency or ESF, is noted below should additional Federal integration and coordination be requested.

NERF/ESF Crosswalk

Description	NERF (ERF)	Agency/ESF
Determines and advises ACF/OHSEPR of evacuations of private U.S. citizens and their dependents from overseas; identifies Safe Havens; coordinates with interagency partners to arrange flights, entry, and arrival at selected ports of entry; identifies individuals eligible for evacuation; develops manifests; and supports ACF/OHSEPR in obtaining eligibility criteria.	ERF #1: Evacuation and Reentry	State OEM would get this information from OHSEPR
Coordinates the intake assessment, triage, and case management of evacuees to determine eligibility for temporary assistance via the U.S. Repatriation Program and the resolution of unmet needs through partner agencies.	ERF #2: Human Services, Case Management, and Temporary Assistance	ESF 6: Mass Care, Emergency Assistance, Housing, and Human Services
Coordinates the mechanism for assistance in response to an actual or potential public health and medical disaster or incident. Functions include but are not limited to the following: Public health; Medical evacuation support; and medical and public health needs.	ERF #3: Public Health, Health, and Medical Support	ESF 8: Public Health and Medical Services
Ensures compliance with all laws, regulations, and authorities.	ERF #4: Legislation, Policy, Anti-Discrimination, and Inclusion	DHSES Legal Counsel will coordinate with other counsels as appropriate.
Response for budgetary assistance on the procurement and administration of funds for emergency repatriation operations; provides advice and guidance to the Secretary on all aspects of budget, financial management, grants, and acquisition management; and provides for the direction and implementation of these activities across the Department of Health and Human Services.	ERF #5: Budget and Finance	DHSES Finance will coordinate with OTDA, as appropriate.
Coordinates the release of accurate, coordinated, timely, and accessible public information to affected audiences, including the government, media, NGOs, and the private sector.	ERF #6: Intergovernmental and External Affairs	ESF 15: External Affairs

Table 3: NERF/ESF Crosswalk

Section IV: Recovery/Demobilization

1. Overview

Emergency repatriation operations begins overseas with evacuation and continues until an eligible repatriate reaches their final destination in the United States. Temporary assistance is available for up to 90 days from the repatriate's date of arrival to the United States. Temporary assistance may be extended if ACF determines that the circumstances involved necessitate or justify the furnishing of such assistance to eligible repatriates and their dependents beyond the 90-day limit (42 U.S. Code 1313). All temporary assistance is provided in accordance with 45 C.F.R 211 and 212. ACF evaluates each repatriate's case to assess their available resources, including benefits and services.

Emergency Repatriation Deactivation will be determined by OHSEPR, and written notice will be provided to the State.

2. Demobilization

It is assumed that once eligible repatriates make their connections with their onward travel arrangements, they will no longer be under the responsibility of the State and any additional provisions for temporary assistance will be provided by the county and/or State of their final destination. All efforts will be made to transition from the State's support of emergency repatriation operations to local social services districts.

ERC

Overall closure and cessation of the ERC will be determined collectively by the U.S. Department of State, OHSEPR, and State OEM once it has been identified that emergency repatriation operations will be concluding or New York State POEs will no longer be utilized.

Demobilization will include the transfer of goods, inventory, and support systems back to the rightful owners, whether it is a State agency or a vendor. All equipment needs to be decontaminated, fixed, and/or returned to pre-incident locations prior to a complete closure of the ERC. The site must be cleaned and inspected before turning the site to local or vendor control. When that is complete, staff can be released and the State EOC notified those operations are discontinued, and the demobilization is complete.

State EOC

Demobilization of agencies and ESFs from the State EOC will occur based upon operational needs and will be jointly determined by State OEM and the ESF Coordinating Agency. Based upon the needs of the emergency repatriation operation, there may be instances where ESF Member Agencies can be partially demobilized, allowing Member Agencies to be released as the need for their representation and capability in that ESF is no longer necessary. However, it should be noted that agencies may be subject to a rapid recall for reactivation of their respective ESFs, if needed, based upon operational needs.

In the process of demobilizing ESFs, all Member Agencies must ensure that any open or ongoing activities that require cross-coordination with other ESFs are closed out prior to demobilizing.

This must be done in a manner to ensure that any dependencies or interdependencies of that ESF are properly and effectively communicated across the response organization. In addition, each agency must ensure that they coordinate their demobilization with their agency-specific counterparts that are represented in other ESFs.

3. Tracking Costs

The State will track all operational costs and collect supporting documentation. The State must track all temporary assistance costs allocable to individual repatriates.

4. Reimbursement

Emergency repatriation operations are non-Stafford Act incidents therefore New York State would not be reimbursed under the Stafford Act. Any State activities in preparation for activating the Emergency Repatriation Annex are not reimbursable unless specifically authorized by OHSEPR. OHSEPR will provide information regarding the reimbursement process after a State has been selected to provide emergency repatriation activities and is noted in Attachment 4.

For Emergency Repatriation:

The Emergency and Group Repatriation Financial Form RR-02 should be completed by the designated State agency and ACF authorized support agency to request reimbursement of reasonable, allowable, and allocable costs incurred as a result of an ACF activation of the State Emergency Repatriation Plan or an ACF interagency agreement, or similar mechanism, in support of an emergency or group repatriation. Claims are submitted within 30-days after the ACF notice to close the ERC is received, or successful completion of an established ACF agreement. Signed forms with supporting documentation should be sent to ACF (OHSEPR-AF@acf.hhs.gov) for payment and processing. The State will identify one entity to submit reimbursement packages and receive reimbursement from OHSEPR. The State agency that submits the RR-02 Emergency Repatriation Reimbursement Request must maintain all fiscal records. Fiscal records include any records supporting expenditures including vendor bills, invoices, voucher receipts, and cleared checks will be maintained by the State and/or agency that is identified for audit purposes.

For ACF/OHSEPR Approved Training:

The identified State agency for ACF/OHSEPR Approved Training will submit budget narrative/plan for each emergency repatriation activity to OHSEPR for review and approval, track all costs related to the emergency repatriation effort (e.g. any applicable and reasonable information to substantiate claims), and will submit a financial claim for reimbursement for each activity no later than 90 business days after New York State has completed that activity.

ACF determines which costs incurred to support repatriation operations are reasonable, allowable, and allocable and reimburses repatriation partners contingent upon the availability of funds. Billing and payment will be processed through a direct obligation. New York State will submit reimbursable invoices to ACF (OHSEPR-AF@acf.hhs.gov) for payment and processing.

Section V: Forms

The following fillable forms are found at: <https://www.acf.hhs.gov/ohsepr/programs/repatriation>

A PDF of each form can be found in the State OEM Planning Section.

Form	Title of Document
Form RR-01	U.S. Repatriation Program Emergency and Group Processing Form
Form RR-02	U.S. Repatriation Program Emergency and Group Repatriation Financial Form
Form RR-03	U.S. Repatriation Program Repatriation Loan Waiver and Deferral Request Form
Form RR-04	U.S. Repatriation Program Non-Emergency Monthly Financial Statement Form
Form RR-05	U.S. Repatriation Program Privacy and Repayment Agreement Form
Form RR-06	U.S. Repatriation Program Refusal of Temporary Assistance Form
Form RR-07	U.S. Repatriation Program Temporary Assistance and Extension Request Form
Form RR-08	U.S. Repatriation Program Emergency Repatriation Request for Cost Approval and Federal Support Form

Attachment 1: Operational Checklist

The Operational Checklist is to be used in support of the Emergency Repatriation Annex. The Operational Checklist identifies each Federal notification and the tasks performed by State agencies and/or ESFs for each of those notifications.

Attachment 1: Operational Checklist

**NYS Division of Homeland Security and Emergency Services
Office of Emergency Management
Emergency Repatriation Operational Checklist**

This checklist is to be used in support of the Emergency Repatriation Annex.

Federal Notification: Standby

- The U.S. Department of State has provided notification to the OHSEPR Director regarding the emergency repatriation event.
- OHSEPR has contacted the New York State Repatriation Coordinator and notified the State of the Standby Notification status with an identified tentative Port of Entry (POE).
 - John F. Kennedy International Airport (JFK), JFK Expressway and South Cargo Road, Jamaica, NY 11430
 - LaGuardia Airport (LGA), 1 LaGuardia Airport, Flushing, NY 11371
 - Stewart International Airport/Stewart Air National Guard Base (SWF), 1180 1st Street, New Windsor, NY 12553
 - Stratton Air National Guard Base at Schenectady County Airport (SCH), 1 Air National Guard Rd, Scotia, NY 12302

Federal Notification: Standby Checklist		
	Agency or ESF	Description
□	State OEM	Initiate Emergency Repatriation Conference Calls with DHSES, DOH, OCFS, OMH, OTDA, jurisdiction, identified POE, and PANYNJ (based on identified POE).
□	State OEM	Create an incident in NYR.
□	State OEM, ESF Coordinating Agencies	The State EOC will be activated to a Level 3 and ESF Coordinating Agencies for ESF #5, #6, #7, #8, #11, #13, and #15 will be activated. Individual agencies within the ESF may be activated to assist with the setup and establishment of an ERC. Follow EOC protocols for requests.
□	DHSES, DOH, OCFS, OMH, OTDA, and PANYNJ	Review Emergency Repatriation Plans. Identify staff for possible deployment. Identify specific and culture resource sensitivities. Strategically preplace assets/resources. Determine if space needs to be permitted for any lab testing. Put together resource material and determine translation services needed. Determine possible scenarios including pandemics or communicable diseases, unaccompanied minors, with/without local supports, etc. Reach out to any current in use POEs to determine/address concerns.
□	State OEM, DOH, OTDA, identified POE	Meet with the identified POE to review available space to determine through put and ERC set up. Meet with Federal partners at the identified POE to discuss roles of CDC, CBP, ICE, etc. and the point when/where it becomes State response. Identify resources needed at the POE for an ERC. Make a request for resources in New York Responds (NYR) for ERC set up.

Emergency Repatriation Operational Checklist
New York State
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The Operational Checklist can be found in its entirety in the State OEM Planning Section.

Attachment 2: Mobilization Checklist

The Mobilization Checklist identifies tasks performed by State agencies in ESF #6 for site setup.

Attachment 2: Mobilization Checklist

**NYS Division of Homeland Security and Emergency Services
Office of Emergency Management
Emergency Repatriation Center
Emergency Repatriation ESF #6 Mobilization Checklist**

This checklist is to be used in support of the Emergency Repatriation Annex.

Upon Federal Standby notification to New York State by OHSEPR, the New York State Repatriation Coordinator will request assistance from the following State Agencies to assist with conference calls and the site setup for an Emergency Repatriation Center (ERC).

- DOH
- ITS
- OCFS
- OGS
- OMH
- OTDA
- Team Lead

Once the ERC has been established and New York State has received Federal Activate State Emergency Repatriation Plan notification, the following State Agencies or organizations will be requested to participate in the ongoing ERC operations.

- ARC
- DHSES
- DOH
- DOH/BEMS
- DOL
- ITS
- OCFS
- OMH
- OTDA
- SOFA
- VOAD

The following ERC roles and responsibilities will need to be filled by either State or Federal agencies:


- Temporary Respite Care Providers
- Onward Travel Providers
- Greeters
- Traffic Control
- Intake Staff
- Station Supervisors
- Travel/Ticketing Service

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New York StatePage 1
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The Mobilization Checklist can be found in its entirety in the State OEM Planning Section.

Attachment 3: Memorandums of Understanding (MOUs)

In 2009, a General Agreement was signed by the U.S. Department of Health and Human Services and New York State regarding the non-emergency and emergency arrivals of repatriates. This document is reviewed annually and as points of contact change.

	DEPARTMENT OF HEALTH & HUMAN SERVICES
<u>U.S. REPATRIATION PROGRAM</u>	
<u>GENERAL AGREEMENT</u>	
<i>Between</i>	
U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES Administration for Children and Families Office of Refugee Resettlement	
<i>And</i>	
Name of State <u>New York</u>	
Name of Agency (Non-emergency arrivals) <u>Office of Temporary and Disability Assistance</u>	
Name of Agency (Emergency & Group) <u>State Emergency Management Office on behalf of the Disaster Preparedness Commission</u>	
This MOU is entered into as of the day of March <u>5</u> , 2009 by and between ORR and the State Agencies, hereinafter called the "Agencies."	
<u>I. PURPOSE</u>	
The purpose of this Memorandum of Understanding (MOU) is to enhance the working relationship between Federal and State partners and to better coordinate the provision of temporary services to groups and individuals through the Repatriation Program. This MOU is between the State of <u>New York</u> and the Office of Refugee Resettlement of the U.S. Department of Health and Human Services' Administration for Children and Families (ACF), hereinafter referred to as the "ORR". It explains the roles and collaborative efforts of the State of <u>New York</u> and ORR in assisting U.S. citizens and/or their dependents evacuated from foreign countries during emergency situations. Coordinated planning and joint efforts by the State of <u>New York</u> and its agencies with ORR are essential for the delivery of services in such situations.	
<u>II. BACKGROUND</u>	
The U.S. Repatriation Program (Program), administered by ORR, was established in 1935 under Section 1113 of the Social Security Act (Assistance for U.S. Citizens Returned from Foreign Countries). ORR, on behalf of the Secretary of Health and Human Services, "is authorized to develop plans and make arrangements for provision of temporary assistance within the United States" to aid repatriates who meet the criteria prescribed by section 1113. (42 U.S.C. 1313(b)). In implementing such plans and	
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MOUs can be found in their entirety in the State OEM Planning Section.

Attachment 4: Reasonable, Allowable, and Allocable Cost Reimbursements

Operational Costs: The following operational costs have been identified as reimbursable by OHSEPR.

- Port of Entry
 - Reasonable costs associated with the establishment of operations to receive repatriates (e.g., airport costs such as hangars or conference space).
- Emergency Repatriation Center Location
 - Costs associated with the physical ERC (space lease or contract).
 - Generally, it may include minor modifications for the purpose of making the physical location available to provide services to repatriates.
 - In addition, it may include cleaning and restoration of proven damaged areas.
- Security
 - Reasonable and cost-efficient security costs (to include personnel) are generally eligible for reimbursement.
- Transportation
 - Congregate transportation such as arrangements to and/or from the POE, ERC, lodging, airport, etc.
 - The use of state-owned vehicle, such as buses, to support the ERC and/or provide services to repatriates, will generally be reimbursed.
- Equipment
 - Purchased Equipment: State agencies may purchase equipment in support of ERC operations. Each piece of equipment may not exceed \$5,000.
 - Rented Equipment: the state may use rented equipment. Rented equipment will require ACF prior approval.
 - Damaged Equipment: Damage to state-owned equipment must be reported to OHSEPR immediately and may be eligible for reimbursement.
- Supplies
 - Reasonable and cost-efficient resources needed to carry out the operation.
 - Includes paper, pens, sharpeners, markers, staplers, tablets, name tags, tape, clipboards, calculators, and other things.
- Congregate Medical Services
 - Expenditures for congregate 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.
- Counseling Services
 - Counseling services may be provided at the ERC.
 - States should coordinate with OHSEPR on the scope of practice required and appropriate staffing levels.
- Staff Time
 - Regular state employees performing direct support of ERC operations can generally request reimbursement for the actual hours worked beyond the regular duty time (either overtime, comp time, etc.). However, the **straight time pay for regular duty hours of these employees is not eligible for reimbursement.**
 - In addition, work performed must be reasonable and required to support the ERC. **Standby time and donated labor** are not eligible for reimbursement.

- State must ensure that claims for staff time are not also covered by other Federal programs or funds.
- Transportation
 - For ERC staff transportation, states should follow established state emergency practices.
- OHSEPR may approve other costs that are necessary for emergency repatriation operation. These costs could include:
 - Services purchased from another agency.
 - After Action Reports.
 - Budget reconciliation and reimbursement.
- Other costs should also be captured on Form RR-08 Emergency Repatriation Request for Cost Approval and Federal Support.

Temporary Assistance Costs: The following temporary assistance costs have been identified as reimbursable by OHSEPR.

- Money Payments
 - Cash assistance may be provided in accordance with GSA per diem rates for the locality of the ERC.
 - Cash can be provided using tools such as debit cards or cash cards.
 - Cards purchased in bulk must be pre-approved by OHSEPR.
- Food
 - Food (e.g., meals, snacks, drinks) may be provided at the ERC.
 - Planning consideration should include number of repatriates, repatriates' cultural and religious practices as well as special requirements for children, diabetics, etc.
 - OHSEPR must pre-approve food purchases.
- Lodging
 - Temporary congregate accommodations; non-congregate accommodations shelter; or other types of shelter accommodations.
 - Costs must be reasonable and not exceed GSA per diem rates for the locality.
- Transportation
 - OHSEPR will coordinate onward travel to one final destination for a repatriate.
 - Local transportation (e.g., rideshare, taxi, and subway fares) from the ERC are allowable.
- Medical Services
 - The following services are allocable to the repatriate and must be included in the repatriate's loan:
 - Pharmaceuticals.
 - Medical Transportation.
 - Hospitalizations.
- Escort Services
 - Escort services for repatriates with medical or mental health issues are generally eligible for reimbursement.
 - Escort services must be pre-approved by OHSEPR and included in the repatriate's loan.
- Service Animals
 - OHSEPR generally reimburses for the cost for temporary emergency care of a repatriate's service animal.
 - The costs must be included in the repatriate's loan.
- Repatriates Experiencing Distress or Mental Health Issues

- Repatriates experiencing emotional distress or mental health issues should be provided an appropriate level of assistance.
- Repatriates with Medical Issues
 - States should arrange medical transport to the hospital for repatriates in need of immediate medical attention upon arrival at the ERC or after entering the ERC.
- Unaccompanied Minors
 - States should follow existing protocols for assisting accompanied minors upon arrival in the United States.
 - OHSEPR does not have authority to take custody.
 - OHSEPR will work with the designated State agency on a case-by-case basis to facilitate any assistance.