

AMENDMENT NO. _____ Calendar No. _____

Purpose: In the nature of a substitute.

IN THE SENATE OF THE UNITED STATES—116th Cong., 1st Sess.

S. 1340

To authorize activities to combat the Ebola outbreak in the Democratic Republic of the Congo, and for other purposes.

Referred to the Committee on _____ and
ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT IN THE NATURE OF A SUBSTITUTE intended
to be proposed by Mr. MENENDEZ

Viz:

1 Strike all after the enacting clause and insert the fol-

2 lowing:

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Ebola Eradication Act

5 of 2019”.

6 **SEC. 2. FINDINGS.**

7 Congress makes the following findings:

8 (1) The current Ebola outbreak in the Demo-

9 cratic Republic of the Congo, which began in August

10 2018 in eastern Congo, is the second largest in his-

11 tory and has resulted in over 1,600 cases and 1,000

12 deaths.

1 (2) Despite the use of preventive tools and new
2 therapeutics, insecurity and community resistance to
3 response efforts remain major obstacles to ending
4 the current Ebola outbreak in the Democratic Re-
5 public of the Congo, and the outbreak continues to
6 spread.

7 (3) Hospitals, health clinics, and Ebola clinics
8 have been repeatedly attacked by armed actors.

9 (4) On February 28, 2019, Doctors Without
10 Borders suspended its work in Ebola epicenters after
11 two treatment centers were attacked.

12 (5) On April 19, 2019, Dr. Richard Valery
13 Mouzoko Kiboung, an epidemiologist from Cameroon
14 deployed by the World Health Organization to east-
15 ern Congo to help stop the outbreak, was killed in
16 an attack on Butembo University Hospital.

17 (6) Healthcare workers responding to Ebola
18 have expressed concerns about their ability to con-
19 tinue working on the response given the complex se-
20 curity situation.

21 (7) If the outbreak is not brought under con-
22 trol, it risks spreading across the border to neigh-
23 boring countries and endangering millions of people.

24 (8) The Administration released a November
25 29, 2018, Presidential Memorandum implementing

1 aid restrictions to most countries on Tier III of the
2 2018 Trafficking In Persons (TIP) report that fully
3 restricted non-humanitarian, non-trade related aid to
4 the Democratic Republic of the Congo.

5 (9) Paragraphs (4) and (5) of section 110(d) of
6 the Trafficking Victims Protection Act of 2000 (22
7 U.S.C. 7107(d)(4)) authorize the continuation of as-
8 sistance in Tier III countries if such assistance is
9 determined to be in the national interest of the
10 United States.

11 (10) Section 110(d)(5)(B) of the Trafficking
12 Victims Protection Act of 2000 (22 U.S.C.
13 7107(d)(5)(B)) states, “The President shall exercise
14 the [waiver] authority under paragraph (4) when
15 necessary to avoid significant adverse effects on vul-
16 nerable populations, including women and children.”.

17 (11) The President has not exercised the waiver
18 authority provided for in section 110(d)(5)(B) of the
19 Trafficking in Victims Protection Act of 2000 in re-
20 lation to health, education, or community outreach
21 activities essential to the success of the Ebola re-
22 sponse in the Democratic Republic of the Congo.

23 (12) It is in the national interest of the United
24 States to help control and end the current Ebola

1 outbreak in the Democratic Republic of the Congo
2 before it spreads.

3 **SEC. 3. AUTHORIZATION TO ADDRESS THE EBOLA OUT-**
4 **BREAK IN THE DEMOCRATIC REPUBLIC OF**
5 **THE CONGO.**

6 (a) IN GENERAL.—Notwithstanding section 110 of
7 the Trafficking Victims Protection Act of 2000 (22 U.S.C.
8 7107), the Administrator of the United States Agency for
9 International Development shall immediately provide as-
10 sistance, including multi-sectoral, non-humanitarian, and
11 non-trade related foreign assistance, to the Democratic
12 Republic of the Congo and other vulnerable countries to
13 effectively combat the Ebola outbreak that began in Au-
14 gust 2018. Subject to the availability of appropriations,
15 such assistance shall be provided at levels commensurate
16 with both the threat posed by the Ebola outbreak and an
17 effective response. Activities to expand and improve access
18 to communities heavily affected by the Ebola outbreak
19 should be prioritized under this section.

20 (b) REPORT TO CONGRESS.—Not later than 30 days
21 after the date of the enactment of this Act, the Adminis-
22 trator of the United States Agency for International De-
23 velopment shall submit to the Committee on Foreign Rela-
24 tions of the Senate and the Committee on Foreign Affairs
25 of the House of Representatives a report—

1 (1) describing the actions the Administrator has
2 taken and plans to take under section 3(a) to end
3 the Ebola outbreak in eastern Democratic Republic
4 of the Congo; and

5 (2) proposing any additional legal authorities
6 required to improve the response to the Ebola out-
7 break in eastern Democratic Republic of the Congo.