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R.C. White, Jr.  
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6 A BILL  
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11 IN THE COUNCIL OF THE DISTRICT OF COLUMBIA  
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16 To amend, on an emergency basis, the Migrant Services and Supports Temporary Amendment  
17 Act of 2022 to clarify eligibility requirements and services provided by the Office of  
18 Migrant Services and for immigrant residents accessing homeless services.  
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20 BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this  
21 act may be cited as the “Migrant Services Eligibility Clarification Emergency Amendment Act  
22 of 2023”.

23 Sec. 2. Title I of the Migrant Services and Supports Temporary Amendment Act of 2022,  
24 effective December 21, 2022 (D.C. Law 24-234; D.C. Official Code § 4-773.01 *et seq.*) is  
25 amended as follows:

26 (a) Section 101 is amended as follows:

27 (1) Paragraph (2) is amended by striking the phrase “clothing, and” and inserting  
28 the phrase “clothing, baby supplies including formula, and” in its place.

29 (2) Paragraph (3) is amended to read as follows:

30 “(3) Temporary shelter which:

31 “(A) May be provided in a congregate setting; provided, that  
32 families with minor children shall be prioritized to be housed in non-congregate shelter units;

33 and

34 “(B) Is maintained in safe, clean, and sanitary condition that meets  
35 all applicable District health, sanitation, fire, building, and zoning codes for residential  
36 dwellings;”.

37 (3) Paragraph (5) is amended to read as follows:

38 “(5) Relocation services, including:

39 “(A) Services associated with traveling to a secondary destination outside  
40 of the District; and

41 “(B) Services associated with settling recent immigrants in the District  
42 when a person intends to make the District their permanent home.”

43 (b) Section 102(a) is amended to read as follows:

44 “(a) The Mayor shall establish and publish eligibility and termination criteria for services  
45 and supports funded pursuant to this Act within 30 days after the effective date of the Migrant  
46 Services Eligibility Clarification Emergency Amendment Act of 2023, as introduced on March  
47 16, 2023 (Bill 25-XX); provided, that the eligibility and termination criteria:

48 “(1) May include statutory, regulatory, or programmatic categories of  
49 immigration, means of entering the District, and length of time in the United States or the  
50 District;

51 “(2) Shall ensure that individuals are provided with adequate written and oral  
52 notice in the individual’s requested language when services are denied or terminated pursuant to  
53 the established eligibility criteria; and

54 “(3) Shall be published online in English and Spanish”.

55 (c) Section 106 is amended to read as follows:

56            “If the Mayor chooses to establish an office pursuant to section 101 of this title, the  
57 Mayor, pursuant to Title 1 of the District of Columbia Administrative Procedure Act, approved  
58 October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 *et seq.*) shall issue rules to  
59 implement the provisions of this title, which shall include the eligibility and termination criteria  
60 required by Section 102(a) of this title.”.

61            Sec. 3. The Homeless Services Reform Act of 2005, effective October 22, 2005 (D.C. 91  
62 Law 16-35; D.C. Official Code § 4-751 *et seq.*) is amended as follows:

63            (a) Section 2(32)(C) (D.C. Official Code § 4-751.01(32)(C)(ii)) is amended as follows:

64                    (1) Sub-subparagraph (ii) is amended to read as follows:

65                                    “(ii) Was paroled into the United States after April 1, 2022, under  
66 section 212(d)(5) of the Immigration and Nationality Act, approved June 27, 1952 (66 Stat. 182;  
67 8 U.S.C. § 1182(d)(5)), until the completion of their immigration proceedings, including any  
68 appeals, except for:

69    “(I) Individuals who entered the United States pursuant to a  
70 special parole program established by the federal government that is indicated on the parole or  
71 entry document; or

72    “(II) Individuals granted parole while residing outside of  
73 the United States; or”

74                    (2) Sub-subparagraph (iii) is amended to read as follows:

75                                    “(iii) Cannot produce proof of residency documents required under  
76 sub-subparagraph (A)(iii) of this paragraph and has been issued, after April 1, 2022, a notice to  
77 appear in a proceeding to be held under section 240 of the Immigration and Nationality Act,

78 approved June 27, 1952 (66 Stat. 182; 8 U.S.C. § 1229a), until the completion of their  
79 immigration proceedings, including any appeals.”

80 (b) Section (7)(c)(3)(B) (D.C. Official Code § 4-753.01(c)(3)(B)) is amended to read as  
81 follows:

82 “(B) The Mayor shall determine that a person seeking shelter by reason of  
83 domestic violence, sexual assault, human trafficking, refugee status, or asylum, is a resident of  
84 the District without receiving demonstration of District residency in accordance with Section  
85 2(32) of this act, except if the Mayor can demonstrate that a person seeking asylum is eligible for  
86 and will receive shelter under Title I of the Migrant Services and Supports Temporary  
87 Amendment Act of 2022, effective December 21, 2022 (D.C. Law 24-234; DC Official Code §  
88 4-773.01 *et seq.*), or any subsequently enacted substantially similar act (“Title I”), the Mayor  
89 may direct that person to the Office of Migrant Services to obtain shelter.”

90 Sec. 4. Fiscal impact statement.

91 The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact  
92 statement required by section 4a of the General Legislative Procedures Act of 1975, approved  
93 October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

94 Sec. 5 Effective date.

95 This act shall take effect following approval by the Mayor (or in the event of veto by the  
96 Mayor, action by the Council to override the veto), and shall remain in effect for no longer than  
97 90 days, as provided for emergency acts of the Council of the District of Columbia in section  
98 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788;  
99 D.C. Official Code § 1-204.12(a)).