

A BILL

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To extend, on an emergency basis, the Migrant Services and Supports Emergency Amendment Act of 2022 to aid newcomers in settling in the District, obtaining healthcare and identification documents, and accessing emergency shelter services.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Migrant Services and Supports Extension Emergency Amendment Act of 2023”.

TITLE I. MIGRANT SERVICES AND SUPPORTS

Sec. 101. Migrant services and supports.

The Mayor may establish an office and administer programs to provide time-limited services and supports to recent immigrants to the United States, including the following services and supports:

(1) Welcome and other reception services;

(2) Food, clothing, baby supplies including formula, if baby formula is reasonably available for purchase in the District and other necessities;

(3) Temporary shelter which:

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

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

36 (4) Medical services, including health insurance;

37 (5) Relocation services; including:

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

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

42 (6) Cash assistance for food and other necessities, transportation, relocation, and
43 other identified needs; and

44 (7) Social and legal services and referrals to external social and legal service
45 programs and providers.

46 Sec. 102. Eligibility.

47 (a) The Mayor shall establish and publish eligibility and termination criteria for services
48 and supports funded pursuant to this Act within 30 days after the effective date of the Migrant
49 Services Eligibility Clarification Emergency Amendment Act of 2023, enacted April 24, 2023
50 (D.C. Act 25-69; 70 DCR 6115); provided, that the eligibility and termination criteria:

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

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

56 (3) Shall be published online in English and Spanish.

57 (b) No provision of this title shall be construed to create an entitlement (either direct or
58 implied) on the part of any individual or family to any services and supports provided under this
59 title.

60 Sec. 103. Relationship to other services.

61 Services and supports provided under this title shall not be considered Continuum of Care
62 services under the Homeless Services Reform Act of 2005, effective October 22, 2005 (D.C.
63 Law 16-35; D.C. Official Code § 4-751.01 *et seq.*).

64 Sec. 104. Grants.

65 Notwithstanding the Grant Administration Act of 2013, effective December 24, 2013
66 (D.C. Law 20-61; D.C. Official Code § 1-328.11 *et seq.*), the Mayor may make grants to
67 nonprofit organizations and other entities to provide services and supports to recent immigrants
68 to the United States arriving in the District.

69 Sec. 105. Rulemaking.

70 If the Mayor authorizes an expenditure pursuant to section 101 of this title, the Mayor,
71 pursuant to Title 1 of the District of Columbia Administrative Procedure Act, approved October
72 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 *et seq.*) shall issue rules to implement the
73 provisions of this title, which shall include the eligibility and termination criteria required by
74 Section 102(a) of this title.

75 **TITLE II. CONFORMING AMENDMENTS**

76 Sec. 201. The Homeless Services Reform Act of 2005, effective October 22, 2005 (D.C.
77 Law 16-35; D.C. Official Code § 4-751 *et seq.*), is amended as follows:

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

79 (1) Sub-subparagraph (A)(iii) is amended by striking the phrase “public assistance
80 from the District” and inserting the phrase “public assistance from the District, other than
81 assistance through the DC Healthcare Alliance,” in its place.

82 (2) A new sub-paragraph (C) is added to read as follows:

83 “(C) An individual or family shall be deemed to be in the District
84 temporarily and shall not be considered a resident of the District if the individual or family:

85 “(i) Is en route to a family member, sponsor, or an intended
86 destination outside the District; or

87 “(ii) Was paroled into the United States after April 1, 2022, under
88 section 212(d)(5) of the Immigration and Nationality Act, approved June 27, 1952 (66 Stat. 182;
89 8 U.S.C. § 1182(d)(5)), until the completion of their immigration proceedings, including any
90 appeals, except for:

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

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

96 “(iii) Cannot produce proof of residency documents required under
97 sub-subparagraph (A)(iii) of this paragraph and has been issued, after April 1, 2022, a notice to
98 appear in a proceeding to be held under section 240 of the Immigration and Nationality Act,
99 approved June 27, 1952 (66 Stat. 182; 8 U.S.C. § 1229a), until the completion of their
100 immigration proceedings, including any appeals.”

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

103 “(B) The Mayor shall determine that a person seeking shelter by reason of
104 domestic violence, sexual assault, human trafficking, refugee status, or asylum, is a resident of
105 the District without receiving demonstration of District residency in accordance with section
106 2(32) of this act, except if the Mayor can demonstrate that a person seeking asylum is eligible for
107 and will receive shelter under Title I of the Migrant Services and Supports Temporary
108 Amendment Act of 2022, effective December 21, 2022 (D.C. Law 24-234; DC Official Code §
109 4-773.01 *et seq.*), or any subsequently enacted act substantially similar to Title I, the Mayor may
110 direct that person to the Office of Migrant Services to obtain shelter.”.

111 **TITLE III. REPEAL; FISCAL IMPACT STATEMENT; EFFECTIVE DATE**

112 Sec. 301. The Migrant Services Eligibility Clarification Emergency Amendment Act of
113 2023, effective April 24, 2023 (D.C. Act 25-69) is repealed.

114 Sec. 302. Fiscal impact statement.

115 The Council adopts the fiscal impact statement of the Chief Financial Officer as the fiscal
116 impact statement required by the section 4a of the General Legislative Procedures Act of 1975,
117 approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a) .

118 Sec. 303. Effective date.

119 This act shall take effect following approval by the Mayor (or in the event of veto by the
120 Mayor, action by the Council to override the veto), and shall remain in effect for no longer than
121 90 days, as provided for emergency acts of the Council of the District of Columbia in section
122 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788;
123 D.C. Official Code § 1-204.12(a)).