

**Council of the District of Columbia
COMMITTEE ON HUMAN SERVICES**

MEMORANDUM

1350 Pennsylvania Avenue, NW, Washington, DC 20004

TO: Chairman Phil Mendelson
FROM: Matthew Frumin, Chairperson of the Committee on Human Services *Matthew Frumin*
RE: Request to Agendize Measures for October 6, 2026 Legislative Meeting
DATE: October 1, 2026

I request that the following measures be agendized for the October 6, 2026 Legislative Meeting.

Emergency and Temporary Legislation

- **Homeless Services Contract Adjustment Emergency Declaration Resolution of 2026**
- **Homeless Services Contract Adjustment Emergency Amendment Act of 2026**
- **Homeless Services Contract Adjustment Temporary Amendment Act of 2026**

This legislation requires the Office of Contracting and Procurement (OCP) to decide on equitable adjustment requests from homeless services providers within 45 days of the submission of a complete application for an adjustment. The certainty and expediency provided by this deadline will allow providers to better navigate increasing costs imposed by the Service Contract Act (SCA) that threaten some organizations' ability to continue operating in the District.

The SCA requires District contractors and subcontractors to provide service employees like security guards, cooks, and janitors with the wages and fringe benefits the Department of Labor ("Labor") finds to be prevailing in the District. A clause requiring compliance with the SCA is a standard provision in District contracts, including agreements to provide homeless services like emergency shelter.

Following oversight by the Committee on Human Services, the Executive found the fringe benefits of at least one homeless services subcontractor to be out of compliance with the SCA. The Department of Human Services (DHS) subsequently reminded homeless services providers of the SCA payment obligations in their contracts. Several providers contend this communication was the first indication from the Executive that SCA compliance was required and that the SCA had not been discussed during the procurement process.

After DHS's reminder, some providers of homeless services found their payment practices, and the payment practices of their subcontractors, to be inconsistent with the SCA. The large costs of compliance have surprised providers, and potential system-wide impacts are significant. For example, a recent survey of affected organizations found that full compliance with the SCA may impose, in calendar year 2026 alone, more than \$3.9 million in costs above previously budgeted wage and benefit levels. Some providers describe the discovery of the costs imposed by the SCA as an emergency that has led to reductions in services, including less robust shelter security and less frequent cleanings of common areas. The Committee on Human Services has received significant outreach from providers and clients on the impact of increased awareness of the SCA,

including photographs of unsanitary shelter conditions and the elimination of already strained case management staff.

Although the District cannot excuse compliance with the SCA, providers may, through the Office of Contracting and Procurement (OCP), seek equitable adjustments of their contracts to account for changes in the prevailing wage determinations issued by Labor. Because the required wage and benefit rates have increased so quickly, the equitable adjustment process could offer providers significant relief. Family shelter contracts recently submitted to the Council required compliance with a wage determination revision dated May 14, 2026. Since that revision, the governing wage determination has increased twice. In only three months, the health and welfare rate that covers employees' fringe benefits increased 6.7 percent, from \$962.00 a month to \$1,026.13 a month. The minimum hourly wage for a janitor increased from \$17.84 to \$18.19 over that same period. Between August and May, then, the annual cost of each full-time janitor increased by \$1,497.56: \$728.00 in salary and \$769.56 in fringe. The equitable adjustment process may account for these costs if providers pursue it.

To avoid further reducing staff and services, and thereby compromising the health and safety of unhoused residents, providers need immediate financial relief. This legislation gives OCP a 45-day deadline to consider requests for equitable adjustments from homeless services providers to ensure organizations can secure any adjustments to which they may be entitled quickly and with the certainty of a guaranteed timeline.

Draft versions of these measures are attached.

Congressional Review Emergency Legislation

- **Health and Human Service Programs and Benefits Eligibility and Delivery Data-Sharing Clarifications Congressional Review Emergency Amendment Act of 2026**
- **Health and Human Service Programs and Benefits Eligibility and Delivery Data-Sharing Clarifications Congressional Review Emergency Declaration Resolution of 2026**

On July 14, 2026, the Council adopted B26-0751, the "Health and Human Service Programs and Benefits Eligibility and Delivery Data-Sharing Clarifications Emergency Amendment Act of 2026", which expires on November 8, 2026. On September 22, 2026, the Council approved B26-0752, the temporary version of B26-0751. The temporary is now pending mayoral and congressional review. This emergency legislation is necessary to prevent a gap in the law between the expiration of the emergency and the effective date of the temporary.

Filed versions of these measures are attached.

Please contact humanservices@dccouncil.gov with any questions or concerns.

CC: Members of the Council of the District of Columbia
Office of the Budget Director
Office of the General Counsel

Office of the Secretary
Office of Policy and Legislative Affairs