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Councilmember Brianne K. Nadeau

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6 A PROPOSED RESOLUTION  
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9 IN THE COUNCIL OF THE DISTRICT OF COLUMBIA  
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13 To declare the existence of an emergency, due to congressional review, with respect to  
14 the need to expand the standby guardianship law to enable a parent, legal  
15 guardian, or legal custodian who is, or may be subject to an adverse immigration  
16 action, to make short-term plans for a child without terminating or limiting that  
17 person's parental or custodial rights.  
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19 RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That  
20 this resolution may be cited as the "Standby Guardian Congressional Review Emergency  
21 Declaration Resolution of 2019".

22 Sec. 2. (a) According to the American Immigration Council:

23 (1) 25,000 undocumented immigrants comprised 26 percent of the  
24 immigrant population and 3.9 percent of the District's total population in 2014;

25 (2) 23,979 people in the District, including 8,912 born in the United  
26 States, lived with at least one undocumented family member between 2010 and 2014 and

27 (3) During the same period, 7 percent of children in the District were  
28 United States citizens living with at least one undocumented family member (7,572  
29 children in total).

30 (b) The President has made immigration detention and deportation a signature  
31 issue of his administration and despite the District's designation as a sanctuary city, there  
32 continue to be apprehensions and detainments, including inside the DC Superior Court.

1 (c) Over the last year organizations that work with detained individuals in DC  
2 have seen a 40% increase in the number of DC residents being held in immigration  
3 detention centers.

4 (d) On June 17, 2019, President Donald Trump tweeted: “Next week ICE will  
5 begin the process of removing the millions of illegal aliens who have illicitly found their  
6 way into the United States. They will be removed as fast as they come in.”

7 (e) According to ABC news, on June 18, 2019, an official from the President’s  
8 administration said that enforcing final deportation orders “is a top priority.”

9 (f) On the evening of June 22, 2019, the U.S. Immigration and Customs  
10 Enforcement (ICE) performed raids in Adams Morgan and Columbia Heights. ICE  
11 visited several restaurants undercover to scope them out, gain access to the back of the  
12 kitchen, and interrogate workers. In connection to these raids, two parents that are DC  
13 residents were detained by ICE and are being held in a local detention center.

14 (g) On June 25, 2019, there was an additional ICE raid at the Mount Pleasant  
15 Library.

16 (h) When District residents are apprehended and detained, they are transported to  
17 detention centers outside of the District, as the District does not have any immigrant  
18 detention centers within its jurisdiction. It can often take many days for family members  
19 to learn about the whereabouts of the detained residents.

20 (i) Emergency legislation is necessary to prevent a gap in the law as the:

21 (1) The previously approved “Standby Guardian Emergency Amendment  
22 Act of 2019”, effective July 9, 2019, is set to expire on October 29, 2019;

1                   (2) The corresponding permanent legislation, B22-402, the “Standby  
2 Guardian Amendment Act of 2019”, is currently under Council Review with no projected  
3 date to become law; and

4                   (3) The corresponding temporary legislation, B22-385, “Standby Guardian  
5 Temporary Amendment Act of 2019”, is currently under Mayoral Review with no  
6 projected date to become law.

7                   (j) There exists an immediate need for the District of Columbia (“District”) to  
8 enact legislation to extend the standby guardianship laws to enable a parent, legal  
9 guardian, or legal custodian to be able to make plans to protect the wellbeing of their  
10 children in advance of an adverse immigration action.

11                  Sec. 3. The Council of the District of Columbia determines that the circumstances  
12 enumerated in section 2 constitute emergency circumstances making it necessary that the  
13 Standby Guardian Congressional Review Emergency Amendment Act of 2019 be  
14 adopted after a single reading.

15                  Sec. 4. This resolution shall take effect immediately.