



COUNTY OF SAN DIEGO

BOARD OF SUPERVISORS

1600 PACIFIC HIGHWAY, ROOM 335, SAN DIEGO, CALIFORNIA 92101-2470

AGENDA ITEM

DATE: February 7, 2023

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TO: Board of Supervisors

SUBJECT

ENHANCE PREPARATION FOR THE ARRIVAL OF MIGRANTS AND THE LIFTING OF TITLE 42 RESTRICTIONS (DISTRICTS: ALL)

OVERVIEW

As a border County, San Diego is part of a thriving binational region, home to the San Ysidro Port of Entry, the largest land border crossing in the western hemisphere. The San Diego community has continuously welcomed asylum seekers and refugees fleeing persecution in their home countries. Although immigration policy remains the federal government's responsibility, the County must create a response plan to ensure these asylum seekers and refugees are treated with dignity and have access to the resources they need. The federal government must prioritize reforming our country's asylum and immigration systems, including improved processes for migrant shelter services across the border region.

On December 19, 2022, U.S. Supreme Court Chief Justice Roberts ordered a temporary stay to maintain the Title 42 immigration restrictions which were scheduled to end on December 21, 2022. The legal battle around Title 42 has continued, with the policy still in place and the Supreme Court scheduled to hear additional arguments this spring. During a four-day period in late December 2022, existing migrant shelters reached and surpassed capacity as the onward travel of asylum seekers was delayed due to weather and travel-related challenges. This resulted in the "street release" of hundreds of asylum seekers by federal authorities. The delay in lifting Title 42 provides the County a brief window of opportunity to identify actions that can be taken to ensure we can continue to support our partner organizations in responding to the anticipated significant increase in asylum seekers entering the U.S. in addition to addressing the current limited capacity of our non-governmental organizations (NGOs).

The Fiscal Year 2023 Omnibus Appropriations Bill signed into law last month provides \$800 million for the Federal Emergency Management Agency's (FEMA) Emergency Food and Shelter Program (EFSP), the only source of federal funds supporting the humanitarian shelter operations along the southern border, traditionally accessed by NGOs engaged in providing respite shelter to arriving asylum seekers and migrants.

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It is critical for the County to work closely with our partner organizations and local cities to successfully obtain these funds and ensure we have the resources necessary to provide the basic needs for asylum seekers and to assist them in traveling to their final destinations. This action will help prevent adding to the region's homeless population.

The County should also continue to advocate to our representatives in Congress and to the Administration that comprehensive immigration reform should be a priority during the current legislative session. Today's actions to seek federal funding, coordinate with NGOs and other levels of government, and create a short-term and long-term plan will ensure maximum effectiveness while prioritizing the dignity and safety of asylum seekers.

RECOMMENDATION(S)

CHAIR NORA VARGAS AND SUPERVISOR JOEL ANDERSON

1. Direct the Chief Administrative Officer to develop a Comprehensive Preparedness Plan to identify actions that can be taken to ensure asylum seekers entering the U.S. will not add to the region's current homeless crisis. In developing this plan, the CAO should consider taking the following actions:
 - a. Convene with local jurisdictions, state and federal governments, and non-governmental organizations (NGOs) to collaborate and develop a comprehensive, innovative, regionwide plan to address short-term and long-term migrant-related humanitarian needs, including identifying clear lines of responsibility and partnership, cross-sector and systems support, increasing existing NGO-led sheltering infrastructure, and working with faith-based organizations and other non-profits looking to be emerging shelter locations, where we can scale when there is a need;
 - b. Assess the cost of sustaining capacity and continuity of operations laid out in this plan, including immediate sheltering, long-term physical space needs and continue to vet surplus property that can be used by state and federal agencies in the event of an emergency.
2. Direct the Chief Administrative Officer to report back to the Board in 30 days, identifying short-term actions that can be taken to ensure current asylum seekers released on the street by the federal government do not exacerbate the current homeless population in our region, while upholding our County's values and protecting public health and provide regular updates to stakeholders.
3. Direct the Chief Administrative Officer to continue to work with regional organizations involved in resettlement and respite shelter activities by jointly advocating for federal funding and resources, including application for the Federal Emergency Management Agency (FEMA) Emergency Food and Shelter Program (EFSP) included in the Fiscal Year 2023 Omnibus Appropriations Bill that will supplement and add regional capacity, not replace existing NGO capacity.
4. Direct the Chief Administrative Officer to send a letter to San Diego County's Congressional delegation urging them to prioritize comprehensive immigration reform

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during the current legislative session, advocate for continued funding and investments, and include a request to prohibit the practice of lateral transfers into San Diego.

EQUITY IMPACT STATEMENT

All San Diego residents deserve the opportunity to live in a dignified manner in communities that provide them a safe and supportive environment. The County and its partner organizations can assist in this effort by helping asylum seekers arriving in our region with respite shelter, assistance needed to expedite travel to their final destination, and other basic necessities. By seeking EFSP funding, the County can ensure we better coordinate with partners to have the necessary resources to implement these actions.

SUSTAINABILITY IMPACT STATEMENT

By proactively outlining appropriate roles for the County and the local nonprofit organizations that have the expertise and ability to assist asylum seekers, and identifying short-term and long-term actions and funding opportunities, we can ensure our region has the necessary resources to continually assist this population and prevent additional homelessness in San Diego County.

FISCAL IMPACT

There is no fiscal impact associated with the recommended actions in the current fiscal year. Although the recommended actions may result in future fiscal impacts, staff would return to the Board for consideration and approval of these changes. Upon return by staff, funding for future costs will need to be identified by the department and will proceed once identified. At this time, there will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT

N/A

ADVISORY BOARD STATEMENT

N/A

BACKGROUND

San Diego County is a binational, multilingual, and multicultural region, and immigrants and refugees are an integral part of the fabric of our community. Immigrants and refugees from countries such as Mexico, Somalia, Iraq, Syria and Afghanistan enrich the diversity of our region. Although immigration policy and enforcement is a responsibility of our federal government, the County, state, and partner agencies have continued to welcome an increasing number of asylum seekers into our region, a pattern that will likely continue given our location as a permanent border community.

In April of 2022, the County directed the Chief Administrative Officer to both identify County property for a potential temporary respite shelter and seek funding resources that would allow the County to provide necessary human services to asylum seeking individuals and families in anticipation of the lifting of Title 42.

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On December 19, 2022, U.S. Supreme Court Chief Justice Roberts ordered a temporary stay to maintain the Title 42 immigration restrictions which were scheduled to end on December 21, 2022. The legal battle around Title 42 has continued, with the policy still in place and the Supreme Court scheduled to hear additional arguments this spring.

In late December 2022, existing migrant shelters reached and surpassed capacity over a four-day period as extreme weather conditions impacted outbound travel and existing shelter resources and current infrastructure were stretched to capacity. Despite these challenges, the region continued to welcome hundreds of asylum seekers each night. It is estimated that between 800 and 1,000 asylum seekers were released at transit centers throughout the County by the federal government during this time. This is not the first time the County has seen street releases.

Last fall, local migrant shelters reached capacity as our region experienced an influx of several hundred asylum seekers released by federal authorities without onward travel plans or connections elsewhere in the U.S. It was reported in the media that sixty of these asylum seekers ended up in City of San Diego funded homeless shelters after being released on the street.

In 2018, SDRRN responded to a call that came through their emergency hotline regarding the humanitarian situation created by the federal administration's immigration policies which led to the release of hundreds of migrant families onto San Diego's streets without warning and without following travel process protocols. In response, SDRRN established an emergency respite shelter to provide humanitarian aid for asylum seekers. SDRRN stepped forward to create vital infrastructure in our region through what is now known as the San Diego Rapid Response Network Migrant Shelter Services. Organizations like Jewish Family Service of San Diego and Catholic Charities provide asylum seekers shelter and transition services including critical case management, travel assistance, nutrition services, medical screenings, legal assistance, and financial support for asylum seekers in need of respite shelter, creating a model for the County and the nation.

The State of California's continued support of public health operations through its network of Testing Vaccination and Resource Centers (TVRCs) in Imperial, Riverside, and San Diego Counties have played a vital role for California through the pandemic, and in this instance, San Diego, to try to meet the needs of and continue to safely welcome individuals after their release from the Department of Homeland Security's custody to non-governmental organizations' (NGOs) care. Non-congregate hotel sheltering continues through the State's support in the interim.

The recent delay in the proposed lifting of Title 42 provides us a brief window of time to prepare for the anticipated substantial increase in the number of asylum seekers who will enter the U.S. once the current restrictions end. It is critical that we use this time wisely to adequately prepare for that increase and to prevent these new arrivals from adding to the region's current challenges, including the ongoing homeless crisis.

We recommend that County staff continue to support our partner organizations that have the expertise and ability to assist asylum seekers crossing into the U.S. and to help them reach their final travel destinations, reuniting them with family and friends as quickly as possible. This can be accomplished by working alongside these organizations to advocate and apply for federal funds

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and closely coordinate on the actions necessary to ensure a successful arrival process for those seeking asylum.

The Fiscal Year 2023 Omnibus Appropriations Bill signed into law last month provides \$800 million for the Federal Emergency Management Agency's (FEMA) Emergency Food and Shelter Program (EFSP), the only source of federal funds supporting the humanitarian shelter operations along the southern border, traditionally accessed by non-governmental organizations engaged in providing respite shelter to arriving asylum seekers and migrants. This legislation also allocated \$20 million for a pilot program administered by the Federal Emergency Management Agency to provide community-based case management services for asylum seekers and immigrants in removal proceedings. Recognizing that FEMA's EFSP program only provides year-to-year funding and does not allow for infrastructure to be sustained for the long-term, we recommend assessing the cost of sustaining capacity and continuity of operations, particularly regarding immediate sheltering, long-term physical space needs, and public health response efforts for migrants in our community.

Recognizing our role as a County located along the border of Mexico, in partnership with NGOs, city governments, and County departments, it is our shared responsibility to care and protect all San Diegans by developing short-term and long-term plans to address the immediate sheltering and public health needs of asylum seekers and prevent more people from experiencing homelessness.

In light of the absence of any comprehensive immigration reform policy or legislation, we also recommend that the Board strongly urge Congress and the Administration to prioritize this issue during the 2023 legislative session. In addition to requesting necessary funding and infrastructure, this action should include a request to prohibit the practice of lateral transfers into San Diego – the transfer of asylum seekers by Department of Homeland Security into our resettlement infrastructure which is already at capacity from the activity at our own border.

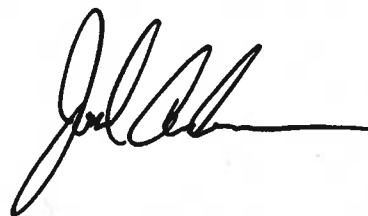
LINKAGE TO THE COUNTY OF SAN DIEGO STRATEGIC PLAN

Today's proposed action supports the Sustainability Economy Initiative by reducing poverty, the Sustainability Resiliency Initiative by ensuring the capability to respond and recover to immediate needs for individuals, families, and the region and the Community Partnership Initiative by facilitating meaningful conversations, shared programming, grant opportunities, or other opportunities to maximize resources through community partnerships to benefit the region.

Respectfully submitted,



NORA VARGAS
Supervisor, First District



JOEL ANDERSON
Supervisor, Second District

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ATTACHMENT(S)

N/A