

occupying Federal property under a permit with an expiration date, such an applicant would be considered a visitor and as such not a resident and, therefore, not entitled to assistance. Each applicant, of course, will have to be evaluated in terms of the definition of resident in the light of his particular factual circumstances.

*Question 1-b: Emergency Assistance Programs.*

In Question 1-b you inquired whether the Department of Public Welfare is authorized to provide assistance to those participants in the "Poor Peoples March" who make application for one of the Department's emergency assistance programs because they are faced with such crises as: lack of food, clothing, shelter, or medical services. It is to be noted at the outset that the Department of Public Welfare Handbook Release No. 149, dated April 23, 1968, Supplement 6, Family Emergency Services Program, Part II, sets forth the eligibility requirements which, among others, includes the requirement that the family must be domiciled in the District of Columbia. The foregoing analysis of the residence requirement may also be applied in the instance of applications for family emergency services since the requirement of domicile is even more stringent than of residence, requiring the showing of an intent to make his residence in a particular place permanent.

A second factor which will narrow the demands upon the Department for emergency assistance is that the applicant must show that he has exhausted the other facilities available to meet his emergency needs. Since a number of other agencies and groups in the community are being established to provide food, housing, medical and other vital services, the Department should ask each applicant for emergency assistance whether and to which other groups he has applied for aid. If all other resources have, in fact, been exhausted, and if an individual were nonetheless in genuine need of crisis assistance for food or other vital services, it is my understanding that the Department would, out of humanitarian considerations, render emergency services to the extent of its resources.

*Question 1-d: Temporary Assistance for Families with Unemployed Parents.*

In Question 1-d you inquired whether the Department of Public Welfare may authorize services and assistance for persons who apply for Temporary Assistance for Families with Unemployed Parents by virtue of the fact that they are employable, but unemployed, and in need. The existing eligibility requirements of the Department of Public Welfare in Handbook Release No. 66, of December 10, 1965, Supplement 3, Temporary Assistance for Families of Unemployed Parents, Part IV, includes certain requirements which might serve to disqualify applications for such assistance by participants in the "Poor Peoples March". Among such requirements are the following:

1. That the applicant be registered with the U.S.E.S. and have evidence of application at the District of Columbia Work Training and Opportunity Center, established under Title V of the Economic Opportunity Act.
2. That the applicant apply for unemployment compensation benefits.
3. That the applicant be the head of the household in which there is at least one child under 18 years of age, or under 21, if attending a school or university.

There are other requirements for such assistance, however, the ones listed are especially applicable to participants in the March.

*Question 2: Child Welfare Services Program.*

In Question 2 you inquired whether the Department of Public Welfare should be required through its Child Welfare Services Program to provide care and custody to children in families from other jurisdictions who are participating in the March and who may be referred to the Department for various needs. There is clearly no residence requirement applicable to those otherwise qualified for child welfare services and the full resources of the Department should be made available to meet the needs of any children of families participating in the March.

*Question 3: Food Stamp Program.*

In Question 3 you inquired whether the maintenance of a temporary domicile in the District of Columbia meets the Food Stamp Program requirement that applicants be living in the District of Columbia. The term "living" should be equated with the term "residence" for such purpose and the definition of residence given above applied in the case of those otherwise qualified for the Food Stamp Program.

We trust that the above analysis will enable the Department of Public Welfare to adequately plan to meet the needs and requests for public assistance by participants in the "Poor Peoples March". Any such applications will have to be evaluated, however, on a case-by-case basis and we will, of course, be available