

AN ACT

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To amend An Act To authorize the District of Columbia government to establish an Office of Civil Defense, and for other purposes to formalize the establishment of the District’s intelligence Fusion Center within the Homeland Security and Emergency Management Agency, to set forth the mission of the Fusion Center, to require the Fusion Center to submit an annual report detailing its activities, and to designate the Fusion Center as a law enforcement unit for the purpose of carrying out its mission.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Homeland Security Fusion Center and Law Enforcement Authority Amendment Act of 2022”.

Sec. 2. An Act To authorize the District of Columbia government to establish an Office of Civil Defense, and for other purposes, approved August 11, 1950 (64 Stat. 438; D.C. Official Code § 7-2201 *et seq.*), is amended by adding a new section 3a to read as follows:

“Sec. 3a. Fusion Center.

“(a) The Director of the Homeland Security and Emergency Management Agency (“HSEMA”) shall establish and direct the administration and operations of an intelligence fusion center (“Fusion Center”) for the District within HSEMA.

“(b) The mission of the Fusion Center is to receive, analyze, coordinate, and share resources, expertise, and information, including criminal history record information and law enforcement intelligence information, from and among law enforcement, first responder, and criminal justice agencies, with the goal of detecting and preventing terrorist and other criminal activity and supporting investigations of and responses to such activity.

“(c) The Fusion Center shall:

“(1) Serve as the primary intelligence fusion center in the National Capital Region;

“(2) Partner with other local, state, regional, and federal fusion centers and local, state, regional, and federal law enforcement, criminal justice, and intelligence agencies;

“(3) Represent the District’s interests in the national network of fusion centers;

“(4) Receive, analyze, coordinate, and share resources, expertise, and information with law enforcement agencies about a specific individual only if the information is:

“(A) Related to an actual or suspected criminal act or possible terrorist activity;

“(B) Part of a risk assessment; or

“(C) Related to a threat or vulnerability, suspicious activity or a suspicious incident, or critical infrastructure or a key resource;

“(5) Establish a policy for the duties required by paragraph (4) of this subsection; and

“(6) Submit an annual report to the Council committee with jurisdiction over homeland security matters regarding the Fusion Center’s operations during the prior year; which shall include:

“(A) A description of the Fusion Center’s structure, agency membership, staffing, and budget;

“(B) A general narrative about the types of cases, crimes, incidents, and reports the Fusion Center has reviewed and evaluated, in a manner that protects personal privacy, security interests, and the integrity of the Fusion Center’s work;

“(C) Any privacy audits performed in the prior year, and de-identified information from those audits, regarding the cases, crimes, incidents, and reports on which the Fusion Center worked during the prior year that were reviewed during the audits; and

“(D) A copy of the policy required by paragraph (5) of this subsection.

“(d)(1) The Fusion Center shall be considered a law enforcement organization for the purposes of carrying out the functions set forth in this section.

“(2) Nothing in this section shall be construed as conferring on the Fusion Center any additional law enforcement authority, including the authority to conduct searches, seizures, or arrests.”.

Sec. 3. Fiscal impact statement.

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

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24,

ENROLLED ORIGINAL

1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.

Chairman
Council of the District of Columbia

Mayor
District of Columbia