

A RESOLUTION

24-15

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

January 15, 2021

To declare the existence of an emergency with respect to the need 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 fusion center within the Homeland Security and Emergency Management Agency, to designate the primary mission of the fusion center, and to designate the Homeland Security and Emergency Management Agency and the fusion center as law enforcement entities for the purpose of carrying out the mission of the fusion center.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Homeland Security Fusion Center and Law Enforcement Authority Emergency Declaration Resolution of 2021”.

Sec. 2. (a) The District of Columbia’s fusion center operates 24 hours a day, 7 days a week, while serving a wide customer set of local, regional, and federal partners, and is based in the Homeland Security and Emergency Management Agency (“HSEMA”).

(b) The primary mission of the fusion center of the District is to coordinate and facilitate the sharing of resources, expertise, and information, including criminal history record information and law enforcement intelligence information, among law enforcement, first responder, and criminal justice agencies, and to coordinate and integrate information from such agencies, with the goal of detecting and preventing criminal and terrorist activity, such as criminal conspiracy, bomb threats, possession of illegal firearms and explosives, identity theft, money laundering, burglary, and organized crime, and for the purpose of investigating and responding to such activity.

(c) The District’s fusion center is one component of the national network of fusion centers, which the Department of Homeland Security has sanctioned as a critical strategic initiative for sharing information across a range of natural and manmade threats.

(d) On January 6, 2021, insurrectionists stormed and breached the United States Capitol – an unprecedented attack on our democratic government that was fulfilling its Constitutionally mandated responsibilities.

(e) The District's fusion center, in support of local and federal law enforcement agencies, is assisting in the local and federal response for the purposes of collecting intelligence and information to bring the insurrectionists to justice and to assist in the detection and prevention of future insurrectionist activity and to investigate and respond to such activity if it should occur.

(f) Because of federal regulations and jurisdictional standards, the fact that the fusion center has not been statutorily established by the District government, and the fact that HSEMA and the fusion center have not formally been designated statutorily as law enforcement agencies for the purposes of the fusion center, there have been delays and difficulties in the District's fusion center receiving information from other fusion centers and from law enforcement and criminal justice agencies.

(g) Statutorily establishing the primary purpose of the fusion center and designating HSEMA as a law enforcement agency, and the fusion center as its designated a law enforcement unit, for the purposes of the fusion center, helps ensure the District can meet its purposes of receiving, analyzing, handling, investigating, and sharing criminal history record information and law enforcement intelligence information and assisting with criminal investigations.

(h) Because of the recent insurrectionist activity and the threat of future insurrectionist and other criminal activity, it is critical that, without delay, the primary purpose of the fusion center be established statutorily and that HSEMA and the fusion center be statutorily designated as law enforcement entities for the purpose of carrying out the mission of the fusion center.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that Homeland Security Fusion Center and Law Enforcement Authority Emergency Amendment Act of 2021 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.