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Chairman Phil Mendelson
at the request of the Mayor

A PROPOSED RESOLUTION

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To declare the existence of an emergency with respect to the need to provide authority to the Executive 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”.

See. 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,

33 money laundering, burglary, and organized crime, and for the purpose of investigating and
34 responding to such activity.

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

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

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

45 (f) Because of federal regulations and jurisdictional standards, the fact that the fusion
46 center has not been statutorily established by the District government, and because HSEMA and
47 the fusion center have not formally been designated statutorily as law enforcement agencies for
48 the purposes of the fusion center has led to delays and difficulties in the District’s fusion center
49 receiving information from other fusion centers and from law enforcement and criminal justice
50 agencies.

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

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

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

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