



MURIEL BOWSER
MAYOR

NOV 18 2019

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OFFICE OF THE
SECRETARY

The Honorable Phil Mendelson, Chairman
Council of the District of Columbia
1350 Pennsylvania Ave., NW, Suite 506
Washington, D.C. 20004

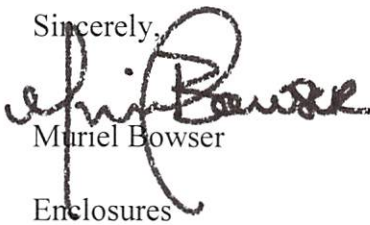
Dear Chairman Mendelson:

Enclosed for consideration and approval is a measure entitled the "District of Columbia Government Continuity of Operations Plans Amendment Act of 2019."

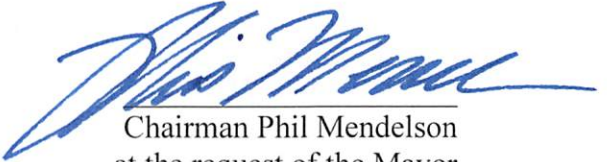
The enclosed measure will help to ensure that District government services are able to continue after an emergency, event, or outage. The bill will amend the District of Columbia Homeland Security and Emergency Management Agency's (HSEMA) enabling statute, entitled "An Act to authorize the District of Columbia government to establish an Office of Civil Defense," to require both subordinate and independent agencies of the District of Columbia to work with the HSEMA to develop, update, and regularly exercise Continuity of Operations Plans. I urge prompt consideration and approval of this measure.

If you have any questions on this matter, please contact Chris Rodriguez, Director, District of Columbia Homeland Security and Emergency Management Agency, at (202) 481-3180.

Sincerely,


Muriel Bowser

Enclosures


Chairman Phil Mendelson
at the request of the Mayor

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A BILL

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 require District government agencies to work with the Homeland Security and Emergency Management Agency to develop, update, and regularly exercise continuity of operations plans.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “District Government Continuity of Operations Plans Amendment Act of 2019”.

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 § 7-2231.01 *et seq.*), is amended by adding a new section 211 to read as follows:

“Sec. 211. District government continuity of operations plans.

“(a) The Agency shall coordinate the development of COOPs for all District government agencies, including each subordinate agency and independent agency.

“(b) The Agency shall:

“(1) Develop and regularly update a COOP template and COOP guidance for all District government agencies;

“(2) Assist District government agencies in carrying out the agencies’ responsibilities under this section; and

29 “(3) Track the status of District government agencies’ COOP plans and the
30 agencies’ compliance with their responsibilities under this section.

31 “(c) Each subordinate agency and independent agency that has not previously submitted a
32 COOP to the Agency before the effective date of this act shall submit a COOP to the Agency by
33 September 1, 2020.

34 “(d) Each subordinate agency and independent agency shall by July 1 of each year
35 conduct an exercise of the agency’s COOP and conduct an appropriate after-action review
36 process. The after-action review process shall include the preparation of a report describing any
37 deficiencies in the COOP identified as a result of the exercise and any revisions to the COOP
38 that the agency determines are necessary based on the results of the exercise.

39 “(e) Each subordinate agency and independent agency shall annually, on or before
40 September 1:

41 “(1)(A)(i) Update the agency’s COOP if necessary to conform to the template
42 produced by the Agency, to address any deficiency in the agency’s COOP identified through the
43 exercise conducted pursuant to subsection (f) of this section, or to make any other modifications
44 to the COOP that the agency determines are appropriate;

45 “(ii) Prepare a report describing the updates to the COOP; and

46 “(iii) Submit the updated COOP and the report to the Agency; or

47 “(B) Submit to the Agency a statement that no updates to the agency’s
48 COOP are necessary; and

49 “(2) Designate or re-designate an employee of the agency to serve as the agency’s
50 COOP coordinator, who shall be responsible for carrying out the responsibilities set forth in

51 subsection (d) of this section, and submit the name and contact information of the agency’s
52 COOP coordinator to the Agency.

53 “(f) An agency COOP coordinator designated under subsections (d) and (e) of this
54 section shall be responsible for:

55 “(1) Serving as a liaison between the COOP coordinator’s agency and the Agency;

56 “(2) Ensuring their agency complies with each of the agency requirements detailed under
57 subsection (e) of this section; and

58 “(3) Maintaining a current copy of their agency COOP plan for agency use.

59 “(g) For the purposes of this section, the term:

60 “(1) “Agency” means any unit of the District government required by law, by the
61 Mayor, or by the Council to administer any law, rule, regulation, policy, or procedure.

62 “(2) “COOP” means continuity of operations plan.

63 “(3) “Independent agency” means any District government agency that is not
64 under the direct administrative control of the Mayor, including the Council, the Superior Court of
65 the District of Columbia, and the District of Columbia Court of Appeals.”

66 “(4) “Subordinate agency” means any District government agency under the
67 direct administrative control of the Mayor.”.

68 Sec. 3. Fiscal impact statement.

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

72 Sec. 4. Effective date.

73 This act shall take effect following approval by the Mayor (or in the event of veto by the
74 Mayor, action by the Council to override the veto), a 30-day period of Congressional review as
75 provided by section 602(c)(1) of the District of Columbia Home Rule Act, approved December
76 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of
77 Columbia Register.

GOVERNMENT OF THE DISTRICT OF COLUMBIA
OFFICE OF THE ATTORNEY GENERAL



ATTORNEY GENERAL
KARL A. RACINE

Legal Counsel Division

MEMORANDUM

TO: Alana Intrieri
Executive Director
Office of Policy and Legislative Affairs

FROM: Brian K. Flowers
Deputy Attorney General
Legal Counsel Division

DATE: September 11, 2019

SUBJECT: Legal Sufficiency Review of the "District of Columbia Government
Continuity of Operations Plans Amendment Act of 2019"
(AE-19-582)

This is to Certify that this Office has reviewed the above-referenced legislation and that we have found it to be legally sufficient.

If you have any questions in this regard, please do not hesitate to call me at 724-5565.

A handwritten signature in black ink, appearing to read "B.K. Flowers", written over a horizontal line.

Brian K. Flowers