

1 **AMENDMENT IN THE NATURE OF A SUBSTITUTE**  
2 **APRIL 6, 2021**

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6 A BILL  
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12 IN THE COUNCIL OF THE DISTRICT OF COLUMBIA  
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17 To amend, on an emergency basis due to congressional review, the District of Columbia  
18 Nonresident Tuition Act to allow District of Columbia students enrolled at District of  
19 Columbia Public Schools or public charter schools, who attend non-public schools or  
20 programs, to continue their education for the remainder of the school year in which legal  
21 permanency is achieved and through the end of the following school year, without  
22 payment of nonresident tuition, if the child ceases to be in the care and custody of the  
23 District as a result of being placed in the permanent care and custody of a parent,  
24 guardian, or custodian who resides outside the District of Columbia; **and An Act To**  
25 **authorize the District of Columbia government to establish an Office of Civil**  
26 **Defense, and for other purposes to formalize the establishment of the District's**  
27 **intelligence fusion center within the Homeland Security and Emergency**  
28 **Management Agency, to set forth the primary mission of the fusion center, and to**  
29 **designate the fusion center as a law enforcement unit for the purpose of carrying out**  
30 **its mission.**  
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32 BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this  
33 act may be cited as the “Non-Public Student Educational Continuity **and Homeland Security**  
34 **Fusion Center and Law Enforcement Authority** Congressional Review Emergency  
35 Amendment Act of 2021”.

36 Sec. 2. Section 2(e) of the District of Columbia Nonresident Tuition Act, approved  
37 September 8, 1960 (74 Stat. 853; D.C. Official Code § 38-302(e)), is amended as follows:

38 (a) Strike the phrase “school, ceases” and insert the phrase “school, or while enrolled in a DCPS  
39 or public charter school and attending a non-public school or program pursuant to section 103 of

40 the Placement of Students with Disabilities in Nonpublic Schools Amendment Act of 2006,  
41 effective March 14, 2007 (D.C. Law 16-269; D.C. Official Code § 38–2561.03) (“Placement  
42 Act”), ceases” in its place.

43 (b) Strike the phrase “currently attends.” and insert the phrase “currently attends, if the  
44 child attends a DCPS or public charter school, or the remainder of the school year in which the  
45 change in care and custody occurs and through the end of the following school year, if the child  
46 is currently enrolled in a DCPS or public charter school and attending a non-public school or  
47 program pursuant to section 103 of the Placement Act.” in its place.

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

52 **“Sec. 3a. Fusion center.**

53 **“(a) The Director of the Homeland Security and Emergency Management Agency**  
54  **(“HSEMA”) shall, subject to the direction and control of the Mayor, establish and direct**  
55 **the administration and operations of an intelligence fusion center for the District within**  
56 **HSEMA. The fusion center shall, at the discretion of the Mayor and the Director of**  
57 **HSEMA, also serve as the primary fusion center in the National Capital Region.**

58 **“(b) The primary mission of the fusion center is to receive, coordinate, and share**  
59 **resources, expertise, and information, including criminal history record information and**  
60 **law enforcement intelligence information, from and among law enforcement, first**  
61 **responder, and criminal justice agencies; to facilitate and coordinate the receipt and**  
62 **sharing of such resources, expertise, and information from and among such agencies; and**  
63 **to analyze, handle, coordinate, and integrate such resources, expertise, and information**

64 from and among such agencies, with the goal of detecting and preventing terrorist and  
65 other criminal activity, such as criminal conspiracy, bomb threats, possession of illegal  
66 firearms and explosives, identity theft, money laundering, hate crimes, and organized  
67 crime, and for the purpose of investigating and responding to such activity. The fusion  
68 center shall collect, coordinate, and share information with law enforcement agencies only  
69 if a reasonable suspicion exists that the subject is involved in specific criminal acts or  
70 possible terrorist activity.

71 “(c) The District’s intelligence fusion center, which shall be a division of HSEMA, is  
72 designated a law enforcement unit for the purposes of carrying out the functions set forth  
73 in subsection (b) of this section.

74 “(d) The fusion center shall work in partnership with other state, local, regional,  
75 and federal fusion centers and other state, local, regional, and federal law enforcement,  
76 criminal justice, and intelligence agencies.

77 “(e) The fusion center shall represent the District’s interests in the national network  
78 of fusion centers.”.

79 Sec. 34. Applicability.

80 This act shall apply as of April 3014, 2021.

81 Sec. 45. Fiscal impact statement.

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

85 Sec. 56. Effective date.

86 This act shall take effect following approval by the Mayor (or in the event of veto by the  
87 Mayor, action by the Council to override the veto), and shall remain in effect for no longer than

88 90 days, as provided for emergency acts of the Council of the District of Columbia in section  
89 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788;  
90 D.C. Official Code § 1-204.12(a)).