


Government of the District of Columbia  
Office of the Chief Financial Officer



Jeffrey S. DeWitt  
Chief Financial Officer

**MEMORANDUM**

**TO:** The Honorable Phil Mendelson  
Chairman, Council of the District of Columbia

**FROM:** Jeffrey S. DeWitt  
Chief Financial Officer 

**DATE:** September 13, 2019

**SUBJECT:** Fiscal Impact Statement – District of Columbia Government Continuity of Operations Plans Amendment Act of 2019

**REFERENCE:** Draft Bill as shared with the Office of Revenue Analysis on September 6, 2019

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**Conclusion**

Funds are sufficient in the fiscal year 2019 budget and the fiscal year 2020 through fiscal year 2023 budget and financial plan to implement the bill.

**Background**

All levels of government, as well as private enterprises, engage in continuity planning to ensure that their essential operations will continue in the event of any natural or unnatural disruptions. All branches of government must ensure that both their internal operations and cross-branch functions are prepared for any incidents with maximum preservation of essential functions. The Federal Emergency Management Agency provides guidance<sup>1</sup> on how lower levels of government should prepare for disruptions through the development of Continuity of Operations Plans (COOP). This guidance is designed to ensure that state and local governments can prepare for and effectively recover from disruptions and successfully coordinate with their federal government partners during those disruptions.

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<sup>1</sup> Continuity Guidance Circular, Federal Emergency Management Agency, March 12, 2018 (<https://www.fema.gov/media-library/assets/documents/132130>).

The Honorable Phil Mendelson

FIS: "District of Columbia Government Continuity of Operations Plans Amendment Act of 2019," Draft Bill as shared with the Office of Revenue Analysis on September 6, 2019

In 2012, the Mayor issued an order<sup>2</sup> directing each cabinet-level agency to develop and annually update a COOP based on a Homeland Security and Emergency Management Agency (HSEMA) template, identify a COOP coordinator, and conduct annual exercises to test the COOP. HSEMA would review each plan, after-action reports, and corrective actions taken by the agencies.

The bill formally assigns HSEMA as the lead agency in the District's COOP process and authorizes it to track agencies' COOP progress. The bill also expands upon the Mayor's Order and requires all District subordinate agencies and independent agencies<sup>3</sup> to create and annually update a COOP, designate a COOP coordinator, conduct annual COOP exercises, conduct an after-action review, take corrective actions, and annually submit the updated COOP and reports to HSEMA. As with the Mayor's Order, the annual activities must be completed by September 1<sup>st</sup> of each year.

### **Financial Plan Impact**

Funds are sufficient in the fiscal year 2019 budget and the fiscal year 2020 through fiscal year 2023 budget and financial plan to implement the bill. The 2012 Mayor's Order put HSEMA in charge of the District's continuity planning efforts and HSEMA has been working with all subordinate agencies and independent agencies since that time. Most agencies have developed COOPs with HSEMA's guidance and update them, engage in exercises, and provide after-action reports to HSEMA. The bill codifies and expands the Mayor's Order, but since most agencies, including independent agencies, are complying with the directive there are no additional costs associated with the bill's implementation.

HSEMA has also developed templates and toolkits that any agency can work from if that agency has not yet participated under the Mayor's Order. Any agencies that have not yet participated in continuity planning can absorb any costs, which HSEMA expects to be minimal, within their existing budgets.

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<sup>2</sup> Continuity of Operations Planning, Mayor's Order 2012-61, effective April 27, 2012.

<sup>3</sup> Independent agencies does not include the Council, the Superior Court of the District of Columbia, or the District of Columbia Court of Appeals.