

# BROOKS BAWDEN MOORE LLC

## WEEKLY UPDATE

August 13 - 31, 2018

BROOKS BAWDEN MOORE

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### Latest News

- The Senate has been in session most of August, with the chamber focusing its attention on considering judicial nominations. When they return after Labor Day, the Senate Judiciary Committee will begin the confirmation hearings for Supreme Court nominee Brett Kavanaugh on September 4. The House will be returning after Labor Day, and both chambers will need to focus on moving the various appropriations bills, which current funding expires at the end of September.
- **Fall Edition of The Coalition** - The 2018 fall edition of the National Narcotic Officers' Associations' Coalition magazine, "The Coalition" is now available. The magazine includes updates from the NNOAC Board and Regional Directors, a review of the NNOAC February Conference, and articles on other important issues affecting drug enforcement. You can read the Fall 2018 magazine [here](#).
- **Colorado Report on Driving Under the Influence** - The state of Colorado recently released a report on driving under the influence of drugs and alcohol in Colorado. The report found that in 2016, about 73% of approximately 4,000 drivers charged with driving under the influence tested positive for marijuana. The report also showed that half of the drivers who tested positive were over the legal limit of THC in their blood. Additionally, 53 percent admit they smoked marijuana within two hours of getting behind the wheel. You can view the report [here](#).
- **FBI Cyber Appointments** - The FBI recently announced that they have made two appointments to fill key cybersecurity roles. Matt Gorham, the former head of the Washington Field Office's counterterrorism division, will now lead the the FBI's Cyber Division, while Amy Hess will lead the branch overseeing that division. Hess formerly led the FBI's Louisville Division. You can view the FBI announcement [here](#).
- **Opioid Manufacturing Reduction for 2019** - The Department of Justice and the Drug Enforcement Administration recently announced a proposed reduction for controlled substances that may be manufactured in the U.S. in 2019. According to the press release, "the proposal decreases manufacturing quotas for the six most frequently misused opioids for 2019 by an average ten percent as compared to the 2018 amount." You can view the announcement [here](#).
- **Video Release - Fentanyl: The Real Deal** - The Office of Justice Programs' Bureau of Justice Assistance recently released the Fentanyl Safety Recommendations for First Responders' companion training video Fentanyl: The Real Deal. The video provides recommendations to law enforcement on how to navigate safely around the increased prevalence of fentanyl in the illicit drug market. It also provides first responders with unified, scientific, and evidence-based recommendations for protective actions first responders should take when the presence of fentanyl is suspected, when exposure occurs, and when

### Previous Updates:

- [FY 2018 Omnibus](#)
- [FY 2019 Budget Summary](#)
- [FY 2018 FEMA Grants](#)
- [FY2017 FEMA Grants](#)
- [Weekly 7/30/18](#)
- [Weekly 7/23/18](#)
- [Weekly 7/16/18](#)
- [Weekly 7/9/18](#)
- [Weekly 6/25/18](#)



individuals exhibit signs of opioid intoxication. You can view the video [here](#).

- **2019 INSA Achievement Awards Nominations** - The Intelligence and National Security Alliance (INSA) is currently accepting nominations for the 2019 INSA Achievement Awards on February 21, 2019. INSA encourages senior leaders from government, industry, military, and academia to nominate early and mid-career professionals who are advancing U.S. intelligence, national security, homeland security objectives with distinction. Nominations will be accepted through Wednesday, October 31, 2018. Recipients will be notified early next year, followed by public acknowledgment at the 2019 INSA Achievement Awards ceremony on February 21, 2019. You can access the nomination form online [here](#). Instructions for submitting classified nominations are available by contacting INSA at [achievement@INSAonline.org](mailto:achievement@INSAonline.org).
- **The Life Saving Missions of ICE** - The role and important work by ICE has come into question by some in the public and media as of late. To highlight the crucial mission that ICE plays in protecting our nation from cross-border crime and illegal immigration, the Department of Homeland Security recently released a bulletin highlighting the success and mission of the agency. You can view the bulletin [here](#).

- **ARTICLES OF INTEREST:**

**Sens. Cotton, Hatch: Close the loophole that's letting violent criminals go free**

**Washington Examiner | Sen. Tom Cotton & Sen. Orrin Hatch**

In April, a gang member convicted of nine felonies, Cornelius Spencer, was charged with raping two homeless Arkansans, a 62-year-old woman and a 21-year-old autistic man. What's worse, these crimes would never have happened if Spencer had not been released a full five years before his sentence was up. Because of a Supreme Court ruling that negated an important act of Congress, Spencer managed to slip through the cracks of our justice system. Until Congress acts to fix the law that was struck down, more hardened criminals will be able to roam the streets. **Continue reading [here](#).**

**Trump Strongly Opposed to FIRST STEP**

**The Washington Free Beacon | Charles Fain Lehman**

President Donald Trump is opposed to a major criminal justice reform in its current form, in large part due to an exception it carves out that may release convicted drug traffickers early, sources told the Washington Free Beacon on Friday. Advocates of reform have scrambled over the past 24 hours in the wake of Trump's decision not to back the bill, which is unpopular with the Senate Republican caucus. As the news that Trump would not support the FIRST STEP Act broke, bill-backer Jared Kushner and Senate ally Chuck Grassley (R., Iowa) retreated to Grassley's private office on Capitol Hill. From there, reporters heard that Trump had contacted the two, saying that he was "willing to take up prison/sentencing reform" after the election. **Continue reading [here](#).**

**Number of Pregnant Women Abusing Opioids Skyrockets**

**Roll Call | Lauren Clason**

The number of women giving birth with opioid use disorder quadrupled between 1999 and 2014, a new report from the Centers for Disease Control and Prevention shows. The increase underscores the severity of the country's opioid epidemic as a legislative package aimed at helping states curb addiction rates idles in the Senate. Newborns exposed to drugs while in the womb can suffer severe complications, including withdrawal, preterm birth and death. The CDC study released Thursday found "significant increases" in the number of women with opioid use disorder at the time of delivery in 28 states with available data. The agency analyzed information from a database of inpatient discharges operated by the Agency for Healthcare Research and Quality, finding that the prevalence of pregnant women addicted to opioids increased from 1.5 per 1,000 deliveries in 1999 to 6.5 in 2014. **Continue reading [here](#).**

**Sessions announces billions in new grants to help crime victims**

**Washington Examiner | Diana Stancy Correll**

Attorney General Jeff Sessions announced Thursday that the Justice Department will distribute billions of dollars in grants to help crime victims. "We know whose side we're on. We're on the side of law enforcement. We are implacable foes of criminals – like you," Sessions said in Macon, Georgia to a group of sheriffs, police chiefs, and district attor-



neys. "We're also on the side of crime victims." "That's why I today I am announcing that the Department of Justice will award \$3.4 billion to states for victims services, the biggest single-year victims services distribution ever," Sessions added. "This funding will cover costs like medical fees, lost income, funeral expenses, and other costs." **Continue reading [here](#).**

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## Hearings & Markups Happening This Week

Nothing affecting the law enforcement or homeland security communities.

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## Legislation on the Floor This Week

### **House:**

The House is not in session this week and will return on September 4.

### **Senate:**

**Note:** Due to Senate scheduling and rules, additional items not listed may be added to the calendar for consideration.

**Nomination of Joseph H. Hunt**, of Maryland, to be an Assistant Attorney General, Civil Division

**Status:** Confirmed by the Senate on 8/28

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## Recap of Last Week's Hearings & Markups

**Note:** For more details on any of the following hearings, we can provide access to hearing transcripts upon request.

Senate Judiciary Committee - [Full Committee Markup](#) - August 16

**Nomination of James W. Carroll, Jr.**, to be Director of National Drug Control Policy

**Status:** No action taken by the Senate Judiciary Committee on 8/16/18.

**S. 2961 - Victims of Child Abuse Act Reauthorization Act of 2018**

**Status:** No action taken by the Senate Judiciary Committee on 8/16/18.

**Summary:** To reauthorize subtitle A of the Victims of Child Abuse Act of 1990.

Senate Homeland Security Committee - Permanent Subcommittee on Investigations Hearing - August 16

[Oversight of Efforts to Protect Unaccompanied Alien Children from Human Trafficking and Abuse](#)

**Summary:** This hearing examined what the government is doing to protect unaccompanied alien children. Senators asked witnesses from the Departments of Health and Human Services, Homeland Security and Justice Department on their efforts to protect these children from abuse and human trafficking after they are placed in the homes of sponsors and await legal proceedings. HHS stated that they do not have the authority to exercise supervision or oversight of children who are not in the physical care and custody.

Senate Judiciary Committee - Crim Subcommittee Hearing - August 21

[Cyber Threats to Our Nation's Critical Infrastructure](#)

**Summary:** This hearing examined cyber threats to our nations critical infrastructure. Some Senators expressed concern



that we are not doing enough to secure our election systems in advance of the upcoming November elections. Witnesses testified that additional legislation which provides more resources and tools would be beneficial. Witnesses stated that they are closely working with state Secretaries of States, election officials, and local officials to provide resources and advice to secure the elections. Additionally, Senators discussed threats from foreign adversaries such as Russia, China, and North Korea to not only our election systems, but also our power grids, water infrastructure, and other critical infrastructure.

Senate Homeland Security Committee - [Full Committee Nomination Hearing](#) - August 22  
[Nomination of William N. Bryan](#) to be Under Secretary, Directorate of Science & Technology, U.S. Department of Homeland Security

[Nomination of Peter T. Gaynor](#) to be Deputy Administrator, Federal Emergency Management Agency, U.S. Department of Homeland Security

Senate Judiciary Committee - [Full Committee Markup](#) - August 23  
[Nomination of James W. Carroll, Jr.](#), to be Director of National Drug Control Policy  
**Status:** Held over by the Senate Judiciary Committee on 8/23.

[S. 2961](#) - **Victims of Child Abuse Act Reauthorization Act of 2018**  
**Status:** Held over by the Senate Judiciary Committee on 8/23.  
**Summary:** To reauthorize subtitle A of the Victims of Child Abuse Act of 1990.

[S. 3354](#) - **Missing Children's Assistance Act of 2018**  
**Status:** Held over by the Senate Judiciary Committee on 8/23.  
**Summary:** To amend the Missing Children's Assistance Act, and for other purposes.

[S. 3170](#) - **CyberTipline Modernization Act of 2018**  
**Status:** Held over by the Senate Judiciary Committee on 8/23.  
**Summary:** To amend title 18, United States Code, to make certain changes to the reporting requirement of certain service providers regarding child sexual exploitation visual depictions, and for other purposes.

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## Legislation Considered Last Week

### **House:**

The House was not in session.

### **Senate:**

#### [H.R. 6157](#) - **Defense-Labor-HHS-Education appropriations**

**Status:** Approved by the Senate on 8/23.

**Summary:** Provides funding for fiscal year 2019 for the Departments of Defense, Labor, Health and Human Services, and Education.



**Legislation Introduced Last Week**

Date Introduced	Bill Number	Sponsor	Description
8/28/2018	<a href="#">HR 6688</a>	Tom MacArthur (R-NJ-3)	ALERT Act of 2018 - To provide for the establishment of the Prescription Safety Alert System with respect to covered drug products, and for other purposes.
8/24/2018	<a href="#">HR 6680</a>	James Langevin (D-RI-2)	To provide for the processes and procedures for the granting, denying, or revoking of access, or eligibility for access, to classified information.
8/24/2018	<a href="#">HR 6677</a>	Lisa Blunt Rochester (D-DE-AL)	Clean Slate Act of 2018 - To require automatic sealing of certain criminal records, and for other purposes.
8/23/2018	<a href="#">S 3377</a>	Jeanne Shaheen (D-NH)	Homeland Procurement Reform Act - To require the purchase of certain items related to national security according to certain criteria.
8/23/2018	<a href="#">S 3372</a>	James Inhofe (R-OK)	Asylum Abuse Reduction Act - To require asylum officers to conduct credible fear screenings before admitting aliens seeking asylum into the United States, to direct the Secretary of Homeland Security to establish an alternatives to detention pilot program, and for other purposes.
8/21/2018	<a href="#">S 3356</a>	Maggie Hassan (D-NH)	Synthetic Drug Awareness Act of 2018 - To require the Surgeon General of the Public Health Service to submit to Congress a report on the health effects of new psychoactive substances (including synthetic drugs) use.
8/16/2018	<a href="#">S 3354</a>	Chuck Grassley (R-IA)	A bill to amend the Missing Children's Assistance Act, and for other purposes.
8/14/2018	<a href="#">HR 6669</a>	Lisa Blunt Rochester (D-DE-AL)	Clean Slate Act of 2018 - To require automatic sealing of certain criminal records, and for other purposes.
8/10/2018	<a href="#">HR 6664</a>	Brian Babin (R-TX-36)	Threat Assessment, Prevention, and Safety Act of 2018 - To develop a national strategy to prevent targeted violence through threat assessment and management, and for other purposes.
8/10/2018	<a href="#">HR 6663</a>	Tom Rooney (R-FL-17)	Secure Elections Act - To protect the administration of Federal elections against cybersecurity threats.
8/7/2018	<a href="#">HR 6659</a>	Kathleen Rice (D-NY-4)	Screening With Dignity Act of 2018 - To improve the screening of transgender persons at airport security checkpoints, and for other purposes.
8/7/2018	<a href="#">HR 6657</a>	Andy Biggs (R-AZ-5)	Fund and Complete the Border Wall Act - To establish a separate account in the Treasury to hold deposits to be used to secure the southern border of the United States, and for other purposes.
8/3/2018	<a href="#">HR 6654</a>	Al Green (D-TX-9)	To prohibit the transfer of a firearm at a gun show by a person who is not a licensed dealer.
8/3/2018	<a href="#">HR 6649</a>	Ted Deutch (D-FL-22)	3D Printed Gun Safety Act of 2018 - To amend chapter 44 of title 18, United States Code, to prohibit the publication of 3D printer plans for the printing of firearms, and for other purposes.
8/1/2018	<a href="#">S 3344</a>	Ed Markey (D-MA)	Early Warning Reporting System Improvement Act of 2018 - To enhance the early warning reporting requirements for motor vehicle manufacturers, and for other purposes.
8/1/2018	<a href="#">S 3335</a>	Orrin Hatch (R-UT)	A bill to amend title 18, United States Code, relating to sentencing of armed career criminals.



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**Upcoming Events/Conferences**

[ASCIA 2018 Fall Conference](#)

October 4-6—Orlando, FL

[IACP 2018](#)

October 6-9—Orlando, FL

[National Fusion Center Association Annual Training Event](#)

November 6-8—Alexandria, VA

**August 2018**

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**September 2018**

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<sup>23/30</sup>	24	25	26	27	28	29

■ Senate in Session

■ House & Senate in Session

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