

BROOKS BAWDEN MOORE LLC

WEEKLY UPDATE

September 4 - 7, 2018

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BBM

Inside This Issue:

Highlighted Issues	1
This Week's Hearings/Markups	2
Legislation on the Floor	3
Previous Hearings/Markups	5
Previous Floor Actions	5
Introduced Legislation	6
Upcoming Events	7

Previous Updates:

- [FY 2018 Omnibus](#)
- [FY 2019 Budget Summary](#)
- [FY 2018 FEMA Grants](#)
- [FY2017 FEMA Grants](#)
- [Weekly 8/27/18](#)
- [Weekly 7/30/18](#)
- [Weekly 7/23/18](#)
- [Weekly 7/16/18](#)
- [Weekly 7/9/18](#)

Latest News

- The House and Senate are in session this week, with the Senate Judiciary Committee holding Supreme Court confirmation hearings for Brett Kavanaugh. The House will consider multiple homeland security related bills, and could consider the Conference Report to the Energy and Water, Legislative Branch, and Military Construction and Veterans Affairs Appropriations Act.
- Arizona Governor Doug Ducey has appointed former Arizona U.S. Senator Jon Kyl to fill the seat of the late John McCain. Kyl has indicated that he will remain in the seat only until the end of the current session of Congress, which concludes in January, and then resign. At that time, the Governor would need to appointment a successor to Kyl.
- **IACP 40 Under 40** - Brooks Bawden Moore congratulates the recently named IACP's 40 under 40. In particular, we congratulate Assistant Chief Dave Carabin of the Boston Police Department, and Lieutenant Dori Koren of the Las Vegas Metro Police Department. We have had the privilege to work extensively with Assistant Chief Carabin through his work as a board member of the National Fusion Center Association, and with Lieutenant Koren through the Major County Sheriffs of America on many occasions. You can view the list of awardees [here](#).
- **CLIENT IN THE SPOTLIGHT:**
This gizmo can turbocharge the DNA-identification process
New York Post | Stephanie Pagonis and Max Jaeger
Meet the newest (probationary) member of the Office of the Chief Medical Examiner: a cooler-sized gizmo called ANDE, which the agency says will turbocharge the process of identifying John and Jane Does, providing closure for families. The ANDE Rapid DNA system, which is still being tested, can match a missing person to a DNA profile in about an hour, as opposed to the several days it normally takes, OCME officials told The Post during an exclusive sneak peek. "[Families] should not have to wait a length of time to have their loved one returned to them," said Mark Desire, OCME assistant director for forensic biology. "That's our job: to provide answers, to return their loved ones," Desire continued. **Continue reading** [here](#).
- **ARTICLES OF INTEREST:**
Law enforcement still loves Jeff Sessions
Washington Examiner | Kelly Cohen
Attorney General Jeff Sessions withstood another week of public attacks from President Trump, but there's one group that's still standing by him: law enforcement. From day one, Sessions said he intended uphold the law and back those charged with that same duty. "This is a new era. This is the Trump era," Sessions declared from the U.S.-Mexico border



in April 2017. For several months now, Trump has publicly flogged Sessions for recusing himself from the Russia investigation, but Sessions is still supported by law enforcement officials around the country, whatever else Trump thinks of him. **Continue reading [here](#).**

Down the ballot, liberal reformers take over the criminal justice system

The Washington Post | David Weigel

On Tuesday night, as Ayanna Pressley was trouncing Rep. Michael E. Capuano (Mass.) in a Democratic primary and making Boston political history, Rachael Rollins was holding a celebration of her own. The 47-year-old lawyer, who ran on ending “mass incarceration” and cutting off relations between Boston and the Immigration and Customs Enforcement agency, won the Democratic primary for district attorney of Suffolk County in a rout, leading her closest rival by 16 points. If Rollins defeats her independent opponent in a general election that has no GOP candidate, the county's nearly 800,000 residents will have a chief prosecutor intent on remaking the criminal justice system. No more cash bail. No more civil asset forfeiture. No more racial disparity in who does and doesn't go to jail. **Continue reading [here](#).**

Hearings & Markups Happening This Week

Senate Judiciary Committee - Full Committee Nomination Hearing

[Nomination of the Honorable Brett M. Kavanaugh to be an Associate Justice of the Supreme Court of the United States](#)

September 4 - 6 @ 9:30 am - 216 Hart

Senate Intelligence Committee - Full Committee Hearing

[Foreign Influence Operations' Use of Social Media Platforms](#)

September 5 @ 9:30 am - G50 Dirksen

Senate Commerce Committee - Full Committee Hearing

[Keeping Our Skies Secure: Oversight of the Transportation Security Administration](#)

September 5 @ 10:15 am - 106 Dirksen

House Natural Resources Committee - [Full Committee Markup](#) - September 5

[H.R. 6287 - 9/11 Memorial Act](#)

Status: To be considered by the House Natural Resources Committee on 9/5/18.

Summary: To provide competitive grants for the operation, security, and maintenance of certain memorials to victims of the terrorist attacks of September 11, 2001.

House Energy & Commerce Committee - Full Committee Hearing

[Twitter: Transparency and Accountability](#)

September 5 @ 1:30 pm - 2123 Rayburn

House Homeland Security Committee - Joint Subcommittee Hearing

[Understanding Cybersecurity Threats to America's Aviation Sector](#)

September 6 @ 10:00 am - HVC 210

House Foreign Affairs Committee - Global Health Subcommittee Hearing

[Tackling Fentanyl: Holding China Accountable](#)

September 6 @ 2:00 pm - 2200 Rayburn

House Financial Services Committee - Full Committee Hearing

[Survey of Terrorist Groups and Their Means of Financing](#)

September 7 @ 9:15 am - 2128 Rayburn



Legislation on the Floor This Week

House:

H.R. 6439 – Biometric Identification Transnational Migration Alert Program Authorization Act of 2018

Status: To be considered by the House on 9/4/18.

Summary: This bill amends the Homeland Security Act of 2002 to provide statutory authority for the Department of Homeland Security (DHS) Biometric Identification Transnational Migration Alert Program (BITMAP). That program was established to address and reduce national security, border security, and terrorist threats before such threats reach the international border of the United States. In carrying out BITMAP operations, U.S. Immigration and Customs Enforcement must: (1) coordinate foreign and U.S. officials to facilitate the sharing of biometric and biographic information of foreign nationals to identify and screen such nationals for terrorism and threats to national or border security; (2) provide capabilities, including training and equipment, to collect and compare biometric and biographic identification data of foreign nationals to protect against national security, border security, or terrorist threats and illegal entries; and (3) ensure that such data are incorporated into appropriate government databases. Before carrying out BITMAP operations in a foreign country, DHS must enter into an agreement with the government of such country that outlines such operations and must provide the congressional homeland security committees with a copy of the agreement.

H.R. 6459 – TSA OPEN for Business Act

Status: To be considered by the House on 9/4/18.

Summary: To amend the Homeland Security Act of 2002 to require a strategy to diversify the technology stakeholder marketplace regarding the acquisition by the Transportation Security Administration of security screening technologies, and for other purposes.

H.R. 6430 – Securing the Homeland Security Supply Chain Act of 2018

Status: To be considered by the House on 9/4/18.

Summary: This bill amends the Homeland Security Act of 2002 to authorize the Department of Homeland Security (DHS) to restrict procurement of information technology, telecommunications equipment and services, and related products or services (covered articles), if it determines that a vendor of such products and services poses a risk to the DHS supply chain. After determining that such a risk exists, DHS may limit the disclosure of information relating to the basis for restricting a procurement and may exclude a vendor from the procurement process. The bill requires DHS to make certain security-related determinations and provide notifications before it can exercise the authority to restrict procurement of any covered article. The bill defines "supply chain risk" as the risk that a malicious actor may sabotage, maliciously introduce an unwanted function, extract or modify data, or otherwise manipulate the design, integrity, manufacturing, production, distribution, installation, operation, or maintenance of a covered article.

H.R. 6443 – Advancing Cybersecurity Diagnostics and Mitigation Act

Status: To be considered by the House on 9/4/18.

Summary: This bill amends the Homeland Security Act of 2002 to direct the Department of Homeland Security (DHS) to: (1) deploy, operate, and maintain a continuous diagnostics and mitigation program to collect, analyze, and visualize security data and cybersecurity risk; (2) regularly deploy new technologies and modify existing technologies to improve such program; and (3) develop a comprehensive strategy to carry out the program. In carrying out the program, DHS must ensure that cybersecurity risk information, assessments, and analyses are provided in real time and program information is available to the DHS national cybersecurity and communications integration center.

H.R. 5869 – Maritime Border Security Review Act

Status: To be considered by the House on 9/4/18.

Summary: To require the Secretary of Homeland Security to conduct a maritime border threat analysis, and for other purposes.



[H.R. 6374](#) – FIT Act

Status: To be considered by the House on 9/4/18.

Summary: To require the Department of Homeland Security to streamline Federal contractor fitness determinations, and for other purposes.

[H.R. 6438](#) – DHS Countering Unmanned Aircraft Systems Coordinator Act

Status: To be considered by the House on 9/4/18.

Summary: To amend the Homeland Security Act of 2002 to establish in the Department of Homeland Security an Unmanned Aircraft Systems Coordinator, and for other purposes.

[H.R. 6447](#) – Department of Homeland Security Chief Data Officer Authorization Act

Status: To be considered by the House on 9/4/18.

Summary: This bill amends the Homeland Security Act of 2002 to direct the Chief Information Officer of the Department of Homeland Security (DHS) to designate a career appointee of DHS as its Chief Data Officer. The bill sets forth the responsibilities of the Chief Data Officer, including: (1) ensuring that DHS conforms with recognized data management best practices, (2) coordinating the release of data for public use after privacy reviews, (3) promoting the use of modern data systems to improve DHS operations, and (4) serving as the liaison to other federal agencies and the Office of Management and Budget on data.

[H.R. 6265](#) – PreCheck is PreCheck Act of 2018

Status: To be considered by the House on 9/4/18.

Summary: This bill directs the Transportation Security Administration (TSA) to ensure that only travelers who are members of a trusted traveler program are permitted to use TSA PreCheck security screening lanes at TSA checkpoints. Any traveler under the age of 12 or over the age of 75 who is not a member of a trusted traveler program shall be permitted to utilize PreCheck security screening lanes at TSA checkpoints when traveling on the same reservation as a member of a trusted traveler program. The TSA shall implement a risk modified screening protocol for lanes other than designated TSA PreCheck security screening lanes at TSA checkpoints to further segment passengers based on risk. Only low-risk passengers shall be eligible to undergo risk modified screening at TSA checkpoints. The Inspector General of the Department of Homeland Security must assess whether there has been a systematic pattern of violations of the use of TSA PreCheck security screening lanes at TSA checkpoints during the previous calendar year. The TSA shall complete the implementation of a long-term strategy to increase enrollment in the TSA PreCheck Program and expand the total population of members of trusted traveler programs.

[H.R. 6461](#) – TSA National Deployment Force Act

Status: To be considered by the House on 9/4/18.

Summary: To amend title 49, United States Code, to establish in the Transportation Security Administration a National Deployment Office, and for other purposes.

[H.R. 6400](#) – United States Ports of Entry Threat and Operational Review Act

Status: To be considered by the House on 9/4/18.

Summary: To require the Secretary of Homeland Security to conduct a threat and operational analysis of ports of entry, and for other purposes.

[H.R. 5576](#) – Cyber Deterrence and Response Act of 2018

Status: To be considered by the House on 9/5/18.

Summary: To address state-sponsored cyber activities against the United States, and for other purposes.

[H.R. 6691](#) – Community Security and Safety Act of 2018

Status: To be considered by the House this week.

Summary: To amend title 18, United States Code, to clarify the definition of “crime of violence”, and for other purposes.

Possible Consideration of Conference Report to Accompany [H.R. 5895](#) – Energy and Water, Legislative



Branch, and Military Construction and Veterans Affairs Appropriations Act, 2019

Status: To be considered by the House this week.

Summary: This bill provides FY2019 appropriations for several federal agencies. The bill includes 3 of the 12 regular FY2019 appropriations bills: the Energy and Water Development and Related Agencies Appropriations Act, 2019; the Legislative Branch Appropriations Act, 2019; and the Military Construction, Veterans Affairs, and Related Agencies Appropriations Act, 2019.

*Additional legislative items may be considered.

Senate:

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

S. 2680 - Opioid Crisis Response Act of 2018

Status: Possible consideration in the Senate this week.

Summary: To address the opioid crisis. (Legislative vehicle to include a package of bills to address the opioid epidemic.)

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.

Nothing affecting the law enforcement or homeland security communities.

Legislation Considered Last Week

House:

The House was not in session.

Senate:

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

Status: Confirmed by the Senate on 8/28



Legislation Introduced Last Week

Date Introduced	Bill Number	Sponsor	Description
9/5/2018	HR 6702	Gus Bilirakis (R-FL-12)	DEA Enforcement and Authority Act of 2018 - To clarify the congressional intent behind the requirements relating to immediate suspension orders and corrective action plans under the Controlled Substances Act that were added by the Ensuring Patient Access and Effective Drug Enforcement Act of 2016.
9/5/2018	S 3409	Bill Nelson (D-FL)	A bill to allow veterans to use, possess, or transport medical marijuana and to discuss the use of medical marijuana with a physician of the Department of Veterans Affairs as authorized by State law, and for other purposes.
9/4/2018	HR 6697	David Kustoff (R-TN-8)	Restoring the Armed Career Criminal Act - To amend title 18, United States Code, relating to sentencing of armed career criminals.
9/4/2018	S 3405	Ron Johnson (R-WI)	A bill to reauthorize the Chemical Facility Anti-Terrorism Standards Program of the Department of Homeland Security.
8/31/2018	HR 6692	Anthony Brown (D-MD-4)	To require the Secretary of Homeland Security to use alternatives to detention for certain vulnerable immigrant populations, and for other purposes.
8/31/2018	HR 6691	Karen Handel (R-GA-6)	Community Safety and Security Act of 2018 - To amend title 18, United States Code, to clarify the definition of "crime of violence", and for other purposes.



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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

September 2018

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October 2018

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■ Senate in Session

■ House & Senate in Session

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