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WEEKLY UPDATE

January 28 - February 1, 2019

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Previous Updates:

- [FY 2018 Omnibus](#)
- [FY 2019 Budget Summary](#)
- [FY 2018 FEMA Grants](#)
- [FY2017 FEMA Grants](#)
- [Weekly 1/22/19](#)
- [Weekly 1/14/19](#)
- [Weekly 1/7/19](#)
- [Weekly 1/2/19](#)
- [Weekly 12/17/18](#)

Latest News

- The House and Senate were in session this week, with the House considering multiple homeland security related bills, including several bills relevant to fusion centers and DHS engagement with state/local LE. Additionally, the Senate Intelligence Committee held a hearing on worldwide threats to the U.S. Next week, the Senate Judiciary Committee is expected to vote on the nomination of Bill Barr to be the next Attorney General.
- **2019 ONDCP National Drug Control Strategy** - The Office of National Drug Control Policy released its national drug control policy this week. The strategy seeks to reduce the size of the drug-using population, reduce barriers to treatment services, and drastically reduce the availability of these drugs. You can view the strategy [here](#).
- **BJS Study on Firearms** - The Bureau of Justice Statistics recently released a report on the use of firearms involved in crimes. The study showed that approximately 287,400 prisoners possessed a firearm during their offense, including 6 percent who had stolen the weapon, 7 percent found it at a crime scene, 43 percent obtained it off the street or on the black market, and more than 25 percent had received it from a family member or friend, or as a gift. You can view the report [here](#).
- **CLIENT IN THE SPOTLIGHT** - The ability to gather critical data and share information is key to bringing down crime. The use of speech to text systems (S2T) to automatically record and monitor inmate phone calls, proactively flag calls with keywords, and alert investigator when potential criminal activity is taking place is an important component to preventing criminal activity. We are proud to work with [LEO Technologies](#), which provides S2T services and is successfully being used by the Jefferson County (Alabama) Metro Area Crime Center to bring down robberies, burglaries, and car break ins. You can read more about the success in Jefferson County [here](#).
- **ARTICLES OF INTEREST:**
KEY FEDERAL COURT DECISION ON SUSPICIOUS ACTIVITY REPORTING (SAR)
Ninth Circuit Upholds Use of Feds' Terror-Reporting Tool
Courthouse News Service | Nicholas Iovino
The Ninth Circuit on Tuesday upheld the government's use of a terror-reporting tool that critics say puts innocent Americans on a watch list just for being Muslim or engaging in innocuous activities like taking photos in public. A unanimous three-judge panel held that "reasonable suspicion" is not required to share information about people suspected of engaging in terrorism-linked activities because suspicions are not "the product of investigation" subject to a higher standard. **Continue reading [here](#).**

**Owners of Sweet Leaf dispensary chain sentenced to a year in prison for illegal marijuana distribution****The Denver Post | Sam Tabachnik**

In a landmark case involving licensed Colorado marijuana retailers, the owners of the shuttered Sweet Leaf dispensary chain each were sentenced to one year in prison Friday for their role in selling large quantities of pot to the same customers in the same day. Christian Johnson, Matthew Aiken and Anthony Sauro each pleaded guilty in Denver District Court to violating the Colorado Organized Crime Act and illegally selling and distributing marijuana. Their plea deals stipulated one year in prison, followed by one year of mandatory parole and one year probation, to be served concurrently. **Continue reading [here](#).**

Oregon marijuana regulators fail to meet even basic standards, state audit finds**The Oregonian | Noelle Crombie**

Oregon's marijuana program has failed to keep up with mandatory inspections, its weak testing system threatens to expose consumers to contaminants and regulators have done little to address black market diversion, according to an unsparing new audit from the Secretary of State released Wednesday. The audit represents the first detailed examination of Oregon's regulation of the legal cannabis market since voters said yes to legalization in 2014, when supporters promised that state oversight would rein in an industry that had flourished for decades in the underground market.

Continue reading [here](#).**254-pound fentanyl seizure sets record at Nogales border crossing****Arizona Republic | Rafael Carranza**

Customs officers stationed at the commercial border crossing in Nogales made the largest fentanyl seizure ever recorded at any port of entry in the United States the day after President Donald Trump signed a bill putting an end to the longest government shutdown in history. According to U.S. Customs and Border Protection, a canine officer alerted other officers to the presence of 254 pounds of fentanyl hidden inside an 18-wheeler carrying cucumbers, during a secondary inspection at the Mariposa port of entry just past noon on Saturday. **Continue reading [here](#).**

Hearings & Markups Happening This Week

Senate Intelligence Committee - Full Committee Hearing

[Worldwide Threats](#)

January 29 @ 9:30 am - 216 Hart

Senate Judiciary Committee - [Full Committee Markup](#) - January 29[Nomination of William Pelham Barr, to be Attorney General](#)**Status:** Held over by the Judiciary Committee on 1/29.Senate Indian Affairs Committee - [Full Committee Markup](#) - January 29[S. 207](#) - **A bill to enhance tribal road safety, and for other purposes****Status:** Approved by the Senate Indian Affairs Committee on 1/29.**Summary:** A bill to enhance tribal road safety, and for other purposes.[S. 210](#) - **A bill to amend the Tribal Law and Order Act of 2010 and the Indian Law Enforcement Reform Act to provide for advancement in public safety services to Indian communities, and for other purposes.****Status:** Approved by the Senate Indian Affairs Committee on 1/29.**Summary:** A bill to amend the Tribal Law and Order Act of 2010 and the Indian Law Enforcement Reform Act to provide for advancement in public safety services to Indian communities, and for other purposes.[S. 211](#) - **A bill to amend the Victims of Crime Act of 1984 to secure urgent resources vital to Indian victims of crime, and for other purposes.**



Status: Approved by the Senate Indian Affairs Committee on 1/29.

Summary: A bill to amend the Victims of Crime Act of 1984 to secure urgent resources vital to Indian victims of crime, and for other purposes.

Legislation on the Floor This Week

House:

H.R. 502 – FIND Trafficking Act

Status: Approved by the House on 1/28.

Summary: This bill directs the Government Accountability Office (GAO) to report on the use of virtual currencies and online marketplaces in sex and drug trafficking. The GAO must study topics including how illicit proceeds are transferred into the U.S. banking system, state and non-state actors that participate in such activity, preventative efforts from federal and state agencies, and the extent to which the unique characteristics of virtual currencies can contribute to the tracking and prosecution of illicit funding.

H.R. 56 – Financial Technology Protection Act

Status: Approved by the House on 1/28.

Summary: This bill provides for the investigation of new financial technologies (e.g., digital currencies) and their use in terrorism and other illicit activities. The bill establishes the Independent Financial Technology Task Force to Combat Terrorism and Illicit Financing, which must research terrorist and illicit use of new financial technologies and issue an annual report. The bill directs the Department of the Treasury to provide a reward for a person who provides information leading to the conviction of an individual involved with terrorist use of digital currencies. The bill establishes the FinTech Leadership in Innovation and Financial Intelligence Program to support the development of tools and programs to detect terrorist and illicit use of digital currencies.

H.R. 424 – Department of Homeland Security Clearance Management and Administration Act

Status: Approved by the House on 1/29.

Summary: This bill directs the Department of Homeland Security (DHS) to require that the designation of the sensitivity level of national security positions be conducted in a consistent manner in all DHS components and offices. The bill requires DHS (1) by July 6, 2019, and every five years thereafter, to review all sensitivity level designations of national security positions at DHS; (2) if it determines that a change in the sensitivity level is warranted, to administratively adjust access and complete an appropriate level periodic reinvestigation; and (3) to report on such positions requiring access to classified information, no longer requiring access, or requiring a different level of access. DHS must submit annual reports, through FY2024, on the denials, suspensions, revocations, and appeals of an individual's eligibility for access to classified information. DHS must (1) develop a plan to achieve greater uniformity regarding the adjudication of eligibility of an individual for access to classified information that is consistent with the Adjudicative Guidelines for Determining Access to Classified Information, and (2) ensure that all information received for such adjudication is consistent with such guidelines and is protected against misappropriation. The plan shall consider the establishment of an internal appeals panel responsible for final national security clearance denial and revocation determinations.

H.R. 495 - FIRST State and Local Law Enforcement Act

Status: Approved by the House on 1/29/19

Summary: This bill requires the Department of Homeland Security's Office for State and Local Law Enforcement to report annually on its activities.

H.R. 428 - Homeland Security Assessment of Terrorists' Use of Virtual Currencies Act

Status: Approved by the House on 1/29/19

Summary: This bill directs the Department of Homeland Security's Office of Intelligence and Analysis to assess the threat posed by individuals using virtual currencies to support terrorism. The assessment shall be shared with state, local, and trib-



al law enforcement officials.

H.R. 504 – DHS Field Engagement Accountability Act

Status: Approved by the House on 1/29/19

Summary: This bill requires the Department of Homeland Security (DHS) to develop and update at least once every five years a strategy for DHS engagement with fusion centers. The Office of Intelligence and Analysis of DHS shall provide personnel and support to fusion centers, publish performance metrics for DHS field personnel assigned to fusion centers, and develop and implement training for fusion center personnel. DHS intelligence and information components shall develop policies and metrics to ensure effective use of the unclassified Homeland Security Information Sharing Network and shall assess and implement enhancements to improve such network.

H.R. 449 - Pathways to Improving Homeland Security at the Local Level Act

Status: Approved by the House on 1/29/19

Summary: This bill requires the Department of Homeland Security's Office for State and Local Law Enforcement to produce and disseminate an annual catalog of training opportunities, programs, and services that are available to state, local, and tribal law enforcement agencies.

H.R. 769 - Counterterrorism Advisory Board Act of 2019

Status: Approved by the House on 1/29/19

Summary: This bill establishes in the Department of Homeland Security (DHS) a board to coordinate and integrate DHS's intelligence, activities, and policy related to its counterterrorism mission and functions. The board shall: (1) advise the Secretary of DHS on the issuance of terrorism alerts, and (2) meet on a regular basis to discuss intelligence and coordinate ongoing threat mitigation efforts and departmental activities. The board's charter shall direct it to focus on the current threat environment and the importance of aligning departmental counterterrorism activities under the Secretary's guidance. The Secretary shall appoint a Coordinator for Counterterrorism within DHS who shall serve as the chair of the board and report on the board's status and activities.

Senate:

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

Nothing affecting the law enforcement or homeland security communities.

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:

H.J.Res. 28 - Further Additional Continuing Appropriations Act

Status: Signed by the President on 1/25; Approved by the House on 1/25; Approved by the Senate on 1/25.

Summary: This joint resolution provides continuing FY2019 appropriations to several federal agencies through the earlier of February 15, 2019, or the enactment of the applicable appropriations legislation.

**[H.R. 648](#) - Consolidated Appropriations Act, 2019**

Status: Approved by the House on 1/23.

Summary: Funds the six of the remaining seven FY 2019 appropriations bills (excludes DHS) with the negotiated spending levels and provisions from last year through the end of the current fiscal year.

[H.J.Res. 31](#) - Making further continuing appropriations for the Department of Homeland Security for fiscal year 2019, and for other purposes.

Status: Conference Committee held on 1/30; Approved by the Senate on 1/25; Approved by the House on 1/24.

Summary: This joint resolution provides continuing FY2019 appropriations for the Department of Homeland Security (DHS) through the earlier of February 15, 2019, or the enactment of the applicable appropriations legislation.

[Senate:](#)**[H.R. 268](#) - Supplemental Appropriations Act of 2019**

Status: Both amendments failed to gain the 60 votes needed to move debate forward.

Summary: Two amendments in the nature of a substitute will be considered, 1) negotiated remaining FY 2019 appropriations bills to include border security funding and DACA extension, and an emergency supplemental for disaster assistance, 2) Continuing Resolution with an emergency supplemental for disaster assistance through February 8.

[H.J.Res. 28](#) - Further Additional Continuing Appropriations Act

Status: Signed by the President on 1/25; Approved by the House on 1/25; Approved by the Senate on 1/25.

Summary: This joint resolution provides continuing FY2019 appropriations to several federal agencies through the earlier of February 15, 2019, or the enactment of the applicable appropriations legislation.

[H.J.Res. 31](#) - Making further continuing appropriations for the Department of Homeland Security for fiscal year 2019, and for other purposes.

Status: Conference Committee held on 1/30; Approved by the Senate on 1/25; Approved by the House on 1/24.

Summary: This joint resolution provides continuing FY2019 appropriations for the Department of Homeland Security (DHS) through the earlier of February 15, 2019, or the enactment of the applicable appropriations legislation.



Legislation Introduced Last Week

Date Introduced	Bill Number	Sponsor	Description
1/25/2019	HR 796	Garret Graves (R-LA-6)	To provide appropriations to secure the southern border of the United States, and for other purposes.
1/25/2019	S 230	Ron Wyden (D-OR)	A bill to require a report on foreign nationals who flee from the United States while awaiting trial or sentencing for a criminal offense committed in the United States, to establish a list of countries who have assisted or facilitated with such departures, to penalize parties connected to such departures, and to amend the Internal Revenue Code of 1986 to prohibit the exclusion from gross income from certain investments made by foreign governments who are identified on such list.
1/25/2019	S 227	Lisa Murkowski (R-AK)	A bill to direct the Attorney General to review, revise, and develop law enforcement and justice protocols appropriate to address missing and murdered Indians, and for other purposes.
1/24/2019	HR 777	Carolyn Maloney (D-NY-12)	To reauthorize programs authorized under the Debbie Smith Act of 2004.
1/24/2019	HR 775	Steve King (R-IA-4)	To provide that silencers be treated the same as firearms accessories.
1/24/2019	HR 758	French Hill (R-AR-2)	To provide a safe harbor for financial institutions that maintain a customer account or customer transaction at the request of a Federal or
1/24/2019	HR 747	David Roe (R-TN-1)	To direct the Secretary of Veterans Affairs to conduct and support research on the efficacy and safety of medicinal cannabis, and for
1/24/2019	HR 744	John Katko (R-NY-24)	To provide States with funding to establish new tools to prevent suicide and violence, and for other purposes.
1/24/2019	HR 743	John Katko (R-NY-24)	To establish a Commission on Securing our Nation's Children, and for other purposes.
1/24/2019	S 211	John Hoeven (R-ND)	A bill to amend the Victims of Crime Act of 1984 to secure urgent resources vital to Indian victims of crime, and for other purposes.
1/24/2019	S 207	John Barrasso (R-WY)	A bill to enhance tribal road safety, and for other purposes.
1/24/2019	S 202	Mike Lee (R-UT)	A bill to provide that silencers be treated the same as firearms acces-
1/23/2019	HR 719	Anthony Brown (D-MD-4)	To require certain semiautomatic pistols manufactured, imported, or sold by Federal firearms licensees to be capable of microstamping ammunition, and to prohibit the removal, obliteration, or alteration of the microstamped code or microstamping capability of a firearm.
1/23/2019	HR 717	Anthony Brown (D-MD-4)	To amend title 18, United States Code, to prohibit a Federal firearms licensee from selling or delivering certain semiautomatic centerfire rifles to a person under 21 years of age, with exceptions for active duty military personnel and full-time law enforcement officers, and for other purposes.
1/23/2019	HR 712	Luis Correa (D-CA-46)	To direct the Secretary of Veterans Affairs to carry out a clinical trial of the effects of cannabis on certain health outcomes of adults with chronic pain and post-traumatic stress disorder, and for other pur-



1/22/2019	HR 705	John Katko (R-NY-24)	To authorize the Administrator of the Transportation Security Administration to utilize the security service fee to pay Transportation Security officer salaries during a lapse in appropriations for the Transportation Security Administration, and for other purposes.
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Our government relations practice helps clients advance critical policy priorities with Congress, federal agencies, and state legislatures. Our Capitol Hill experience and track record of successful advocacy for public safety causes is unmatched. Our business strategy consulting practice enables companies to connect innovative products and services with market needs. Through decades of service we have built a deep network of relationships at the local, state, and federal levels.

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Upcoming Events/Conferences

[National Narcotic Officers' Associations' Coalition 2019 DC Conference](#)
February 3-6—Washington, DC

[Major County Sheriffs of America & Major Cities Chiefs Association 2019 Joint Winter Conference](#)
February 12-14—Washington, DC

[Mid-Atlantic Regional Gang Investigators Network - 13th Annual Gang Training Conference](#)
March 3-6—Hanover, MD

[Association of State Criminal Investigative Agencies 2019 Spring Conference](#)
May 5-8—Gulf Shores, AL

[Major County Sheriffs of America 2019 Summer Conference](#)
June 12-14—Louisville, KY

January 2019

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February 2019

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Senate in Session

House & Senate in Session

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