

February 11 - 15, 2019

Inside This Issue:

Highlighted Issues	1
This Week's Hearings/Markups	2
Legislation on the Floor	4
Previous Hearings/Markups	5
Previous Floor Actions	6
Introduced Legislation	7
Upcoming Events	11

Previous Updates:

- [Congressional Leadership](#)
- [FY 2019 Omnibus \(Coming Soon\)](#)
- [FY 2018 FEMA Grants](#)
- [Weekly 2/4/19](#)
- [Weekly 1/28/19](#)
- [Weekly 1/22/19](#)
- [Weekly 1/14/19](#)
- [Weekly 1/7/19](#)

Sheriffs & Chiefs Go To Washington

- The Major County Sheriffs of America and the Major Cities Chiefs Association held their biennial joint winter conference in Washington, DC this week. The National Sheriffs Association met earlier in the week. Congratulations to the newly elected MCSA board members, including Sheriff Peter Koutoujian as Vice President, and Sheriff Mike Chapman as Vice President of Homeland Security.



MCSA President Sheriff Grady Judd introducing President Donald Trump.



Sheriff Bouchard, Congressman Pascrell, Congressman Rutherford, Sheriff Judd, and Sheriff Koutoujian

The Conference had an impressive lineup of speakers including President Donald Trump, Acting Attorney General Matthew Whitaker, FBI Director Chris Wray, Homeland Security Secretary Kirstjen Nielsen, and Senators Ron Johnson and Sheldon Whitehouse. Sheriffs also received an in-depth after action report of the Marjory Stoneman Douglas shooting by Sheriff Bob Gaultieri. Congressman John Rutherford of Florida and Bill Pascrell of New Jersey received MCSA's Legislator of the Year award.

Brooks Bawden Moore's Laura Cooper worked closely with MCSA Executive Director Kim Wagner, members of sheriffs' staffs, and Major Cities Chiefs staff to help organize a high caliber lineup of speakers and conference. Laura also presented the legislative update on the important issues pending before Congress affecting the law enforcement community.

Latest News

- The House and Senate were in session this week, with both chambers approving a compromise omnibus appropriations bill which funds nine federal departments and dozens of agencies including the Departments of Justice and Homeland Security. The bill includes \$329.6 million (topline of \$423.5 million) for Byrne JAG, a \$10 million cut from FY 2018, \$640 million for the Urban Area Security Initiative, a \$10 million increase, and \$525 million for the State Homeland Security Grant, an \$18 million increase. Additionally, the bill includes \$37 million for RISS. The agreement also includes \$1.375 billion for border secu-



rity, short of the \$5.7 billion the President requested. In response, the President declared a state of emergency on the southern border on Friday and immediately directed \$8 billion to construct or repair as many as 234 miles of a border barrier. The emergency declaration will likely face a court challenge. A comprehensive review of the spending bill will be issued next week.

- The Senate also confirmed the nomination of William Barr to be the next Attorney General. Barr was [sworn in](#) on Thursday. The Senate Homeland Security Committee approved multiple bills this week, including legislation that would require a strategy for DHS engagement with fusion centers. Additionally, the House Financial Services Committee held a hearing on permitting access to banking services to the marijuana industry, and the House Judiciary Committee approved legislation requiring background checks for all gun sales.
- **Addressing Mental Illness in Jails** - The COPS Office recently released a publication in partnership with the Major County Sheriffs of America and the National Commission on Correctional Health Care identifying best practices that local law enforcement can employ to reduce the arrest and incarceration of people living with mental illness in their jurisdictions. You can view that publication [here](#).
- **Spring Edition of The Coalition** - The 2019 spring 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 September forum, and articles on other important issues affecting drug enforcement. You can read the Spring 2019 magazine [here](#).
- **House & Senate Leaders** - Leadership positions within the House and Senate have been selected including the Chairmen and Ranking Members of key committees affecting the homeland security and law enforcement communities. You can find a list of those leaders [here](#).

- **ARTICLES OF INTEREST:**

Kamala Harris calls for marijuana legalization: 'I think it gives a lot of people joy'
Politico | Katie Galioto

Sen. Kamala Harris called for the legalization of marijuana at a federal level in a Monday morning interview, making her the latest 2020 contender to weigh in on an issue that has become front-and-center as the presidential campaign season begins. "Half my family's from Jamaica," the California Democrat said, laughing when asked to respond to those who think she's opposed to legalizing recreational use of the drug. "Are you kidding me?" **Continue reading [here](#).**

CDC blames spike in teen tobacco use on vaping, popularity of Juul

CNBC | Angelica LaVito

The Centers for Disease Control and Prevention is blaming nicotine vaping devices like Juul for single-handedly driving a spike in tobacco use among teens, threatening to erase years of progress curbing youth use. Over the course of a year, the number of high school students using tobacco products, which include e-cigarettes, increased by about 38 percent, the CDC found in its annual National Youth Tobacco Survey released Monday. That translates to about 27 percent of high school teens using tobacco products in 2018, the CDC said. **Continue reading [here](#).**

Hearings & Markups Happening This Week

Senate HELP Committee - Full Committee Hearing

[Managing Pain During the Opioid Crisis](#)

February 12 @ 10:00 - 4:30 Dirksen

House Judiciary Committee - [Full Committee Markup](#) - February 13 @ 10:00 am



[H.R. 8](#) - Bipartisan Background Checks Act of 2019

Status: Approved by the House Judiciary Committee on 2/13

Summary: To require a background check for every firearm sale.

[H.R. 1112](#) - Enhanced Background 5 Checks Act of 2019

Status: Approved by the House Judiciary Committee on 2/13.

Summary: To amend chapter 44 of title 18, United States Code, to strengthen the background check procedures to be followed before a Federal firearms licensee may transfer a firearm to a person who is not such a licensee.

Senate Homeland Security & Governmental Affairs Committee - [Full Committee Markup](#) - February 13 @ 10:00

[Nomination of Ronald D. Vitiello](#) to be Assistant Secretary for Immigration and Customs Enforcement, DHS

Status: Held over

[S. 380](#) - Guidance Out Of Darkness Act

Status: Approved by the Senate Homeland Security Committee on 2/13.

Summary: A bill to increase access to agency guidance documents.

[S. 195](#) - Access to Congressionally Mandated Reports Act

Status: Approved by the Senate Homeland Security Committee on 2/13.

Summary: To require the Director of the Government Publishing Office to establish and maintain a website accessible to the public that allows the public to obtain electronic copies of all congressionally mandated reports in one place, and for other purposes.

[S. 406](#) - Federal Rotational Cyber Workforce Program Act of 2019

Status: Approved by the Senate Homeland Security Committee on 2/13.

Summary: A bill to establish a Federal rotational cyber workforce program for the Federal cyber workforce.

[S. 315](#) - DHS Cyber Hunt and Incident Response Teams Act of 2019

Status: Approved by the Senate Homeland Security Committee on 2/13.

Summary: To authorize cyber hunt and incident response teams at the Department of Homeland Security, and for other purposes.

[S. 333](#) - National Cybersecurity Preparedness Consortium Act of 2019

Status: Approved by the Senate Homeland Security Committee on 2/13.

Summary: A bill to authorize the Secretary of Homeland Security to work with cybersecurity consortia for training, and for other purposes.

[S. 387](#) - Fair Chance Act

Status: Approved by the Senate Homeland Security Committee on 2/13.

Summary: A bill to prohibit Federal agencies and Federal contractors from requesting that an applicant for employment disclose criminal history record information before the applicant has received a conditional offer, and for other purposes.

[H.R. 504](#) - DHS Field Engagement Accountability Act

Status: Approved by the Senate Homeland Security Committee on 2/13.

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 term "fusion center" means a collaborative effort of two or more government agencies that combines resources, expertise, or information to maximize the ability of such agencies to detect, prevent, investigate, apprehend, and respond to criminal or terrorist activity. 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.

House Homeland Security Committee - Full Committee Hearing
[Defending Our Democracy: Building Partnerships to Protect America's Elections](#)
February 13 @ 10:00 am - 310 Cannon

House Financial Services Committee - Consumer Protection and Financial Institutions Subcommittee Hearing
[Challenges and Solutions: Access to Banking Services for Cannabis-Related Businesses](#)
February 13 @ 2:00 pm - 2128 Rayburn

Legislation on the Floor This Week

House:

[H.R. 1065](#) - Social Media Use in Clearance Investigations Act of 2019

Status: Approved by the House on 2/11.

Summary: This legislation directs the Office of Management and Budget to report on the examination of social media activity during security clearance investigations.

[H.R. 995](#) - Settlement Agreement Information Database Act of 2019

Status: Approved by the House on 2/13.

Summary: This legislation would require the text of settlement agreements involving federal agencies would have to be posted online. The measure would apply to any agency settlements, including consent decrees, that relate to alleged violations of federal law.

[H.J.Res. 31](#) – Making consolidated appropriations for the fiscal year ending September 30, 2019

Status: Presented to the President on 2/15; Approved by the House on 2/14; Approved by the Senate on 2/14.

Bill Text [here](#)

Joint Explanatory Statement [here](#)

Summary: The bill funds nine federal departments and dozens of agencies including the Departments of Justice and Homeland Security. The bill includes \$329.6 million (topline of \$423.5 million) for Byrne JAG, a \$10 million cut from FY 2018, \$640 million for the Urban Area Security Initiative, a \$10 million increase, and \$525 million for the State Homeland Security Grant, an \$18 million increase. Additionally, the bill includes \$37 million for RISS. The agreement also includes \$1.375 billion for border security, short of the \$5.7 billion the President requested.

Senate:

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

[S.Res. 36](#) - National Trafficking and Modern Slavery Prevention Month

Status: Approved by the Senate on 2/12.

Summary: A resolution supporting the observation of National Trafficking and Modern Slavery Prevention Month during the period beginning on January 1, 2019, and ending on February 1, 2019, to raise awareness of, and opposition to, human trafficking and modern slavery.

[Nomination of William Pelham Barr](#), to be Attorney General

Status: Confirmed by the Senate on 2/14; Approved by the Senate Judiciary Committee on 2/7; Held over by the Judiciary Committee on 1/29.

**[H.J.Res. 31](#) – Making consolidated appropriations for the fiscal year ending September 30, 2019**

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[S. 488](#) - Justice for Victims of Lynching Act of 2019

Status: Approved by the Senate on 2/14.

Summary: To amend title 18, United States Code, to specify lynching as a deprivation of civil rights, and for other purposes.

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.

House Judiciary Committee - Full Committee Hearing - February 6

[Preventing Gun Violence: A Call to Action](#)

Summary: This hearing examined gun policy and explored various gun control measures. Houston Police Chief Art Acevedo urged Congress to act on the issue of gun violence, and urged to committee to approve legislation expanding mental health provisions, universal background checks and "red flag" legislation.

Senate Judiciary Committee - [Full Committee Markup](#) - February 7

[Nomination of William Pelham Barr, to be Attorney General](#)

Status: Approved by the Senate Judiciary Committee on 2/7; Held over by the Judiciary Committee on 1/29.

House Energy & Commerce Committee - Oversight Subcommittee Hearing - February 7

[Examining the Failures of the Trump Administration's Inhumane Family Separation Policy](#)

Summary: This hearing looked at the Administration's policy of separating migrant children from their parents. Democrats on the committee sought answers from HHS officials on how many children were separated, and the extent of HHS's involvement with the development of the separation policy. HHS testified that they played no role in the development of the policy. Additionally, members of the committee also called for more transparency on the extent of the situation and requested regular updates.

House Judiciary Committee - Full Committee Hearing - February 8

[Oversight of the U.S. Department of Justice](#)

Summary: This oversight hearing of the Department of Justice focused heavily on the Mueller Russia investigation, with Democrats asking Acting Attorney General Whitaker about his decision not to recuse himself from overseeing the investigation, and his discussions with the White House about the investigation. Additionally, AAG Whitaker was asked about the situation on the southern border, the Administrations actions to address the border concerns, and the concerns with migrant children crossing the border.



Legislation Considered Last Week

House:

[H.R. 494](#) - Tiffany Joslyn Juvenile Accountability Block Grant Program Reauthorization Act of 2019

Status: Approved by the House on 2/7.

Summary: To amend the Omnibus Crime Control and Safe Streets Act of 1968 to reauthorize the Juvenile Accountability Block Grant program, and for other purposes.

[H.R. 450](#) - Preventing Crimes Against Veterans Act of 2019

Status: Approved by the House on 2/7.

Summary: To amend title 18, United States Code, to provide an additional tool to prevent certain frauds against veterans, and for other purposes.

[H.R. 507](#) - Put Trafficking Victims First Act of 2019

Status: Approved by the House on 2/7.

Summary: To direct the Attorney General to study issues relating to human trafficking, and for other purposes.

[H.R. 752](#) - Open Book on Equal Access to Justice Act

Status: Approved by the House on 2/7.

Summary: To amend titles 5 and 28, United States Code, to require the maintenance of databases on awards of fees and other expenses to prevailing parties in certain administrative proceedings and court cases to which the United States is a party, and for other purposes.

Senate:

Nothing affecting the law enforcement or homeland security communities.



Legislation Introduced Last Week

Date Introduced	Bill Number	Sponsor	Description
2/8/2019	HR 1121	Buddy Carter (R-GA-1)	To amend title III of the Social Security Act to permit States to conduct substance abuse risk assessments and targeted drug testing as a condition for the receipt of unemployment benefits, and for other purposes.
2/8/2019	HR 1120	Earl Blumenauer (D-OR-3)	Marijuana Revenue and Regulation Act - To amend the Internal Revenue Code of 1986 to provide for the taxation and regulation of marijuana products, and for other purposes.
2/8/2019	HR 1119	Earl Blumenauer (D-OR-3)	To amend the Controlled Substances Act to reduce the gap between Federal and State marijuana policy, and for other purposes.
2/8/2019	HR 1116	Robin Kelly (D-IL-2)	To amend chapter 44 of title 18, United States Code, to prohibit the sale or other disposition of a firearm to, and the possession, shipment, transportation, or receipt of a firearm by, certain classes of high-risk individuals.
2/8/2019	HR 1115	Robin Kelly (D-IL-2)	To amend the Consumer Product Safety Act to remove the exclusion of pistols, revolvers, and other firearms from the definition of consumer product in order to permit the issuance of safety standards for such articles by the Consumer Product Safety Commission.
2/8/2019	HR 1114	Robin Kelly (D-IL-2)	To require the Surgeon General of the Public Health Service to submit to Congress an annual report on the effects of gun violence on public health.
2/8/2019	HR 1112	James Clyburn (D-SC-6)	To amend chapter 44 of title 18, United States Code, to strengthen the background check procedures to be followed before a Federal firearms licensee may transfer a firearm to a person who is not such a licensee.
2/8/2019	HR 1110	Vicky Hartzler (R-MO-4)	To amend the Omnibus Crime Control and Safe Streets Act of 1968 to include an additional permissible use of amounts provided as grants under the Byrne JAG program, and for other purposes.
2/7/2019	HR 1106	Lee Zeldin (R-NY-1)	To amend the Immigration and Nationality Act to provide that individuals who naturalized under title III of that Act, who are affiliated with a criminal gang, are subject to revocation of citizenship, and for other purposes.
2/7/2019	HR 1100	Chris Smith (R-NJ-4)	To direct the Attorney General to make grants to States that have in place laws that expand the protections offered to victims of sex offenses who are not in a familiar or dating relationship with the perpetrators of such offenses.
2/7/2019	HR 1098	Jim Sensenbrenner (R-WI-5)	To gather information about the illicit production of illicit fentanyl in foreign countries and to withhold bilateral assistance from countries that do not have emergency scheduling procedures for new illicit drugs, cannot prosecute criminals for the manufacture or distribution of controlled substance analogues, or do not require the registration of tableting machines and encapsulating machines.
2/7/2019	HR 1097	Bobby Scott (D-VA-3)	To amend title 18, United States Code, to prevent unjust and irrational criminal punishments.



2/7/2019	HR 1090	Elanor Holmes Norton (D-DC-AL)	To extend to the Mayor of the District of Columbia the same authority over the National Guard of the District of Columbia as the Governors of the several States exercise over the National Guard of those States with respect to administration of the National Guard and its use to respond to natural disasters and other civil disturbances, while ensuring that the President retains control of the National Guard of the District of Columbia to respond to homeland defense emergencies.
2/7/2019	HR 1065	Stephen Lynch (D-MA-8)	Social Media Use in Clearance Investigations Act of 2019 - This bill directs the Office of Management and Budget to report on the examination of social media activity during security clearance investigations.
2/7/2019	HR 1062	Joaquin Castro (D-TX-20)	To authorize the Secretary of Homeland Security to work with cybersecurity consortia for training, and for other purposes.
2/7/2019	HR 1039	Denver Riggleman (R-VA-5)	To streamline requirements for currency transaction reports and suspicious activity reports, and for other purposes.
2/7/2019	HR 1037	Denver Riggleman (R-VA-5)	To increase transparency with respect to financial services benefiting state sponsors of terrorism, human rights abusers, and corrupt officials, and for other purposes.
2/7/2019	S 429	Amy Klobuchar (D-MN)	A bill to require the establishment of exchange programs relating to cybersecurity positions between the private sector and certain Federal agencies, and for other purposes.
2/7/2019	S 425	Joe Manchin (D-WV)	A bill to amend the Internal Revenue Code of 1986 to establish a stewardship fee on the production and importation of opioid pain relievers, and for other purposes.
2/7/2019	S 424	Joe Manchin (D-WV)	A bill 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.
2/7/2019	S 423	Joe Manchin (D-WV)	A bill to provide for the sealing of records relating to Federal nonviolent criminal offenses related to substance use disorders, and for other purposes.
2/7/2019	S 421	Ron Wyden (D-OR)	A bill to amend the Controlled Substances Act to reduce the gap between Federal and State marijuana policy, and for other purposes.
2/7/2019	S 420	Ron Wyden (D-OR)	Marijuana Revenue and Regulation Act - To amend the Internal Revenue Code of 1986 to provide for the taxation and regulation of marijuana products, and for other purposes.
2/7/2019	S 419	Joe Manchin (D-WV)	A bill to require the Food and Drug Administration to revoke the approval of one opioid pain medication for each new opioid pain medication approved.
2/7/2019	S 415	Amy Klobuchar (D-MN)	A bill to provide immigration status for certain battered spouses and children.
2/7/2019	S 413	Amy Klobuchar (D-MN)	A bill to amend the Omnibus Crime Control and Safe Streets Act of 1968 to promote behavioral health crisis response training among law enforcement officers.
2/7/2019	S 412	Martin Heinrich (D-NM)	A bill to provide a pay incentive for border patrol agents to complete emergency medical technician and paramedic training, to ensure that language interpretation services are available at all U.S. Border Patrol stations, and for other purposes.



2/7/2019	S 411	Margaret Wood Has- san (D-NH)	A bill to establish a Counterterrorism Advisory Board, and for other purposes.
2/7/2019	S 410	Catherine Cortez Mas- to (D-NV)	A bill to require the Comptroller General of the United States to carry out a study on how virtual currencies and online marketplaces are used to buy, sell, or facilitate the financing of goods or services associated with sex trafficking or drug trafficking, and for other purposes.
2/7/2019	S 406	Gary Peters (D-MI)	A bill to establish A Federal rotational cyber workforce program for the Federal cyber workforce.
2/7/2019	S 404	Martin Heinrich (D- NM)	A bill to require the Commissioner of the U.S. Customs and Border Protection to acquire and enhance technology and assets in rural or remote areas near the southern border and to establish an Agent Mobility Demonstration Program.
2/7/2019	S 402	Patty Murray (D-WA)	A bill to plan, develop, and make recommendations to increase access to sexual assault examinations for survivors by holding hospitals accountable and supporting the providers that serve them.
2/7/2019	S 400	Pat Toomey (R-PA)	A bill to gather information about the illicit production of illicit fentanyl in foreign countries and to withhold bilateral assistance from countries that do not have emergency scheduling procedures for new illicit drugs, cannot prosecute criminals for the manufacture or distribution of controlled substance analogues, or do not require the registration of tableting machine and encapsulating machines.
2/7/2019	S 399	Rand Paul (R-KY)	A bill to amend title 18, United States Code, to prevent unjust and irrational criminal punishments.
2/7/2019	S 388	Kamala Harris (D-CA)	A bill to reduce the ability of the U.S. Immigration and Customs Enforcement to engage in inappropriate civil immigration enforcement actions that harm unaccompanied alien children and to ensure the safety and welfare of unaccompanied alien children.
2/6/2019	HR 1013	Adriano Espaillat (D-NY -13)	To require agents and officers of U.S. Immigration and Customs Enforcement and U.S. Customs and Border Protection to wear body cameras, and for other purposes.
2/6/2019	S 351	Cindy Hyde-Smith (R- MS)	A bill to prohibit Federal funding of State firearm ownership databases, and for other purposes.
2/5/2019	HR 973	Debbie Dingell (D-MI- 12)	To amend the Public Health Service Act to provide for additional programs funded by grants to strengthen the healthcare system's response to domestic violence, dating violence, sexual assault, and stalking, and for other purposes.
2/5/2019	HR 971	Katherine Clark (D-MA- 5)	AVERT Future Gun Violence Act of 2019 - To amend title 18, United States Code, to prohibit the possession of a firearm by, or the disposition of a firearm to, a person who has been convicted of a misdemeanor crime of animal cruelty.
2/5/2019	HR 968	Gwen Moore (D-WI-4)	To prohibit the use of Federal funds to build a wall along the southern border, and for other purposes.
2/5/2019	S 336	Jon Tester (D-MT)	A bill to direct the Comptroller General of the United States to submit a report on the response of law enforcement agencies to reports of missing or murdered Indians.
2/5/2019	S 333	John Cornyn (R-TX)	A bill to authorize the Secretary of Homeland Security to work with cybersecurity consortia for training, and for other purposes.



2/5/2019	SRes 44	Amy Klobuchar (D-MN)	A resolution raising awareness and encouraging the prevention of stalking by designating January 2019 as "National Stalking Awareness Month".
2/4/2019	HR 960	Scott Perry (R-PA-10)	To allow certain grants to be used for the purpose of assisting victims of female genital mutilation, to classify the offense of female genital mutilation as a part II crime for purposes of the Uniform Crime Reports, and for other purposes.
2/4/2019	HR 959	Scott Perry (R-PA-10)	Protect our Girls Act of 2019 - To amend title 18, United States Code, to provide that traveling interstate or causing another to travel interstate for the purpose of female genital mutilation is prohibited, and for other purposes.
2/4/2019	HR 952	Eliot Engel (D-NY-16)	Armor-Piercing Bullets Act of 2019 - To enact into law a framework for deciding whether certain projectiles are "primarily intended for sporting purposes" for purposes of determining whether the projectiles are armor piercing ammunition.
2/4/2019	S 320	Dick Durbin (D-IL)	SECURE Firearm Storage Act - To amend title 18, United States Code, to require federally licensed firearms importers, manufacturers, and dealers to meet certain requirements with respect to securing their firearms inventory, business records, and business premises.



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Brooks Bawden Moore, LLC is a team of experienced professionals who serve as trusted advisors to law enforcement, homeland security, and intelligence practitioners and solution providers.

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Upcoming Events/Conferences

[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

[4th Annual 21st Century Drug & Violence Prevention Training Conference and Marijuana Symposium](#)
March 17-19—Atlantic City, NJ

[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

February 2019

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March 2019

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Senate in Session

House & Senate in Session

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