

BROOKS BAWDEN MOORE LLC

WEEKLY UPDATE

May 14 - 18, 2018

BROOKS BAWDEN MOORE

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Latest News

- **Brooks Bawden Moore Update** - The Brooks Bawden team is excited to welcome Chief Chris Moore as a partner. With his addition, we are changing our name to Brooks Bawden Moore, LLC. Chris brings deep public safety experience and policy knowledge, and a strong nationwide network of relationships that will expand the support we are able to provide to our clients and partners. You can view the announcement [here](#).
- This week we celebrate National Police Week, with the House and Senate in session, and the House considering multiple law enforcement related bills, including legislation to provide greater penalties against individuals who target law enforcement for physical harm. Additionally, the Senate Judiciary Committee has scheduled a markup to consider multiple bills to address the opioid epidemic, and the House Homeland Security Committee will hold a markup on multiple bills. During Police Week, law enforcement officials from around the country came to D.C. to honor the law enforcement profession and remember the fallen. You can view President Trump's prepared remarks from the memorial service [here](#), and Vice President Pence's remarks [here](#). You can view AG Sessions remarks from the Candlelight Vigil [here](#), and his Police Week message [here](#).



Sheriff Richard Stanek & Sheriff Michael Bouchard meeting with AG Sessions during Police Week.



Sheriff Michael Bouchard meeting with House Minority Whip Steny Hoyer.

- **Fiscal Year 2019 Appropriations** - The House and Senate are moving through the appropriations process, with the House Appropriations Committee marking up the Commerce, Justice, Science Appropriations bill on Thursday. The Senate Appropriations Committee has released their tentative schedule of marking up their bills, with the hopes of moving all twelve bills through the Committee by July 4th. The CJS Appropriations bill is tentatively scheduled for the week of June 11-15, and the Homeland Security and Financial Services (ONDCP included within Fin. Serv.) bills to be marked up the week of June 18-22.

In other Appropriations Committee news, due to the resignation of Congressman Charlie Dent (R-PA), there will be a reshuffling of chairmanships for subcommittees on the House Appropriations Committee. Congressman John Carter (R-TX) who has served as the Homeland Security Subcommittee Chairman will move over to the Military Construction-VA Subcommittee, and Congressman Kevin Yoder (R-KS) will take over as Chairman of the Homeland Security Subcommittee.

Previous Updates:

- [FY 2018 Omnibus](#)
- [FY 2019 Budget Summary](#)
- [Shutdown Guidance](#)
- [FY2017 FEMA Grants](#)
- [Weekly 5/7/18](#)
- [Weekly 4/30/18](#)
- [Weekly 4/16/18](#)
- [Weekly 4/9/18](#)
- [Weekly 4/2/18](#)



- **Opioid Grant Announcement** - The Comprehensive Opioid Abuse Site-based Program FY 2018 Competitive Grant Announcement was recently released, seeking applications designed to support our nation's first responders and provide for the needs of crime victims; support diversion programs for non-violent individuals who abuse illicit and prescription opioids; implement and enhance prescription drug monitoring programs; promote cross-system planning and coordination of service delivery; and reduce the incidence of fatal overdoses associated with opioid use. The application **deadline is June 7**. You can find more information [here](#).
- **LEADS Scholarships for Law Enforcement Officers** - NIJ and IACP's Law Enforcement Advancing Data and Science Scholarships for Law Enforcement Officers is now accepting applications for the 2018 class of LEADS scholars. The LEADS Scholars program supports mid-career law enforcement officers committed to using research to inform policy and practice. The submission **deadline is June 8**. You can find more information [here](#).
- **Supreme Court Sports Betting Ruling** - This week, the U.S. Supreme Court ruled that the Federal ban on sports betting was unconstitutional. This now permits the states to regulate sports betting as they see fit. In response to the ruling, Sheriff Michael Bouchard stated, "I've worked on issues of gaming as a state legislator and issues of illegal gambling as a sheriff. The Major County Sheriffs of America (MCSA) has been at the table working with the American Sports Betting Coalition since day 1 to enhance public safety and allow states to make their own decisions about bringing sports betting out of the shadows. This ruling lifts the handcuffs off the states to empower local law enforcement with tools to regulate and enforce state laws on gaming issues." You can find more information from the American Sports Betting Coalition [here](#).
- **NASSLEO 49th Annual Conference** - The National Association of School Safety and Law Enforcement Officials will be holding their 49th annual conference June 30 - July 3 in Melville New York. The conference will provide an opportunity to share best practices, networking capabilities and professional development for those tasked with or interested in safety and security in a school or a school district. You can find more information [here](#).

- **ARTICLES OF INTEREST:**

Trump-backed prison reforms face major obstacles in Senate

The Hill | Jordain Carney

A prison reform plan considered a top priority for Jared Kushner is running into headwinds in the Senate. The White House-backed bill got a boost of momentum after it passed out of the House Judiciary Committee with bipartisan support. The vote came after Republicans agreed to drop some of the conservative provisions that Democrats objected to. But key members of the Senate are deadlocked about how to approach the bill, threatening the chances of it getting signed into law. The central players in the drama are Sens. Chuck Grassley (R-Iowa), who chairs the Judiciary Committee, and Sen. Dick Durbin (Ill.), a member of the panel and the No. 2 Senate Democrat. **Continue reading [here](#).**

Supreme Court strikes down ban on sports betting in victory for New Jersey

USA Today | Richard Wolf

New Jersey won a landmark ruling from the Supreme Court on Monday that could lead many states to legalize betting on college and professional sports. The justices declared unconstitutional a law passed by Congress a quarter century ago that forced states to keep sports gambling bans on the books. The 6-3 decision clears the way for other states to join Nevada in allowing bets to be placed on individual games. Justice Samuel Alito, a New Jersey native, wrote the court's opinion in the case. Justices Ruth Bader Ginsburg and Sonia Sotomayor dissented, and Justice Stephen Breyer dissented in part. "Congress can regulate sports gambling directly, but if it elects not to do so, each state is free to act on its own," Alito said. "Our job is to interpret the law Congress has enacted and decide whether it is consistent with the Constitution." **Continue reading [here](#).**

Broward not doing enough to fix police radios if another mass shooting occurs

Sun Sentinel | Larry Barszewski

Not enough has been done to make sure Broward County's public safety radio system won't run into problems if there's another mass casualty, the father of a Parkland shooting victim told county commissioners Tuesday. A crush of



radio traffic from responding officers led to communication problems during the Fort Lauderdale airport shooting in January 2017 and again as units responded to the massacre at Marjory Stoneman Douglas High School in February. Max Schachter, whose son Alex was one of 17 killed at Stoneman Douglas, said the county knew back in 2016 that the Motorola-operated system needed to be upgraded, but didn't put in place temporary fixes to improve operations. He said it was inexcusable that the situation didn't change after the deadly shootings at the airport, where five were killed, and then at the high school, where 17 were also injured. **Continue reading [here](#).**

Police more reluctant to shoot blacks than whites, study finds

The Washington Times | Valerie Richardson

In the most sweeping study of its kind, police were more reluctant to shoot black suspects than their white counterparts, contradicting the widely accepted "racist cop" narrative driving movements such as Black Lives Matter. Instead, the Washington State University research, which was conducted before the 2014 shooting of Michael Brown in Ferguson, Missouri, lends support to previous studies pointing to a "reverse racism" phenomenon in policing. "We need to move beyond the post-Ferguson atmosphere where all use of force against a racial/ethnic minority person is considered biased and unreasonable until proven otherwise," concluded the study, published in the May edition of the academic journal *Criminology & Public Policy*. "We need to move beyond this atmosphere that leads officers to put their lives in danger to avoid the significant-to-dire consequences of using force even when it is justified," the report said.

Continue reading [here](#).

Hearings & Markups Happening This Week

Senate Homeland Security Committee - Full Committee Hearing
[Authorities and Resources Needed to Protect and Secure the United States](#)
May 15 @ 2:30 pm - 342 Dirksen

Senate Appropriations Committee - Legislative Branch Subcommittee Hearing
[FY2019 Budget Request for Senate Sergeant at Arms & U.S. Capitol Police](#)
May 15 @ 4:00 pm - 138 Dirksen

House Homeland Security Committee - [Full Committee Markup](#) - May 16 @ 10:00 am - HVC 210

[H.R. 4627](#) - Shielding Public Spaces from Vehicular Terrorism Act

Status: To be marked-up by the House Homeland Security Committee on 5/16.

Summary: To amend the Homeland Security Act of 2002 to authorize expenditures to combat emerging terrorist threats, including vehicular attacks, and for other purposes.

[H.R. 4991](#) - Supporting Research and Development for First Responders Act

Status: To be marked-up by the House Homeland Security Committee on 5/16.

Summary: To amend the Homeland Security Act of 2002 to establish the National Urban Security Technology Laboratory, and for other purposes.

[H.R. 5206](#) - Office of Biometric Identity Management Authorization Act of 2018

Status: To be marked-up by the House Homeland Security Committee on 5/16.

Summary: To amend the Homeland Security Act of 2002 to establish the Office of Biometric Identity Management, and for other purposes.

[H.R. 5207](#) - Immigration Advisory Program Authorization Act of 2018

Status: To be marked-up by the House Homeland Security Committee on 5/16.

Summary: To amend the Homeland Security Act of 2002 to establish the immigration advisory program, and for other purposes.

**[H.R. 5730](#) - Transportation Security Technology Innovation Reform Act of 2018**

Status: To be marked-up by the House Homeland Security Committee on 5/16.

Summary: To require testing and evaluation of advanced transportation security screening technologies related to the mission of the Transportation Security Administration, and for other purpose.

[H.R. 5731](#) - Securing Our Schools Act

Status: To be marked-up by the House Homeland Security Committee on 5/16.

Summary: To require the Department of Homeland Security to develop a strategy to secure elementary schools, secondary schools, and institutions of higher education from acts of terrorism, active shooters, and other homeland security threats, and for other purposes.

[H.R. 5733](#) - DHS Industrial Control Systems Capabilities Enhancement Act of 2018

Status: To be marked-up by the House Homeland Security Committee on 5/16.

Summary: To amend the Homeland Security Act of 2002 to provide for the responsibility of the National Cybersecurity and Communications Integration Center to maintain capabilities to identify threats to industrial control systems, and for other purposes.

[H.R. 5762](#) - Joint Task Force to Combat Opioid Trafficking Act of 2018

Status: To be marked-up by the House Homeland Security Committee on 5/16.

Summary: To amend the Homeland Security Act of 2002 to authorize a Joint Task Force to enhance integration of the Department of Homeland Security's border security operations to detect, interdict, disrupt, and prevent narcotics, such as fentanyl and other synthetic opioids, from entering the United States, and for other purposes.

[H.R. 5766](#) - Securing Public Areas of Transportation Facilities Act of 2018

Status: To be marked-up by the House Homeland Security Committee on 5/16.

Summary: To improve the security of public areas of transportation facilities, and for other purposes

Senate Judiciary Committee - Full Committee Hearing

[Cambridge Analytica and the Future of Data Privacy](#)

May 16 @ 10:00 am - 226 Dirksen

House Financial Services Committee - Terrorism & Illicit Financing Subcommittee Hearing

[Implementation of FinCEN's Customer Due Diligence Rule](#)

May 16 @ 10:00 am - 2128 Rayburn

Senate Appropriations Committee - CJS Subcommittee Hearing

[FY2019 Budget Request for the Federal Bureau of Investigation](#)

May 16 @ 2:30 pm - 138 Dirksen

Senate Appropriations Committee - Homeland Security Subcommittee Hearing

[Role of DHS in Stopping the Flow of Opioids, Methamphetamines, & Other Dangerous Drugs](#)

May 16 @ 2:30 pm - 192 Dirksen

House Appropriations Committee - [Full Committee Markup](#) - May 17 @ 10:00 am - 2118 Rayburn

[H.R. XXXX](#) - FY 2019 Commerce, Justice, and Science Appropriations Act

Status: To be marked-up by the House Appropriations Committee on 5/17. Approved by the CJS Subcommittee on 5/9/18.

Summary: Making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2019, and for other purposes. This draft legislation includes \$441.5 million for Byrne JAG before carveouts, \$22.5 million for bulletproof vests, \$130 million for various DNA initiatives, \$380 million for the opioid initiatives, and \$40 million for RISS. Additionally, it does not move the HIDTA program to DOJ.



Committee Report Draft: [here](#)

Senate Judiciary Committee - [Full Committee Markup](#) - May 17 @ 10:00 am - 226 Dirksen

[S. 2645](#) - Access to Increased Drug Disposal Act of 2018

Status: To be considered by the Senate Judiciary Committee on 5/7/18.

Summary: To establish a demonstration program under which the Drug Enforcement Administration provides grants to certain States to enable those States to increase participation in drug take-back programs.

[S. 2535](#) - Opioid Quota Reform Act

Status: To be considered by the Senate Judiciary Committee on 5/7/18.

Summary: To amend the Controlled Substances Act to strengthen Drug Enforcement Administration discretion in setting opioid quotas.

[S. 2789](#) - Substance Abuse Prevention Act

Status: To be considered by the Senate Judiciary Committee on 5/7/18.

Summary: To prevent substance abuse and reduce demand for illicit narcotics. Reauthorizes ONDCP, DFC, HIDTA, and other programs.

[S. 207](#) - Synthetic Abuse and Labeling of Toxic Substances Act of 2017

Status: To be considered by the Senate Judiciary Committee on 5/7/18.

Summary: This bill amends the Controlled Substances Act to set forth factors that may be considered as evidence to determine whether a controlled substance analogue is intended for human consumption. (Under current law, a controlled substance analogue that is intended for human consumption is treated as a schedule I controlled substance. A schedule I controlled substance is a drug, substance, or chemical that: has a high potential for abuse; has no currently accepted medical value; and is subject to regulatory controls and administrative, civil, and criminal penalties under the Controlled Substances Act.)

S. XXXX - Using Data to Prevent Opioid Diversion Act of 2018

Status: To be considered by the Senate Judiciary Committee on 5/7/18.

Summary: To be released shortly.

S. XXXX - Preventing Drug Diversion Act of 2018

Status: To be considered by the Senate Judiciary Committee on 5/7/18.

Summary: To be released shortly.

House Oversight Committee - Full Committee Hearing

[A Sustainable Solution to the Evolving Opioid Crisis: Revitalizing the Office of National Drug Control Policy](#)

May 17 @ 10:30 am - 2154 Rayburn

House Judiciary Committee - [Full Committee Markup](#) - May 17 @ 11:00 am - 2141 Rayburn

[H.R. 2561](#) - POLICE Act of 2017

Status: To be considered by the House Judiciary Committee on 5/17/18.

Summary: This bill amends the federal criminal code to modify the restriction on possessing a firearm or other dangerous weapon in a federal facility. Specifically, the prohibition does not apply to the lawful carrying of agency-issued firearms and dangerous weapons by a uniformed law enforcement officer in certain publicly accessible federal facilities.



Legislation on the Floor This Week

House:

[H.R. 613](#) - Lieutenant Osvaldo Albarati Correctional Officer Self-Protection Act of 2017

Status: To be considered in the House on 5/15/18; Approved by the House Judiciary Committee on 4/27/17.

Summary: This bill amends the federal criminal code to require the Bureau of Prisons (BOP) to allow a correctional officer at a federal prison or correctional institution to: (1) store firearms on BOP premises in a secure storage area outside the security perimeter of the institution or in a vehicle lockbox, and (2) carry a concealed firearm on BOP premises outside the security perimeter of the institution.

[H.R. 4854](#) - Justice Served Act of 2018

Status: To be considered in the House on 5/15/18.

Summary: This bill amends the DNA Analysis Backlog Elimination Act of 2000 to add, as a purpose area under the Debbie Smith DNA Backlog Grant Program, increasing the capacity of prosecutors to address the backlog of violent crime cases involving suspects identified through DNA evidence. The Department of Justice (DOJ) must allocate a specified percentage of grant funds for such purpose, subject to limitations. Additionally, of amounts made available over FY2019-FY2022 for a DNA analysis and capacity enhancement program and for other forensic activities, DOJ must allocate at least 5% for grants to prosecute cold cases involving violent crime, where suspects have been identified through DNA evidence.

[H.R. 5242](#) - School Resource Officer Assessment Act of 2018

Status: To be considered in the House on 5/15/18.

Summary: To require the Attorney General and the Secretary of Education to conduct a survey of all public schools to determine the number of school resource officers at such schools.

[H.Res. 285](#) - Expressing the sense of the United States House of Representatives that Congress and the President should empower the creation of police and community alliances designed to enhance and improve communication and collaboration between members of the law enforcement community and the public they serve.

Status: To be considered in the House on 5/15/18.

Summary: Expresses the sense of Congress that Congress and the President should create police and community alliances to enhance and improve communication and collaboration between the law enforcement community and the public.

[H.R. 1417](#) - National Law Enforcement Museum Exhibits Act

Status: To be considered in the House on 5/15/18; Approved by the House Natural Resources Committee on 1/17/18.

Summary: This bill amends the National Law Enforcement Museum Act to permit the National Law Enforcement Museum in Washington, DC, to acquire, receive, possess, collect, ship, transport, import, and display firearms in fulfilling the Museum's purposes.

[H.R. 5698](#) - Protect and Serve Act of 2018

Status: To be considered by the House on 5/16/18; Approved by the House Judiciary Committee on 5/9/18.

Summary: Anyone convicted of intentionally harming or killing, or attempting to harm or kill, a police officer would face 10 years to life in prison under this legislation. The measure would impose a maximum of 10 years in prison for anyone who knowingly causes or attempts to cause serious bodily harm to a police officer. The bill would allow life sentences if the officer died from the offense or if it involved kidnapping or attempted murder.

Senate:

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

- Potential legislation in support of the law enforcement community could be considered by unanimous consent in honor of National Police Week.



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 Homeland Security Committee - [Full Committee Business Meeting](#) - May 7
[Nomination of Christopher C. Krebs](#), to be Under Secretary, National Protection and Programs Directorate,
U.S. Department of Homeland Security
Status: Approved by the Senate Homeland Security Committee on 5/7/18.

House Judiciary Committee - Full Committee Hearing - May 8
[Challenges and Solutions in the Opioid Abuse Crisis](#)
Summary: This hearing examined best practices in combating opioid drug trafficking. Acting Administrator Patterson discussed what the DEA is doing to combat the opioid epidemic, what they are doing to identify and target prescribers and pharmacies who have raised red flags with their prescribing or distribution practices, and the temporary scheduling of fentanyl. Members of the committee also asked numerous questions concerning medical marijuana and general questions on it being a Schedule I drug and the ability to conduct research on it. Additionally, Administrator Patterson discussed the drug take-back initiatives and the success that they have had with getting unused and old prescriptions off the streets.

House E&C Committee - Oversight Subcommittee Hearing - May 8
[Combating the Opioid Epidemic: Examining Concerns About Distribution and Diversion](#)
Summary: This hearing covered a number of issues to combat the current opioid epidemic including reporting requirements, suspicious order monitoring systems, pill mills, and drug pricing issues. Witnesses were asked whether their companies hold any responsibility with the current crisis, and while they responded that they believe that their companies have acted responsibly and conducted themselves to the rules and regulations that existed, some of the witnesses stated that they would have operated differently if they knew what they know now. Witnesses were also asked about what the DEA does with suspicious order information, and their overall interaction with DEA. One witnesses stated that their interaction has become more collaborative in recent years, and they hope it continues. Additionally, witnesses also stated that in the past, they missed red flags in part due to the lack of automated systems and updated information, which has now significantly improved.

House Veterans Affairs Committee - [Full Committee Markup](#) - May 8
[H.R. 5520 - VA Medicinal Cannabis Research Act of 2018](#)
Status: Approved by the House VA Committee on 5/8.
Summary: To authorize the Secretary of Veterans Affairs to use the authority of the Secretary to conduct and support research on the efficacy and safety of medicinal cannabis, and for other purposes.

[H.R. 3832 - Veterans Opioid Abuse Prevention Act](#)
Status: Approved by the House VA Committee on 5/8.
Summary: To direct the Secretary of Veterans Affairs to enter into a memorandum of understanding with the executive director of a national network of State-based prescription monitoring programs under which Department of Veterans Affairs health care providers shall query such network, and for other purposes.

House E&C Committee - Health Subcommittee Hearing - May 8
[Improving the Coordination and Quality of Substance Use Disorder Treatment](#)
Summary: This hearing examined the quality of care for substance abuse treatment programs. Members of the committee discussed the need to maintain patient privacy, ensuring access to care, and breaking stigmas around substance abuse disorders. Additionally, there is a need to treat a patients substance abuse disorder records similarly as other medical records, and encourage the sharing of a disorder with doctors to avoid an addiction during treatment for another medical condition.



Senate Appropriations Committee - Homeland Security Subcommittee Hearing - May 8

[FY 2019 funding request and budget justification for the U.S. Department of Homeland Security](#)

Summary: This hearing heard from Secretary Nielsen on the Department of Homeland Security's FY 2019 budget request. Secretary Nielsen received numerous questions regarding the Administration's position on separating families crossing at the southwest border. Secretary Nielsen stated that DHS would refer all illegal border crossers for prosecution, which means separating parents from children. Some Senator's expressed concerns with DHS detaining pregnant women, with Secretary Nielsen explaining that repeat offenders who enter the U.S. illegally, or those who have been charged with other crimes are detained pursuant to the law. There were numerous other questions on immigration issues and the proposed wall at the hearing. Secretary Nielsen was also asked what the department is doing to secure our election systems, and how they are providing support for state's to secure there election systems.

House Judiciary Committee - [Full Committee Markup](#) - May 9

[H.R. 5698](#) - Protect and Serve Act of 2018

Status: Approved by the House Judiciary Committee on 5/9.

Summary: To amend title 18, United States Code, to punish criminal offenses targeting law enforcement officers, and for other purposes.

[H.R. 5682](#) - Formerly Incarcerated Reenter Society Transformed Safely Transitioning Every Person Act (FIRST STEP Act)

Status: Approved by the House Judiciary Committee on 5/9.

Summary: To provide for programs to help reduce the risk that prisoners will recidivate upon release from prison, and for other purposes.

House Appropriations Committee - [CJS Subcommittee Markup](#) - May 9

[H.R. XXXX](#) - FY 2019 Commerce, Justice, and Science Appropriations Act

Status: Approved by the House CJS Appropriations Subcommittee on 5/9.

Summary: Making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2019, and for other purposes. This draft legislation includes \$441.5 million for Byrne JAG before carveouts, \$22.5 million for bulletproof vests, \$130 million for various DNA initiatives, \$380 million for the opioid initiatives, and \$40 million for RISS. Additionally, it does not move the HIDTA program to DOJ.

House Energy & Commerce Committee - [Full Committee Markup](#) - May 9

[H.R. 449](#) - Synthetic Drug Awareness Act of 2017

Status: Approved by the House E&C Committee on 5/9.

Summary: This bill requires the Surgeon General to report to Congress on the public health effects of the increased use since January 2010 by individuals who are 12 to 18 years old of drugs developed and manufactured to avoid control under the Controlled Substances Act (e.g., synthetic marijuana, also known as "spice," and synthetic amphetamines, also known as "bath salts").

[H.R. 5009](#) - Jessie's Law

Status: Approved by the House E&C Committee on 5/9.

Summary: To include information concerning a patient's opioid addiction in certain medical records.

[H.R. 5102](#) - Substance Use Disorder Workforce Loan Repayment Act of 2018

Status: Approved by the House E&C Committee on 5/9.

Summary: This bill amends the Public Health Service Act to create a loan repayment program for individuals who complete a period of service in a substance use disorder treatment job in a mental health professional shortage area or a county where the drug overdose death rate is higher than the national average. The substance use disorder treatment job must be a full-time position where the primary intent and function is the direct care of patients with or in recovery from a substance use disorder. Individuals must enter into an agreement of service of up to six years with the Health Resources and Services Administration. The repayment program shall pay one-sixth of the



principal and interest on any eligible loan for each year of service; the maximum total amount of repayment by the program is \$250,000 per individual.

[H.R. 5176](#) - Preventing Overdoses While in Emergency Rooms Act of 2018

Status: Approved by the House E&C Committee on 5/9.

Summary: To require the Secretary of Health and Human Services to provide coordinated care to patients who have experienced a non-fatal overdose after emergency room discharge, and for other purposes.

[H.R. 5197](#) - Alternatives to Opioids (ALTO) in the Emergency Department Act

Status: Approved by the House E&C Committee on 5/9.

Summary: To direct the Secretary of Health and Human Services to conduct a demonstration program to test alternative pain management protocols to limit the use of opioids in emergency departments.

[H.R. 5261](#) - TEACH to Combat Addiction Act of 2018

Status: Approved by the House E&C Committee on 5/9.

Summary: To amend the Public Health Service Act to provide for regional centers of excellence in substance use disorder education, and for other purposes.

[H.R. 5272](#) - Reinforcing Evidence-Based Standards Under Law in Treating Substance Abuse Act of 2018

Status: Approved by the House E&C Committee on 5/9.

Summary: To ensure that programs and activities that are funded by a grant, cooperative agreement, loan, or loan guarantee from the Department of Health and Human Services, and whose purpose is to prevent or treat a mental health or substance use disorder, are evidence-based.

[H.R. 5327](#) - Comprehensive Opioid Recovery Centers Act 2018

Status: Approved by the House E&C Committee on 5/9.

Summary: To amend title V of the Public Health Service Act to establish a grant program to create comprehensive opioid recovery centers, and for other purposes.

[H.R. 5353](#) - Eliminating Opioid-Related Infectious Diseases Act of 2018

Status: Approved by the House E&C Committee on 5/9.

Summary: To amend the Public Health Service Act to reauthorize and expand a program of surveillance and education, carried out by the Centers for Disease Control and Prevention, regarding infections associated with injection drug use.

[H.R. 3528](#) - Every Prescription Conveyed Securely Act

Status: Approved by the House E&C Committee on 5/9.

Summary: To amend title XVIII of the Social Security Act to require e-prescribing for coverage under part D of the Medicare program of prescription drugs that are controlled substances.

[H.R. 4841](#) - Standardizing Electronic Prior Authorization for Safe Prescribing Act

Status: Approved by the House E&C Committee on 5/9.

Summary: To amend title XVIII of the Social Security Act to provide for electronic prior authorization under Medicare part D for covered part D drugs, and for other purposes.

[H.R. 5582](#) - Abuse Deterrent Access Act of 2018

Status: Approved by the House E&C Committee on 5/9.

Summary: This bill requires the Centers for Medicare & Medicaid Services to report to Congress on the adequacy of access to abuse-deterrent opioid formulations for individuals with chronic pain enrolled in a prescription drug plan under Medicare or Medicare Advantage (MA). The report must account for any barriers preventing enrollees from accessing such formulations under Medicare or MA.



[H.R. 5675](#) - To amend title XVIII of the Social Security Act to require prescription drug plan sponsors under the Medicare program to establish drug management programs for at-risk beneficiaries

Status: Approved by the House E&C Committee on 5/9.

Summary: To amend title XVIII of the Social Security Act to require prescription drug plan sponsors under the Medicare program to establish drug management programs for at-risk beneficiaries.

[H.R. 5684](#) - Protecting Seniors from Opioid Abuse Act

Status: Approved by the House E&C Committee on 5/9.

Summary: To amend title XVIII of the Social Security Act to expand eligibility for medication therapy management programs established under part D of the Medicare program to include certain individuals who are at risk for prescription drug abuse.

[H.R. 3331](#) - To amend title XI of the Social Security Act to promote testing of incentive payments for behavioral health providers for adoption and use of certified electronic health record technology

Status: Approved by the House E&C Committee on 5/9.

Summary: This bill amends title XI (General Provisions) of the Social Security Act to specify that the Center for Medicare and Medicaid Innovation may test models to provide incentive payments to behavioral health providers for: (1) adopting electronic health records technology, and (2) using that technology to improve the quality and coordination of care.

[H.R. 5603](#) - Access to Telehealth Services for Opioid Use Disorders

Status: Approved by the House E&C Committee on 5/9.

Summary: To amend title XVIII of the Social Security Act to provide the Secretary of Health and Human Services authority to waive certain Medicare telehealth requirements in the case of certain treatment of an opioid use disorder or co-occurring mental health disorder.

[H.R. 4275](#) - Empowering Pharmacists in the Fight Against Opioid Abuse Act

Status: Approved by the House E&C Committee on 5/9.

Summary: This bill requires the Drug Enforcement Administration (DEA) to develop and disseminate training programs and materials on: (1) the circumstances under which a pharmacist may refuse to fill a controlled substance prescription suspected to be fraudulent, forged, or indicative of abuse or diversion; and (2) federal requirements related to such refusal. The DEA must seek input from relevant stakeholders.

[H.R. 5041](#) - Safe Disposal of Unused Medication Act

Status: Approved by the House E&C Committee on 5/9.

Summary: To amend the Controlled Substances Act to authorize the employees of a hospice program to handle controlled substances in the residence of a deceased hospice patient to assist in disposal.

[H.R. 5202](#) - Ensuring Patient Access to Substance Use Disorder Treatments Act of 2018

Status: Approved by the House E&C Committee on 5/9.

Summary: To amend the Controlled Substances Act to provide for the delivery of a controlled substance by a pharmacy to an administering practitioner.

[H.R. 5483](#) - Special Registration for Telemedicine Clarification Act of 2018

Status: Approved by the House E&C Committee on 5/9.

Summary: To impose a deadline for the promulgation of interim final regulations in accordance with section 311(h) of the Controlled Substances Act (21 U.S.C. 831(h)) specifying the circumstances in which a special registration may be issued to a practitioner to engage in the practice of telemedicine, and for other purposes.

[H.R. 5333](#) - the Over-the-Counter Monograph Safety, Innovation, and Reform Act of 2018

Status: Approved by the House E&C Committee on 5/9.



Summary: To amend the Federal Food, Drug, and Cosmetic Act to clarify the regulatory framework with respect to certain nonprescription drugs that are marketed without an approved new drug application, and for other purposes.

[H.R. 5473](#) - Better Pain Management Through Better Data Act of 2018

Status: Approved by the House E&C Committee on 5/9.

Summary: To direct the Secretary of Health and Human Services to update or issue one or more guidances addressing alternative methods for data collection on opioid sparing and inclusion of such data in product labeling, and for other purposes.

[H.R. 4284](#) - INFO Act of 2017

Status: Approved by the House E&C Committee on 5/9.

Summary: To establish a Federal Coordinator within the Department of Health and Human Services, and for other purposes.

[H.R. 5685](#) - Medicare Opioid Safety Education Act

Status: Approved by the House E&C Committee on 5/9.

Summary: This bill requires the Centers for Medicare & Medicaid Services to provide Medicare beneficiaries with educational resources regarding opioid use and pain management, as well as descriptions of covered alternative (non-opioid) pain-management treatments.

[H.R. 5686](#) - Medicare Clear Health Options in Care for Enrollees (CHOICE) Act

Status: Approved by the House E&C Committee on 5/9.

Summary: To amend title XVIII of the Social Security Act to require prescription drug plans under Medicare part D to include information on the adverse effects of opioid overutilization and of coverage of nonpharmacological therapies and nonopioid medications or devices used to treat pain.

[H.R. 5687](#) - Securing Opioids and Unused Narcotics with Deliberate Disposal and Packaging Act of 2018

Status: Approved by the House E&C Committee on 5/9.

Summary: To amend the Federal Food, Drug, and Cosmetic Act to require improved packaging and disposal methods with respect to certain drugs, and for other purposes.

Legislation Considered Last Week

House:

[H.R. 2152](#) - Citizens' Right to Know Act of 2017

Status: Approved by the House on 5/9/18.

Summary: This bill requires a state or local government that receives funds under a Department of Justice (DOJ) grant program and uses such funds for a pretrial services program to annually report the amount of funds received by the pretrial services program and certain information about participating defendants. DOJ must publish the information. Additionally, DOJ must reduce the grant allocation of a state or local government that fails to comply.

Senate:

Nothing affecting the law enforcement or homeland security community.



Legislation Introduced Last Week

Date Introduced	Bill Number	Sponsor	Description
5/11/2018	HR 5783	French Hill (R-AR-2)	To provide a safe harbor for financial institutions that maintain a customer account at the request of a Federal or State law enforcement agency.
5/11/2018	HR 5782	Tulsi Gabbard (D-HI-2)	To hold pharmaceutical companies accountable for illegal marketing and distribution of opioid products and for their role in creating and exacerbating the opioid epidemic in the United States.
5/11/2018	HR 5779	Erik Paulsen (R-MN-3)	To amend title XVIII of the Social Security Act to require the Secretary to establish a technical expert panel for purposes of evaluating the use of opioid-related quality measures under the Medicare program.
5/11/2018	HR 5778	Kenny Marchant (R-TX-24)	To amend title XVIII of the Social Security Act to provide for review and adjustment of payments under the Medicare outpatient prospective payment system to avoid financial incentives to use opioids instead of non-opioid alternative treatments, and for other purposes.
5/11/2018	HR 5777	Vern Buchanan (R-FL-16)	To direct the Secretary of Health and Human Services to make available on the Centers for Medicare & Medicaid Services website opioid prescribing guidance applicable to individuals entitled to benefits under part A or enrolled under part B of the Medicare program and update such guidance periodically.
5/11/2018	HR 5776	Richard Neal (D-MA-1)	To amend title XVIII to provide for Medicare coverage of certain services furnished by opioid treatment programs, and for other purposes.
5/11/2018	HR 5775	Erik Paulsen (R-MN-3)	To amend title XVIII of the Social Security Act to require Medicare Advantage plans and part D prescription drug plans to include information on the risks associated with opioids, coverage of certain nonopioid treatments used to treat pain, and on the safe disposal of prescription drugs, and for other purposes.
5/11/2018	HR 5774	Carlos Curbelo (R-FL-26)	To require the Secretary of Health and Human Services to develop guidance on pain management and opioid use disorder prevention for hospitals receiving payment under part A of the Medicare program, provide for opioid quality measures development, and provide for a technical expert panel on reducing surgical setting opioid use and data collection on perioperative opioid use, and for other purposes.
5/10/2018	HR 5770	Raul Ruiz (D-CA-36)	To direct the Attorney General to amend certain regulations so that practitioners may administer not more than 3 days' medication to a person at one time when administering narcotic drugs for the purpose of relieving acute withdrawal symptoms.
5/10/2018	HR 5769	Keith Rothfus (R-PA-12)	To amend title XVIII of the Social Security Act to expand access under the Medicare program to addiction treatment in Federally qualified health centers and rural health clinics.
5/10/2018	HR 5762	James Langevin (D-RI-2)	To amend the Homeland Security Act of 2002 to authorize a Joint Task Force to enhance integration of the Department of Homeland Security's border security operations to detect, interdict, disrupt, and prevent narcotics, such as fentanyl and other synthetic opioids, from entering the United States, and for other purposes.
5/10/2018	HR 5750	Steve King (R-IA-4)	To require the Secretary of Homeland Security to impose e-bonding requirements on certain nonimmigrant visa applicants, and for other purposes.



5/10/2018	S 2832	Kirsten Gillibrand (D-NY)	A bill to require the collection of data by officers enforcing United States laws and regulations, including at border security stops within United States borders, and for other purposes.
5/10/2018	S 2819	James Inhofe (R-OK)	A bill to require the Secretary of Veterans Affairs to report on opioid prescribing rates of physicians of the Veterans Health Administration and to conduct pain management training for those physicians with the highest rates of opioid prescribing.
5/10/2018	S 2812	Claire McCaskill (D-MO)	A bill to improve consumer protections for customers of air ambulance operators, and for other purposes.
5/9/2018	HR 5740	David Joyce (R-OH-14)	To amend the Food and Nutrition Act of 2008 to permit the State agency to disclose personal identifying information of a household member to a law enforcement officer who provides such member's household electronic benefit transfer card number for the purpose of apprehending such member who is fleeing to avoid prosecution, or custody or confinement after conviction, for a crime.
5/9/2018	HR 5736	Andy Barr (R-KY-6)	To amend the Public Health Service Act to establish a pilot program to help individuals in recovery from a substance use disorder transition from treatment to independent living and the workforce, and for other purposes.
5/9/2018	HR 5735	Andy Barr (R-KY-6)	To amend the United States Housing Act of 1937 to establish a demonstration program to set aside section 8 housing vouchers for supportive and transitional housing for individuals recovering from opioid use disorders or other substance use disorders, and for other purposes.
5/9/2018	HR 5731	Mike McCaul (R-TX-10)	To require the Department of Homeland Security to develop a strategy to secure elementary schools, secondary schools, and institutions of higher education from acts of terrorism, active shooters, and other homeland security threats, and for other purposes.
5/9/2018	HR 5730	John Katko (R-NY-24)	To require testing and evaluation of advanced transportation security screening technologies related to the mission of the Transportation Security Administration, and for other purpose.
5/9/2018	HR 5729	John Katko (R-NY-24)	To restrict the department in which the Coast Guard is operating from implementing any rule requiring the use of biometric readers for biometric transportation security cards until after submission to Congress of the results of an assessment of the effectiveness of the transportation security card program.
5/9/2018	HR 5725	Peter Roskam (R-IL-6)	To direct the Secretary of Health and Human Services to submit to Congress a report on the extent to which Medicare Advantage plans offered under part C of the Medicare program include supplemental health care benefits designed to treat or prevent substance use disorders.
5/9/2018	HR 5723	Claudia Tenney (R-NY-22)	To require the Medicare Payment Advisory Commission to report on opioid payment, adverse incentives, and data under the Medicare program.
5/9/2018	HR 5722	Jackie Walorski (R-IN-2)	To direct the Secretary of Health and Human Services to conduct a study and submit to Congress a report containing recommendation on how to improve the use of non-opioid treatments for acute and chronic pain management for individuals entitled to benefits under part A or enrolled under part B of the Medicare program, and for other purposes.



5/9/2018	HR 5719	Diane Black (R-TN-6)	To amend title XVIII of the Social Security Act to revise certain measures used under the Hospital Consumer Assessment of Healthcare Providers and Systems survey relating to pain management.
5/9/2018	HR 5718	Jason Smith (R-MO-8)	To provide for a technical expert panel to provide recommendations on reducing opioid use in the surgical setting and on best practices for pain management, and for other purposes.
5/9/2018	HR 5717	Susan Brooks (R-IN-5)	To authorize the Attorney General to make grants to States that have in place laws that authorize the seizure of firearms from dangerous individuals, and for other purposes.
5/9/2018	HR 5714	Diane Black (R-TN-6)	To amend title XVIII of the Social Security Act to require Medicare Advantage plans offered under part C of the Medicare program and prescription drug plans offered under part D of such program to provide information relating to the safe disposal of prescription drugs that are controlled substances to certain individuals enrolled under such plans.
5/8/2018	HR 5700	Susan Brooks (R-IN-5)	To amend the Communications Act of 1934 to direct the Federal Communications Commission to designate a national dialing short code for users of mobile voice service to reach public safety personnel in critical, but non-emergency, circumstances.
5/8/2018	HR 5699	Carlos Curbelo (R-FL-26)	To direct the Secretary of Health and Human Services to develop guidance on pain management and the prevention of opioid use disorder for hospitals receiving payment under part A of the Medicare program.
5/8/2018	HR 5698	John Rutherford (R-FL-4)	Protect and Serve Act of 2018 - To amend title 18, United States Code, to punish criminal offenses targeting law enforcement officers, and for other purposes.
5/7/2018	HR 5686	Erik Paulsen (R-MN-3)	To amend title XVIII of the Social Security Act to require prescription drug plans under Medicare part D to include information on the adverse effects of opioid overutilization and of coverage of nonpharmacological therapies and nonopioid medications or devices used to treat pain.
5/7/2018	HR 5685	John Faso (R-NY-19)	Medicare Opioid Safety Education Act of 2018 - This bill requires the Centers for Medicare & Medicaid Services to provide Medicare beneficiaries with educational resources regarding opioid use and pain management, as well as descriptions of covered alternative (non-opioid) pain-management treatments.
5/7/2018	HR 5684	Mike Kelly (R-PA-3)	Protecting Seniors From Opioid Abuse Act - To amend title XVIII of the Social Security Act to expand eligibility for medication therapy management programs established under part D of the Medicare program to include certain individuals who are at risk for prescription drug abuse.
5/7/2018	HR 5682	Doug Collins (R-GA-9)	To provide for programs to help reduce the risk that prisoners will recidivate upon release from prison, and for other purposes.
5/7/2018	S 2796	Jon Tester (D-MT)	A bill to authorize the Secretary of Veterans Affairs to use the authority of the Secretary to conduct and support research on the efficacy and safety of medicinal cannabis, and for other purposes.
5/7/2018	S 2795	John Cornyn (R-TX)	A bill to provide for programs to help reduce the risk that prisoners will recidivate upon release from prison, and for other purposes.



5/7/2018	S 2794	Orrin Hatch (R-UT)	A bill to make a deliberate, targeted attack on a law enforcement officer a crime, and for other purposes.
5/7/2018	S 2791	Jon Tester (D-MT)	A bill to amend the Higher Education Act of 1965 to provide grants for institutions of higher education to prevent substance abuse, and for other purposes.



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June 13 - 15 - New Orleans, LA

[National Association of School Safety and Law Enforcement Officials 49th Annual Conference](#)

June 30 - July 3 - Melville, NY

[National District Attorneys Association Summer Summit](#)

July 15 - 17 - Spokane, WA

[National Forum on Criminal Justice](#)

July 22 - 25 - Ft. Worth, TX

May 2018

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June 2018

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Senate in Session

House & Senate in Session

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