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WEEKLY UPDATE

June 18 - June 22, 2018

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Previous Updates:

- [FY 2018 Omnibus](#)
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Latest News

- The House and Senate are in session this week, with the Senate finishing work on the annual National Defense Authorization Act, and then moving on to consideration of their first package of Appropriations bills. There was also hearings this week on the recently released IG report on the FBI's handling of the investigation into Hillary Clinton's use of a private email server. The House considered a slew of bills to address the opioid epidemic, as well as multiple immigration bills. The House narrowly voted down a more hardline enforcement immigration measure on Thursday, and delayed a vote on a watered-down bill until next week. It is unlikely the Senate will consider a comprehensive immigration bill any time soon.



- **MCSA Conference** - The Major County Sheriffs of America (MCSA) held their annual summer conference in New Orleans, LA last week where they met over the course of two days and discussed current trends and challenges facing our nation's top law enforcement leaders. Brooks Bawden Moore's Director of Government Affairs, Laura Cooper, provided the membership with a congressional update and outlined the association's legislative priorities for 2018. Sheriff Mike Bouchard, Oakland County MI, was reelected as Vice President, Govt Affairs Chair (you can view his press release [here](#)), and Sheriff Dave Mahoney, Dane County WI, was reelected as Secretary.



The MCSA's next conference will be in conjunction with the Major Cities Chiefs Association (MCCA) in February 2019 in Washington, DC.

- **RISS Insider** - The latest RISS Insider is now available, with it's feature article: The Synergy of Partnerships: RISS, NAGIA, and NNOAC Working Together (by Matt McDonald, RISS National Coordinator). Highlighted in this issue is the WSIN Center: WSIN Human Trafficking Conference 2018. You can view the RISS Insider (2018-Issue 2) [here](#).
- **Cell Phone Location Records** - The U.S. Supreme Court on Friday ruled that law enforcement can't monitor an individual's movements for an extended period of time by tracking the location of cell phones without a warrant. The 5-4 decision was written by Chief Justice Roberts and continues the court's trend of restricting law enforcement access to high-precision location information. The ruling stressed however that this is a nar-





row decision that does not question conventional surveillance techniques and tools, such as security cameras. You can view the court's ruling [here](#).

- **ARTICLES OF INTEREST:**

- **DEA chief steps down, citing increasing challenges of temporary role**

The Washington Post | Devlin Barrett

The acting head of the Drug Enforcement Administration told staff Monday he is retiring, saying that running the agency as a temporary fill-in had become "increasingly challenging." Robert W. Patterson, who has worked at the DEA for 30 years, sent an email to employees Monday afternoon saying he will retire in about two weeks. Patterson said he "realized that the administrator of the DEA needs to decide and address priorities for years into the future — something which has become increasingly challenging in an acting capacity." His email was reviewed by The Washington Post.

Continue reading [here](#).

- **Supreme Court cracks down on government snooping through cellphone location records**

USA Today | Richard Wolf

The Supreme Court ruled Friday that the government cannot monitor people's movements for weeks or months by tracking the location of their mobile phones without a warrant. In a ruling that could have broad implications for privacy rights in the digital age, justices on both sides of the ideological spectrum said rapid advances in technology make decades-old rules on data privacy inadequate. It was another in a series of digital privacy verdicts issued by the high court, following rulings in recent years that police cannot use GPS equipment to track vehicles or search cellphones without a warrant. Continue reading [here](#).

- **Examining Opioids: Surgeon general wary of turning to marijuana as alternative to opioids**

Washington Examiner | Washington Examiner Staff

Surgeon General Jerome Adams said he was skeptical of medicinal marijuana as an alternative for pain. Adams said at the Washington Examiner's "Examining Opioids" event in Washington that the Food and Drug Administration needs to conduct further studies on the use of marijuana, which remains illegal under federal law. Continue reading [here](#).

- **Banks take on Sessions over legalized pot**

Politico | Zachary Warmbrodt

The nation's banks are taking on Attorney General Jeff Sessions over pot with a big lobbying push to loosen federal restrictions on the surging legalized marijuana industry. Emboldened by support from both President Donald Trump and Sen. Elizabeth Warren (D-Mass.) — two relentless foes on most other issues — top banking trade groups are pressing policymakers to make it easier for their members to serve cannabis businesses that are now legal in states like California and Colorado. Continue reading [here](#).

- **iPhones will share your exact location with 911**

CNN | Heather Kelly

Your smartphone knows your location well enough to send a car to where you're standing in a busy city, map a morning run through the woods, or navigate inside an airport. But if you call 911 from that same mobile phone, emergency responders will only have a vague sense of where to send an ambulance, fire truck, or police car. The difference in distances can be the difference between life and death. Continue reading [here](#).

- **School safety commission hears diverse views on influence of violence in media**

Education Dive | Linda Jacobson

Psychologists and researchers may be able to identify who is at risk for committing acts of school violence, but those assessments are still imprecise, L. Rowell Huesmann, a professor at the University of Michigan, told the Federal Commission on School Safety Thursday during a meeting focused on violence in the media, the role of video games and entertainment, and the impact of cyberbullying. "We're never going to be very good at predicting at a time who is going to shoot up a school," Huesmann told U.S. Secretary of Education Betsy DeVos, who chairs the commission, Attorney General Jeff Sessions, and representatives from the departments of Health and Human Services (HHS) and Homeland



Security (DHS). [Continue reading here.](#)

Hearings & Markups Happening This Week

Senate Judiciary Committee - Full Committee Hearing

[Examining the Inspector General's First Report on Justice Department and FBI Actions in Advance of the 2016 Presidential Election](#)

June 18 @ 2:00 pm - 216 Hart

Senate Appropriations Committee - [Homeland Security Subcommittee Markup](#) - June 19 @ 10:00 am - 124 Dirksen

[S. 3109 - FY 2019 Department of Homeland Security Appropriations Act](#)

Status: Approved by the Senate Appropriations Homeland Security Subcommittee on 6/19.

Summary: Provides funding for the Department of Homeland Security for fiscal year 2019. This legislation provides \$512 million for the State Homeland Security Grant Program, \$605 million for the Urban Area Security Initiative, and \$100 million for both the Port Security Grant Program and the Public Transportation Security Assistance program.

House Judiciary, & Oversight & Government Reform Committees - Full Committees Joint Hearing

[Oversight of the FBI and DOJ Actions in Advance of the 2016 Election](#)

June 19 @ 10:00 am - HVC 210

Senate Appropriations Committee - [Financial Services Subcommittee Markup](#) - June 19 @ 11:00 am - 138 Dirksen

[S. 3107 - FY 2019 Financial Services and General Government Appropriations Act](#)

Status: Approved by the Senate Appropriations Financial Services Subcommittee on 6/19.

Summary: This bill provides funding for the Office of National Drug Policy, and other agencies, and includes funding for the High Intensity Drug Trafficking Area program for FY 2019. This bill includes \$280 million for the HIDTA program and \$99 million for the Drug Free Communities program.

House Homeland Security Committee - Oversight Subcommittee Field Hearing

[Opioids in the Homeland: DHS Coordination with State and Local Partners to Fight the Epidemic](#)

June 19 @ 12:30 pm - Harrisburg, PA

House Ways & Means Committee - Oversight Subcommittee Hearing

[Internal Revenue Service and U.S. Department of Justice Efforts to Return Taxpayers' Seized Funds](#)

June 20 @ 10:00 am - 1100 Longworth

House Appropriations Committee - [Full Committee Markup](#) - June 20 @ 10:00 am - 2154 Rayburn

[H.R. XXXX - FY 2019 Labor HHS Appropriations Act](#)

Status: Approved by the House Appropriations Committee on 6/20.

Summary: Making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2019, and for other purposes.

House Financial Services Committee - Full Committee Hearing

[Illicit Use of Virtual Currency and the Law Enforcement Response](#)

June 20 @ 2:00 pm - 2128 Rayburn

Senate Banking Committee - Subcommittee on National Security Hearing

[Combating Money Laundering and Other Forms of Illicit Finance: How Criminal Organizations Launder Money and Innovative Techniques for Fighting Them](#)

June 20 @ 2:30 pm - 538 Dirksen



House Judiciary Committee - Courts Subcommittee Hearing
[Examining The Need for New Federal Judges](#)
June 21 @ 10:00 am - 2141 Rayburn

Senate Appropriations Committee - [Full Committee Markup](#) - June 21 @ 10:30 am - 106 Dirksen
[S. 3109](#) - FY 2019 Department of Homeland Security Appropriations Act
Status: Approved by the Senate Appropriations Committee on 6/21; To be marked-up by the Senate Appropriations Homeland Security Subcommittee on 6/19.
Summary: Provides funding for the Department of Homeland Security for fiscal year 2019. This legislation provides \$512 million for the State Homeland Security Grant Program, \$605 million for the Urban Area Security Initiative, and \$100 million for both the Port Security Grant Program and the Public Transportation Security Assistance program.

[S. 3107](#) - FY 2019 Financial Services and General Government Appropriations Act
Status: Approved by the Senate Appropriations Committee on 6/21; Approved by the Senate Appropriations Financial Services Subcommittee on 6/19.
Summary: This bill provides funding for the Office of National Drug Policy, and other agencies, and includes funding for the High Intensity Drug Trafficking Area program for FY 2019. This bill includes \$280 million for the HIDTA program and \$99 million for the Drug Free Communities program.

Legislation on the Floor This Week

House:

[H.R. 3192](#) – CHIP Mental Health Parity Act

Status: To be considered by the House on 6/19.

Summary: This bill requires Children's Health Insurance Program (CHIP) plans to cover mental health and substance use disorder services. Financial requirements and treatment limitations applicable to such services shall not differ from those applicable to other medical services under CHIP.

[H.R. 4005](#) – Medicaid Reentry Act

Status: To be considered by the House on 6/19.

Summary: This bill requires the Centers for Medicare & Medicaid Services (CMS) to convene a stakeholder workgroup in order to develop best practices for states to: (1) ease the health care transition of inmates released from public institutions (such as by ensuring continuity of health insurance or Medicaid coverage), and (2) implement transitional measures within 30 days of an inmate's release. The CMS must also issue a letter to states outlining opportunities for Medicaid demonstration waivers based on identified best practices.

[H.R. 5590](#) – Opioid Addiction Action Plan Act

Status: To be considered by the House on 6/19.

Summary: This bill requires the Centers for Medicare & Medicaid Services (CMS) to develop an action plan to provide recommendations on changes to the Medicare and Medicaid programs to enhance: (1) the treatment and prevention of opioid addiction, and (2) the coverage and payment of medication-assisted treatment for opioid addiction. The CMS must convene a stakeholder meeting to solicit public comment on the action plan. The CMS must also publish a report that includes an evaluation of price trends for opioid overdose-reversal drugs (e.g., naloxone) and recommendations on ways to lower consumer prices for such drugs.

[H.R. 5687](#) – SOUND Disposal and Packaging Act

Status: To be considered by the House on 6/19.



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.

H.R. 5605 – Advancing High Quality Treatment for Opioid Use Disorders in Medicare Act

Status: To be considered by the House on 6/19.

Summary: This bill requires the Centers for Medicare & Medicaid Services (CMS) to carry out a demonstration program to: (1) increase access of opioid use disorder treatment services for Medicare beneficiaries, (2) improve physical and mental health outcomes for such beneficiaries, and (3) reduce Medicare expenditures. Opioid use disorder care teams of practitioners may apply for participation in the demonstration project. The CMS must establish a performance-based incentive payment for participating teams. The CMS must adopt or develop program quality standards and performance methods.

H.R. 5796 – REACH OUT Act of 2018

Status: To be considered by the House on 6/19.

Summary: This bill requires the Centers for Medicare & Medicaid Services to award grants, contracts, or cooperative agreements to qualifying organizations in order to support efforts to curb outlier prescribers of opioids under the Medicare prescription drug benefit and Medicare Advantage prescription drug plans.

H.R. 5801 – Medicaid PARTNERSHIP Act

Status: To be considered by the House on 6/19.

Summary: This bill requires each state to: (1) establish a prescription drug monitoring program (PDMP), and (2) require health care providers to check the PDMP for a Medicaid enrollee's prescription drug history before prescribing controlled substances to the enrollee. In addition to meeting other specified requirements, each PDMP must allow health care providers to access the number and type of controlled substances prescribed to a Medicaid enrollee during the most recent 12-month period. The bill also temporarily increases the federal matching rate with respect to Medicaid expenditures related to PDMP implementation for states that have agreements to promote PDMP interoperability with their neighboring states. The Centers for Medicare & Medicaid Services must publish guidance and best practices for states regarding PDMP utilization. Additionally, the Government Accountability Office must report on PDMP administration.

H.R. 5811 – Long-Term Opioid Efficacy Act of 2018

Status: To be considered by the House on 6/19.

Summary: To amend the Federal Food, Drug, and Cosmetic Act with respect to post-approval study requirements for certain controlled substances, and for other purposes.

H.R. 6042 – To amend title XIX of the Social Security Act to delay the reduction in Federal medical assistance percentage for Medicaid personal care services furnished without an electronic visit verification system, and for other purposes

Status: To be considered by the House on 6/19.

Summary: This bill delays by one year (to January 1, 2020) the Medicaid federal matching rate reduction that is scheduled to take effect for states that fail to require an electronic visit verification system for personal care services. The bill also excludes specified services from such verification system requirements, including inpatient hospital services and 24-hour residential group home services.

H.R. 5774 – COACH Act of 2018

Status: To be considered by the House on 6/19.

Summary: This bill requires the Centers for Medicare & Medicaid Services to: (1) publish guidance for hospitals on pain management and opioid-use disorder prevention strategies for Medicare beneficiaries, (2) convene a technical expert panel to recommend opioid and opioid-use disorder quality measures for possible use in hospital payment and reporting models under Medicare, and (3) publish and periodically update all guidance issued since January 1, 2016 related to the prescription of opioids for Medicare beneficiaries. Additionally, the Department of Health and Human Services must: (1) convene a technical expert panel to recommend ways to reduce opioid use in surgical settings and best practices for pain management, specifically during the perioperative (pre-operative through post-operative) period; and (2) report on diagnosis-related group codes that have the highest volume of surgeries and the availability of associated data regarding post-operative opioid use, including prescription patterns and rates of consumption.



H.R. 5775 – PROPER Act of 2018

Status: To be considered by the House on 6/19.

Summary: This bill requires Medicare and Medicare Advantage (MA) prescription drug plan (PDP) sponsors to annually disclose information to enrollees about: (1) the risks of prolonged opioid use; and (2) the plan's coverage of nonpharmacological therapies, devices, and non-opioid medications. PDP sponsors may limit disclosure to a subset of enrollees (such as those who were prescribed an opioid in the previous two-year period). The bill also requires Medicare medication therapy management programs and MA in-home health risk assessments to include information about the safe disposal of prescription drugs. The bill prohibits inclusion of pain management questions in certain health care system surveys, unless the questions address the risks of opioid use and the availability of non-opioid alternatives.

H.R. 6110 – Dr. Todd Graham Pain Management, Treatment, and Recovery Act of 2018

Status: To be considered by the House on 6/19.

Summary: To amend title XVIII of the Social Security Act to provide for the 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.

H.R. 5773 – PASS Act of 2018

Status: To be considered by the House on 6/19.

Summary: This bill alters several requirements under the Medicare prescription drug benefit. Specifically, the bill: (1) requires prescription drug plan sponsors to establish drug management programs for at-risk beneficiaries; (2) requires electronic prescription programs to enable the secure transmittal of prior authorization requests for covered drugs; and (3) establishes individuals who are identified as at-risk beneficiaries for prescription drug abuse as qualifying participants in medication therapy management programs. The bill also requires the Centers for Medicare & Medicaid Services (CMS) to establish a secure online portal to allow: (1) data sharing among the CMS, Medicare prescription drug benefit plans, and Medicare Advantage (MA) plans; and (2) referrals by such plans of substantiated fraud, waste, or abuse in order to initiate or assist investigations by contracted entities under the Medicare Integrity Program. The CMS must also: (1) identify outlier prescribers of opioids under Medicare prescription drug benefit plans and MA plans, based on specialty and geographic area; and (2) annually notify such prescribers of their status and provide them with resources on proper prescribing methods.

H.R. 5676 – SENIOR Communities Protection Act of 2018

Status: To be considered by the House on 6/19.

Summary: This bill authorizes the suspension of payments to a pharmacy under the Medicare prescription drug benefit and Medicare Advantage prescription drug plans pending the investigation of a credible allegation of fraud by the pharmacy. A fraud hotline tip, without other evidence, may not be considered a credible allegation of fraud.

H.R. 5723 – Expanding Oversight of Opioid Prescribing and Payment Act of 2018

Status: To be considered by the House on 6/19.

Summary: This bill requires the Medicare Payment Advisory Commission to report to Congress on: (1) how Medicare pays for opioid and non-opioid pain management treatments in inpatient and outpatient hospital settings; (2) current incentives for prescribing opioid and non-opioid treatments under Medicare inpatient and outpatient prospective payment systems, along with recommendations to address any identified adverse incentives; and (3) how opioid use is currently tracked and monitored through Medicare and any areas for improvement.

H.R. 4991 – Supporting Research and Development for First Responders Act

Status: To be considered by the House on 6/19.

Summary: This bill amends the Homeland Security Act of 2002 to direct the Department of Homeland Security to designate the National Urban Security Technology Laboratory, previously known as the Environmental Measurements Laboratory. The laboratory shall: (1) conduct tests, evaluations, and assessments of current and emerging technologies for emergency response providers; (2) conduct research and development on radiological and nuclear response and recovery; and (3) act as a technical advisor to emergency response providers.

H.R. 5762 – Joint Task Force to Combat Opioid Trafficking Act of 2018



Status: To be considered by the House on 6/19.

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. 4627 – Shielding Public Spaces from Vehicular Terrorism Act

Status: To be considered by the House on 6/19.

Summary: This bill amends the Homeland Security Act of 2002 to include among the responsibilities of the Under Secretary for Science and Technology of the Department of Homeland Security (DHS) research and development activities to combat emerging terrorist threats, including vehicular attacks. The bill includes among criteria for the designation of colleges or universities as centers for homeland security, demonstrated expertise in combating emerging terrorist threats, including vehicular attacks. The Federal Emergency Management Agency (FEMA) shall permit the recipient of a grant under the Urban Area Security Initiative or under the State Homeland Security Grant Program to use grant funds to address security vulnerabilities of public spaces, including through the installation of bollards and other target hardening activities. The bill prohibits the use of such grants for the provision to any person of a firearm or training in the use of a firearm. DHS shall submit to the congressional homeland security committees a report on emerging automotive technologies that support driverless vehicles and the threat such vehicles may pose to people in public spaces. Such report shall also address risks associated with cyber terrorism and computer-dependent automotive vehicles.

H.R. 6082 – Overdose Prevention and Patient Safety Act

Status: To be considered in the House this week.

Summary: This bill amends the Public Health Service Act to align federal privacy standards for substance use disorder (SUD) patient records more closely with standards under the Health Insurance Portability and Accountability Act (HIPAA). Specifically, the bill authorizes the disclosure of SUD patient records without a patient's written consent to: (1) a covered entity for the purposes of treatment, payment, and health care operations, as long as the disclosure is made in accordance with HIPAA; and (2) a public health authority, as long as the content of the disclosure meets HIPAA standards regarding de-identified information. Current law authorizes disclosure of SUD patient records without a patient's written consent only to medical personnel in a medical emergency, to specified personnel for research or program evaluations, or pursuant to a court order. The bill also repeals and replaces criminal penalties for violations involving SUD patient records with the HIPAA civil penalty structure. It also expands the current prohibition against using SUD patient records in criminal proceedings to include any use in specified federal, state, and local criminal and civil actions. The bill prohibits certain discrimination based on the release of SUD information under this bill.

H.R. 6 – SUPPORT for Patients and Communities Act

Status: To be considered in the House this week.

Summary: To provide for opioid use disorder prevention, recovery, and treatment, and for other purposes.

H.R. 4760 - Securing America's Future Act of 2018

Status: Failed by the House on 6/21.

Summary: This bill amends the Immigration and Nationality Act to revise immigrant visa allocation provisions, including family-related visas. A nonimmigrant classification for parents of adult U.S. citizens is created. The diversity visa program is eliminated. Annual immigration levels are revised. The limit on the worldwide level of employment-based immigrants is increased. The H-2C visa temporary agricultural worker program is revised. A trust fund is established to provide incentives for such workers to return to their country of origin. DNA testing to establish family relationships is authorized. Employment eligibility verification provisions are revised. The Department of Homeland Security (DHS) shall establish an employment verification system. No federal, state, or local government entity or individual may prohibit or restrict a federal, state, or local government entity or official from complying with the immigration laws or assisting related federal law enforcement activities. The bill revises provisions regarding: (1) detention of aliens in removal proceedings; (2) illegal entry and reentry; (3) inadmissibility and deportability of criminal aliens, gang members, drunk drivers, and sex offenders; (4) repatriation; (5) asylum and asylum fraud; (6) unaccompanied alien children; (7) foreign students; and (8) visa fraud. The bill: (1) transfers authority for strengthening the southern border from the Department of Justice to DHS; (2) revises border security provisions; (3) provides for additional border security personnel; (4) authorizes new ports of entry along the northern border and southern borders; (5) authorizes National Guard border security activities; (6) provides contingent



nonimmigrant status for certain aliens who entered the United States as minors; (7) authorizes appropriations for specified border barriers and infrastructure; and (8) establishes Operation Stonegarden to make border security grants to law enforcement agencies. DHS shall: (1) submit a southern border threat analysis, (2) establish the Integrated Border Enforcement Team program, (3) implement the Border Security Deployment Program, (4) review social media activities of visa applicants, and (5) establish a biometric exit data system.

[H.R. 6136](#) – Border Security and Immigration Reform Act

Status: Originally to be considered by the House on 6/21, but pushed till next week.

Summary: A compromise measure backed by GOP moderates would prohibit the Trump administration from separating families. The draft bill would provide money for Trump's U.S.-Mexico border wall and allow provisional legal status for Dreamers. Beneficiaries could apply for a new merit-based green card, a stepping stone to citizenship.

*Additional Legislative Items are Possible

[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 community.

Recap of Last Week's Hearings & Markups

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

Senate Judiciary Committee - Full Committee Hearing - June 12

[Election Interference: Ensuring Law Enforcement Is Equipped to Target Those Seeking to Do Harm](#)

Summary: This hearing examined threats to our election systems, and the tools at the disposal of law enforcement to counter these threats. Adam Hickey, the deputy assistant attorney general of the department's National Security Division, stated that the U.S. needs to raise the cost with a strong response against Russia for interfering in the 2016 elections. Additionally, Hickey stated that the DOJ task force addressing foreign interference in our elections will release their report in mid-July. Some Democratic Senators expressed frustration with how long it is taking the Administration to release this report.

Senate Homeland Security Committee - Full Committee Roundtable Discussion - June 12

[Examining the Chemical Facility Anti-Terrorism Standards Program](#)

Summary: This roundtable examined reauthorization of the Chemical Facility Anti-Terrorism Standards Program. This roundtable brought industry and government officials together to discuss the importance of the CFATS program and why it needs to be reauthorized. This meeting also focused on finding funding improvements to CFATS, as well as streamlining the program to eliminate unnecessary duplicate regulations.

Senate Appropriations Committee - [CJS Subcommittee Markup](#) - June 12

[S. 3072](#) - Commerce, Justice, Science, and Related Agencies Appropriations Act, 2019

Status: Approved by the Senate Appropriations CJS Subcommittee on 6/12.

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 legislation funds various law enforcement grant programs. The legislation is expected to keep the HIDTA program under ONDCP and not approve of the Administrations efforts to move it under DEA. The bill funds Byrne JAG at \$445 million (before carveouts), \$12 million for VALOR, \$100 million for SCAAP, and \$37 million for RISS.

House Judiciary Committee - [Full Committee Markup](#) - June 13

**[H.R. 5954](#) - Anti-terrorism Clarification Act of 2018**

Status: Approved by the House Judiciary Committee on 6/13.

Summary: To amend title 18, United States Code, to clarify the meaning of the terms “act of war” and “blocked asset”, and for other purposes.

Senate Homeland Security Committee - [Full Committee Markup](#) - June 13

[S. 2836](#) - Preventing Emerging Threats Act of 2018

Status: Approved by the Senate Homeland Security Committee on 6/13.

Summary: To assist the Department of Homeland Security in preventing emerging threats from unmanned aircraft and vehicles, and for other purposes.

[S. 3041](#) - Disaster Recovery Reform Act of 2018

Status: Approved by the Senate Homeland Security Committee on 6/13.

Summary: A bill to amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to provide for disaster recovery reforms, and for other purposes.

[S. 3047](#) - Opportunities to Provide for Illicit Opioid Interdiction and Detection Act of 2018

Status: Approved by the Senate Homeland Security Committee on 6/13.

Summary: A bill to establish a narcotic drug screening technology pilot program to combat illicit opioid importation, and for other purposes.

[S. 2397](#) - Department of Homeland Security Data Framework Act of 2018

Status: Approved by the Senate Homeland Security Committee on 6/13.

Summary: To direct the Secretary of Homeland Security to establish a data framework to provide access for appropriate personnel to law enforcement and other information of the Department, and for other purposes.

[H.R. 4581](#) - Screening and Vetting Passenger Exchange Act

Status: Approved by the Senate Homeland Security Committee on 6/13.

Summary: This bill directs the Department of Homeland Security (DHS) to develop best practices for utilizing advanced passenger information and passenger name record data for counterterrorism screening and vetting operations. DHS shall: (1) make such best practices available to certain countries, including visa waiver program countries; and (2) provide assistance to such countries in implementing such practices.

[H.R. 5079](#) - DHS Field Engagement Accountability Act

Status: Approved by the Senate Homeland Security Committee on 6/13.

Summary: To amend the Homeland Security Act of 2002 to require the Department of Homeland Security to develop an engagement strategy with fusion centers, and for other purposes.

[H.R. 4567](#) - DHS Overseas Personnel Enforcement Act of 2017

Status: Approved by the Senate Homeland Security Committee on 6/13.

Summary: This bill directs the Department of Homeland Security (DHS), by 90 days after the submission of the three-year strategy for DHS international programs required under the National Defense Authorization Act for FY2017, to brief Congress regarding DHS personnel with primary duties that take place outside of the United States.

Senate Judiciary Committee - [Full Committee Markup](#) - June 14

[S. 2837](#) - Preventing Drug Diversion Act of 2018

Status: Approved by the Senate Judiciary Committee on 6/14.

Summary: To improve the systems for identifying the diversion of controlled substances.

House E&C Committee - Environment Subcommittee Hearing - June 14

[The Chemical Facilities Anti-Terrorism Standards Program \(CFATS\) – A Progress Report](#)



Summary: This hearing examined the Chemical Facilities Anti-Terrorism Standards Program, and provided an update on improvements to the management of the program. According to a recent GAO report, DHS is adequately addressing the various recommendations it has made concerning the CFATS program. One such issue that was addressed is DHS now calculates the risk of toxic release as opposed to self reporting by facilities.

Senate Appropriations Committee - [Full Committee Markup](#) - June 14

[S. 3072](#) - Commerce, Justice, Science, and Related Agencies Appropriations Act, 2019

Status: Approved by the Senate Appropriations Committee on 6/14.

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 legislation funds various law enforcement grant programs. The legislation is expected to keep the HIDTA program under ONDCP and not approve of the Administrations efforts to move it under DEA. The bill funds Byrne JAG at \$445 million (before carveouts), \$12 million for VALOR, \$100 million for SCAAP, and \$37 million for RISS.

Legislation Considered Last Week

House:

[H.R. 449](#) - Synthetic Drug Awareness Act of 2018

Status: Approved by the House on 6/12

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. 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 on 6/12

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. 4284](#) - INFO Act

Status: Approved by the House on 6/12

Summary: This bill requires the Secretary of Health and Human Services to appoint a federal coordinator within the Department of Health and Human Services to: coordinate programs related to opioid abuse reduction, liaise with state and local entities carrying out activities relating to opioid abuse reduction, and establish and operate a publicly available electronic database to facilitate data collection related to opioid abuse.

[H.R. 4684](#) - Ensuring Access to Quality Sober Living Act of 2018

Status: Approved by the House on 6/12

Summary: This bill requires the Substance Abuse and Mental Health Services Administration to publish best practices for operating recovery housing, to distribute such publication to the states, and to provide technical assistance to states seeking to adopt such practices. "Recovery housing" means a shared living environment free from alcohol and illegal drug use and centered on peer support and connection to services to promote recovery from substance use disorders.

[H.R. 5002](#) - ACE Research Act

Status: Approved by the House on 6/12

Summary: This bill amends the Public Health Service Act to expand the National Institutes of Health's unique research initiatives to include cutting-edge research that: (1) fosters scientific creativity and increases fundamental biological under-



standing leading to the prevention, diagnosis, or treatment of diseases and disorders; or (2) is urgently required to respond to a public health threat. (Unique research initiatives may be supported through transactions other than contracts, grants, or cooperative agreements.)

H.R. 5009 - Jessie's Law

Status: Approved by the House on 6/12

Summary: This bill requires the Department of Health and Human Services (HHS) to develop and disseminate best practices for health care providers and state agencies regarding the display of a patient's history of opioid addiction in the patient's medical records. In doing so, HHS must identify: (1) the circumstances under which information provided by a patient to a health care provider should, upon patient request, be displayed in the patient's medical records; (2) what constitutes a patient request; and (3) the process and methods by which the information should be displayed.

H.R. 5041 - Safe Disposal of Unused Medication Act

Status: Approved by the House on 6/12

Summary: This bill amends the Controlled Substances Act to allow a hospice employee to handle controlled substances in the residence of a deceased hospice patient to assist with disposal of the controlled substances.

H.R. 5102 - Substance Use Disorder Workforce Loan Repayment Act of 2018

Status: Approved by the House on 6/12

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

Status: Approved by the House on 6/12

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 - ALTO Act

Status: Approved by the House on 6/12

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. 5202 - Ensuring Patient Access to Substance Use Disorder Treatments Act of 2018

Status: Approved by the House on 6/12

Summary: This bill amends the Controlled Substances Act to allow a pharmacy to deliver a controlled substance to a practitioner, in accordance with a prescription, to be administered to a specific patient for maintenance or detoxification treatment or through an intrathecal pump. The bill directs the Government Accountability Office to report to Congress on access to and the potential diversion of controlled substances administered by injection, implantation, or through the use of an intrathecal pump.

H.R. 5228 - SCREEN Act

Status: Approved by the House on 6/12

Summary: To strengthen the authorities of the Food and Drug Administration to address counterfeit drugs, illegal and synthetic opioids, and opioid-like substances, and for other purposes.

H.R. 5261 - TEACH to Combat Addiction Act of 2018

Status: Approved by the House on 6/12

Summary: To amend the Public Health Service Act to provide for regional centers of excellence in substance use disorder



der education, and for other purposes.

[H.R. 5272](#) - To provide additional guidance to grantees seeking funding to treat or prevent mental health or substance use disorders.

Status: Approved by the House on 6/12

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 of 2018

Status: Approved by the House on 6/12

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. 5329](#) - Poison Center Network Enhancement Act of 2018

Status: Approved by the House on 6/12

Summary: To amend the Public Health Service Act to reauthorize and enhance the poison center national toll-free number, national media campaign, and grant program, and for other purposes.

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

Status: Approved by the House on 6/12

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

Status: Approved by the House on 6/12

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

Status: Approved by the House on 6/12

Summary: This bill amends the Controlled Substances Act to establish a deadline for the Drug Enforcement Administration to promulgate regulations for the special registration of practitioners to practice to telemedicine.

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

Status: Approved by the House on 6/12

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. 5583](#) - To amend title XI of the Social Security Act to require States to annually report on certain adult health quality measures, and for other purposes

Status: Approved by the House on 6/12

Summary: This bill requires the Centers for Medicare & Medicaid Services to expand its core set of adult health quality measures for Medicaid-eligible adults to include measures specific to behavioral health. A state Medicaid program must report annually on such measures.

[H.R. 5587](#) - Peer Support Communities of Recovery Act

Status: Approved by the House on 6/12

Summary: To amend the Public Health Service Act to authorize certain recovery services grants to be used to establish regional technical assistance centers.



[H.R. 5685](#) - Medicare Opioid Safety Education Act of 2018

Status: Approved by the House on 6/12

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. 5800](#) - Medicaid IMD ADDITIONAL INFO Act

Status: Approved by the House on 6/12

Summary: To require the Medicaid and CHIP Payment and Access Commission to conduct an exploratory study and report on requirements applicable to and practices of institutions for mental diseases under the Medicaid program.

[H.R. 5812](#) - CONNECTIONS Act

Status: Approved by the House on 6/12

Summary: To amend the Public Health Service Act to authorize the Director of the Centers for Disease Control and Prevention to carry out certain activities to prevent controlled substances overdoses, and for other purposes.

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

Status: Approved by the House on 6/12

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. 5294](#) - Treating Barriers to Prosperity Act of 2018

Status: Approved by the House on 6/13

Summary: This bill allows the Appalachian Regional Commission to support projects and activities addressing drug abuse, including opioid abuse. Such projects and activities may include those that: facilitate the sharing of best practices among states, counties, and other experts in the region with respect to reducing drug abuse; initiate or expand programs designed to eliminate or reduce the harm to the workforce and economic growth of the region that results from drug abuse; attract and retain relevant health care services, businesses, and workers; and develop relevant infrastructure, including broadband infrastructure that supports the use of telemedicine.

[H.R. 5752](#) - Stop Illicit Drug Importation Act of 2018

Status: Approved by the House on 6/13

Summary: To amend the Federal Food, Drug, and Cosmetic Act with respect to the importation of certain drugs, and for other purposes.

[H.R. 6029](#) - REGROUP Act of 2018

Status: Approved by the House on 6/13

Summary: To amend the Omnibus Crime Control and Safe Streets Act of 1968 to reauthorize the comprehensive opioid abuse grant program, and for other purposes.

[H.R. 5889](#) - Recognizing Early Childhood Trauma Related to Substance Abuse Act of 2018

Status: Approved by the House on 6/13

Summary: To require the Secretary of Health and Human Services to disseminate information, resources, and if requested, technical assistance to early childhood care and education providers and professionals working with young children on ways to properly recognize and respond to children who may be impacted by trauma related to substance abuse.

[H.R. 5890](#) - Assisting States' Implementation of Plans of Safe Care Act

Status: Approved by the House on 6/13

Summary: This bill requires the Department of Health and Human Services to provide states with guidance and technical assistance regarding their plans under the Child Abuse Prevention and Treatment Act for assuring the safe care of infants



affected by prenatal substance use.

[H.R. 5891](#) - Improving the Federal Response to Families Impacted by Substance Use Disorder Act

Status: Approved by the House on 6/13

Summary: To establish an interagency task force to improve the Federal response to families impacted by substance abuse disorders.

[H.R. 5892](#) - To establish an Advisory Committee on Opioids and the Workplace to advise the Secretary of Labor on actions the Department of Labor can take to address the impact of opioid abuse on the workplace

Status: Approved by the House on 6/13

Summary: To establish an Advisory Committee on Opioids and the Workplace to advise the Secretary of Labor on actions the Department of Labor can take to address the impact of opioid abuse on the workplace.

House Amendment to [S. 1091](#) - Supporting Grandparents Raising Grandchildren Act

Status: Approved by the House as amended on 6/13; Approved by the Senate on 3/22.

Summary: This bill establishes a Federal Task Force to Support Grandparents Raising Grandchildren. The task force shall identify, coordinate, and publicly disseminate information and resources to help older relative caregivers meet the needs of the children in their care and maintain their own health and emotional well-being. An older relative caregiver is a caregiver who: is 55 or older; lives with, is the informal provider of in-home and community care to, and is the primary caregiver for, a child; is a relative by blood, marriage, or adoption; is the primary caregiver because the child's parents are unable or unwilling to serve as the primary caregivers; and has a legal relationship to the child or is raising the child informally. The task force must report on its finding and recommendations.

[H.R. 2147](#) - Veterans Treatment Court Improvement Act of 2018

Status: Approved by the House on 6/13

Summary: This bill requires the Department of Veterans Affairs (VA) to hire at least 50 Veterans Justice Outreach Specialists, place each one at an eligible VA medical center, and ensure that each one serves as part of a justice team in a veterans treatment court or other veteran-focused court. An eligible VA medical center is one that: complies with all VA guidelines and regulations for placement of a specialist; works with a veteran with active, ongoing, or recent contact with some component of a local criminal justice system; maintains an affiliation with one or more veterans treatment courts or other veteran-focused courts; and either routinely provides specialists, or establishes a VA-approved plan to provide specialists, to serve as part of a justice team in such a court. The VA shall prioritize the placement of specialists at eligible VA medical centers that have an affiliation with such a court that: (1) was established after the date of this bill's enactment, or (2) was established before such date and is not fully staffed with specialists.

[H.R. 5788](#) - Securing the International Mail Against Opioids Act of 2018

Status: Approved by the House on 6/14

Summary: To provide for the processing by U.S. Customs and Border Protection of certain international mail shipments and to require the provision of advance electronic information on international mail shipments of mail, and for other purposes.

[H.R. 5735](#) - Transitional Housing for Recovery in Viable Environments Demonstration Program Act

Status: Approved by the House on 6/14

Summary: 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.

[H.R. 2851](#) - Stop the Importation and Trafficking of Synthetic Analogues Act of 2017

Status: Approved by the House on 6/15

Summary: To amend the Controlled Substances Act to clarify how controlled substance analogues are to be regulated, and for other purposes.

Senate:



[Nomination of Christopher Krebs](#), to be Under Secretary for National Protection and Programs, DHS

Status: Confirmed by the Senate on 6/12.

[H.R. 5515](#) - National Defense Authorization Act

Status: Approved by the Senate as amended on 6/18; Approved by the House on 5/24.

Summary: This bill authorizes FY2019 appropriations and sets forth policies for Department of Defense (DOD) programs and activities, including military personnel strengths. It does not provide budget authority, which is provided in subsequent appropriations legislation.



Legislation Introduced Last Week

Date Introduced	Bill Number	Sponsor	Description
6/15/2018	HR 6129	Eleanor Holmes Norton (D-DC-AL)	To amend the District of Columbia Home Rule Act to repeal the authority of the President to assume emergency control of the police of
6/15/2018	HR 6126	Pete Aguilar (D-CA-31)	To amend the Homeland Security Act of 2002 to provide support to State and local governments in their efforts to counter violent ex-
6/14/2018	HR 6115	James Langevin (D-RI-2)	To amend the Child Abuse Prevention and Treatment Act to include an act of unregulated custody transfer in the definition of child abuse
6/14/2018	HR 6110	Jackie Walorski (R-IN-2)	To amend title XVIII of the Social Security Act to provide for the 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 pur-
6/14/2018	HR 6109	james Himes (D-CT-4)	To amend the Internal Revenue Code of 1986 to provide an enhanced research credit for the development of smart gun technologies.
6/14/2018	HR 6105	Don Bacon (R-NE-2)	To amend title 18, United States Code, to improve the Law Enforcement Officer Safety Act.
6/14/2018	HRes 943	Barbara Lee (D-CA-13)	RESPECT Resolution - Urging action to increase equity within the legal cannabis marketplace.
6/13/2018	HR 6086	Bobby Rush (D-IL-1)	To amend section 249 of title 18, United States Code, to specify lynching as a hate crime act.
6/13/2018	HR 6082	Markwayne Mullin (R-OK-2)	Overdose Prevention and Patient Safety Act - This bill amends the Public Health Service Act to align federal privacy standards for substance use disorder (SUD) patient records more closely with standards under the Health Insurance Portability and Accountability Act (HIPAA). Specifically, the bill authorizes the disclosure of SUD patient records without a patient's written consent to: (1) a covered entity for the purposes of treatment, payment, and health care operations, as long as the disclosure is made in accordance with HIPAA; and (2) a public health authority, as long as the content of the disclosure meets HIPAA standards regarding de-identified information. Current law authorizes disclosure of SUD patient records without a patient's written consent only to medical personnel in a medical emergency, to specified personnel for research or program evaluations, or pursuant to a court order. The bill also repeals and replaces criminal penalties for violations involving SUD patient records with the HIPAA civil penalty structure. It also expands the current prohibition against using SUD patient records in criminal proceedings to include any use in specified federal, state, and local criminal and civil actions.
6/12/2018	HR 6075	James Langevin (D-RI-2)	Keeping Gun Dealers Honest Act of 2018 - To ensure greater accountability by licensed firearms dealers.
6/12/2018	HR 6074	Elizabeth Esty (D-CT-5)	Combating the Heroin Epidemic Through Forensic Drug Testing Act of 2018 - To combat the heroin epidemic and drug sample backlogs.



6/12/2018	HR 6069	Juan Vargas (D-CA-51)	FIND Trafficking Act - 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.
6/12/2018	HR 6068	Stevan Pearce (R-NM-2)	Counter Terrorism and Illicit Finance Act - To update dollar amount thresholds for certain currency transaction reports and suspicious activity reports, to improve the sharing of suspicious activity reports within a financial group, and for other purposes.
6/12/2018	HRes 933	Bonnie Watson Coleman (D-NJ-12)	To acknowledge that the War on Drugs has been a failed policy in achieving the goal of reducing drug use, and for the House of Representatives to apologize to the individuals and communities that were victimized by this policy.
6/12/2018	S 3057	Rob Portman (R-OH)	STOP Act of 2018 - To provide for the processing by U.S. Customs and Border Protection of certain international mail shipments and to require the provision of advance electronic information on international mail shipments of mail.
6/11/2018	S 3048	Joe Manchin (D-WV)	Examining Opioid Treatment Infrastructure Act of 2018 - To direct the Comptroller General of the United States to evaluate and report on the in-patient and outpatient treatment capacity, availability, and needs of the United States.
6/11/2018	S 3047	Claire McCaskill (D-MO)	OPIOID Act of 2018 - To establish a narcotic drug screening technology pilot program to combat illicit opioid importation, and for other purposes.
6/11/2018	S 3045	Tom Cotton (R-AR)	Cooperate with Law Enforcement Agencies and Watch Act of 2018 - To amend title 31, United States Code, to establish a safe harbor with respect to keep open letters.



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BROOKS BAWDEN MOORE

300 M Street, SE
Suite 402
Washington, DC 20003

Phone: (202) 350-0103

Fax: (202) 629-4528

Email:

rbrooks@bbm-dc.com
bbawden@bbm-dc.com
cmoore@bbm-dc.com
jledden@bbm-dc.com
lcooper@bbm-dc.com



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Upcoming Events/Conferences

[National Association of School Safety and Law Enforcement Officials 49th Annual Conference](#)
June 30 - July 3 - Melville, NY

[National Homeland Security Conference](#)
July 9 - 12 - New York, NY

[National District Attorneys Association Summer Summit](#)
July 15 - 17 - Spokane, WA

[National Forum on Criminal Justice](#)
July 22 - 25 - Ft. Worth, TX

June 2018

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July 2018

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■ Senate in Session

■ House & Senate in Session

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