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WEEKLY UPDATE

July 30 - August 3, 2018

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Latest News

- The Senate was in session this week, and approved a package of appropriations bills which include the Interior-Environment, Financial Services, Transportation-HUD and Agriculture spending measures for fiscal year 2019. The Senate also approved the FY 2019 National Defense Authorization Act Conference Report, which the House passed last week. The Senate will now adjourn until August 15. The House is out of session for its August recess and will return on September 4.
- **CLIENT IN THE SPOTLIGHT:** School safety continues to be a major issue across the country as parents head to stores for back-to-school sales. A school safety seminar in Austin, TX earlier this week featured Austin PD Chief Brian Manley and Lt. Matt Greer, Director of the Austin Regional Intelligence Center (ARIC), which is the designated fusion center in Austin. Lt. Greer is a member of the Executive Board of the National Fusion Center Association (NFCA). The Chairman of the U.S. House Committee on Homeland Security, Rep. Michael McCaul, also presented to the gathering. Check out this article for more: <http://www.fox7austin.com/news/local-news/school-officials-learn-strategies-for-safety>
- **50-State Report on Public Safety** - The Council of State Governments Justice Center recently released its 50-State Report on Public Safety. It is a web-based resource featuring more than 300 data visualizations comparing crime, recidivism, and state correctional practices across all 50 states. You can view the report [here](#).

Previous Updates:

- [FY 2018 Omnibus](#)
- [FY 2019 Budget Summary](#)
- [FY 2018 FEMA Grants](#)
- [FY2017 FEMA Grants](#)
- [Weekly 7/23/18](#)
- [Weekly 7/16/18](#)
- [Weekly 7/9/18](#)
- [Weekly 6/25/18](#)
- [Weekly 6/18/18](#)

ARTICLES OF INTEREST:

Court strikes down Trump push to cut 'sanctuary city' funds

The Washington Post | Sudhin Thanawala, AP

A divided U.S. appeals court on Wednesday struck down a key part of President Donald Trump's contentious effort to crack down on cities and states that limit cooperation with immigration officials, saying an executive order threatening to cut funding for "sanctuary cities" was unconstitutional. In a 2-1 decision, the 9th U.S. Circuit Court of Appeals agreed with a lower court that the order exceeded the president's authority. Congress alone controls spending under the U.S. Constitution, and presidents do not have the power to withhold funding it approves to pursue their policy goals, the court majority said. **Continue reading [here](#).**

The Sex-Trafficking Case Testing the Limits of the First Amendment

Politico | Paul Demko

In June 2015, an ad appeared on Backpage.com in Texas with a series of alluring photos of a naked woman, who described herself to potential dates as "fun, young, exotic," and "ready to be your fantasy girl." By the end of the month, the woman had been murdered by a customer who responded to the ad. He set her corpse on fire in an attempt to de-



stroy the evidence. When the victim's father contacted Backpage.com to try and get the pictures of his dead daughter removed from the site, the company didn't immediately comply. **Continue reading [here](#).**

Why surveillance bill would tip balance in favor of crime

The San Diego Union-Tribune | Shelley Zimmerman

Throughout the history of our republic there has always been tension between the right of privacy of the citizenry and the need of government to acquire information to keep us safe. Much of this tension was addressed with the ratification of the Bill of Rights in 1791. Since then, courts have reviewed and interpreted the Bill of Rights to strike the right balance between the right to privacy and the government's right to know to keep us safe. The technological advances we take for granted today could have only been dreamed of in 1791. Then, as now, the overriding concern and objective is to prevent the government from overstepping its boundaries and infringing upon individual liberty and privacy interests. **Continue reading [here](#).**

Hearings & Markups Happening This Week

Senate Judiciary Committee - Full Committee Hearing - July 31

[Oversight of Immigration Enforcement and Family Reunification Efforts](#)

Summary: This hearing examined the Administration's zero tolerance policy with regards to illegal immigration and efforts to reunify children separated from their parents. Officials described the process in place to keep track of children that have been separated from their parents, and how they are planning to reunite them with their parents. Additionally, Senators expressed concerns with allegations of abuse at these detention facilities, the need for Congress to fix the current immigration system, and whether or not the separation policy was a success.

Legislation on the Floor This Week

House:

The House is not in session this week and will return on September 4.

Senate:

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

[H.R. 6147](#) - FY 2019 Minibus Appropriations bill

Status: Approved by the Senate on 8/1/18. Approved by the House on 7/19/18.

Summary: The Senate version included the Interior-Environment, Financial Services, Transportation-HUD and Agriculture spending measures for fiscal year 2019. Within this package is the appropriations for ONDCP, HIDTA, and Drug Free Communities. The House passed version only included the Interior-Environment and Financial Services bills. The Senate bill includes \$280 million for HIDTA.

[Conference Report](#) of [H.R. 5515](#) – National Defense Authorization Act for Fiscal Year 2019

Explanatory Statement: [here](#)

Status: Approved by the Senate on 8/1/18; Approved by the House on 7/26/18.

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. The House version included the Email Privacy Act, which amends sections 2702, 2703, and 2705 of title 18, United States Code, to make a series of changes to voluntary and involuntary disclosure requirements for third-



party service providers. However, the Conference Report removes this provision from the final bill.

Recap of Last Week's Hearings & Markups

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

House Oversight Committee - Full Committee Hearing - July 24

[Cyber-securing the Vote: Ensuring the Integrity of the U.S. Election System](#)

Summary: This hearing examined the role of federal, state, and local officials to secure our nations elections, what is being done to ensure our upcoming 2018 elections are protected, and what more can be done. While approximately \$335 million have been distributed to the states to upgrade their election systems and update voter registration systems, witnesses stated that more money needs to come as many localities are still using potentially unsafe systems.

House Homeland Security Committee - [Full Committee Markup](#) - July 24

[H.R. 5869](#) - **Maritime Border Security Review Act**

Status: Approved by the House Homeland Security Committee on 7/24/18.

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

[H.R. 6198](#) - **Countering Weapons of Mass Destruction Act of 2018**

Status: Approved by the House Homeland Security Committee on 7/24/18.

Summary: To amend the Homeland Security Act of 2002 to establish the Countering Weapons of Mass Destruction Office, and for other purposes.

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

Status: Approved by the House Homeland Security Committee on 7/24/18.

Summary: To ensure that only travelers who are members of a trusted traveler program use Transportation Security Administration security screening lanes designated for trusted travelers, and for other purposes.

[H.R. 6374](#) - **FIT Act**

Status: Approved by the House Homeland Security Committee on 7/24/18.

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

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

Status: Approved by the House Homeland Security Committee on 7/24/18.

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

[H.R. 6430](#) - **Securing the Homeland Security Supply Chain Act of 2018**

Status: Approved by the House Homeland Security Committee on 7/24/18.

Summary: To amend the Homeland Security Act of 2002 to authorize the Secretary of Homeland Security to implement certain requirements for information relating to supply chain risk, and for other purposes.

[H. Res. 1005](#) - **Directing the Secretary of Homeland Security to transmit certain documents to the House of Representatives relating to the border security policies, procedures, and activities as such relate to the interdiction of families by the U.S. Border Patrol between ports of entry.**

Status: Ordered to be reported with an unfavorable recommendation by the House Homeland Security Committee on 7/24/18.

Summary: Directing the Secretary of Homeland Security to transmit certain documents to the House of Repre-



sentatives relating to the border security policies, procedures, and activities as such relate to the interdiction of families by the U.S. Border Patrol between ports of entry.

[H.R. 6439](#) - Biometric Identification Transnational Migration Alert Program Authorization Act of 2018

Status: Approved by the House Homeland Security Committee on 7/24/18.

Summary: To amend the Homeland Security Act of 2002 to establish in the Department of Homeland Security the Biometric Identification Transnational Migration Alert Program, and for other purposes.

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

Status: Approved by the House Homeland Security Committee on 7/24/18.

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

[H.R. 6443](#) - Advancing Cybersecurity Diagnostics and Mitigation Act

Status: Approved by the House Homeland Security Committee on 7/24/18.

Summary: To amend the Homeland Security Act of 2002 to authorize the Secretary of Homeland Security to establish a continuous diagnostics and mitigation program at the Department of Homeland Security, and for other purposes.

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

Status: Approved by the House Homeland Security Committee on 7/24/18.

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

[H.R. 6459](#) - TSA Opportunities to Pursue Expanded Networks for Business Act

Status: Approved by the House Homeland Security Committee on 7/24/18.

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

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

Status: Approved by the House Homeland Security Committee on 7/24/18.

Summary: To amend the Homeland Security Act of 2002 to establish the position of Chief Data Officer of the Department of Homeland Security, and for other purposes.

House Homeland Security Committee - Border Security Subcommittee Hearing - July 24

[Boots at the Border: Examining the National Guard Deployment to the Southwest Border](#)

Summary: This hearing examined the effect the National Guard has had on the southwest border. A Border Patrol official testified that the Guard has been a critical resource to help alleviate the strains on the Border Patrol. They have assisted in aviation and monitoring components, allowing the Border Patrol to be out in the field interdicting illegal crossings. Witnesses also stated that this isn't simply just an immigration matter but also a national security matter, with guns, drugs, and unknown individuals coming across the border.

House Appropriations Committee - [Full Committee Markup](#) - July 25

[H.R. XXXX](#) - FY 2019 Homeland Security Appropriations Act

Committee Draft Report: [here](#)

Status: Approved by the House Appropriations Committee on 7/25; Approved by the House Appropriations Homeland Security Subcommittee on 7/19.

Summary: Making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2019, and for other purposes. This bill provides \$538,000,000 for the State Homeland Security Grant Program, \$85,000,000 for Operation Stonegarden, and \$661,000,000 for the Urban Area Security Initiative.



House Homeland Security Committee - Emergency Preparedness Subcommittee Hearing - July 25

[Using Innovative Technology and Practices to Enhance the Culture of Preparedness](#)

Summary: This hearing examined the steps FEMA is undertaking to use technology to address challenges that they face. Witnesses testified on interoperability issues, outdated IT issues, and the ability to survey and allocate resources after a disaster. Witnesses also discussed some of the shortcomings identified in the after action report from the 2017 hurricane season, in particular logistic problems with getting supplies to Puerto Rico and the Virgin Islands. The agency is looking at how it can focus on offering support during major catastrophic events, as well as during smaller events where the state is in the lead.

Legislation Considered Last Week

House:

[H.R. 2345](#) – National Suicide Hotline Improvement Act of 2018

Status: Approved by the House on 7/23/18.

Summary: This bill requires the Federal Communications Commission (FCC) to coordinate with the Substance Abuse and Mental Health Services Administration and to consult with the Department of Veterans Affairs to examine: (1) the feasibility of designating a three-digit dialing code for a national suicide prevention and mental health crisis hotline system; and (2) the effectiveness of the current National Suicide Prevention Lifeline (1-800-273-TALK), including how well it addresses the needs of veterans. The FCC must submit to Congress a recommended dialing code, a cost-benefit analysis comparing the three-digit code to the current lifeline number, and cost estimates for service providers, states, and localities.

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

Status: Approved by the House on 7/23/18.

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.

[Conference Report of H.R. 5515](#) – National Defense Authorization Act for Fiscal Year 2019

Explanatory Statement: [here](#)

Status: Approved by the Senate on 8/1/18; Approved by the House on 7/26/18.

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. The House version included the Email Privacy Act, which amends sections 2702, 2703, and 2705 of title 18, United States Code, to make a series of changes to voluntary and involuntary disclosure requirements for third-party service providers. However, the Conference Report removes this provision from the final bill.

Senate:

[H.R. 6147](#) - FY 2019 Minibus Appropriations bill

Status: Began consideration by the Senate last week. Approved by the House on 7/19/18.

Summary: The Senate version will include the Interior-Environment, Financial Services, Transportation-HUD and Agriculture spending measures for fiscal year 2019. Within this package is the appropriations for ONDCP, HIDTA, and Drug Free Communities. The House passed version only included the Interior-Environment and Financial Services bills. The Senate bill includes \$280 million for HIDTA.



Legislation Introduced Last Week

Date Introduced	Bill Number	Sponsor	Description
8/1/2018	S 3335	Orrin Hatch (R-UT)	A bill to amend title 18, United States Code, relating to sentencing of armed career criminals.
7/31/2018	HR 6643	David Cicilline (D-RI-1)	To amend chapter 44 of title 18, United States Code, to ensure that all firearms are traceable, and for other purposes.
7/31/2018	S 3309	Margaret Hassan (D-NH)	A bill to authorize cyber incident response teams at the Department of Homeland Security, and for other purposes.
7/31/2018	S 3306	Bill Nelson (D-FL)	A bill to amend title 18, United States Code, with regard to stalking.
7/31/2018	S 3304	Bill Nelson (D-FL)	A bill to amend chapter 44 of title 18, United States Code, to prohibit the publication of 3D printer plans for the printing of firearms, and for other purposes.
7/31/2018	S 3300	Richard Blumenthal (D-CT)	A bill to amend chapter 44 of title 18, United States Code, to ensure that all firearms are traceable, and for other purposes.
7/26/2018	HR 6629	Eric Swalwell (D-CA-15)	To authorize the Attorney General to make grants to States and units of local government to implement statutes, rules, policies, or procedures to authorize courts to issue relinquishment orders with respect to individuals charged with or convicted of a crime of domestic violence, or subject to a domestic violence protective order, and for other purposes.
7/26/2018	HR 6624	Steve Scalise (R-LA-1)	To amend chapter 44 of title 18, United States Code, to update certain procedures applicable to commerce in firearms and remove certain Federal restrictions on interstate firearms transactions.
7/26/2018	HR 6620	Cedric Richmond (D-LA-2)	To require the Department of Homeland Security to prepare a threat assessment relating to unmanned aircraft systems, and for other purposes.
7/26/2018	HR 6617	Ted Poe (R-TX-2)	To provide for a legal framework for the operation of public unmanned aircraft systems, and for other purposes.
7/26/2018	HR 6609	Grace Meng (D-NY-6)	To amend title 46, United States Code, to reauthorize the port security grant program, and for other purposes.
7/26/2018	HR 6608	Martha McSally (R-AZ-2)	To provide for the development and dissemination of best practice guidelines for using data collected by prescription drug monitoring programs to identify drug diversion and abuse, and for other purposes.
7/26/2018	HR 6604	Tom MacArthur (R-NJ-3)	To provide for the establishment of a pilot program to provide grants to community mental health centers for the placement of social workers with law enforcement agencies, and for other purposes.
7/26/2018	HR 6600	Leonard Lance (R-NJ-7)	To amend the Controlled Substances Act to require that orders subject to review be submitted through a clearinghouse, and for other purposes.
7/26/2018	HR 6595	Jody Hice (R-GA-10)	To amend the Adam Walsh Child Protection and Safety Act of 2006 to impose certain additional requirements on aliens who are required to register as sex offenders, and for other purposes.
7/26/2018	HR 6594	Adriano Espaillat (D-NY-13)	To reunite families separated at or near ports of entry, and for other purposes.
7/26/2018	HR 6593	John Duncan (R-TN-2)	To direct the Comptroller General of the United States to conduct a study on the feasibility of establishing and maintaining an automated and searchable system that tracks prescription drug prices in the United States, and for other purposes.



7/26/2018	HR 6589	Charlie Crist (D-FL-13)	To amend title 5, United States Code, to remove limitations on Federal employment for an individual legally using marijuana under the law of the State in which the individual resides, and for other purposes.
7/26/2018	HR 6571	Ami Bera (D-CA-7)	To require the Secretary of Health and Human Services to improve the detection, prevention, and treatment of mental health issues among public safety officers, and for other purposes.
7/26/2018	HR 6568	Jackie Speier (D-CA-14)	To amend title 18, United States Code, to make it a criminal offense for Federal law enforcement officers to engage in sexual acts with individuals in their custody, to encourage States to adopt similar laws, and for other purposes.
7/26/2018	HR 6555	Sheila Jackson Lee (D-TX-18)	To amend the Homeland Security Act of 2002 to establish a DHS Cybersecurity On-the-Job Training and Employment Apprenticeship Program, and for other purposes.
7/26/2018	HR 6554	David Kustoff (R-TN-8)	To amend the Controlled Substances Act to require a person that possesses or intends to possess a tableting machine or encapsulating machine to obtain registration from the Attorney General, and for other purposes.
7/26/2018	HR 6553	Pete Olson (R-TX-22)	To amend the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 to require consultation with State and local elected officials and a public hearing before awarding grants or contracts for housing facilities for unaccompanied alien children.
7/26/2018	HR 6545	Sheila Jackson Lee (D-TX-18)	To reauthorize the Violence Against Women Act of 1994, and for other purposes.
7/26/2018	S 3288	Lindsey Graham (R-SC)	A bill to amend title 18, United States Code, to provide the Department of Justice needed legal authorities to combat cybercrime, including state sponsored cybercrime, and for other purposes.
7/26/2018	S 3282	Cory Gardner (R-CO)	A bill to amend the Controlled Substances Act to require that orders subject to review be submitted through a clearinghouse, and for other purposes.
7/26/2018	S 3281	Bill Cassidy (R-LA)	A bill to amend the Controlled Substances Act to require a person that possesses or intends to possess a tableting machine or encapsulating machine to obtain registration from the Attorney General, and for other purposes.
7/26/2018	S 3280	Catherine Cortez Masto (D-NV)	A bill to increase intergovernmental coordination to identify and combat human trafficking within Indian lands and of Indians.
7/25/2018	S 3271	Bernie Sanders (I-VT)	A bill to prohibit the use of payment of money as a condition of pretrial release in Federal criminal cases, and for other purposes.
7/25/2018	S 3264	Roger Wicker (R-MS)	A bill to protect the right of law-abiding citizens to transport knives interstate, notwithstanding a patchwork of local and State prohibitions, and to repeal Federal provisions related to switchblade knives which burden citizens.
7/25/2018	S 3263	Dick Durbin (D-IL)	A bill to limit the separation of families at or near ports of entry, to provide access to counsel for unaccompanied alien children, and to improve immigration detention, and for other purposes.



7/24/2018	HR 6491	Kathy Castor (D-FL-14)	To amend the Controlled Substances Act to require the Drug Enforcement Administration to report certain information on distribution of opioids to manufacturers and distributors to help identify, report, and stop suspicious orders of opioids and reduce diversion rates, and for other purposes.
7/24/2018	HR 6490	Buddy Carter (R-GA-1)	To amend title 5, United States Code, to treat the service of Members of the United States Capitol Police who are transferred directly to an administrative or supervisory position with the Federal Law Enforcement Training Center as a law enforcement officer service for purposes of the Federal Employees' Retirement System, and for other purposes.
7/23/2018	HR 6464	Jackie Speier (D-CA-14)	To amend the Higher Education Act of 1965 to increase transparency and reporting on campus sexual violence, and for other purposes.



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Upcoming Events/Conferences

[APCO 2018](#)

August 5-8—Las Vegas, NV

[ASCIA 2018 Fall Conference](#)

October 4-6—Orlando, FL

[IACP 2018](#)

October 6-9—Orlando, FL

[National Fusion Center Association Annual Training Event](#)

November 6-8—Alexandria, VA

July 2018

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August 2018

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■ Senate in Session

■ House & Senate in Session

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