

BROOKS BAWDEN LLC Weekly Update

July 4 – 8, 2016

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Links to Previous Updates:

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Latest News

- The House and Senate are in session this week, with the House expected to consider the FY 2017 Financial Services & General Government Appropriations bill, which provides funding for the Office of National Drug Control Policy. Additionally, the House could take up the Conference Report for the Comprehensive Addiction and Recovery Act of 2016, should an agreement be made this week. Also, the House Judiciary Committee is planning on marking up the Rapid DNA Act on Thursday. In the Senate, they are expected to consider its FY 2017 Defense Appropriations bill, as well as two bills to target so-called "sanctuary cities."
- GAO Report: HUMAN TRAFFICKING: Agencies Have Taken Steps to Assess Prevalence, Address Victim Issues, and Avoid Grant Duplication - The GAO released a new report examining the governments actions to target human trafficking. GAO identified 42 grant programs with awards made in 2014 and 2015 that may be used to combat human trafficking or to assist victims of human trafficking, 15 of which are intended solely for these purposes. Although some overlap exists among these human trafficking grant programs, federal agencies have established processes to help prevent unnecessary duplication. View the report here.

ARTICLES OF INTEREST:

DHS eyes new social media screening Politico | Tony Romm

The U.S. could soon ask some foreign visitors to provide details about their accounts on Facebook, Twitter and other social media sites, as the government looks for new ways to spot terrorist threats. The plan would prompt travelers to volunteer "information associated with your online presence," including the social platforms they use and user names, as part of the official process for entering the country. The proposal from the Homeland Security Department, published in the Federal Register on Thursday, follows months of calls on Capitol Hill for greater scrutiny of foreign visitors' social media accounts. **Continue reading here.**

See Something, Say Something: Bartenders, club owners, bouncers trained to spot suspicious activity

Fox 6 News Milwaukee | Katie Delong & Bret Lemoine

A new campaign targeting Milwaukee's downtown entertainment district is encouraging business owners and patrons to be on the lookout for suspicious activity. It is an attempt to try to prevent mass shootings in this post-Orlando world -- and training took place on Tuesday evening, June 28th in downtown Milwaukee. The campaign launched Tuesday, and with it, came training for bartenders, night club owners and bouncers. Organizers of this effort said the training focused on behavior -- rather than profiling. **Continue reading here.**

California Marijuana To Cost Just \$1 Per Gram After November Ballot The Daily Caller | Guy Bentley

One of the nation's leading experts on marijuana and criminal justice fears California's ballot to legalize marijuana na could result in plummeting prices and rising rates of marijuana disorder. Professor Mark Kleiman, an adjunct scholar at the Center for American Progress excoriates the Adult Use of Marijuana Act, which qualified for a November ballot June 28. The bill allows commercial legalization of marijuana and six plants per household, with no limits on the quantity produced but a ban on sales and advertising to minors. California would impose a \$9.75 tax (33 cents per gram) of flowers and a 15 percent sales tax on the retail price on top of the state's regular sales tax. **Continue reading here.**

Hearings & Markups Happening This Week

House-Senate Conference <u>Committee Meeting</u> <u>S.524, the Comprehensive Addiction and Recovery Act of 2016</u> July 6 @ 10:00 am - 2123 Rayburn

Senate Homeland Security Committee - Investigations Subcommittee Hearing <u>ISIS Online: Countering Terrorist Radicalization & Recruitment On the Internet & Social Media</u> July 6 @ 2:00 pm - 342 Dirksen

House Judiciary Committee - Full Committee Markup - July 7 @ 10:00 am - 2237 Rayburn

H.R. 320 - Rapid DNA Act of 2016 Status: To be marked-up in the House Judiciary Committee on 7/7

Summary: This bill implements the use of Rapid DNA instruments to inform decisions about pretrial release or detention and their conditions, to solve and prevent violent crimes and other crimes, to exonerate the innocent, to prevent DNA analysis backlogs.

H.R. 5578 - Survivors' Bill of Rights Act of 2016

Status: To be marked-up in the House Judiciary Committee on 7/7 **Summary**: To establish certain rights for sexual assault survivors, and for other purposes.

<u>H.R. 68</u> - Juvenile Accountability Block Grant Reauthorization and the Bullying Prevention and Intervention Act of 2015

Status: To be marked-up in the House Judiciary Committee on 7/7 **Summary**: Amends the Omnibus Crime Control and Safe Streets Act of 1968 to: (1) expand the juvenile accountability block grant program with respect to programs for the prevention of bullying to include intervention programs, and (2) authorize appropriations for such grant program for FY2016-FY2020. Encourages the use of best practices for all activities under such grant program.

House Homeland Security & House T&I Committee - Joint Subcommittee Hearing An Examination of the Maritime Nuclear Smuggling Threat and Other Port Security and Smuggling Risks in the U.S July 7 @ 10:00 am - 2167 Rayburn

House Homeland Security Committee - Oversight Subcommittee Hearing <u>How Pervasive is Misconduct at TSA: Examining Findings from a Joint Subcommittee Investigation</u> July 7 @ 10:00 am - 311 Cannon

Legislation on the Floor This Week

House:

H.R. 2646 - Helping Families in Mental Health Crisis Act of 2016

Status: To be considered in the House on 7/6

Summary: Medicaid coverage of mental health services would be expanded and a new assistant secretary for mental health and substance use would be created in the Health and Human Services Department. The bill would direct the department to issue regulations regarding when a health-care provider can disclose the protected health records of a patient with severe mental illness, and it would reauthorize and modify several mental health programs

H.R. 5611 - Homeland Safety and Security Act

Status: To be considered in the House this week

Summary: Under this bill, the attorney general would be given three days to seek a court injunction to block the sale of weapons to people under investigation as a suspected or known terrorist or people who had been under such investigation during the previous five years. Courts would be empowered to halt such sales if the Justice Department provided probable cause to believe that the prospective buyer will wage an act of terrorism. The bill would require the Homeland Security Department to devise a strategy for countering "radical Islamist terrorism" in the U.S. and to set grant program for local organizations to help counter radicalization and recruitment by terrorist organizations.

H.R. 5485 - Financial Services and General Government Appropriations Act, 2017

Status: To be considered in the House this week

Summary: Making appropriations for financial services and general government for the fiscal year ending September 30, 2017, and for other purposes. This legislation funds the Office of National Drug Control Policy, which includes for the HIDTA and other drug control programs. (ONDCP funding summary here.)

S. 2943 - National Defense Authorization Act for Fiscal Year 2017

Status: Possible Motion to Go to Conference, and Possible Democrat Motion to Instruct Conferees **Summary**: To authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

Conference Report to Accompany S. 524 - Comprehensive Addiction and Recovery Act of 2016

Status: Possible consideration of the Conference Report in the House this week

Summary: Authorizes the Attorney General and Secretary of Health and Human Services to award grants to address the national epidemics of prescription opioid abuse and heroin use, and to provide for the establishment of an inter-agency task force to review, modify, and update best practices for pain management and prescribing pain medication.

Senate:

H.R. 5293 - legislative vehicle for the Senate's FY 2017 Defense Appropriations Act

Status: To be considered in the Senate this week

Summary: Making appropriations for the Department of Defense for the fiscal year ending September 30, 2017

<u>S. 3100</u> - Stop Dangerous Sanctuary Cities Act

Status: Possible consideration in the Senate this week

Summary: To ensure that State and local law enforcement may cooperate with Federal officials to protect our communities from violent criminals and suspected terrorists who are illegally present in the United States. Federal money would be withheld from municipalities or states with laws barring police from turning over undocumented immigrants to U.S. authorities.

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S. 2193 - Kate's Law

Status: Possible consideration in the Senate this week

Summary: This bill amends the Immigration and Nationality Act to increase from two years to five years the maximum prison term for an alien who reenters after being denied admission, excluded, deported, or removed. It establishes: a 10-year maximum prison term for an alien who reenters after being denied admission, excluded, deported, or removed on 3 or more prior occasions; and a 5-year mandatory minimum prison term for an alien who reenters after being removed following a conviction for an aggravated felony or following 2 or more prior convictions for illegal reentry.

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 28

One Year After Enactment: Implementation of the Justice for Victims of Trafficking Act of 2015 Summary: This hearing looked at the implementation of the Justice for Victims of Trafficking Act, and whether the Justice Department is doing everything it can to implement the measures in the legislation. Senators heard testimony that since the enactment of this legislation, they have seen an increase in prosecutions of trafficking. In particular, greater anti-trafficking training for federal, state, and local law enforcement has been very important to allow law

enforcement officials spot potential instances of trafficking. Additionally, a GAO witness explained that while provisions of this legislation are being implemented, there are still challenges with investigating and prosecuting these crimes, in part due to the difficulty of detecting human trafficking. Also, the limited availability of services for victims and unwillingness of some victims to cooperate with prosecutors are additional challenges that makes prosecuting these crimes difficult.

Senate Judiciary Committee - Oversight Subcommittee Hearing - June 28

Willful Blindness: Consequences of Agency Efforts To Deemphasize Radical Islam in Combating Terrorism Summary: This hearing focused on the administrations reluctance to use the terms "Islamic extremists," and other phrases to describe the current fight against terrorism. Some believe that the lack of willingness to use the term "radical Islam," it hampers our ability to adequately counter the current campaign to fight back, and target their recruiting efforts. Not everyone agreed with this criticism, explain that we shouldn't inflame and ostracize the Muslim community, and that using terms such as radical Islam lack specific meaning, and only helps the terrorists in their recruiting efforts. Additionally, Senator Ted Cruz raised concerns with the administrations efforts to scrub any references of Islam, jihad, and other terms from various reports and publications.

Senate Homeland Security Committee - Full Committee Roundtable Discussion—June 29 <u>Preparing for and Protecting the Nation from Zika</u>

Summary: This roundtable discussion examined the Zika virus, how it is spread, how we can protect ourselves from contracting the virus if we travel to a region that has a high infection rate, and what efforts are being done to eradicate the virus and treat those who are infected. According to panelists, an important step that needs to happen is better eradication measure to control mosquito breeding, and a better understanding amongst the public on how they can help with that effort.

Senate Commerce Committee - Full Committee Markup - June 29

<u>S. 2997</u> - Securing Access to Networks in Disasters Act of 2016 Status: Approved by the Senate Commerce Committee on 6/29 Summary: To direct the Federal Communications Commission to commence proceedings related to the resiliency of critical telecommunications networks during times of emergency.

Senate Judiciary Committee - Full Committee Hearing - June 30 Oversight of the Department of Homeland Security

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Summary: This oversight hearing of the Department of Homeland Security heard from DHS Secretary Johnson. With regards to cyber, Secretary Johnson discussed the agency's desire for reorganization, specifically, replacing the National Protection and Programs Directorate with a new operational agency tasked with protecting the computer networks that run the nation's power grid, water utilities and more. Senator Cruz asked the Secretary Johnson dismissing the criticism, believing that how we refer to these individuals is irrelevant, and we also do not want to alienate the Muslim community.

Legislation Considered Last Week

House:

The House was not in session.

Senate:

H.R. 2577 - FY 2017 MilCon-VA Appropriations Conference Report/ Zika Virus response funding

Status: Failed cloture motion in the Senate on 6/28; Approved by the House on 6/23 **Summary**: \$84 billion conference report to H.R. 2577, which includes \$1.1 billion to fight Zika. Zika funding offsets include: \$543 million from the Obamacare fund to help territories set up health-care exchanges; \$107 million from the Economic Support Fund provided in the Ebola supplemental; and \$100 million from the Department of Health and Human Services contingency fund.

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Legislation Introduced Last Week

Date Introduced	Bill Number	Sponsor	Description
7/1/2016	<u>HR 5615</u>	Alan Grayson	Freedom From Fear Act - Reinstates the 1994 assault weap- ons ban
7/1/2016	<u>HR 5611</u>	Kevin McCarthy	Homeland Safety and Security Act - To prevent terrorists from launching attacks and obtaining passports, and for other purposes.
6/29/2016	<u>S 3125</u>	Bob Casey	Stop Terrorist Operational Resources and Money Act - To establish a designation for jurisdictions permissive to ter- rorism financing, to build the capacity of partner nations to investigate, prosecute, and hold accountable terrorist fi- nanciers, to impose restrictions on foreign financial institu- tions that provide financial services for terrorist organiza- tions, and for other purposes.
6/29/2016	<u>S 3124</u>	Joni Ernst	Sarah's Law - To require U.S. Immigration and Customs En- forcement to take into custody certain aliens who have been charged in the United States with a crime that result- ed in the death or serious bodily injury of another person, and for other purposes.
6/29/2016	<u>S 3122</u>	Brian Schatz	REAL Act of 2016 - To reinstate Federal Pell Grant eligibility for individuals incarcerated in Federal and State penal insti- tutions, and for other purposes.
6/28/2016	<u>HR 5607</u>	Robert Pittenger	To enhance the Department of the Treasury's role in pro- tecting national security, and for other purposes.
6/28/2016	<u>HR 5606</u>	Robert Pittenger	Anti-terrorism Information Sharing Is Strength Act - To facil- itate better information sharing to assist in the fight against the funding of terrorist activities, and for other purposes.
6/28/2016	<u>HR 5601</u>	Ann Kuster	Carl's Law - To amend the Federal Food, Drug, and Cos- metic Act to require the label of any drug containing an opi- ate to prominently state that addiction is possible.
6/28/2016	<u>HR 5594</u>	Mike Fitzpatrick	National Strategy for Combating Terrorist, Underground, and Other Illicit Financing Act - To require the establish- ment of a national strategy for combating the financing of terrorism and related financial crimes, and for other pur- poses.
6/27/2016	<u>S 3100</u>	Pat Toomey	Stop Dangerous Sanctuary Cities Act - To ensure that State and local law enforcement may cooperate with Federal offi- cials to protect our communities from violent criminals and suspected terrorists who are illegally present in the United States.