



BROOKS BAWDEN LLC

Weekly Update

November 21 - 25, 2016

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Latest News

- **Happy Thanksgiving and safe travels to you and your family from the Brooks Bawden Team!**
- The House and Senate are not in session this week, but when they return next week, the House Republican Steering Committee will meet to decide Committee chairmanships for the 115th Congress. Once chairmanships are decided, subcommittee chairmanships will be considered. House Democrats will hold their leadership elections on November 30. These elections were postponed due to some concerns within the caucus over the leadership of the caucus and the need for new voices to lead the group. House Minority Leader Nancy Pelosi (D-CA) is facing a challenge from Congressman Tim Ryan (D-OH).

- **Counterterrorism Conference in New Orleans** - The Major County Sheriffs' Association (MCSA), in coordination with the Jefferson Parish Sheriff's Office, the National Sheriffs' Association and the Louisiana Sheriffs' Association, hosted a joint regional counterterrorism conference in New Orleans last week. "It Can Happen Here" was the conference theme and over the span of three days, participants received tailored and comprehensive presentations on case studies applicable to local jurisdictions, engaged in an open and honest dialogue and discussed intelligence gaps. As the terrorist threat and vulnerabilities change from one geographic area to another, the MCSA is in the process of determining additional regional conference locations.



Ron Brooks, Chuck McNeal from LA-SAFE and John Jones with TX DPS headlined a panel, "Fusion Center Operations, Services and Products in the Louisiana Region .

- **Trump Transition Update** - The Trump transition team is continuing to make progress on filling key positions, as well as establishing "landing teams" to meet with the various federal agencies to begin the transition of personnel and policy from the Obama Administration to the Trump Administration. Additionally, President-elect Trump made three major national security position announcements, including: Senator Jeff Sessions (R-AL) for Attorney General (see detailed profile on [page 4](#)), Lt. Gen. Mike Flynn (ret.) to be his National Security Advisor, and Representative Mike Pompeo (R-Kan.), to be the next Director of the Central Intelligence Agency.

- **Terror Threat Snapshot** - The House Homeland Security Committee released its monthly snapshot of the terror threat that shows the growing threat America, the West, and the world face from ISIS and other Islamist terrorists. You can view the snapshot [here](#).
- **Presidential Commutations** - On Tuesday, November 22, President Obama commuted the sentences of 79 federal inmates. In total, President Obama has commuted the sentences of 1,023 inmates, more than the last 11 presidents combined. You can view the White House press release [here](#). You can view the Major County Sheriffs' Association statement [here](#).
- **ARTICLES OF INTEREST:**
Why heroin is Mexican drug cartels' new product of choice
USA Today | GlobalPost
In Mexico, a profound change is occurring in the drug trade. Where cartels once focused on smuggling marijuana and cocaine to the United States, they are now turning more and more to a new product: heroin. The non-profit Hudson Institute estimated the amount of pure heroin produced in Mexico in 2015 rose 67% over the 2014 numbers, and 170% over the estimates for 2013. Officials from both Mexico and the United States estimated at least a 50% jump in production in 2014, according to the New York Times. **Continue reading [here](#).**

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 - November 15

[Oversight of the Secret Service](#)

Summary: This oversight hearing examined the Secret Service, and what reforms have been implemented at the agency in light of past scandals and criticism. At the hearing, Members also discussed the toll the recent elections have had on the agency including staffing levels, as well as ensuring overtime pay for agents working on the presidential campaigns. Additionally, the core role of the agency was examined, along with the burdens placed on the agency from the investigative mission. An examination of the agency's IT operation was examined, with the Secret Service's CIO explaining that when he arrived at the agency a year ago, a complete reorganization of the Information Resources Management Division was necessary, and since then, a lot of progress has been made to centralize IT systems, ensure a complete accounting of all IT spending, and ensure proper training for employees on use of systems, including implementing auditing protocols. Questions still surfaced however, in part due to a recent [IG report](#) expressing continued concerns at the agency with regards to its IT management.

House Judiciary Committee - [Full Committee Markup](#) - November 16

H.R. 5422 - To ensure funding for the National Human Trafficking Hotline, and for other purposes

Status: Approved by the House Judiciary Committee on 11/16

Summary: This bill amends the Victims of Trafficking and Violence Protection Act of 2000 to eliminate the provision that specifies that Department of Health and Human Services national human trafficking hotline grants be funded by amounts made available to the Department of Justice for trafficking victim services grants.

House Energy & Commerce Committee - Commerce Subcommittee Hearing - November 16

[Understanding the Role of Connected Devices in Recent Cyber Attacks](#)

Summary: This hearing examined the recent series of Internet of Things (IoT) connected device-based distributed denial of service (DDoS) attacks. Last month hackers leveraged a DDoS attack against global Internet routing company Dyn that resulted in thousands of consumers being unable to connect with Netflix, Twitter, CNN, and other well-known websites. Panelists at the hearing discussed the importance of a collaborative approach to address IoT security risks. Chairman Walden asked how we can draft potential cybersecurity standards while not stifling innova-

tion. Panelists stated that a well-designed cyber security framework will actually promote innovation, and buy-in from industry to help develop that framework is necessary for it to be successful.

Legislation Considered Last Week

House:

H.R. 4365 - Protecting Patient Access to Emergency Medications Act of 2016

Status: Approved in the House on 11/14

Summary: This legislation would allow emergency medical services personnel to be explicitly authorized to administer seizure medications, narcotic painkillers and other controlled substances. The bill would allow a medical director, physician, physician assistant or advanced practice registered nurse to authorize EMS personnel to dispense substances. Authorizations could include “standing orders” with written criteria for administering the substance or verbal orders for a specific patient or mass casualty incident. Schedule I drugs such as heroin, ecstasy and marijuana would be excluded.

H.R. 2669 - Anti-Spoofing Act of 2016

Status: Approved in the House on 11/14

Summary: The prohibition on providing misleading or inaccurate caller identification information, also called “spoofing,” would be expanded to bar the practice in connection with text messages and calls from outside the U.S. Within 18 months of the bill’s enactment, the Federal Communications Commission would have to issue regulations to implement and enforce the prohibition, which would take effect six months later. The bill wouldn’t affect other FCC consumer protection rules related to marketing phone calls or unsolicited e-mail.

Senate:

S.1915 - First Responder Anthrax Preparedness Act

Status: Approved in the Senate on 11/16

Summary: This bill requires the Department of Homeland Security (DHS), in coordination with the Department of Health and Human Services (HHS), to carry out a three-year pilot program to provide anthrax vaccines nearing the end of their labeled dates of use from the strategic national stockpile to be administered to emergency response providers who are at high risk of exposure to anthrax and who voluntarily consent. DHS shall establish a communication platform, develop and deliver education and training, conduct an economic analysis, create a logistical platform, and establish goals and desired outcomes for the program.

S.1808 - Northern Border Security Review Act

Status: Approved in the Senate on 11/16

Summary: This bill directs the Secretary of Homeland Security to submit to specified congressional committees a northern border threat analysis, which shall include analyses of: terrorism and criminal threats posed by individuals and organized groups seeking to enter the United States through the northern border or to exploit border vulnerabilities on such border; improvements needed at and between ports of entry along the northern border to prevent terrorists and instruments of terrorism from entering the United States and to reduce criminal activity, as measured by the total flow of illegal goods, illicit drugs, and smuggled and trafficked persons moved in either direction across such border; gaps in law, policy, cooperation between state, tribal, and local law enforcement, international agreements, or tribal agreements that hinder border security, counterterrorism, anti-human smuggling and trafficking efforts, and the flow of legitimate trade along the northern border; and whether additional U.S. Customs and Border Protection preclearance and preinspection operations at ports of entry along the northern border could help prevent terrorists and instruments of terror from entering the United States.

H.R.4902 - To amend title 5, United States Code, to expand law enforcement availability pay to employees of U.S. Customs and Border Protection's Air and Marine Operations.

Status: Approved in the Senate on 11/17; Approved in the House on 6/21

Summary: This bill applies provisions governing availability pay for criminal investigators to any employee of the U.S. Customs and Border Protection's Air and Marine Operations who is a law enforcement officer.

Spotlight on the Trump Administration

*The Trump Administration is starting to take shape. As appointments begin to be made for key positions in the new administration affecting the law enforcement and homeland security communities, we will provide a background highlighting the qualifications of the appointee.

Attorney General: Senator Jeff Sessions (R-AL)

*Sourced from Bloomberg Government, Sen. Sessions official website, and other publications.

Career:

Assistant United States Attorney for the Southern District of Alabama (1975 – 1977)

United States Attorney for Alabama's Southern District (1981 – 1993)

Alabama Attorney General (1995 – 1997)

United States Senator (1997 – present)

*Currently serving as a vice chairman of Trump's transition team

Current Committee Assignments:

Judiciary Committee: *Chairman, Subcommittee on Immigration and the National Interest; Former Full Committee Ranking Member in the 111th Congress*

Armed Services Committee: *Chairman, Subcommittee on Strategic Forces*

Budget Committee: *Former Full Committee Ranking Member in the 112th & 113th Congress*

Environment & Public Works Committee:

Background & Positions:

Senator Sessions received his undergraduate degree from Huntingdon College in Montgomery and his law degree from the University of Alabama. After serving in private practice, he became the U.S. attorney for Alabama in 1981. Sessions has served as a captain in the Army Reserve and Alabama state attorney general.

Senator Sessions would be deeply involved in vetting potential Supreme Court picks for President-elect Trump, including one to fill the seat of Antonin Scalia. Sessions has opposed all of President Obama's U.S. Supreme Court picks and voted against the nomination of Attorney General Loretta Lynch, citing her support for the president's executive actions that shielded some undocumented immigrants from deportation.

The four-term Senator is a hard-liner on free trade and immigration. He has opposed efforts to overhaul prison sentencing, roll back the war on drugs and legalize marijuana. Sessions also strongly opposed a bipartisan criminal justice overhaul in 2016 that would have reduced sentences on drug traffickers. Despite his hardline stance, in 2010 he compromised with Democrats to reduce disparities between crack and cocaine sentences.

Senator Sessions, who chairs the Judiciary Immigration Subcommittee, will be heavily involved in the planned review of Obama's executive orders, many of which Trump has promised to reverse. Sessions called Obama's executive order that would have granted work permits to a broader group of undocumented immigrants "brazen" and "illegal." Additionally, expect to see a review of the current DOJ guidelines to the U.S. attorneys concerning how they prosecute marijuana related cases. Throughout his time in the Senate, Sessions has taken a "law and order" approach to tackling various issues, including tough enforcement of current drug and immigration laws, supporter of

civil asset forfeiture, and ensuring that law enforcement has the tools needed to carry out investigations.

Confirmation Outlook:

Senator Sessions confirmation may get ugly, however, ultimately it is unlikely that he will face too much of a threat over his confirmation given that he is a sitting Senator who is widely liked personally. There will likely be scrutiny of his past in Alabama while serving as the U.S. Attorney. In 1986, President Reagan nominated Sessions for a district court judgeship, but his nomination never made it out of committee after accusations surfaced that he had made racist statements. Additionally, we expect intense questioning during the confirmation hearings regarding how his DOJ will enforce federal immigration and drug laws.

Read Letters of Support From Law Enforcement/Public Safety Organizations:

[Fraternal Order of Police](#)

[Major County Sheriffs' Association](#)

[National Association of Assistant U.S. Attorneys](#)

[National Association of Police Organizations](#)

[National District Attorneys Association](#)

[National Narcotic Officers' Associations' Coalition](#)

[National Sheriffs' Association](#)

[Republican Attorneys General Association](#)

Legislation Introduced Last Week

Date Introduced	Bill Number	Sponsor	Description
11/18/2016	<u>HR 6381</u>	Mike McCaul (R-TX-10)	To provide for certain homeland security improvements, and for other purposes.
11/18/2016	<u>HR 6380</u>	Will Hurd (R-TX-23)	To amend the Omnibus Crime Control and Safe Streets Act of 1968 to authorize COPS grantees to use grant funds to hire veterans as career law enforcement officers, and for other purposes.
11/17/2016	<u>HR 6346</u>	Don Beyer (D-VA-8)	To require that States and units of local government that receive funds under subpart I of part E of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3750 et seq.) report information pertaining to hate crimes to the Attorney General for inclusion in the Uniform Crime Reports and National Incident-Based Reporting System, and for other purposes.
11/17/2016	<u>HR 6341</u>	Ted Poe (R-TX-2)	To delay the amendments to rule 41 of the Federal Rules of Criminal Procedure.
11/17/2016	<u>S 3480</u>	Ben Sasse (R-NE)	A bill to make an alien who applies for naturalization using a false identity ineligible for citizenship and to require the completion of the Historical Fingerprint Enrollment Program and for other purposes.
11/17/2016	<u>S 3475</u>	Chris Coons (D-DE)	A bill to delay the amendments to rule 41 of the Federal Rules of Criminal Procedure.
11/17/2016	<u>S 3474</u>	John Cornyn (R-TX)	A bill to amend the Omnibus Crime Control and Safe Streets Act of 1968 to authorize COPS grantees to use grant funds to hire veterans as career law enforcement officers, and for other purposes.
11/16/2016	<u>HR 6332</u>	Steve Israel (D-NY-3)	National Hate Crimes Hotline Act of 2016 - To establish grant programs to provide for the establishment of a national hate crime hotline and a hate crime information and assistance website, to provide training and education to local law enforcement to prevent hate crimes, and to provide assistance to victims of hate crimes.
11/16/2016	<u>HR 6328</u>	Nydia Velazquez (D-NY-7)	National Hate Crimes Hotline Act of 2016 - To establish grant programs to provide for the establishment of a national hate crime hotline and a hate crime information and assistance website, to provide training and education to local law enforcement to prevent hate crimes, and to provide assistance to victims of hate crimes.

11/16/2016	<u>HRes 925</u>	Richard Hanna (D-NY-22)	Expressing the sense of the House of Representatives regarding the vital role the Civil Air Patrol has played, and continues to play, in supporting the homeland security and national defense of the United States.
11/15/2016	<u>HR 6318</u>	Elijah Cummings (D-MD-7)	Fair Pay for Presidential Protection Act - To amend title 5, United States Code, to provide an increase in premium pay for certain Federal employees performing protective services during any year in which a presidential election is held, and for other purposes.
11/14/2016	<u>HR 6302</u>	Jason Chaffetz (R-UT-3)	Overtime Pay for Secret Service Agents Act of 2016 - To provide an increase in premium pay for United States Secret Service agents performing protective services during 2016, and for other purposes.



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