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Weekly Update

January 30 - February 3, 2017

Content in this Weekly Update:

- Highlighted Issues 1
- This Week's Hearings/ Markups 2
- Legislation on the House & Senate Floor 2
- Previous Hearings/ Markups 5
- Previous Floor Actions 6
- Introduced Legislation 7

Links to Previous Updates:

- [115 Congress Chairs](#)
- [Weekly 1/23/17](#)
- [Weekly 1/16/17](#)
- [Weekly 1/3/17](#)
- [Weekly 12/19/16](#)
- [Weekly 12/12/16](#)
- [Weekly 12/5/16](#)
- [Weekly 11/28/16](#)
- [Weekly 11/21/16](#)
- [Weekly 11/14/16](#)
- [Weekly 11/7/16](#)

Latest News

- The House and Senate are in session this week. The House is expected to consider a slew of homeland security related bills, most of which were passed in the House during the previous congress on a bipartisan basis. Three of those bills would assist fusion centers by examining DHS personnel allocation needs at fusion centers, ensuring fusion center personnel are able to obtain security clearances, clarifies the partnership between the Department of Homeland Security and the National Network of Fusion Centers, and would include fusion centers as a point of contact for the dissemination of cybersecurity information.
- In the Senate, there will be a number of nomination votes, including the vote for Rex Tillerson to be Secretary of State. It has yet to be determined the full list of nominations that will be considered on the Senate floor this week. In the Senate Judiciary Committee, the vote on the nomination of Senator Sessions to be the next Attorney General is expected to occur on Tuesday. There is the strong likelihood that Republican leaders will push to have a final confirmation vote on the Sessions nomination by the end of the week.
- **Trump Executive Orders** - Last week, President Trump issued a number of Executive Orders dealing with securing the southern border ([here](#)), cracking down on sanctuary cities ([here](#)), refugees coming into the U.S. ([here](#)), and others. Some law enforcement groups have expressed a need for greater clarity on these executive orders, in particular the sanctuary city order. The Major County Sheriffs' Association released the following statement on that order, which can be found [here](#).
- **Nominations:** The White House has announced that President Trump intends to nominate Elaine Duke as deputy secretary of the Department of Homeland Security. Ms. Duke served in senior roles in the department in the administrations of George W. Bush and Barack Obama, most recently as under secretary for management from 2008 to 2010. Ms. Duke has a long history serving within the federal government, primarily managing the budgets and procurement for various Homeland Security components.

In addition to this announcement, President Trump has appointed Tom Homan as the Acting Director of U.S. Immigration & Customs Enforcement, replacing Acting Director Dan Ragsdale. Additionally, President Trump has appointed Dana Boente, US attorney for the Eastern District of Virginia, to serve as Acting Attorney General, until the confirmation of Senator Jeff Sessions.

ARTICLES OF INTEREST:

ISE driving intergovernmental alignment of capabilities to fight crime Federal News Radio | Jason Miller

The government's ability to share terrorist threat information today is in a much different state than it was six years ago, let alone 15 years ago after the September 11th attacks.

Part of that reason is the work the Information Sharing Environment has done to create standards and integration hubs. Kshemendra Paul, who spent six years as the program manager of the Information Sharing Environment, recently took a new job with the Homeland Security Department as deputy director for Mission and Strategy on the Information Sharing and Services team in the agency's chief information officer's office. Paul said the evidence is clear that information sharing isn't just better, but seen as a critical facet across federal, state and local government agencies and by industry. **Continue reading [here](#).**

Trump revives program to use local police for immigration enforcement **The Hill | Cyra Master**

President Trump is reviving a program that deputizes local officers so they can enforce federal immigration law, at Associated Press reported. The program was announced the same day Trump declared plans to build a border wall with Mexico and hire thousands more federal agents. In 2009, the program had given more than 60 police departments and sheriff agencies special authority, the AP said, but it was criticized by people who thought it promoted racial profiling. Since then, the number has been cut in half, after complaints that officers were focusing on minor violations instead of catching violence offenders. **Article can be found [here](#).**

Hearings & Markups Happening This Week

Senate Judiciary Committee - [Full Committee Markup](#) - January 31 @ 9:30 am - 226 Dirksen

[Nomination of Jeff Sessions to be Attorney General](#)

Status: To be considered by the Senate Judiciary Committee on 1/31

[S. 178 - Elder Abuse Prevention and Prosecution Act](#)

Status: To be considered in the Senate Judiciary Committee on 1/31

Summary: A bill to prevent elder abuse and exploitation and improve the justice system's response to victims in elder abuse and exploitation cases.

Senate Homeland Security Committee - Full Committee Hearing

[Fencing Along the Southwest Border](#)

February 1 @ 10:00 am - 342 Dirksen

House Armed Services Committee - Full Committee Hearing

[The State of the World: National Security Threats and Challenges](#)

February 1 @ 10:00 am - 2118 Rayburn

Legislation on the Floor This Week

House:

[H.R. 666 - Department of Homeland Security Insider Threat and Mitigation Act of 2017](#)

Status: To be considered in the House on 1/31

Summary: This legislation would amend the Homeland Security Act of 2002 to establish the Insider Threat Program. The program will provide training and education for Department personnel to identify, prevent, mitigate, and respond to insider threat risks to the Department's critical assets; provide investigative support regarding potential insider threats that may pose a risk to the Department's critical assets; and conduct risk mitigation activities for insider threats.

[H.R. 697 - Department of Homeland Security Clearance Management and Administration Act](#)

Status: To be considered in the House on 1/31

Summary: This bill amends the Homeland Security Act of 2002 to improve the management and administration of the security clearance processes throughout the Department of Homeland Security. The Secretary shall require the designation of the sensitivity level of national security positions be conducted in a consistent manner with respect to all components and offices of the Department, and consistent with Federal guidelines.

H.R. 642 - Fusion Center Enhancement Act of 2017

Status: To be considered in the House on 1/31

Summary: This legislation would clarify the partnership between the Department of Homeland Security and the National Network of Fusion Centers, including Departmental support to fusion centers relating to information sharing and personnel. Specifically, this legislation: outlines scope of DHS engagement with NNFC, specifies prioritization of support for NNFC in FEMA grant guidance, specifies fusion centers as primary focal points for DHS sharing of HS/terrorism/WMD info with SLG, DHS develop best practices re: staffing various disciplines (LE/EM/fire) in FCs, requires I&A to negotiate MOUs with SLGs re: info sharing (wide scope / joint products / FOIA), defines the National Network of Fusion Centers, requires I&A to report to Congress annually on DHS efforts “to enhance support provided to fusion centers.”

H.R. 526 - Counterterrorism Advisory Board Act of 2017

Status: To be considered in the House on 1/31

Summary: This bill amends the Homeland Security Act of 2002 to establish in the Department of Homeland Security (DHS) a board to coordinate and integrate DHS's intelligence, activities, and policy related to its counterterrorism mission and functions. The board shall: (1) advise the Secretary of DHS on the issuance of terrorism alerts, and (2) meet on a regular basis to discuss intelligence and coordinate ongoing threat mitigation efforts and departmental activities. The board's charter shall direct it to focus on the current threat environment and the importance of aligning departmental counterterrorism activities under the Secretary's guidance.

H.R. 665 - Airport Perimeter and Access Control Security Act of 2017

Status: To be considered in the House on 1/31

Summary: The Transportation Security Administration would be required to update several airport security risk assessments. TSA would have to update the “Transportation Sector Security Risk Assessment” for the aviation sector within 60 days of enactment and update the “Comprehensive Risk Assessment of Perimeter and Access Control Security,” within 90 days of enactment. TSA would establish a schedule for future updates and conduct a system wide assessment of airport access control points and perimeter security.

H.R. 366 - DHS SAVE Act

Status: To be considered in the House on 1/31

Summary: Oversight of fleet vehicles at Homeland Security Department (DHS) agencies would be consolidated under the Management Directorate. The measure also would require continuing fleet evaluation by DHS agencies, impose penalties on agencies that don't comply, and require DHS to consider other fleet management strategies.

H.R. 347 - DHS Acquisition Documentation Integrity Act of 2017

Status: To be considered in the House on 1/31

Summary: DHS would be required to maintain complete and accurate documentation for major acquisition programs with total expenditures exceeding \$300 million. Documentation would include operational requirements, lifecycle cost estimates and schedules. Components of DHS would submit the documents as part of the department's annual Comprehensive Acquisition Status Report.

H.R. 549 - Transit Security Grant Program Flexibility Act

Status: To be considered in the House on 1/31

Summary: Recipients of Transportation Security Assistance grants would have additional time to use funds under this legislation. Generally grants would be available for at least 36 months, rather than two years. The period would be at least 55 months for security improvements to public transportation systems that are in final design or under construction or for stations and other transit infrastructure.

H.R. 687 - First Responder Access to Innovative Technologies Act

Status: To be considered in the House on 1/31

Summary: This bill amends the Homeland Security Act of 2002 to direct the Federal Emergency Management Agency (FEMA) to implement a uniform process for reviewing applications that contain explanations to use grants provided under the Urban Area Security Initiative or the State Homeland Security Grant Program to purchase equipment or systems that do not meet or exceed any applicable national voluntary consensus standards developed under the Post-Katrina Emergency Management Reform Act of 2006.

[H.R. 584](#) - Cyber Preparedness Act of 2017

Status: To be considered in the House on 1/31

Summary: This bill amends the Homeland Security Act of 2002 to expand the responsibilities of the Department of Homeland Security's State, Local, and Regional Fusion Center Initiative to include serving as a point of contact to ensure the dissemination of cybersecurity risk information within the scope of its information sharing environment with state, local, and regional fusion centers. (A fusion center serves as a focal point within the state and local environment for the receipt, analysis, gathering, and sharing of threat-related information between the federal government and state, local, tribal, territorial, and private sector partners.)

[H.R. 690](#) - Gains in Global Nuclear Detection Architecture Act

Status: To be considered in the House on 1/31

Summary: The Homeland Security Department's Domestic Nuclear Detection Office would have to document how the research it supports aligns with the high-level goals of a global program to improve nuclear detection architectures.

[H.R. 655](#) - Securing the Cities Act of 2017

Status: To be considered in the House on 1/31

Summary: This bill amends the Homeland Security Act of 2002 to establish the Securing the Cities program to enhance the ability of the United States to detect and prevent terrorist attacks and other high consequence events utilizing nuclear or other radiological materials that pose a high risk to homeland security in high-risk urban areas.

[H.R. 437](#) - Medical Preparedness Allowable Use Act

Status: To be considered in the House on 1/31

Summary: This legislation authorizes State and local governments to use federal homeland security grants to improve medical capabilities to deal with terrorist attacks.

[H.R. 612](#) - United States-Israel Cybersecurity Cooperation Enhancement Act of 2017

Status: To be considered in the House on 1/31

Summary: This bill requires the Department of Homeland Security (DHS) to establish a grant program to support cybersecurity research and development, and the demonstration and commercialization of cybersecurity technology, in accordance with the Agreement between the Government of the United States of America and the Government of the State of Israel on Cooperation in Science and Technology for Homeland Security Matters, dated May 29, 2008, or a successor agreement. Grants may be awarded for social science research and technology intended to identify, protect against, respond to, and recover from cybersecurity threats.

[H.R. 505](#) - Border Security Technology Accountability Act of 2017

Status: To be considered in the House on 1/31

Summary: Amends the Homeland Security Act of 2002 to require each border security technology acquisition program of the Department of Homeland Security with a significant lifecycle cost estimate to: (1) have written documentation demonstrating that each such program has an acquisition program baseline approved by the relevant acquisition decision authority; and (2) demonstrate that each such program is meeting agreed-upon cost, schedule, and performance thresholds, in compliance with the Federal Acquisition Regulation.

[H.R. 677](#) - CBRN Intelligence and Information Sharing Act of 2017

Status: To be considered in the House on 1/31

Summary: Amends the Homeland Security Act of 2002 to establish chemical, biological, radiological, and nuclear intelligence and information sharing functions of the Office of Intelligence and Analysis of the Department of Home-

land Security and to require dissemination of information analyzed by the Department to entities with responsibilities relating to homeland security.

H.R. 678 - Department of Homeland Security Support to Fusion Centers Act of 2017

Status: To be considered by the House on 1/31

Summary: This legislation would require an assessment of fusion center personnel needs. Not later than 120 days after the date of the enactment, the Under Secretary of Intelligence and Analysis of the Department of Homeland Security, in coordination with the appropriate components and offices of the Department and the Homeland Security Advisors of the States, shall, in consultation with the principal officials of the fusion centers in the National Network of Fusion Centers, conduct a needs assessment of Department personnel assigned to fusion centers, including an assessment of whether deploying additional Department personnel to such fusion centers would enhance the Department's mission under section 101(b) of such Act and the National Network of Fusion Centers. Additionally, the Under Secretary of Intelligence and Analysis of the Department of Homeland Security, in collaboration with the Chief Security Officer of the Department, shall establish a program to provide eligibility for access to information classified as Top Secret for State and local analysts located in fusion centers.

Senate:**[Nomination of Jeff Sessions to be Attorney General](#)**

Status: Possible consideration of the Sessions confirmation vote this week.

Recap of Last Week's Hearings & Markups

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

Senate Commerce Committee - [Full Committee Markup](#) - January 24

[S. 102 - Securing Access to Networks in Disasters \(SANDY\) Act](#)

Status: Approved by the Senate Commerce Committee on 1/24.

Summary: This bill would require the Federal Communications Commission to study whether technologies using unlicensed spectrum, such as Wi-Fi access points, could provide 911 services during emergencies and whether such technologies owned and operated by communications providers should be required to do so for the general public, without the use of login credentials. The FCC would also have to study alternative ways to provide 911 access during emergencies when mobile service isn't available.

[S. 123 - Kari's Law Act](#)

Status: Approved by the Senate Commerce Committee on 1/24

Summary: This bill requires multi-line telephone systems to have a configuration that permits users to directly initiate a call to 9-1-1 without dialing any additional digit, code, prefix, or post-fix.

[S. 134 - Spoofing Prevention Act](#)

Status: Approved by the Senate Commerce Committee on 1/24

Summary: The prohibition on providing misleading or inaccurate caller identification information, also called "spoofing," would be expanded to bar the practice in connection with calls from outside the U.S. and text messages.

Legislation Considered Last Week

House:

H.R. 423 - Anti-Spoofing Act of 2017

Status: Approved by the House on 1/23

Summary: The prohibition on providing misleading or inaccurate caller identification information, also called “spoofing,” would be expanded to bar the practice in connection with calls from outside the U.S. and text messages.

H.R. 588 - Securing Access to Networks in Disasters Act

Status: Approved by the House on 1/23

Summary: This bill would require the Federal Communications Commission to study whether technologies using unlicensed spectrum, such as Wi-Fi access points, could provide 911 services during emergencies and whether such technologies owned and operated by communications providers should be required to do so for the general public, without the use of login credentials. The FCC would also have to study alternative ways to provide 911 access during emergencies when mobile service isn’t available.

H.R. 582 - Kari's Law Act of 2017

Status: Approved by the House on 1/23

Summary: This bill requires multi-line telephone systems to have a configuration that permits users to directly initiate a call to 9-1-1 without dialing any additional digit, code, prefix, or post-fix.

Senate:

Nomination of Mike Pompeo to be Director of the Central Intelligence Agency

Status: Confirmed by the Senate on 1/23; Approved by the Senate Intelligence Committee on 1/20

Legislation Introduced Last Week

Date Introduced	Bill Number	Sponsor	Description
1/27/2017	HR 715	Morgan Griffith (R-VA-9)	To provide for the rescheduling of marihuana, the medical use of marihuana in accordance with State law, and the exclusion of cannabidiol from the definition of marihuana, and for other purposes.
1/27/2017	HR 714	Morgan Griffith (R-VA-9)	To provide for the legitimate use of medicinal marihuana in accordance with the laws of the various States.
1/24/2017	HR 697	Bennie Tompson (D-MS-2)	Department of Homeland Security Clearance Management and Administration Act - To amend the Homeland Security Act of 2002 to improve the management and administration of the security clearance processes throughout the Department of Homeland Security, and for other purposes.
1/24/2017	HR 695	Adam Schiff (D-CA-28)	To amend the National Child Protection Act of 1993 to establish a national criminal history background check system and criminal history review program for certain individuals who, related to their employment, have access to children, the elderly, or individuals with disabilities, and for other purposes.
1/24/2017	HR 690	Cedric Richmond (D-LA-2)	Gains in Global Nuclear Detection Architecture Act - To amend the Homeland Security Act of 2002 to enhance certain duties of the Domestic Nuclear Detection Office, and for other purposes.
1/24/2017	HR 687	Donald Payne (D-NJ-10)	First Responder Access to Innovative Technologies Act - To amend the Homeland Security Act of 2002 to establish a process to review applications for certain grants to purchase equipment or systems that do not meet or exceed any applicable national voluntary consensus standards, and for other purposes.
1/24/2017	HR 678	Martha McSally (R-AZ-2)	Department of Homeland Security Support to Fusion Centers Act of 2017 - To require an assessment of fusion center personnel needs, and for other purposes.
1/24/2017	HR 677	Martha McSally (R-AZ-2)	CBRN Intelligence and Information Sharing Act of 2017 - To amend the Homeland Security Act of 2002 to establish chemical, biological, radiological, and nuclear intelligence and information sharing functions of the Office of Intelligence and Analysis of the Department of Homeland Security and to require dissemination of information analyzed by the Department to entities with responsibilities relating to homeland security, and for other purposes.
1/24/2017	HR 670	Zoe Lofgren (D-CA-19)	To amend the Immigration and Nationality Act to reform the H-1B visa program, and for other purposes.
1/24/2017	HR 666	Peter King (R-NY-2)	Department of Homeland Security Insider Threat and Mitigation Act of 2017 - To amend the Homeland Security Act of 2002 to establish the Insider Threat Program.
1/24/2017	HR 665	William Keating (D-MA-9)	Airport Perimeter and Access Control Security Act of 2017 - To modernize and enhance airport perimeter and access control security by requiring updated risk assessments and the development of security strategies.
1/24/2017	HR 664	David Joyce (R-OH-14)	To prevent the abuse of opiates, to improve response and treatment for the abuse of opiates and related overdoses.

1/24/2017	HR 655	Dan Donovan (R-NY-11)	Securing the Cities Act of 2017 - To amend the Homeland Security Act of 2002 to establish the Securing the Cities program to enhance the ability of the United States to detect and prevent terrorist attacks and other high consequence events utilizing nuclear or other radiological materials that pose a high risk to homeland security in high-risk urban areas, and for other purposes.
1/24/2017	HR 643	Lou Barletta (R-PA-11)	To amend the Immigration and Nationality Act to penalize aliens who overstay their visas, and for other purposes
1/24/2017	HR 642	Lou Barletta (R-PA-11)	Fusion Center Enhancement Act of 2017 - To amend the Homeland Security Act of 2002 to enhance the partnership between the Department of Homeland Security and the National Network of Fusion Centers, and for other purposes.
1/24/2017	HR 630	Steve Cohen (D-TN-9)	To require the Attorney General to issue rules pertaining to the collection and compilation of data on the use of deadly force by law enforcement officers.
1/24/2017	HR 625	Pete Aguilar (D-CA-31)	To provide for joint reports by relevant Federal agencies to Congress regarding incidents of terrorism, and for other purposes.
1/24/2017	S 211	Ted Cruz (R-TX)	A bill to amend the Immigration and Nationality Act to permit the Governor of a State to reject the resettlement of a refugee in that State unless there is adequate assurance that the alien does not present a security risk, and for other purposes.
1/24/2017	S 207	Amy Klobuchar (D-MN)	A bill to amend the Controlled Substances Act relating to controlled substance analogues.
1/24/2017	SRes 23	Cory Gardner (R-CO)	A resolution establishing the Select Committee on Cybersecurity.
1/23/2017	HR 613	David McKinley (R-WV-1)	To amend title 18, United States Code, to require that the Director of the Bureau of Prisons ensure that each chief executive officer of a Federal penal or correctional institution provides a secure storage area located outside of the secure perimeter of the Federal penal or correctional institution for firearms carried by certain employees of the Bureau of Prisons, and for other purposes.
1/23/2017	HR 604	Ted Poe (R-TX-2)	To amend the Immigration and Nationality Act to permit the Governor of a State to reject the resettlement of a refugee in that State unless there is adequate assurance that the alien does not present a security risk and for other purposes.



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