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Weekly Update

March 20 - 24, 2017

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Latest News

- The House and Senate are in session this week. The Senate Judiciary Committee will hold their first set of hearings on the nomination of Neil Gorsuch to be an Associate Justice of the Supreme Court. Additionally, the Senate Committee on Aging will hold a hearing on the opioid epidemic.
- In the House, the House Judiciary Committee will markup several child exploitation measures, including the Reauthorization of the Adam Walsh Act, and the House Intelligence Committee will grill FBI Director Comey and NSA Director Rogers on Russian hacking allegations, and accusations of wiretapping by the previous administration. Additionally, the Energy & Commerce Committee will hold a hearing on fentanyl and the opioid epidemic. On the House floor, they will consider a handful of bipartisan Homeland Security bills, and later in the week, they are expected to take up the first measure to repeal and replace Obamacare.
- **ICE Declined Detainer Report** - On March 20, the Department of Homeland Security issued the ICE Declined Detainer Outcome Report required by the Enhancing Public Safety in the Interior of the United States Executive Order. This report will be issued weekly to highlight jurisdictions that choose not to cooperate with ICE detainers or requests for notification. Despite the release of this report, many law enforcement agencies have expressed concerns with inaccurate information and data within the report, and the inability of DHS to explain how information was obtained, how to correct incorrect information, and other concerns. You can view the report [here](#).
- **Clients in the Spotlight** - Sonim Technologies recently announced that Roger Wespe has been awarded the IWCE Young Professionals Award, which showcases the next-generation of leaders in the communications technology industry who are shaping the future of the industry. Sonim Technologies is a maker of the world's toughest mobile phones, providing LTE band class 14 devices to public safety personnel. IWCE Young Professional Award recognizes young professionals who have made a significant contribution in his or her company or agency and works in the communications technology industry. You can view the release [here](#).
- **ARTICLES OF INTEREST:**
 - **Polis Says Amendment Will Protect Marijuana from Sessions Roll Call | Eric Garcia**
Colorado Democratic Rep. Jared Polis teamed up with Republican Rep. Tom McClintock to protect marijuana businesses in his state from Attorney General Jeff Sessions. Polis and McClintock, whose home state of California voted to legalize recreational marijuana last year, hope to attach their amendment to the spending bill for the U.S Justice Department. "If we successfully attach it and it becomes law, no attorney general — despite what they might want to do — would be able to use the funds that Congress gave them to crack

down on activities that are legal under state law with regard to marijuana,” Polis told Denverite. **Continue reading [here](#).**

FirstNet ruling sets up future battles

FCW | Mark Rockwell

The federal court ruling that leaves AT&T as the only bidder for the multi-billion-dollar contract for a nationwide public safety broadband network may have also have stiffened competition at the state level for network capability. U.S. Court of Federal Claims Judge Elaine Kaplan, on March 17, denied Rivada Network's protest motion to compete with AT&T for the 25-year, \$6.5 billion contract. The Rivada consortium's protest filing last November forced FirstNet to miss its anticipated contract award date that month. Judge Kaplan had been considering the protest's fate since final oral arguments concluded in the case in early March. The March 17 decision was sealed by the court for competitive reasons. **Continue reading [here](#).**

CBP Expects To Work Closely With Industry OIT Biometric Exit Acquisition

Homeland Security Today | Anthony Kimery

Customs and Border Protection (CBP) recently provided an "update" to industry on its plans for Biometric Exit since it issued its initial Request for Information (RFI), CBP OIT Biometric Exit Acquisition, issued June 20, 2016. CBP noted it will “continue to engage with industry regarding Biometric Exit,” emphasizing that, “Collaboration with private industry will be essential to help successfully create and deliver the technology solutions to meet current and future Biometric Exit requirements.” “There are a couple practices that jeopardize the security of air travel that have frankly been the status quo for far too long,” Neville Pattinson, SVP of Gemalto government programs, told Homeland Security Today. **Continue reading [here](#).**

Hearings & Markups Happening This Week

House Intelligence Committee - Full Committee Hearing

[Investigation into Russian active measures during the 2016 election campaign](#)

March 20 @ 10:00 am - 1100 Longworth

Senate Judiciary Committee - Full Committee Nomination Hearing

[Nomination of Neil Gorsuch to be an associate justice of the Supreme Court](#)

March 20 @ 11:00 am - 216 Hart

Senate Judiciary Committee - Full Committee Nomination Hearing

[Nomination of Neil Gorsuch to be an associate justice of the Supreme Court \(Day 2\)](#)

March 21 @ 9:30 am - 216 Hart

House Energy & Commerce Committee - Oversight Subcommittee Hearing

[Fentanyl: The Next Wave of the Opioid Crisis](#)

March 21 @ 10:15 am - 2123 Rayburn

House Judiciary Committee - Full Committee Hearing

[Examining Systemic Management and Fiscal Challenges within the Department of Justice](#)

March 21 @ 1:00 pm - 2141 Rayburn

Senate Committee on Aging - Full Committee Hearing

[Raising grandchildren in the opioid crisis and beyond](#)

March 21 @ 2:30 pm - 562 Dirksen

House Oversight Committee - Full Committee Hearing

[Law Enforcement's Use of Facial Recognition Technology](#)

March 22 @ 9:30 am - 2154 Rayburn

House Homeland Security Committee - Full Committee Hearing

[A Borderless Battle: Defending Against Cyber Threats](#)

March 22 @ 10:00 am - HVC 210

Senate Homeland Security Committee - Full Committee Hearing

[Perspectives from the DHS Frontline: Evaluating Staffing Resources and Requirements](#)

March 22 @ 10:00 am - 342 Dirksen

House Judiciary Committee - [Full Committee Markup](#) - March 22 @ 11:00 am - 2141 Rayburn

[H.R. 695](#) - **Child Protection Improvements Act of 2017**

Status: To be considered by the House Judiciary Committee on 3/22

Summary: Amends 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.

[H.R. 883](#) - **Targeting Child Predators Act of 2017**

Status: To be considered by the House Judiciary Committee on 3/22

Summary: Amends title 18, United States Code, to provide a certification process for the issuance of nondisclosure requirements accompanying certain administrative subpoenas, to provide for judicial review of such nondisclosure requirements.

[H.R. 1188](#) - **Adam Walsh Reauthorization of 2017**

Status: To be considered by the House Judiciary Committee on 3/22

Summary: Reauthorizes certain programs established by the Adam Walsh Child Protection and Safety Act of 2006.

Senate Commerce Committee - Coast Guard Subcommittee Hearing

[State of the Coast Guard: Ensuring Military, National Security, and Enforcement Capability and Readiness](#)

March 22 @ 2:30 pm - 253 Russell

Senate Judiciary Committee - Full Committee Markup - March 27 @ 12:00 pm - 226 Dirksen

[Nomination of Neil Gorsuch](#), to be an **Associate Justice of the Supreme Court**

Status: Consideration in the Senate Judiciary Committee on 3/27

[Nomination of Rod J. Rosenstein](#), to be **Deputy Attorney General**

Status: Consideration in the Senate Judiciary Committee on 3/27

[Nomination of Rachel L. Brand](#), to be **Associate Attorney General**

Status: Consideration in the Senate Judiciary Committee on 3/27

Legislation on the Floor This Week

House:

[H.R. 1309](#) - **TSA Administrator Modernization Act of 2017**

Status: To be considered in the House on 3/20; Approved by the House Homeland Security Committee on 3/8

Summary: This legislation would streamline the office and term of the Administrator of the Transportation Security Administration.

[H.R. 1353](#) - **Transparency in Technological Acquisitions Act of 2017**

Status: To be considered in the House on 3/20; Approved by the House Homeland Security Committee on 3/8

Summary: Amends the Homeland Security Act of 2002 to require certain additional information to be submitted to Congress regarding the strategic 5-year technology investment plan of the Transportation Security Administration.

[H.R. 1294](#) - Reducing DHS Acquisition Cost Growth Act

Status: To be considered in the House on 3/20; Approved by the House Homeland Security Committee on 3/8

Summary: Amends the Homeland Security Act of 2002 to provide for congressional notification regarding major acquisition program breaches.

[H.R. 1297](#) - Quadrennial Homeland Security Review Technical Corrections Act of 2017

Status: To be considered in the House on 3/15; Approved by the House Homeland Security Committee on 3/8

Summary: Amends the Homeland Security Act of 2002 to make technical corrections to the requirement that the Secretary of Homeland Security submit quadrennial homeland security reviews.

[H.R. 1249](#) - DHS Multiyear Acquisition Strategy Act of 2017

Status: To be considered in the House on 3/20; Approved by the House Homeland Security Committee on 3/8

Summary: Amends the Homeland Security of 2002 to require a multiyear acquisition strategy of the Department of Homeland Security.

[H.R. 1252](#) - DHS Acquisition Authorities Act of 2017

Status: To be considered in the House on 3/20; Approved by the House Homeland Security Committee on 3/8

Summary: Amends the Homeland Security of 2002 to provide for certain acquisition authorities for the Under Secretary of Management of the Department of Homeland Security.

[H.R. 1365](#) - Department of Homeland Security Acquisition Innovation Act

Status: To be considered in the House on 3/20; Approved by the House Homeland Security Committee on 3/8

Summary: Amends the Homeland Security Act of 2002 to require certain acquisition innovation.

[H.R. 1238](#) - Securing our Agriculture and Food Act

Status: To be considered in the House on 3/20; Approved by the House Homeland Security Committee on 3/8

Summary: Amends the Homeland Security Act of 2002 to make the Assistant Secretary of Homeland Security for Health Affairs responsible for coordinating the efforts of the Department of Homeland Security related to food, agriculture, and veterinary defense against terrorism.

[H.R. 1302](#) - Terrorist and Foreign Fighter Travel Exercise Act of 2017

Status: To be considered in the House on 3/20; Approved by the House Homeland Security Committee on 3/8

Summary: This legislation requires an exercise related to terrorist and foreign fighter travel. It requires a stress test of U.S. government protection and prevention programs against terrorist travel.

[Senate:](#)

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

[Nomination of Charles R. Breyer](#), to be a Member of the United States Sentencing Commission (Reappointment)

Status: To be considered by the Senate on 3/21; Approved by the Judiciary Committee on 3/9

[Nomination of Danny C. Reeves](#), to be a Member of the United States Sentencing Commission

Status: To be considered by the Senate on 3/21; Approved by the Judiciary Committee on 3/9

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 - Surface Transportation Subcommittee Hearing - March 14

[Continuing to Improve Truck Safety on our Nation's Highways](#)

Summary: This hearing examined overall safety issues with trucking safety, and what changes or potential changes could hurt or add to the current level we see today. Some of the issues discussed include trailer size lengths, driver fatigue, human trafficking issues, and impaired driving. Some members expressed concerns with efforts to increase trailer lengths, concerns with the lack of rest stops for truckers, and what is being done to combat human trafficking. Moyes discussed his company with a group called "Truckers Against Trafficking" and the programs that help train drivers on recognizing instances of human trafficking.

Senate Homeland Security Committee - [Full Committee Markup](#) - March 15

[Nomination of Elaine Duke, to be Deputy Secretary, Department of Homeland Security](#)

Status: Approved by the Senate Homeland Security Committee on 3/15

[S. 500 - Securing our Agriculture and Food Act](#)

Status: Approved by the Senate Homeland Security Committee on March 15

Summary: Amend the Homeland Security Act of 2002 to make the Assistant Secretary of Homeland Security for Health Affairs responsible for coordinating the efforts of the Department of Homeland Security related to food, agriculture, and veterinary defense against terrorism.

[H.R. 366 - DHS SAVE Act](#)

Status: Approved by the Senate Homeland Security Committee on March 15; Approved by the House on 1/31.

Summary: This bill amends the Homeland Security Act of 2002 to make the Under Secretary for Management of the Department of Homeland Security (DHS) responsible for overseeing and managing vehicle fleets throughout DHS, including: ensuring that DHS components are in compliance with federal law, executive branch guidance, and DHS policy regarding fleet management and use of vehicles from home to work; developing and distributing a standardized vehicle allocation methodology and fleet management plan; ensuring that components formally document fleet management decisions; and approving component fleet management plans, vehicle leases, and vehicle acquisitions.

House Homeland Security Committee - Oversight Subcommittee Hearing - March 16

[Immigration Benefits Vetting: Examining Critical Weaknesses in USCIS Systems](#)

Summary: This hearing examined the challenges facing information technology systems used by the DHS and U.S. Citizenship and Immigration Services (USCIS) to adjudicate immigration benefits. Members examined DHS IG and GAO findings into how these immigration IT systems work, and concerns have arisen about U.S. CIS's management of the critical IT systems used to process immigration applications and found instances of fraud in everything from asylum to immigration investor applications. Additionally, with the current system, being essentially paper based, identifying fraud is difficult. As more information can be captured electronically, so that software and automated tools can be used to identify risks, it will put USCIS in a better position. Moving away from paper-based systems is not an only a problem for USCIS, but for law enforcement in general.

House Transportation Committee - Economic Development Subcommittee Hearing - March 16

[Building a 21st Century Infrastructure for America: The National Preparedness System](#)

Summary: This hearing examined the importance of the FEMA grants, to include UASI, SHSGP, Port Security, and Fire grants. Members of the committee expressed their strong support for the grant programs, and their concerns with the new Administration's initial budget priorities that would make significant cuts to the programs. Assistant Sheriff Tom Roberts of LVMPD, discussed how the grant funding is used by law enforcement, in particular fusion centers, and investing in technology, equipment, and training. Additionally Assistant Sheriff Roberts discussed the concerns of some that the current formula for inclusion or exclusion of UASI funding does not take in enough consideration the influx of tourists, conventions, or other high profiled events and brings in a lot of people to a community.

House Judiciary Committee - Crime Subcommittee Hearing - March 16

[Combating Crimes Against Children: Assessing the Legal Landscape](#)

Summary: The House Judiciary Committee will be considering a handful of bills that targets children exploitation. This hearing heard from law enforcement, victims advocates, and the NCMEC to learn how important some of the programs

that exist are to going after those who exploit children, and then to ensure the victims receive the support they need. A number of members discussed concerns with the number of children who are on the sex registry. Additionally, issues surrounding law enforcement access to information, and disclosure to a perpetrator of a law enforcement request for information by a company remains a concern.

Legislation Considered Last Week

House:

Nothing affecting the law enforcement or homeland security community.

Senate:

Nomination of Dan Coats, to be Director of National Intelligence

Status: Approved by the Senate on 3/15 (85-12)

S.Res. 83 - A resolution expressing the sense of the Senate regarding the trafficking of illicit fentanyl into the United States from Mexico and China.

Status: Approved by the Senate on 3/15

Summary: Expresses the sense of the Senate that: the use of illicit fentanyl in the United States and the resulting overdose deaths are a public health crisis; the trafficking of illicit fentanyl into the United States, especially by transnational criminal organizations, is a problem that requires close cooperation between the U.S. government and the governments of Mexico and China; and all three such countries have a shared interest in, and responsibility for, stopping the production of illicit fentanyl and its trafficking into the United States. Calls for the United States to: support the efforts by the governments of Mexico and China to stop such production and trafficking into the United States; take further measures to reduce and prevent heroin and fentanyl consumption through enhanced enforcement to reduce the illegal supply and increased use of evidence-based prevention, treatment, and recovery services; and use its broad diplomatic and law enforcement resources, in partnership with the governments of China and Mexico, to stop such production and trafficking.

Legislation Introduced Last Week

Date Introduced	Bill Number	Sponsor	Description
3/17/2017	HR 1616	John Ratcliffe (R-TX-4)	To amend the Homeland Security Act of 2002 to authorize the National Computer Forensics Institute, and for other purposes.
3/17/2017	HR 1612	Carolyn Maloney (D-NY-12)	To require criminal background checks on all firearms transactions occurring at gun shows.
3/17/2017	HR 1608	Adriano Espaillat (D-NY-13)	To require agents and officers of U.S. Immigration and Customs Enforcement and U.S. Customs and Border Protection to wear
3/17/2017	HR 1607	Ted Deutch (D-FL-22)	To establish the National Criminal Justice Commission.
3/16/2017	HR 1591	Peter Welch (D-VT-AL)	To direct the Federal Communications Commission to adopt rules and conduct outreach to offer recipients of assistance under the Lifeline Assistance Program mobile devices that are capable of receiving a WiFi signal and are capable of tethering with other WiFi compatible hardware or devices, and for other purposes.
3/16/2017	HR 1575	Tom MacArthur (R-NJ-3)	To amend the Internal Revenue Code of 1986 to expand the family members with respect to whom treatment for alcohol and drug addiction is treated as a qualified medical expense for purposes of health reimbursement arrangements, health flexible spending arrangements, and health savings accounts.
3/16/2017	HR 1571	Jaime Herrera Beutler (R-WA-3)	To provide first responders with planning, training, and equipment capabilities for crude oil-by-rail and ethanol-by-rail derailment and incident response.
3/16/2017	HR 1566	Don Beyer (D-VA-8)	To provide incentives for hate crime reporting, grants for State-run hate crime hotlines, a Federal private right of action for victims of hate crimes, and additional penalties for individuals convicted under the Matthew Shephard and James Byrd, Jr. Hate Crimes Prevention Act.
3/16/2017	HRes 200	Scott Taylor (R-VA-2)	Expressing the sense of the House of Representatives that the United States should develop and adopt a comprehensive cyberse-
3/15/20017	HR 1555/S 642	Tim Walberg (R-MI-7)/ Rand Paul (R-KY)	Fifth Amendment Integrity Restoration Act (FAIR Act) - Curbs the use of civil asset forfeiture, and raises the level of proof necessary for the government to seize property, reform the IRS structuring statute, increase transparency and Congressional oversight, and other changes.
3/15/2017	HR 1554	Tim Walberg (R-MI-7)	To include information concerning a patient's opioid addiction in certain medical records.
3/15/2017	HR 1550	Dave Reichert (R-WA-8)	To amend the Internal Revenue Code of 1986 to increase and make permanent the exclusion for benefits provided to volunteer firefighters and emergency medical responders.
3/15/2017	HR 1537	Tom Garrett (R-VA-5)	To restore Second Amendment rights in the District of Columbia.
3/15/2017	HR 1536	Brian Fitzpatrick (R-PA-8)	To prioritize the payment of pay and allowances to members of the Armed Forces and Federal law enforcement officers in the event the debt ceiling is reached or there is a funding gap.
3/15/2017	S 668	Tom Carper (D-DE)	A bill to nullify the effect of the recent executive order regarding

3/15/20017	S 662	Richard Blumenthal (D-CT)	A bill to provide incentives for hate crime reporting, grants for State-run hate crime hotlines, a Federal private right of action for victims of hate crimes, and additional penalties for individuals convicted under the Matthew Shephard and James Byrd, Jr. Hate Crimes Prevention Act.
3/15/2017	S 658	John Hoeven (R-ND)	A bill to treat all controlled substance analogues, other than chemical substances subject to the Toxic Substances Control Act, as controlled substances in schedule I regardless of whether they are intended for human consumption.
3/14/2017	S 618	Orrin Hatch (R-UT)	Lawful Interstate Transportation of Firearms Act - amends chapter 44 of title 18, United States Code, to more comprehensively address the interstate transportation of firearms or ammunition.
3/13/2017	HR 1517	Ted Deutch (D-FL-22)	Status of the Sixth Amendment Act of 2017 - To require the Governor of a State to submit to the Attorney General an annual report on the number of individuals who represented themselves in court in criminal matters or juvenile delinquency matters.



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