



# BROOKS BAWDEN LLC

## Weekly Update



June 26 - 30, 2017

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### Links to Previous Updates:

- [FY2017 FEMA Grants](#)
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### Latest News

- The House and Senate are in session this week. The Senate Intelligence Committee on Wednesday held a nomination hearing for David Glawe, to be Under Secretary for Intelligence and Analysis at the Department of Homeland Security. The Association of State Criminal Investigative Agencies ([here](#)), Major County Sheriffs of America ([here](#)), the National Fusion Center Association ([here](#)), and the National Narcotic Officers' Associations' Coalition ([here](#)) recently sent letters of support for Mr. Glawe's nomination.
- The House is expected to consider legislation to crack down on sanctuary city jurisdictions (Major County Sheriffs of America letter [here](#)), as well as legislation to provide for increased penalties against those who repeatedly illegally reenters the U.S. Also, the House Appropriations CJS Subcommittee is expected to markup their version of the FY 2018 CJS Appropriations bill, which funds the law enforcement grant programs.
- The Senate Judiciary Committee held a hearing on multiple DOJ nominations and judgeships, including the nomination of Tim Kelly to be District Court Judge of D.C. Tim Kelly has been Senior Counsel for the Senate Judiciary Committee, and has worked very closely with the law enforcement community for years. The Major County Sheriffs of America sent a letter of support of his nomination which can be found [here](#).



Sheriff Judd meeting with Congressman Dennis Ross (R-FL)



Lt. Ernie Martinez briefing the Hill

- **Advocating on the Hill** - On June 27, Lt. Ernie Martinez on behalf of the National Narcotic Officers' Associations' Coalition, Sheriff Grady Judd on behalf of the Major County Sheriffs of America, and representatives from the National District Attorney's Association, and Smart Approaches to Marijuana held congressional briefings for House and Senate staff on the marijuana black market in states that have legalized marijuana, as well as the effects that it has on neighboring states and the rest of the country. Lt. Martinez described the effects that legalization has had on the state of Colorado, and the challenges they face with organized crime, illegal grow operations, and increased use of marijuana by teens. Sheriff Judd discussed how the marijuana black market from states such as Colorado has affected Florida, the importance of continued research into medical uses of components of marijuana, and the need to push back against the false narratives pushed by those who have advocated for legalized recreational or medical marijuana.



- **Drugs of Abuse Resource Guide** - The Drug Enforcement Administration recently released the 2017 edition of Drugs of Abuse, A DEA Resource Guide. The Drugs of Abuse guide is released on a periodic basis and designed to be a reliable resource on the most commonly abused and misused drugs in the United States. The guide provides important science-based information about the harms and consequences of drug use, describing a drug's effects on the body and mind, overdose potential, origin, legal status, and other key factors. You can view the 2017 guide [here](#).
- **MCSA Goes to Reno** - The Major County Sheriffs of America (MCSA) held their 2 day annual summer conference in Reno, NV. In addition to electing new 2018 Executive Board members – LASD Sheriff Jim McDonnell as Vice President, Jefferson Parish LA Sheriff Newell Normand as Treasurer, and Hennepin County MN Sheriff Rich Stanek as Vice President of Homeland Security - the Sheriffs discussed immigration challenges and listened to presentations from member Sheriffs about the Pulse Nightclub Terror Attack and the Ft. Lauderdale Airport Terror Attack. Multiple members from the Dept. of Justice and Dept. of Homeland Security presented on relevant topics of importance such as violent extremism, cyber security threats, drug trends, going dark, and violent crime.
- **MCSA Names New Executive Director** - The Major County Sheriffs of America has announced that is has named David Weisz as it's new full-time Executive Director. Mr. Weisz has strong relationships within law enforcement and with government officials, and in 2014 he was awarded the National Law Enforcement Officers Memorial Fund Lifetime Achievement Award. You can view the MCSA press release [here](#).
- **Use of Force** - The National Sheriffs' Association (NSA) and the Major County Sheriffs of American (MCSA) recently issued use of force guidance to provide assistance to Sheriffs. NSA and MCSA formed a working group to develop a guide for Sheriffs to use in developing a Use of Force Policy which would fit the needs of their particular office. You can view the guide [here](#).
- **ARTICLES OF INTEREST:**  
**Senate confirms reappointment of public safety commissioner**  
**Desert News**  
SALT LAKE CITY — The state Senate Wednesday confirmed the reappointment of Keith Squires to another four-year term as commissioner of the Department of Public Safety. Squires was first appointed commissioner in June 2013 by Gov. Gary Herbert and was recently renominated to the post. Squires serves as the governor's homeland security adviser and has extensive experience in state and local law enforcement, and public safety services. **Continue reading** [here](#).

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## Hearings & Markups Happening This Week

Senate Judiciary Committee - Full Committee Hearing

[The FISA Amendments Act: Reauthorizing America's Vital National Security Authority and Protecting Privacy and Civil Liberties](#)

June 27 @ 9:30 am - 226 Dirksen

House Judiciary Committee - Crime Subcommittee Hearing

[H.R. 2851, Stop the Importation and Trafficking of Synthetic Analogues Act of 2017](#)

June 27 @ 2:00 pm - 2141 Rayburn

Senate Judiciary Committee - [Full Committee Nominations Hearing](#) - June 28 @ 9:30 am

[Timothy J. Kelly](#), to be a United States District Judge for the District of Columbia

[Trevor McFadden](#), to be a United States District Judge for the District of Columbia

[Jeffrey Bossert Clark](#), to be an Assistant Attorney General, Environment and Natural Resources Division

[Beth Ann Williams](#), to be an Assistant Attorney General, Office of Legal Policy

House Judiciary Committee - Full Committee Markup - June 28 @ 10:00 am - 2141 Rayburn

**[H.R. 2826](#) - Refugee Program Integrity Restoration Act**

**Status:** To be considered in the House Judiciary Committee on 6/28

**Summary:** To provide for an annual adjustment of the number of admissible refugees, and for other purposes.

**[H.R. 1096](#) - Judgment Fund Transparency Act**

**Status:** To be considered in the House Judiciary Committee on 6/28

**Summary:** This bill requires the Department of the Treasury to disclose details after payments are made from the Judgment Fund. Unless the disclosure is prohibited by law or a court order, Treasury must disclose to the public on a website: the agency or entity whose actions gave rise to the claim or judgment, the plaintiff or claimant, the counsel for the plaintiff or claimant, the amount paid, a description of the facts that gave rise to the claim, the agency that submitted the claim, and any information available on reports generated by the Judgment Fund Payment Search administered by Treasury.

**[H.R. 2480](#) - Empowering Law Enforcement to Fight Sex Trafficking Demand Act**

**Status:** To be considered in the House Judiciary Committee on 6/28

**Summary:** Amends the Omnibus Crime Control and Safe Streets Act of 1968 to include an additional permissible use of amounts provided as grants under the Byrne JAG program for programs to combat human trafficking (including programs to reduce the demand for trafficked persons).

House Oversight Committee - Full Committee Hearing

[Criminal Justice Reform and Efforts to Reduce Recidivism](#)

June 28 @ 1:00 PM - 2154 Rayburn

Senate Intelligence Committee - [Full Committee Nomination](#) Hearing - June 28 @ 2:00 am - 216 Hart

[David Glawe](#), to be Under Secretary for Intelligence and Analysis at the Department of Homeland Security

Senate Commerce Committee - [Full Committee Markup](#) - June 29 @ 9:00 am - 106 Dirksen

[David P. Pekoske](#), of Maryland, to be an Assistant Secretary of Homeland Security, Transportation Security Administration

**Status:** To be considered by the Senate Commerce Committee on 6/29.

Senate Judiciary Committee - [Full Committee Markup](#) - June 29 @ 10:00 am - 226 Dirksen

[Nomination of Stephen Elliott Boyd](#), to be an Assistant Attorney General for Legislative Affairs

**Status:** To be considered by the Senate Judiciary Committee on 6/22; Hearing held 5/24.

**[S. 1312](#) - Trafficking Victims Protection Act of 2017**

**Status:** To be considered by the Senate Judiciary Committee on 6/22.

**Summary:** To prioritize the fight against human trafficking in the United States.

**[S. 1311](#) - Abolish Human Trafficking Act of 2017**

**Status:** To be considered by the Senate Judiciary Committee on 6/22.

**Summary:** To provide assistance in abolishing human trafficking in the United States.

House Appropriations Committee - [CJS Subcommittee Markup](#) - June 29 @ 2:00 pm - H-140 Capitol

**[H.R. XXXX](#) - Fiscal Year 2018 Commerce, Justice, Science Appropriations Act**

**Status:** To be marked-up by the CJS Subcommittee on 6/29

**Summary:** Bill text to be released after the subcommittee markup.

## Legislation on the Floor This Week

### **House:**

#### **[H.R. 3003](#) - No Sanctuary for Criminals Act**

**Status:** To be considered in the House this week.

**Summary:** Amends the Immigration and Nationality Act to modify provisions relating to assistance by States, and political subdivision of States, in the enforcement of Federal immigration laws. State and local governments would be made ineligible for certain federal funds if they have so-called sanctuary policies in effect that hinder cooperation with federal immigration officials. The bill also would expand the Homeland Security Department's authority to detain immigrants during a removal proceeding. Additionally, the legislation would provide immunity to state and local authorities in lawsuits that may arise from enforcing these provisions.

#### **[H.R. 3004](#) - Kate's Law**

**Status:** To be considered in the House this week.

**Summary:** Criminal penalties for illegal reentry into the U.S. would be enhanced. The measure would establish new maximum sentences for individuals who attempt to reenter after being convicted of certain felonies.

\*Additional legislation may be considered.

### **Senate:**

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

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## 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 Homeland Security Committee - Counterterrorism Subcommittee Field Hearing - June 20

#### **[Combating Gang Violence on Long Island: Shutting Down the MS-13 Pipeline](#)**

**Summary:** This field hearing held in Central Islip, New York, discussed the concerns of gang violence, in particular, focusing on MS-13. Members heard from witnesses comprised of local, state and federal officials, as well as parents who've lost children to MS-13, stressing the need for the broad community cooperation in combating transnational criminal organization gang violence. Witnesses testified on the work they are doing to increase collaboration, task force participation and expand intelligence gathering capabilities. Victim's families testifying stressed the need for schools to provide more support and funding for their students to ensure that alienated children in schools have resources, people and places to go to when they feel targeted.

Senate Judiciary Committee - Full Committee Hearing - June 21

#### **[The MS-13 Problem: Investigating Gang Membership, its Nexus to Illegal Immigration, and Federal Efforts to End the Threat](#)**

**Summary:** This hearing examined gang violence threats, in particular MS-13, and the nexus that illegal immigration has to the organization. This hearing heard from agency officials on what they are doing to counter the threats from MS-13, and what is/can be done to discourage children at a young age from becoming involved with such an organization. Some Senators of the committee expressed concerns with testimony that some sanctuary city jurisdictions do not cooperate with ICE officials by being denied access to information or an individual that is in a local jail that is illegally here in the U.S. and is suspected of gang membership. Witnesses testified that MS-13 has taken advantage of the flow of illegal immigration over the past few years particularly from unaccompanied alien children.

Senate Commerce Committee - Full Committee [Nomination Hearing](#) - June 21

[David P. Pekoske](#), of Maryland, to be an Assistant Secretary of Homeland Security, Transportation Security Administration

House Judiciary Committee - [Full Committee Markup](#) - June 21

**[H.R. 495](#) - Protection of Children Act**

**Status:** Approved by the House Judiciary Committee on 6/21

**Summary:** This bill amends the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 to eliminate the special repatriation requirements for unaccompanied alien children (UAC) who are nationals or residents of a country contiguous to the United States. (The same removal requirements are applied to all UACs who are not victims of a severe form of trafficking in persons and who do not have a fear of returning to their country of nationality or last habitual residence.) An immigration officer who finds an inadmissible UAC at a land border or port of entry shall return the child to his or her country of nationality or of last habitual residence. (Currently such authority is discretionary.) The Department of State is authorized to negotiate agreements between the United States and other countries for the repatriation of children. (Under current law, State is required to negotiate agreements between the United States and countries contiguous to the United States for the repatriation of children.)

**[H.R. 2826](#) - Refugee Program Integrity Restoration Act**

**Status:** Continued consideration by the House Judiciary Committee on a later date.

**Summary:** To provide for an annual adjustment of the number of admissible refugees, and for other purposes.

**[H.R. 1096](#) - Judgment Fund Transparency Act**

**Status:** Continued consideration by the House Judiciary Committee on a later date.

**Summary:** This bill requires the Department of the Treasury to disclose details after payments are made from the Judgment Fund. Unless the disclosure is prohibited by law or a court order, Treasury must disclose to the public on a website: the agency or entity whose actions gave rise to the claim or judgment, the plaintiff or claimant, the counsel for the plaintiff or claimant, the amount paid, a description of the facts that gave rise to the claim, the agency that submitted the claim, and any information available on reports generated by the Judgment Fund Payment Search administered by Treasury.

House Appropriations Committee - CJS Subcommittee Hearing - June 21

[Federal Bureau of Investigation - Budget Hearing](#)

**Summary:** Acting Director Andrew McCabe testified before the House Appropriations CJS Subcommittee on the FBI's budget request for FY 2018. McCabe stated that the FBI considers the Russia investigation to be a highly significant investigation, and that there has been no efforts to impede that investigation. He also stated that the FBI is providing a substantial number of personnel to support the special prosecutor. Additionally, McCabe stated that Mueller's investigation isn't taking over all counterintelligence investigations into Russia, or all issues surrounding Russia, and the FBI is still actively involved in many of those areas.

House Judiciary Committee - Crime Subcommittee Hearing - June 22

[Juvenile Justice Reform in the Modern Era](#)

**Summary:** This hearing heard from juvenile justice officials on ways to assist states to take action and innovate in the juvenile justice system. The Committee heard from witnesses on how their states have been seeking to drive down the number of juvenile offenders who were deemed to be at a low or moderate risk.

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## Legislation Considered Last Week

**[House:](#)**

**[H.R. 2834](#) - Partnership Grants to Strengthen Families Affected by Parental Substance Abuse Act**

**Status:** Approved by the House on 6/20

**Summary:** To improve the well-being of, and improve permanency outcomes for, children and families affected by her-

oin, opioids, and other substance abuse.

#### **[H.R. 2857](#) - Supporting Families in Substance Abuse Treatment Act**

**Status:** Approved by the House on 6/20

**Summary:** This bill amends part E (Foster Care and Adoption Assistance) of title IV of the Social Security Act to provide that the removal and foster care placement of a child shall meet the requirements for foster care maintenance payments on the child's behalf if the child has been placed with a parent residing in a licensed residential family-based treatment facility.

#### **[H.R. 2132](#) - Traveler Redress Improvement Act of 2017**

**Status:** Approved by the House on 6/20

**Summary:** To require the implementation of a redress process and review of the Transportation Security Administration's intelligence-based screening rules for aviation security, and for other purposes.

#### **[H.R. 625](#) - REPORT Act**

**Status:** Approved by the House on 6/20

**Summary:** This bill requires the Department of Homeland Security, in coordination with the Department of Justice, the Federal Bureau of Investigation (FBI), and, as appropriate, the National Counterterrorism Center, to submit to Congress an unclassified report on an incident of terrorism in the United States as soon as the investigation of such incident is completed by the primary government agency.

#### **[H.R. 2131](#) - DHS FIRM Act**

**Status:** Approved by the House on 6/21

**Summary:** To amend the Homeland Security Act of 2002 to direct the Chief Human Capital Officer of the Department of Homeland Security to improve consistency regarding discipline and adverse actions in the Department's workforce, and for other purposes.

#### **[H.R. 2283](#) - DHS MORALE Act**

**Status:** Approved by the House on 6/20

**Summary:** To amend the Homeland Security Act of 2002 to improve morale within the Department of Homeland Security workforce by conferring new responsibilities to the Chief Human Capital Officer, establishing an employee engagement steering committee, requiring action plans, and authorizing an annual employee award program, and for other purposes.

#### **[H.R. 1282](#) - DHS Acquisition Review Board Act of 2017**

**Status:** Approved by the House on 6/21

**Summary:** To amend the Homeland Security Act of 2002 to establish Acquisition Review Boards in the Department of Homeland Security, and for other purposes.

#### **[H.R. 2190](#) - Streamlining DHS Overhead Act**

**Status:** Approved by the House on 6/20

**Summary:** To amend the Homeland Security Act of 2002 to direct the Under Secretary for Management of the Department of Homeland Security to make certain improvements in managing the Department's real property portfolio, and for other purposes.

#### **[Senate:](#)**

**[Brock Long](#)**, to be Administrator of the Federal Emergency Management Agency, Department of Homeland Security

**Status:** Approved the Senate on 6/20; Ordered to be reported favorably by the Senate Homeland Security Committee on 6/12; Hearing held on 6/7

## Legislation Introduced Last Week

Date Introduced	Bill Number	Sponsor	Description
6/22/2017	<a href="#">HR 3024</a>	Adam Schiff (D-CA-28)	To require certain standards and enforcement provisions to prevent child abuse and neglect in residential programs, and for other purposes.
6/22/2017	<a href="#">HR 3020</a>	Beto O'Rourke (D-TX-16)	To increase transparency, accountability, and community engagement within U.S. Customs and Border Protection, provide independent oversight of border security activities, improve training for U.S. Customs and Border Protection agents and officers, and for other purposes.
6/22/2017	<a href="#">HR 3013</a>	Dan Kildee (D-MI-5)	To provide funding for Violent Crime Reduction Partnerships in the most violent communities in the United States, and for other purposes.
6/22/2017	<a href="#">HR 3004</a>	Bob Goodlatte (R-VA-6)	Kate's Law - Criminal penalties for illegal reentry into the U.S. would be enhanced. The measure would establish new maximum sentences for individuals who attempt to reenter after being convicted of certain felonies.
6/22/2017	<a href="#">HR 3003</a>	Bob Goodlatte (R-VA-6)	No Sanctuary for Criminals Act - Amends the Immigration and Nationality Act to modify provisions relating to assistance by States, and political subdivision of States, in the enforcement of Federal immigration laws. State and local governments would be made ineligible for certain federal funds if they have so-called sanctuary policies in effect that hinder cooperation with federal immigration officials. The bill also would expand the Homeland Security Department's authority to detain immigrants during a removal proceeding. Additionally, the legislation would provide immunity to state and local authorities in lawsuits that may arise from enforcing these provisions.
6/21/2017	<a href="#">HR 2975</a>	Dan Lipinski (D-IL-3)	To make certain improvements in the laws administered by the Secretary of Homeland Security relating to public transportation security, and for other purposes.
6/21/2017	<a href="#">S 1392</a>	Orrin Hatch (R-UT)	A bill to establish the Public-Private Partnership Advisory Council to End Human Trafficking to advise the Senior Policy Operating Group and the President's Interagency Task Force to Monitor and Combat Trafficking.



**BROOKS BAWDEN, LLC**

**Office Address:**

300 M Street, SE  
Suite 402  
Washington, DC 20003

**Mailing Address:**

401 Massachusetts Ave, NW  
Suite 509  
Washington, DC 20001

**Phone:** (202) 350-0103  
**Fax:** (202) 629-4528

**Email:**

rbrooks@brooksawden.com  
bbawden@brooksawden.com  
jledden@brooksawden.com  
lcooper@brooksawden.com  
fscalera@brooksawden.com



Visit us at:

[www.brooksawden.com](http://www.brooksawden.com)

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[jledden@brooksawden.com](mailto:jledden@brooksawden.com)**