The mission of the CFSO is to speak with a single forensic science voice in matters of mutual interest to its member organizations, to influence public policy at the national level, and to make a compelling case for greater federal funding for public crime laboratories and medical examiner offices. The primary focus of the CFSO is local, state, and national policymakers, as well as the United States Congress.

-SPECIAL EDITION-

Opioid Bills and FY2019 Budget

Please find immediately below a list of pending legislation regarding the opioid crisis. This is NOT an appropriation of funding and these bills are only the ones that have passed one body of the Congress as of June 22, 2018. The Congress intends to roll many of these bills into a single Opioid Bill that will move forward. CFSO has commented on many of these bills, and is still reviewing others. Many of these bills do not directly affect the forensic science community, however, we felt that it was important to see the magnitude of legislation pending as well as the duplicative efforts. Note: the colored links can be clicked for more information.

Starting on page 14 of this document you will find a detailed federal budget breakdown for what is shaping up for FY2019. Please provide your CFSO representative with any comments you may have regarding these bills by July 7, 2018.

   - This bill has the status Passed House
   - This bill requires the Centers for Medicare & Medicaid Services to provide Medicare beneficiaries with educational resources regarding opioid use and pain management, as well as descriptions of covered alternative (non-opioid) pain-management treatments.

**Act Sponsor:** Rep. Kinzinger, Adam [R-IL-16]  
[Introduced 04/24/2018]  
**Cosponsors:** (6)  
**Committees:** House - Energy and Commerce, Ways and Means  
Senate - Finance  
**Committee Reports:** H. Rept. 115-746  
**Latest Action:** Senate - 06/20/2018 Received in the Senate and Read twice and referred to the Committee on Finance.

- This bill has the status Passed House

- This bill requires the Centers for Medicare & Medicaid Services (CMS) to develop an action plan to provide recommendations on changes to the Medicare and Medicaid programs to enhance: (1) the treatment and prevention of opioid addiction, and (2) the coverage and payment of medication-assisted treatment for opioid addiction. The CMS must convene a stakeholder meeting to solicit public comment on the action plan. The CMS must also publish a report that includes an evaluation of price trends for opioid overdose-reversal drugs (e.g., naloxone) and recommendations on ways to lower consumer prices for such drugs.


**Act of 2018 Sponsor:** Rep. Tenney, Claudia [R-NY-22]  
[Introduced 05/09/2018]  
**Cosponsors:** (4)  
**Committees:** House - Ways and Means, Energy and Commerce  
Senate - Finance  
**Latest Action:** Senate - 06/20/2018 Received in the Senate and Read twice and referred to the Committee on Finance.

- This bill has the status Passed House

- This bill requires the Medicare Payment Advisory Commission to report to Congress on: (1) how Medicare pays for opioid and non-opioid pain management treatments in inpatient and outpatient hospital settings; (2) current incentives for prescribing opioid and non-opioid treatments under Medicare inpatient and outpatient prospective payment systems, along with recommendations to address any identified adverse incentives; and (3) how opioid use is currently tracked and monitored through Medicare and any areas for improvement.

4. **H.R.5197** — 115th Congress (2017-2018) **Alternatives to Opioids (ALTO) in the Emergency Department Act**

**Act Sponsor:** Rep. Pascrell, Bill, Jr. [D-NJ-9]  
[Introduced 03/07/2018]  
**Cosponsors:** (24)  
**Committees:** House - Energy and Commerce  
Senate - Health, Education, Labor, and Pensions  
**Latest Action:** Senate - 06/13/2018 Received in the Senate and Read twice and referred to the Committee on Health, Education, Labor, and Pensions.

- This bill has the status Passed House

- This bill requires, and provides funds for, the Department of Health and Human Services to carry out a three-year demonstration program awarding grants to hospitals and emergency departments to develop, implement, enhance, or study alternative pain management protocols and treatments that promote limited use of opioids in emergency departments.


**Act Sponsor:** Rep. Guthrie, Brett [R-KY-2]  
[Introduced 03/19/2018]  
**Cosponsors:** (10)  
**Committees:** House - Energy and Commerce  
Senate - Health, Education, Labor, and Pensions  
**Latest Action:** Senate - 06/13/2018 Received in the Senate and Read twice and referred to the Committee on Health, Education, Labor, and Pensions.
This bill has the status Passed House

This bill amends the Public Health Service Act to require the Department of Health and Human Services to award grants to establish or operate comprehensive opioid recovery centers. Priority for grants must be given to entities located in states or Indian country with a high per capita drug overdose mortality rate. Each center must carry out specified outreach activities and specified treatment and recovery services.


This bill has the status Passed House

This bill requires the Centers for Medicare & Medicaid Services (CMS) to carry out a demonstration program to: (1) increase access of opioid use disorder treatment services for Medicare beneficiaries, (2) improve physical and mental health outcomes for such beneficiaries, and (3) reduce Medicare expenditures. Opioid use disorder care teams of practitioners may apply for participation in the demonstration project. The CMS must establish a performance-based incentive payment for participating teams. The CMS must adopt or develop program quality standards and performance methods.


This bill has the status Passed House

This bill requires the Department of Health and Human Services (HHS) to develop and disseminate training programs and materials on: (1) the circumstances under which a pharmacist may refuse to fill a controlled substance prescription suspected to be fraudulent, forged, or indicative of abuse or diversion; and (2) federal requirements related to such refusal. HHS must seek input from relevant stakeholders.


This bill has the status Passed House

This bill has the status Passed House

This bill permits any Department of Veterans Affairs licensed health care provider or provider delegate accessing data on behalf of such provider to query and receive data from the national network of state-based prescription drug monitoring programs to support the safe and effective prescribing of controlled substances to patients who: (1) receive a prescription for a controlled substance, and (2) are not receiving palliative care or enrolled in hospice care. Health care providers or delegates shall query the network in accordance with applicable Veterans Health Administration regulations and policies. No state may restrict providers or delegates from accessing the state’s prescription drug monitoring program. No state shall deny or revoke the license, registration, or certification of a licensed provider or delegate on the basis that such provider or delegate has queried or received network data.


This bill has the status Passed House

This bill amends the Public Health Service Act to require the Centers for Disease Control and Prevention to expand its grant program for combating hepatitis C infections to include other infections associated with injection drug use.


This bill has the status Passed House

Amends the Homeland Security Act of 2002 to authorize a Joint Task Force to enhance integration of the Department of Homeland Security’s border security operations to detect, interdict, disrupts, and prevent narcotics, such as fentanyl and other synthetic opioids, from entering the United States.


This bill has the status Passed House

**Sponsor:** Rep. Curbelo, Carlos [R-FL-26]  
(Introduced 05/11/2018)  
**Cosponsors:** (9)  
**Committees:** House - Ways and Means, Energy and Commerce | Senate - Finance  
**Latest Action:** Senate - 06/20/2018 Received in the Senate and Read twice and referred to the Committee on Finance.

- This bill has the status Passed House

- This bill requires the Centers for Medicare & Medicaid Services to: (1) publish guidance for hospitals on pain management and opioid-use disorder prevention strategies for Medicare beneficiaries, (2) convene a technical expert panel to recommend opioid and opioid-use disorder quality measures for possible use in hospital payment and reporting models under Medicare, and (3) publish and periodically update all guidance issued since January 1, 2016 related to the prescription of opioids for Medicare beneficiaries. Additionally, the Department of Health and Human Services must: (1) convene a technical expert panel to recommend ways to reduce opioid use in surgical settings and best practices for pain management, specifically during the perioperative (pre-operative through post-operative) period; and (2) report on diagnosis-related group codes that have the highest volume of surgeries and the availability of associated data regarding post-operative opioid use, including prescription patterns and rates of consumption.


**Sponsor:** Rep. Latta, Robert E. [R-OH-5]  
(Introduced 11/07/2017)  
**Cosponsors:** (8)  
**Committees:** House - Energy and Commerce | Senate - Health, Education, Labor, and Pensions  
**Latest Action:** Senate - 06/13/2018 Received in the Senate and Read twice and referred to the Committee on Health, Education, Labor, and Pensions.

- This bill has the status Passed House

- This bill requires the Secretary of Health and Human Services to appoint a federal coordinator within the Department of Health and Human Services to:  
  1. Coordinate programs related to opioid abuse reduction,  
  2. Liaise with state and local entities carrying out activities relating to opioid abuse reduction, and  
  3. Establish and operate a publicly available electronic database to facilitate data collection related to opioid abuse.


**Sponsor:** Sen. Manchin, Joe, III [D-WV]  
(Introduced 03/08/2017)  
**Cosponsors:** (6)  
**Committees:** Senate - Health, Education, Labor, and Pensions | House - Energy and Commerce  
**Latest Action:** House - 08/11/2017 Referred to the Subcommittee on Health.

- This bill has the status Passed Senate

- This bill requires the Department of Health and Human Services (HHS) to develop and disseminate best practices for health care providers and state agencies regarding the display of a patient's history of opioid addiction in the patient's medical records. In doing so, HHS must identify: (1) the circumstances under which information provided by a patient to a health care provider should, upon patient request, be displayed in the patient's medical records; (2) what constitutes a patient request; and (3) the process and methods by which the information should be displayed.


**Sponsor:** Rep. Walberg, Tim [R-MI-7]  
(Introduced 02/13/2018)  
**Cosponsors:** (19)  
**Committees:** House - Energy and Commerce | Senate -
Health, Education, Labor, and Pensions Latest Action: Senate - 06/13/2018 Received in the Senate and Read twice and referred to the Committee on Health, Education, Labor, and Pensions. (All Actions) Tracker:

- This bill has the status Passed House
- This bill requires the Centers for Medicare & Medicaid Services to award grants, contracts, or cooperative agreements to qualifying organizations in order to support efforts to curb outlier prescribers of opioids under the Medicare prescription drug benefit and Medicare Advantage prescription drug plans.

   **Sponsor:** Rep. Fitzpatrick, Brian K. [R-PA-8] (Introduced 05/15/2018) **Cosponsors:** (5) **Committees:** House - Energy and Commerce, Ways and Means | Senate - Finance **Committee Reports:** H. Rept. 115-729
   Latest Action: Senate - 06/20/2018 Received in the Senate and Read twice and referred to the Committee on Finance.

- This bill has the status Passed House
- This bill requires the Centers for Medicare & Medicaid Services to award grants, contracts, or cooperative agreements to qualifying organizations in order to support efforts to curb outlier prescribers of opioids under the Medicare prescription drug benefit and Medicare Advantage prescription drug plans.

   **Sponsor:** Rep. Carter, Earl L. "Buddy" [R-GA-1] (Introduced 04/23/2018) **Cosponsors:** (6) **Committees:** House - Energy and Commerce, Ways and Means | Senate - Finance **Committee Reports:** H. Rept. 115-721
   Latest Action: Senate - 06/13/2018 Received in the Senate and Read twice and referred to the Committee on Finance.

- This bill has the status Passed House
- This bill requires the Centers for Medicare & Medicaid Services to award grants, contracts, or cooperative agreements to qualifying organizations in order to support efforts to curb outlier prescribers of opioids under the Medicare prescription drug benefit and Medicare Advantage prescription drug plans.

   **Sponsor:** Rep. Paulsen, Erik [R-MN-3] (Introduced 05/11/2018) **Cosponsors:** (5) **Committees:** House - Ways and Means, Energy and Commerce | Senate - Finance **Latest Action:** Senate - 06/20/2018 Received in the Senate and Read twice and referred to the Committee on Finance.

- This bill has the status Passed House
- This bill requires Medicare and Medicare Advantage (MA) prescription drug plan (PDP) sponsors to annually disclose information to enrollees about: (1) the risks of prolonged opioid use; and (2) the plan's coverage of non-pharmacological therapies, devices, and non-opioid medications. PDP sponsors may limit disclosure to a subset of enrollees (such as those who were prescribed an opioid in the previous two-year period). The bill also requires Medicare medication therapy management programs and MA in-home health risk assessments to include information about the safe disposal of prescription drugs. The bill prohibits
inclusion of pain management questions in certain health care system surveys, unless the questions address the risks of opioid use and the availability of non-opioid alternatives.


**Sponsor:** Rep. Barr, Andy [R-KY-6]  
**Cosponsors:** (10)  
**Committees:** House - Financial Services | Senate - Banking, Housing, and Urban Affairs  
**Committee Reports:** H. Rept. 115-719  
**Latest Action:** Senate - 06/18/2018  
Received in the Senate and Read twice and referred to the Committee on Banking, Housing, and Urban Affairs.

- This bill has the status Passed House
- (Sec. 2) This bill amends the United States Housing Act of 1937 to require the Department of Housing and Urban Development (HUD) to establish a five-year demonstration program for nonprofit organizations and tribally designated housing entities to provide low-income rental-assistance vouchers to individuals recovering from an opioid or other substance-use disorder. Specifically, these vouchers shall be provided through a supportive housing program that provides treatment for such disorders and coordination with workforce development providers. HUD may waive, or specify alternative requirements for, any provision of statute or regulation governing the use of these vouchers (except for requirements relating to fair housing, nondiscrimination, labor standards, or the environment) if such waiver or alternative is necessary.

21. **H.R.5797 — 115th Congress (2017-2018)** **Individuals in Medicaid Deserve Care that is Appropriate and Responsible in its Execution Act**

**Sponsor:** Rep. Walters, Mimi [R-CA-45]  
**Cosponsors:** (5)  
**Committees:** House - Energy and Commerce | Senate - Finance Committee  
**Committee Reports:** H. Rept. 115-723  
**Latest Action:** Senate - 06/21/2018  
Received in the Senate and Read twice and referred to the Committee on Finance.

- This bill has the status Passed House
- This bill temporarily allows states to apply to receive federal Medicaid payment for services provided in institutions for mental diseases (IMDs) and for other medically necessary services for enrollees (aged 21 to 64) with opioid use disorders. Services may be covered for a total of up to 30 days in a 12-month period for an eligible enrollee. States must include specified information in their applications, including plans to improve access to outpatient care. Current law generally prohibits federal payment under Medicaid for services provided in IMDs for individuals under the age of 65 (although states may receive payment through certain mechanisms, such as through a Medicaid demonstration waiver).


**Sponsor:** Rep. Tsongas, Niki [D-MA-3]  
**Cosponsors:** (18)  
**Committees:** House - Homeland Security Committee  
**Committee Reports:** H. Rept. 115-317  
**Latest Action:** 01/10/2018 Became Public Law No: 115-112.  
(TXT | PDF)

- This bill has the status Became Law
- (Sec. 3) This bill requires the U.S. Customs and Border Protection (CBP) to: (1) increase the number of chemical screening devices available to CBP officers to interdict fentanyl, other synthetic opioids, and other narcotics and psychoactive substances that are illegally imported into the United States, including such substances imported through the mail or by an express consignment operator or carrier; and (2) dedicate the
appropriate number of CBP personnel, including scientists, to interpret data collected by such devices during all operational hours. (Sec. 4) The bill authorizes appropriations to the CBP to ensure that the necessary screening and interdiction resources are available during all operational hours.

23. **H.R.6029 — 115th Congress (2017-2018)** **REGROUP Act of 2018** **Sponsor:** Rep. Rothfus, Keith J. [R-PA-12] (Introduced 06/07/2018) **Cosponsors:** (0) **Committees:** House - Judiciary | Senate - Judiciary **Latest Action:** Senate - 06/14/2018 Received in the Senate and Read twice and referred to the Committee on the Judiciary.

- This bill has the status Passed House
- To amend the Omnibus Crime Control and Safe Streets Act of 1968 to reauthorize the comprehensive opioid abuse grant program, and for other purposes. $3300,000,000 2019 through 2023


- This bill has the status Passed House
- To strengthen the authorities of the Food and Drug Administration to address counterfeit drugs, illegal and synthetic opioids, and opioid-like substances, and for other purposes.

25. **H.R.6110 — 115th Congress (2017-2018)** **Dr. Todd Graham Pain Management, Treatment, and Recovery Act of 2018** **Sponsor:** Rep. Walorski, Jackie [R-IN-2] (Introduced 06/14/2018) **Cosponsors:** (9) **Committees:** House - Energy and Commerce, Ways and Means | Senate - Finance **Latest Action:** Senate - 06/20/2018 Received in the Senate and Read twice and referred to the Committee on Finance.

- This bill has the status Passed House
- To amend title XVIII of the Social Security Act to provide for the review and adjustment of payments under the Medicare outpatient prospective payment systems to avoid financial incentive to use opioids instead of non-opioid alternative treatments, and for other purposes.

26. **S.Res.379 — 115th Congress (2017-2018)** **A resolution to authorize the production of records by the Permanent Subcommittee on Investigations of the Committee on Homeland Security and Governmental Affairs.** **Sponsor:** Sen. McConnell, Mitch [R-KY] (Introduced 01/23/2018) **Cosponsors:** (1) **Latest Action:** Senate - 01/23/2018 Submitted in the Senate, considered, and agreed to without amendment and with a preamble by Unanimous Consent.

- This bill has the status Agreed to in Senate
- Authorizes the Chairman and Ranking Minority Member of the Permanent Subcommittee on Investigations of the Committee on Homeland Security and Governmental Affairs to provide records of the subcommittee's investigation into purchase and shipment of illicit opioids into and throughout the United
States to law enforcement officials, regulatory agencies, and other entities or individuals duly authorized by federal or state governments.


**Sponsor:** Rep. Bishop, Mike [R-MI-8] (Introduced 05/15/2018)  **Cosponsors:** (6)  **Committees:** House - Ways and Means, Oversight and Government Reform, Homeland Security | Senate - Finance  **Committee Reports:** H. Rept. 115-722  **Latest Action:** Senate - 06/18/2018 Received in the Senate and Read twice and referred to the Committee on Finance.

- This bill has the status Passed House
- To provide for the processing by US Customs and Border Protection of certain international mail shipments and to require the provision of advance electronic information on international mail shipments of mail, and for other purposes.


**Sponsor:** Rep. Barletta, Lou [R-PA-11] (Introduced 03/15/2018)  **Cosponsors:** (7)  **Committees:** House - Transportation and Infrastructure | Senate - Environment and Public Works  **Committee Reports:** H. Rept. 115-749  **Latest Action:** Senate - 06/14/2018 Received in the Senate and Read twice and referred to the Committee on Environment and Public Works.

- This bill has the status Passed House
- This bill allows the Appalachian Regional Commission to support projects and activities addressing drug abuse, including opioid abuse.
  - Such projects and activities may include those that:
    - Facilitate the sharing of best practices among states, counties, and other experts in the region with respect to reducing drug abuse;
    - Initiate or expand programs designed to eliminate or reduce the harm to the workforce and economic growth of the region that results from drug abuse;
    - Attract and retain relevant health care services, businesses, and workers; and
    - Develop relevant infrastructure, including broadband infrastructure that supports the use of telemedicine.

29. **H.R.5773** — 115th Congress (2017-2018) **To amend title XVIII of the Social Security Act to require electronic prior authorization for covered part D drugs and to provide for other program integrity measures under parts C and D of the Medicare program.**

**Sponsor:** Rep. Roskam, Peter J. [R-IL-6] (Introduced 05/11/2018)  **Cosponsors:** (7)  **Committees:** House - Energy and Commerce, Ways and Means | Senate - Finance  **Latest Action:** Senate - 06/20/2018 Received in the Senate and Read twice and referred to the Committee on Finance.

- This bill has the status Passed House
- This bill alters several requirements under the Medicare prescription drug benefit. Specifically, the bill: (1) requires prescription drug plan sponsors to establish drug management programs for at-risk...
beneficiaries; (2) requires electronic prescription programs to enable the secure transmittal of prior
authorization requests for covered drugs; and (3) establishes individuals who are identified as at-risk
beneficiaries for prescription drug abuse as qualifying participants in medication therapy management
programs.

• The bill also requires the Centers for Medicare & Medicaid Services (CMS) to establish a secure
online portal to allow: (1) data sharing among the CMS, Medicare prescription drug benefit plans, and
Medicare Advantage (MA) plans; and (2) referrals by such plans of substantiated fraud, waste, or abuse in
order to initiate or assist investigations by contracted entities under the Medicare Integrity Program.
• The CMS must also: (1) identify outlier prescribers of opioids under Medicare prescription drug
benefit plans and MA plans, based on specialty and geographic area; and (2) annually notify such
prescribers of their status and provide them with resources on proper prescribing methods.


• This bill has the status Passed House

• To direct the Secretary of Health and Human Services to update or issue one or more guidance
addressing alternative methods for data collection on opioid sparing and inclusion of such data in product
labeling, and for other purposes.


• This bill has the status Passed House

• To amend the Federal Food, Drug, and Cosmetic Act to require improved packaging and disposal
methods with respect to certain drugs, and for other purposes


• This bill has the status Passed House


• This bill has the status Passed House
• Amends the Prescription Drug Monitoring program. Includes training, and advisory council, grants and funds


• This bill has the status Passed House


• This bill has the status Agreed to in Senate

• Expresses the sense of the Senate that:
  o the use of illicit fentanyl in the United States and the resulting overdose deaths are a public health crisis;
  o 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
  o 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:
  o support the efforts by the governments of Mexico and China to stop such production and trafficking into the United States;
  o 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
  o use its broad diplomatic and law enforcement resources, in partnership with the governments of China and Mexico, to stop such production and trafficking.


• This bill has the status Passed House
To amend the Public Health Service Act to reauthorize and enhance the poison center national toll-free number, national media campaign, and grant program, and for other purposes.

   **Sponsor:** Rep. McKinley, David B. [R-WV-1] (Introduced 03/06/2018) **Cosponsors:** (18) **Committees:** House - Energy and Commerce | Senate - Health, Education, Labor, and Pensions **Latest Action:** Senate - 06/13/2018 Received in the Senate and Read twice and referred to the Committee on Health, Education, Labor, and Pensions.

   - This bill has the status Passed House
   - This bill requires the Department of Health and Human Services to establish a grant program to: (1) develop protocols for discharging patients who are treated for a drug overdose, and (2) enhance the integration and coordination of post discharge care and treatment options for individuals with a substance use disorder.

   **Sponsor:** Rep. Chu, Judy [D-CA-27] (Introduced 12/19/2017) **Cosponsors:** (18) **Committees:** House - Energy and Commerce | Senate - Health, Education, Labor, and Pensions **Latest Action:** Senate - 06/13/2018 Received in the Senate and Read twice and referred to the Committee on Health, Education, Labor, and Pensions.

   - This bill has the status Passed House
   - This bill requires the Substance Abuse and Mental Health Services Administration to publish best practices for operating recovery housing, to distribute such publication to the states, and to provide technical assistance to states seeking to adopt such practices. "Recovery housing" means a shared living environment free from alcohol and illegal drug use and centered on peer support and connection to services to promote recovery from substance use disorders.

   **Sponsor:** Rep. Comstock, Barbara [R-VA-10] (Introduced 07/14/2017) **Cosponsors:** (2) **Committees:** House - Judiciary | Senate - Judiciary **Committee Reports:** H. Rept. 115-597 **Latest Action:** 06/18/2018 Became Public Law No: 115-185.

   - This bill has the status Became Law
   - This bill establishes the Project Safe Neighborhoods Block Grant Program within the Department of Justice's Office of Justice Programs to foster and improve existing partnerships to create safer neighborhoods through sustained reductions in crimes committed by criminal street gangs and transnational organized crime groups.

   **Sponsor:** Rep. Gowdy, Trey [R-SC-4] (Introduced 05/23/2018) **Cosponsors:** (3) **Committees:** House - Oversight and Government Reform, Energy and Commerce, Foreign Affairs, Judiciary, Intelligence (Permanent Select), Appropriations | Senate
- Judiciary **Latest Action:** Senate - 06/21/2018 Received in the Senate and Read twice and referred to the Committee on the Judiciary.

- This bill has the status Passed House

- “Coordinated Response through Interagency Strategy and Information Sharing Act” or the “CRISIS Act”. This bill reauthorizes ONDCP.

41. **H.R.2851** — 115th Congress (2017-2018) **SITSA Act Sponsor:** Rep. Katko, John [R-NY-24] (Introduced 06/08/2017) **Cosponsors:** (75) **Committees:** House - Energy and Commerce, Judiciary | Senate - Judiciary **Committee Reports:** H. Rept. 115-713 **Latest Action:** Senate - 06/18/2018 Received in the Senate and Read twice and referred to the Committee on the Judiciary. (All Actions) **Tracker:**

- This bill has the status Passed House

42. **H.R.1215** — 115th Congress (2017-2018) **Protecting Access to Care Act of 2017 Sponsor:** Rep. King, Steve [R-IA-4] (Introduced 02/24/2017) **Cosponsors:** (3) **Committees:** House - Judiciary, Energy and Commerce | Senate - Judiciary **Committee Reports:** H. Rept. 115-55 **Latest Action:** Senate - 06/29/2017 Received in the Senate and Read twice and referred to the Committee on the Judiciary.

- This bill has the status Passed House

43. **H.R.1101** — 115th Congress (2017-2018) **Small Business Health Fairness Act of 2017 Sponsor:** Rep. Johnson, Sam [R-TX-3] (Introduced 02/16/2017) **Cosponsors:** (37) **Committees:** House - Education and the Workforce | Senate - Health, Education, Labor, and Pensions **Committee Reports:** H. Rept. 115-43 **Latest Action:** Senate - 03/23/2017 Received in the Senate and Read twice and referred to the Committee on Health, Education, Labor, and Pensions.

- This bill has the status Passed House
FY 2019 Budget Results

Please find below the status of forensic science in the budget process. Reconciliation among the House and Senate is next. As you can see, the Senate significantly funded us for our programs this year. In the Coverdell funding, half is for Opioids (see language). As we move toward reconciliation of the budget, we will need to work toward getting the House to recede to the Senate. An advocacy package will be posted by the CFSO shortly.

FUNDING

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<td>Byrne</td>
<td><em>Byrne Justice Assistance Grants (JAG)</em>—The Byrne Justice Assistance Grants program awards grants to State, local, and tribal governments to support a broad range of activities that prevent and control crime, including: law enforcement programs; prosecution and court programs; prevention and education programs; corrections and community corrections programs; drug treatment programs; and planning, evaluation, and technology improvement programs. The 2019 Budget proposes $332.5 million for this program. Several well-known OJP programs, including the Bulletproof Vest Partnership Program; the VALOR Initiative, a program that promotes officer safety; and the Public Safety Partnership (formerly NCRA Network or VRN) program, are funded as carve-outs under the Byrne JAG program. In FY 2019, jurisdictions will be required to dedicate a small percentage of their awards on National Incident Based Reporting System (NIBRS) compliance. NIBRS is an incident-based system used by law enforcement agencies for collecting and reporting data on crimes. DOJ plans to transition the FBI's Uniform Crime</td>
<td><em>Byrne Memorial Justice Assistance Grant (Byrne/JAG)</em> program.—The recommendation includes $500,000,000 for the Byrne/JAG program and consolidates the activities of the COPS Hiring program into the Byrne/JAG program. Funding under this formula program is authorized for law enforcement programs including those that promote data interoperability between disparate law enforcement entities; prosecution and court programs; prevention and education programs; corrections programs; drug treatment and enforcement programs; planning, evaluation, and technology improvement programs; and crime victim and witness programs, other than compensation. Within the amount provided, $4,000,000 is for research on domestic radicalization; $10,000,000 is for the Officer Robert Wilson III Preventing Violence Against Law Enforcement and Ensuring Officer Resilience and Survivability (VALOR) Initiative; $2,000,000 is for juvenile indigent defense; $2,400,000 is for the National Missing and Unidentified Persons System (NamUS); $10,000,000</td>
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<td>Reporting program to NIBRS only data collection by 2021</td>
<td>is for competitive and evidence-based programs to reduce gun crime and gang violence; $2,500,000 is for the capital litigation and wrongful conviction review; $15,500,000 is for prison rape prevention and prosecution; and $10,000,000 is for white collar crime prevention grants. Excluding carveouts, the recommendation for Byrne/JAG is $109,000,000 above fiscal year 2017 and $184,100,000 above the request. The Committee is concerned by the impact on law enforcement of the growing epidemic of prescription drug and heroin abuse, and notes that funds within this account may be utilized for the implementation of medication-assisted treatment to maintain abstinence from all opioids and heroin. The Committee notes that Byrne/JAG funding can be used for law enforcement purposes, such as the hiring of law enforcement officers, including School Resource Officers or other “non-enforcement” officers. The Committee notes that Byrne/JAG funding can be used for pursuit technology and training to reduce deaths and injuries during high-risk vehicle events. The Committee recognizes the importance of de-escalation training and cultural sensitivity training and diversity in hiring in local law enforcement to</td>
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ensure that law enforcement reflects the communities they serve. The Committee notes that Byrne/JAG funds may be used for these purposes, and encourages the Department to award funds for this purpose in Byrne/JAG and the Community Oriented Policing Services (COPS) Program. The Committee encourages the Byrne/JAG program to provide additional resources to those communities that are taking part in programs that seek to lower homicide rates through data and performance measurement analysis. The Committee advises that some Byrne/JAG funds be directed to provide newer, more efficient forensics testing tools for rural jurisdictions. The Committee requests additional consideration be given to applicants who seek to hire service-connected disabled veterans.

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<th>Coverdell</th>
<th><strong>Paul Coverdell Forensic Science Improvement Grants</strong>—This program provides grants to States and units of local government to improve the quality and timeliness of forensic science or medical examiner services. The 2019 Budget proposes $10 million for this program.</th>
<th>Paul Coverdell Forensic Science.—The recommendation provides a total of $35,000,000 of which $17,000,000 is to specifically target the challenges the opioid epidemic has brought to the forensics community as described in the Explanatory Statement accompanying Public Law 115-141.</th>
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<td>DNA</td>
<td><strong>DNA-Related and Forensic Programs and Initiatives</strong>—This program supports a comprehensive strategy to maximize the use of forensic DNA technology in the</td>
<td>DNA initiative.—The recommendation includes $125,000,000 for DNA-related and forensic programs and activities, an increase of $20,000,000 above the DNA Backlog and Crime Lab Improvements.—The Committee is once again extremely disappointed that the Department's budget request slashes</td>
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The program provides capacity building grants, training, and technical assistance to State and local governments, and supports innovative research on DNA analysis and use of forensic evidence. The 2019 Budget proposes $105 million for this program.

(i) $97,000,000 is for a DNA analysis and capacity enhancement program and for other local, State, and Federal forensic activities, including the purposes authorized under section 2 of the DNA Analysis Backlog Elimination Act of 2000 (Public Law 106–546) (the Debbie Smith DNA Backlog Grant Program): Provided, that up to 4 percent of funds made available under this paragraph may be used for the purposes described in the DNA Training and Education for Law Enforcement, Correctional Personnel, and Court Officers program (Public Law 108–405, section 303);

(ii) $4,000,000 is for the purposes described in the Kirk Bloodsworth Post-Conviction DNA Testing Program (Public Law 108–405, section 412); and

(iii) $4,000,000 is for Sexual Assault Forensic Exam Program request and the same as the fiscal year 2017 level. Within the funds provided, the Committee provides $4,000,000 each for Post-Conviction DNA Testing grants and Sexual Assault Forensic Exam Program grants. The Committee expects that OJP will make funding for DNA analysis and capacity enhancement a priority to meet the purposes of the Debbie Smith DNA Backlog Grant Program. The Committee directs the Department to submit, as part of its spending plan, a plan for the use of all funds appropriated for DNA-related and forensic programs and a report on the alignment of appropriated funds with the authorized purposes of the Debbie Smith DNA Backlog Grant Program.

The Committee expects that OJP will make funding for DNA analysis and capacity enhancement a priority in order to meet the purposes of the Debbie Smith DNA Backlog Grant Program. The Committee directs the Department to submit to the Committee as part of its spending plan for State and Local Law Enforcement Activities a plan with respect to funds appropriated for DNA-related and forensic programs, including funding by $25,000,000 for critical grant programs to help State and local agencies address their backlogs and test forensic evidence. The Committee continues its strong support for DNA backlog and crime lab improvements by recommending $132,000,000 to strengthen and improve Federal and State DNA collection and analysis systems that can be used to accelerate the prosecution of the guilty while simultaneously protecting the innocent from wrongful prosecution. Within funds provided, $121,000,000 is for Debbie Smith DNA Backlog Reduction grants, $7,000,000 is for Kirk Bloodsworth Post-Conviction DNA Testing grants, and $4,000,000 is for Sexual Assault Nurse Examiners grants.
grants, including as authorized by section 304 of Public Law 108–405; the alignment of appropriated funds with the authorized purposes of the Debbie Smith DNA Backlog Grant Program.

*Enforcing the Debbie Smith Act.* - The Justice for All Reauthorization Act of 2016 (Public Law 114-324) clarified that not less than 75 percent of amounts made available under this provision shall be provided for grants for activities described under paragraphs (1), (2), and (3) of section (2)(a) of the DNA Analysis and Backlog Elimination Act of 2000 (42 V.S.C. 14135(a)). This 75 percent requirement had previously been codified by Congress and the President as part of the Sexual Assault Forensic Evidence Reporting Act of 2013, which was enacted as Title X of the Violence Against Women Reauthorization Act of 2013 (Public Law 113-4). Though this provision has been codified for more than 4 years, NIJ has failed to recognize it as binding. With the enactment of section 3 of the Justice for All Reauthorization Act of 2016, Congress has made its intent clear. The Committee therefore instructs the Attorney General to ensure that not less than 75 percent of the funds provided under this provision are provided to states and units of local government through grants to address the DNA crime scene evidence backlog.
| **SAKI** | **Community Teams to Address the Sexual Assault Kit (SAK) Backlog**—This program addresses a common gap in response to rape and sexual assault at the State, local, and tribal levels by promoting the timely resolution of cases associated with sexual assault kits (SAKs) that have never been submitted for forensic DNA testing or are back-logged at crime labs. Grants awarded through this program support community efforts to identify critical needs in the areas of sexual assault prevention, investigation, prosecution, and victim services, and then implement strategies to address these needs. The 2019 Budget proposes $45 million for this program. |
| **Sexual Assault Kit Initiative (SAKI)** | The Committee's recommendation includes $50,000,000 to continue a competitive grant program started in fiscal year 2015 as part of the initiative to reduce the backlog of rape kits at law enforcement agencies. The NIJ shall provide competitively awarded grants with a comprehensive community-based approach to addressing the resolution of cases in the backlog. The Committee directs the NIJ to provide a report not later than 90 days after enactment of this act on its progress in developing a strategy and model to serve as best practices for discovering and testing kits, training law enforcement, and supporting victims throughout the process as required by Public Law 113-235. |
| **Sexual Assault Forensic Evidence Reporting Act (SAFER)** | The SAFER Act was included as title X of the Violence Against Women Act of 2013 (Public Law 113-4) and was reauthorized by the SAFER Act of 2017 (Public Law 115-107). The Act authorized the Attorney General to make grants for the purpose of helping State and local law enforcement agencies conduct audits of the rape kit backlog. In 2016, the |
Department fully implemented the SAFER Act by providing grants for such a purpose under the Sexual Assault Forensic Evidence-Inventory, Tracking, and Reporting Program. The Committee strongly encourages the continuation of this important program to deliver justice for victims of sexual assault.

**Impairment Detection Technology.** The Committee is concerned about the lack of reliable, accurate, and performance-capable devices and technologies that can be used by law enforcement in the field to screen and detect the use of certain drugs, including cannabinoids, opiates, cocaine, methamphetamine, methadone, and fentanyl. The lack of reliable technology for such detection has implications for public safety in terms of ensuring that impaired drivers are not allowed to remain behind the wheel and to ensure the safety of law enforcement coming into contact with dangerous and potent drugs, such as fentanyl. The Committee is aware that NIJ has previously conducted research in this area in coordination with National Highway Traffic Safety Administration, the National Institute of Drug Abuse, the Centers for Disease Control, the Office of National Drug Control Policy, and the
Cybercrime

Forensics and cybercrime training.—The Committee is aware of a number of programs surrounding trafficking offenses, sex crimes and domestic violence that provide support to State and local law enforcement and prosecutors. The Committee encourages OJP to increase efforts to provide State and local prosecutors with training, particularly train the trainer, and trial experience in cybercrimes and digital evidence.

Cybercrime.—As national and international cyber threats become increasingly sophisticated, our Federal prosecutors must become better versed in digital forensic evidence. The Committee's recommendation fully funds the budget request of $60,459,000 for cybercrime activities. The USAO will be able to increase the number of investigations and prosecutions of cyber attacks and cyber
The Committee is also encouraged by efforts to expand the ability of academic forensic technology programs to assist the Department in identifying online crime, hate and terror groups. intrusions, and provide the high-caliber level of training on cybercrime and digital evidence needed for Assistant U.S. Attorneys to be able to analyze and present digital evidence across all types of criminal cases.

| OSAC | Forensic Sciences. The Committee provides no less than the fiscal year 2018 amount for forensic science research. Additionally, the Committee provides $3,000,000 to support the Organization of Scientific Area Committees and $1,000,000 to support technical merit evaluations previously funded by transfer from DOJ. |

OFFICE OF JUSTICE PROGRAMS

The OJP is responsible for providing leadership, coordination, and assistance to its Federal, State, local, and tribal partners to enhance the effectiveness and efficiency of the U.S. justice system in preventing, controlling, and responding to crime. As most of the responsibility for crime control and prevention falls to law enforcement officers in States, cities, and other localities, the Federal Government is effective in these areas only to the extent that it can enter into successful partnerships with these jurisdictions. Therefore, OJP is tasked with administering grants; collecting statistical data and conducting analyses; identifying emerging criminal justice issues; developing and testing promising and innovative approaches to address these issues; evaluating program results; and disseminating these findings and other information to State, local, and tribal governments. The Committee directs OJP to submit an annual report on grant programs that have not received a sufficient number of qualified applicants.