

VAWA 2021 Section-by-Section Analysis

Sec. 2 Amendments to VAWA section on universal definitions and grant conditions. VAWA 2019 incorporates a number of new terms and amends existing terminology. Among the new terms are “abuse in later life,” “alternative justice response,” “digital services,” “economic abuse,” “forced marriage,” and “technological abuse.” It also updates the existing definitions for domestic violence and elder abuse and amends the criteria for certain grant conditions pertaining to the nondisclosure of confidential or private information.

TITLE I – Enhancing Legal Tools to Combat Domestic Violence, Dating Violence, Sexual Assault and Stalking

The Violence Against Women Act (VAWA) has improved the criminal justice system’s ability to keep victims safe and hold perpetrators accountable. As a result of this historic legislation, every state has enacted laws making stalking a crime and strengthened criminal rape statutes. VAWA addresses sexual assault, domestic violence, dating violence, and stalking by promoting a coordinated community response in which law enforcement, victim services providers, prosecutors, courts, and others work together in a systemic way.

Sec. 101 The bill allows the use of STOP grants to develop the most effective law enforcement tools and protocols for preventing domestic violence homicides and requires state, territorial, local, and tribal governments to certify that they have established and implemented such programs to be eligible for grants. This includes ensuring the appropriate recovery and storage by law enforcement of dangerous weapons by adjudicated perpetrators of domestic violence, dating violence, sexual assault or stalking, as well as the return of such weapons where appropriate. The bill also incentivizes the implementation of the non-discrimination requirements of VAWA. Further, it conditions eligibility for grant monies on the development of protocols that strongly discourage compelling victim testimony and preserves dedicated funding for fiscal years 2020 through 2024.

Sec. 102 The bill directs the implementation of programs for offender accountability and homicide reduction. It eliminates use of the term “older individuals” in favor of the term “people 50 years of age or over.” The bill also establishes an additional purpose area by introducing language to open grants for pilot programs focused on increasing survivor/law enforcement/community safety by looking at alternative and community-based methods of survivor safety and perpetrator accountability. It also uses grant monies to carry out policies and procedures relative to the surrender, removal and

storage of firearms and ammunition from prohibited possessors. The bill preserves dedicated funding for 2020 through 2024.

Sec. 103 The bill preserves dedicated funding for legal assistance for victims for fiscal years 2020 through 2024, and expands such legal assistance to address the needs of the dependents of victims.

Sec. 104 The bill preserves dedicated funding, for fiscal years 2020 through 2024, for grants to support families in the justice system with a history of domestic violence, dating violence, sexual assault, or stalking. It also expands the categories for which such funds may be used—to develop and implement an alternative justice response to these problems and to carry out policies and procedures relative to the surrender, removal and storage of firearms and ammunition from prohibited possessors.

Sec. 105 The bill preserves dedicated funding for fiscal years 2020 through 2024 for grants for outreach and services to underserved populations.

Sec. 106 The bill ensures that the limitations placed on the Internet publication of information pertaining to the filing of a protection order apply in a particular State, territorial or tribal jurisdiction regardless of whether the protection order was issued in that same State, territory, or tribal jurisdiction. The bill also ensures that all Alaska tribes have the same full civil jurisdiction as other tribal courts already have to issue and enforce protection orders.

Sec. 107 The bill preserves dedicated funding for fiscal years 2020 through 2024 for grants to states that have in place laws allowing the mother of a child conceived through rape to seek court-ordered termination of the parental rights of her rapist with regard to that child.

Sec. 108 Increase funding to enhance culturally specific services for victims of domestic violence, dating violence, sexual assault, and stalking

TITLE II – Improving Services for Victims

Domestic and sexual violence is widespread in the U.S. with immediate and significant impacts for victims and their families. While women are disproportionately impacted by domestic violence, VAWA-funded programs are required to serve all male victims of domestic violence, dating violence, sexual assault, and stalking. VAWA's non-discrimination requirements support the ongoing ability of programs to serve ALL victims who seek safety and services.

Sec. 201. The bill preserves dedicated funding for fiscal years 2020 through 2024 for grants to States, territories, and Indian Tribes for sexual assault services programs.

Sec. 202. The bill preserves dedicated funding for fiscal years 2020 through 2024 for grants to States, territories and Indian Tribes for rural domestic violence, dating violence, sexual assault, stalking, and child abuse enforcement assistance.

Sec. 203. The bill preserves dedicated funding to advance services for survivors with disabilities in fiscal years 2020 through 2024. It includes a minor language change directing funds for capacity-building to organizations to respond to victims of domestic violence, dating violence, sexual abuse, and stalking who are people with disabilities.

Sec. 204. The bill preserves dedicated funding, for fiscal years 2020 through 2024, to educate community-based organizations and other professionals on abuse in later life, enhance coordinated community response teams and advance services for older survivors of abuse. It introduces minor language changes to clarify eligibility criteria and expand who can receive training and education pursuant to grants.

TITLE III – Services, Protection, and Justice for Young Victims

Rape Prevention & Education (RPE) formula grants, administered by the CDC Injury Center, provide essential funding to states and territories to support rape prevention and education programs conducted by rape crisis centers, state sexual assault coalitions, and other public and private nonprofit entities.

Sec. 301 The Rape Prevention & Education Program authorization would be increased to \$110 million under this bill, for each of fiscal years 2020 through 2024. It requires that at least 80% of funds go to States for community-based, culturally-specific prevention activities in collaboration with State sexual assault coalitions that work on rape prevention activities. The bill expands the categories for permitted use of funds to reflect the work grantees are engaged in that specifically addresses sexual harassment.

Sec. 302 The bill clarifies that funding under the CHOOSE program for children and youth is being provided for the core areas of VAWA—domestic violence, dating violence, sexual assault, and stalking—and that services that target youth should also incorporate youth in underserved communities. It seeks to increase funding by \$10M annually, for fiscal years 2020 through 2024, to \$25M annually. The bill directs that funds also be used to clarify State or local mandatory reporting policies and practices regarding peer-to-peer dating violence, sexual assault, and stalking. The bill would include sex trafficking and bullying as elements that can be addressed with CHOOSE grants when part of a comprehensive youth violence response program.

Sec. 303 The bill improves campus grant programs, for fiscal years 2020 through 2024, to support institutions of higher education in developing *and* disseminating comprehensive prevention education for all students. The bill expands training for

school-based personnel and campus health centers to meet the needs of young victims of violence. The bill seeks to increase funding, by \$4M annually, to \$16M for fiscal years 2020 through 2024.

TITLE IV – Violence Reduction Practices

Title IV was dramatically consolidated in 2013, and currently includes the SMART Prevention program which provides grants to: (1) reduce dating violence by providing education, training and skills development to young people; (2) provide healing services to children who have been exposed to violence in their homes; and (3) engage men as leaders and role models in preventing domestic violence, dating violence, and sexual assault and stalking.

Sec. 401 The bill clarifies that funds administered by the Centers for Disease Control and Prevention are to be appropriated for research on prevention and intervention programs whose goal is to reduce and prevent violence against adults, youth, and children. The bill also preserves dedicated funding for fiscal years 2020 through 2024 for these CDC grants.

Sec. 402 Under this bill, the SMART Prevention grants administered by the Attorney General would prioritize youth violence prevention programming that includes outcome-based evaluation, that does not duplicate existing efforts, and that has a significant focus on underserved populations. The bill restores the authorized appropriation for this program back to its originally authorized annual level of \$45M, for fiscal years 2020 through 2024.

TITLE V – Strengthening the Healthcare Systems Response

One in three American women have experienced intimate partner violence in their lifetimes, with one in four having experienced severe physical violence. One in eight women report incidents requiring medical care as a result of the violence.

Sec. 501 The bill seeks to address the four “VAWA crimes”—domestic violence, dating violence, sexual assault, and stalking—across the lifespan, including addressing domestic and sexual violence experienced by older adults and children/youth. For these purposes, it increases dedicated funding from \$10M to \$15M, through the Secretary of Health and Human Services (HHS), for fiscal years 2020 through 2024 . It broadens the reach of grants that develop services to address the safety, medical, and mental health needs of patients, while maintaining their local focus of providing funds to State domestic and sexual violence coalitions to improve their capacity to coordinate with and support health advocates and other health system partnerships.

The bill directs HHS to focus some of its grants on training programs to improve the capacity of early childhood programs to address their responses to domestic violence, dating violence, sexual assault, and stalking. It specifies that funding for the development of culturally competent clinical trainings in the context of medical and health education shall specifically address protective factors related to labor and sex trafficking. It also authorizes the development, implementation, and evaluation of best practices, tools, and training materials for behavioral health professionals to identify and respond to the enumerated VAWA crimes and it incorporates the integration of knowledge about these crimes into professional licensing and accreditation by mental health boards.

The bill provides a portion of the funding to implement and support programming for community health centers, rural health providers and others who serve medically-underserved communities. The bill also authorizes the development of programs to improve the ability of substance use disorder treatment programs to address issues pertaining to the four VAWA crimes, and improves “data collection” regarding the VAWA crimes and their interaction with substance use disorder, coerced use of substances, and mental or behavioral health.

TITLE VI – Safe Homes for Victims

Domestic violence is the leading cause of homelessness for women and their children. The ability to provide housing is a vital part of supporting victims in leaving their abusers by allowing them to live safely in the community. Without housing, a victim must often choose between becoming homeless or remaining with their abuser. The Transitional Housing Program enhances the safety and security of victims, their children, and other dependents by supporting an array of services, such as the Housing Trust Fund, the Section 202 Direct Loan Program; renting supplemental units that have not been converted to RAD-2; and administering a Rural Development Voucher Program.

Sec. 601 The bill clarifies that a “covered housing program” includes the direct loan program that provides supportive housing for the elderly and it adds five additional programs as VAWA covered programs, including housing assistance for homeless veterans and homeless veterans with special needs. The bill incorporates a definition of “covered housing provider,” for purpose of this section, which incorporates those persons and entities responsible for administration or oversight of a covered housing program, including public housing agencies, State and local governments, and Continua of Care.

The bill adds a prohibition that survivors cannot be evicted based on the criminal activity of a perpetrator of abuse. Any adverse eviction decision requires an individualized review of the relevant circumstances and an opportunity to challenge the decision. In the event of a “family break-up,” the bill requires a covered housing provider to afford the survivor an opportunity to establish their own eligibility for the covered housing program, or give the survivor at least 180 days to find new housing or to establish eligibility for another covered housing program. The bill permits early termination of a covered housing program lease by a victim of domestic violence, dating violence, sexual assault, or stalking. The bill requires that tenants who are victims of domestic violence, dating violence, sexual assault, or stalking be transferred to another available safe dwelling assisted under covered housing if they request transfer and they reasonably believe they are threatened with imminent harm or they have been sexually assaulted on the premises during the 180-day period preceding the transfer request.

The bill also requires HUD to adopt an emergency transfer policy for use by covered programs associated with each HUD regional office, to include policies that mandate that emergency transfers take priority over non-emergency transfers and over existing waiting lists and that incorporate confidentiality measures. The bill requires covered housing providers to make an internal transfer to another safe unit within 10 days, or, if unavailable, to make a referral to the appropriate HUD regional office. The bill provides for emergency transfer vouchers for victims, and it authorizes \$20M for emergency transfers for each of fiscal years 2020 through 2024. Implementation with respect to each covered housing program includes training for staff of covered housing programs and dissemination of information pertaining to service providers in the coverage area.

Sec. 602 The bill establishes a requirement for annual reviews by each covered housing program to ensure compliance with the housing protections established on behalf of victims of the VAWA crimes. The bill establishes a Violence Against Women Director in HUD (HUD Director), and implements data collection and oversight practices. It requires the HUD Director to maintain a database of available and soon-to-be available dwellings for emergency transfers. It also prohibits covered housing providers from retaliating against persons exercising their rights or participating in processes relative to the housing protections established to benefit victims of VAWA crimes.

Sec. 603 The bill confers the right to report crimes and emergencies from one’s home and prevents landlords, homeowners, residents and occupants, guests and housing applicants from being penalized by any covered governmental entities for requesting law enforcement or emergency assistance based on criminal activity for which they (or another person) are the victim. Covered governmental entities include any municipal, county or state entities receiving federal housing and community development funding, including subgrantees of such funding. The bill authorizes grants for the development

and implementation of effective, alternative crime reduction methods to supplant punitive programs and policies, including proscribing the imposition of penalties on victims of crimes because criminal activity occurred at the property.

Sec. 604 The bill preserves funding for fiscal years 2020 through 2024 for transitional housing grants for victims of domestic violence, dating violence, sexual assault, or stalking. It also makes such funds available to “population-specific organizations.”

Sec. 605 The bill makes eligibility for Continuum of Care grants (McKinney-Vento Homeless Assistance Grants) to those serving homeless individuals or families and also makes such grants available for use to facilitate and ensure compliance with the provisions of VAWA that provide housing protections for victims of the VAWA crimes. The bill also expands the range of individuals who may qualify for such grants. The bill preserves funding for fiscal years 2020 through 2024 for collaborative grants to increase the long-term stability of victims who are homeless or at risk of becoming homeless.

Sec. 606 The bill requires that annual public housing agency plans include copies of (1) all standardized notices issued pursuant to VAWA; (2) the VAWA emergency transfer plan; and (3) all memoranda of understanding with other covered housing providers to facilitate emergency transfers. In addition to descriptions already required under existing law, the bill also requires that the annual housing agency plans include descriptions of all training and support services offered to staff of the public housing agency relative to VAWA crimes and the implementation of VAWA’s housing protections. The bill requires that public housing agency plans include certifications of compliance with VAWA.

TITLE VII – Economic Security for Victims

Domestic Violence is costly, resulting in \$4.9 billion dollars annually in direct costs: medical expenses, 70%; lost productivity, 15%; and lost lifetime earnings, 15%. Ninety-five percent of incidents occur in households with incomes below \$75,000.

Sec. 701 The bill makes a series of findings pertaining to the prevalence of sexual violence, domestic violence and intimate partner violence, stalking, workplace homicides, firearm deaths, and the presence of firearms in domestic violence situations; the negative effects of domestic violence on the workplace and on the autonomy, liberty, and security of survivors; the cost of intimate partner violence and its effect on workplace productivity; the prevalence of economic abuse; and the need for additional responses to assist survivors.

Sec. 702 The bill reauthorizes the National Resource Center on Workplace Responses to Assist Victims of Domestic and Sexual Violence, and increases its authorization to \$2M annually for fiscal years 2020 through 2024. The bill also extends grant authority to assist victims of sexual harassment and extends the provision of information and assistance by the Resource Center to victim service providers.

Sec. 703 The bill provides that State unemployment compensation shall not be denied to an individual who voluntarily separates from employment if such separation is attributable to the individual being a victim of sexual or other harassment, or a survivor of domestic violence, dating violence, sexual assault, or stalking. The bill sets forth the types of documentation that shall be considered to establish eligibility for unemployment compensation. The bill also requires that States streamline their procedures for documenting eligibility for unemployment compensation by victims and survivors.

The bill provides for the training of unemployment compensation personnel and personnel of the Temporary Assistance for Needy Families (TANF) program, regarding these new provisions. It authorizes the Secretary of Labor to award grants for the development and dissemination of a model training program and technical assistance relative to sexual and other harassment, domestic violence, dating violence, sexual assault and stalking for unemployment compensation and TANF personnel, including at the State, tribal, and local levels. The bill authorizes \$1 M for fiscal year 2020 for development of the model training program and \$12M for fiscal years 2020 through 2024 for grants to States, tribal, and local agencies.

The bill ensures that this section does not supersede any Federal, State or local law, agreement, program, or plan that provides greater unemployment benefit insurance to survivors, and preempts any State or local laws, collective bargaining agreements, or employment benefits programs or plans that diminish the guarantees under this bill. The bill also provides for effective dates for implementation of this section and for extensions of the effective dates for States that would need to amend their laws to enable proper implementation.

Sec. 704 The bill directs the Secretary of Health and Human Services, in consultation with the Secretary of Labor, to conduct a study on the barriers that survivors experience, throughout the United States, in maintaining economic security, as a result of issues related to domestic violence, dating violence, sexual assault, and stalking. The bill requires the issuance of recommendations to ensure successful implementation of provisions to ensure the economic security of survivors.

Sec. 705 The Comptroller General is directed to carry out a GAO study, to be completed 18 months from enactment of the bill, on the effects of domestic violence, dating

violence, sexual assault, or stalking on survivors' ability to continue their enrollment in institutions of higher education and their ability to repay their student loans. Among other things, the study would assess the ability of survivors to establish or maintain financial independence from their abusers.

Sec. 706 The bill directs various agencies to coordinate and provide a national public outreach and education campaign to raise public awareness of the workplace impact of domestic violence, dating violence, sexual assault, and stalking; the resources and rights available for survivors; and best practices on prevention. The bill also directs that the Secretary of Labor and the Secretary of Health and Human Services conduct a study on the status of workplace responses to employees who experience domestic violence, dating violence, sexual assault, or stalking and their access to supportive resources and economic security. The bill authorizes appropriations to carry out this section as may be necessary for fiscal years 2020 through 2024.

Sec. 707 This section provides for severability, should any portions of this bill later be held unconstitutional.

TITLE VIII – Homicide Reduction Initiatives

Domestic violence claims at least 2,000 lives each year. Seventy percent of the victims are women. Most “intimate partner” homicides, in which a person targets a spouse, boyfriend or girlfriend, are committed with firearms.

Sec. 801 For purposes of the criminal code in Title 18, the bill redefines the terms “intimate partner” and “misdemeanor crime of violence.” An intimate partner includes a dating partner or former dating partner, and any other person similarly situated to a spouse. A misdemeanor crime of domestic violence includes an offense that is a misdemeanor under municipal law, and also applies to the commission of an offense by an intimate partner. The bill defines a misdemeanor crime of stalking as an offense that involves taking an action which causes, attempts to cause, or would reasonably be expected to cause emotional distress by harassment, intimidation, or surveillance of another person. In order to be considered to have been convicted of a misdemeanor crime of stalking, the convicted individual must have been offered basic due process guarantees.

Sec. 802 The bill prohibits persons previously convicted of misdemeanor stalking from possessing firearms and it makes it unlawful for a person to sell or transfer a firearm or ammunition to any person they believe, or have reasonable cause to believe, has been convicted of misdemeanor stalking. The bill prohibits respondents to *ex parte* protection orders from possessing firearms, as long as these individuals have been subject to appropriate due process to respond to the protection order. A person subject

to a court order that restrains such a person from intimidating or dissuading a witness from testifying in court is also a prohibited possessor. The bill also prohibits a person to sell or transfer a firearm or ammunition to any person they believe or have reasonable cause to believe is subject to a protection order, including an *ex parte* protection order or an order that restrains the person from intimidating or dissuading a witness from testifying in court.

TITLE IX – Safety for Indian Women

Native women are victimized at rates higher than any other population in the United States. It is estimated that 56% of American Indian and Alaska Native women will experience sexual assault in their lifetimes and 55% will be subjected to domestic violence in their lifetimes. Forty-eight percent will experience stalking. Co-occurring crimes in domestic violence cases are extremely common, and courts must be able to address these co-occurring crimes in order to hold the abuser fully accountable, while fully protecting all victims of the abuser’s crimes. These co-occurring crimes can include the abuser’s commission of child maltreatment, child sexual abuse, adult sexual violence, stalking, trafficking, kidnapping and other related conduct.

Sec. 901 The bill makes a number of findings regarding the extraordinarily high rates of murder committed and violent crimes perpetrated against American Indian and Alaska Native women. It clarifies the responsibilities of Federal, State, Tribal, and local governments with respect to responding to cases of missing and murdered Indians, increases coordination and communication among law enforcement agencies, empowers tribal governments with resources, and increases the collection of data and information-sharing related to missing and murdered Native women.

Sec. 902 The bill authorizes \$3M, per fiscal year, for 2020 through 2024, for the Tribal Access Program, to enhance the ability of tribal government entities to enter information into and obtain information from Federal criminal information databases. This repurposes funding allocated under VAWA 2005 to create a tribal sex offender and protection order registry.

Sec. 903 The bill expands the jurisdiction of tribal authorities over non-Indians who commit a crime in Indian country, if the crime occurs within the territory of a participating tribe (i.e., one that provides certain due process guarantees), including any participating tribes in the State of Maine. The Indian Civil Rights Act currently provides for a “special tribal domestic violence jurisdiction” that extends tribal jurisdiction to non-Indians over domestic violence offenses. This section extends the jurisdiction of participating tribes over crimes other than just domestic violence offenses. The extended jurisdiction is termed “special tribal criminal jurisdiction.” Under existing law, non-Indians can be prosecuted in tribal court for domestic violence, dating

violence, or a criminal violation of a protection order; this jurisdiction is reaffirmed in this bill.

The bill amends the definition of domestic violence to reach violence committed against a victim who is a child under the age of 18 or an elder. This section also extends special tribal criminal jurisdiction to the following crimes: assault of a law enforcement or correctional officer; obstruction of justice; sex trafficking; sexual violence; and stalking. The bill authorizes grants to Tribal governments to create a pilot project to allow up to five Indian tribes in Alaska to implement special tribal criminal jurisdiction and, for that specific purpose, to redefine Indian country to include certain lands in Alaska. The bill authorizes \$5M per year for each of fiscal years 2020 through 2024.

TITLE X – Office on Violence Against Women

Sec. 1001 The bill updates the name of the office in the Department of Justice charged with implementing VAWA, from the “Violence Against Women Office” to the “Office on Violence Against Women,” and adds to the jurisdiction of the Office the VAWA reauthorization bills passed in 2005 and 2013, as well as the current reauthorization. The bill clarifies that the Office on Violence Against Women must not be subsumed under any other grant-making office within the U.S. Department of Justice.

Sec. 1002 The bill establishes a Deputy Director for Culturally Specific Communities position, under the guidance and authority of the Director of the Office on Violence Against Women. The Deputy Director shall oversee the administration of grants; coordinate development of Federal policy, protocols, and guidelines; advise the Director; provide technical assistance; and ensure appropriate technical assistance is provided to grantees of culturally specific grants.

TITLE XI – Improving Conditions for Women in Federal Custody

This Title incorporates the Ramona Brant Improvement of Conditions for Women in Federal Custody Act (Sec. 1101) and the Stop Infant Mortality and Recidivism Reduction (“SIMARRA”) Act (Sec. 1102).

Sec. 1101 The bill directs the Director of the Bureau of Prisons (BOP) to establish an office to determine the placement of prisoners. The office would be required to place prisoners as close to their children as possible and to review the placement of transgender or intersex persons on a case-by-case basis, following a specific protocol. The bill prohibits segregated housing for prisoners who are pregnant, or in post-partum recovery. The bill also requires the BOP to hold parenting classes for prisoners who are primary caretaker parents. It requires training for corrections officers and BOP employees to learn to identify trauma among prisoners and to learn how to refer them to

health professionals accordingly. The BOP is directed to furnish proper health care for all prisoners, including access to a gynecologist, and to provide shampoo, toothpaste, toothbrushes and other hygienic products, at no cost, for prisoners. The Director of the BOP would also be required to issue regulations pertaining to sex-appropriate strip-searches and the use of restrooms by correctional officers that are reserved for prisoners of the opposite sex. The bill prevents the Director of the BOP from prohibiting an eligible prisoner who is a primary caretaking parent or is pregnant from participating in a program of residential substance abuse treatment because, prior to their commitment to the BOP, the prisoner failed to disclose their substance abuse problem. The bill requires implementation of these provisions not later than two years from enactment.

Sec. 1102 The bill directs the BOP to establish, no later than 270 days from enactment, a pilot program to permit women incarcerated in the BOP and the children born to such women during incarceration to reside together while the prisoner serves a term of imprisonment in a separate housing wing of the prison. Any inmate who is pregnant at the beginning of the term of imprisonment in BOP would be eligible to apply for the program. Inmates would be selected to participate for up to 30 months, unless released from custody earlier. The bill directs the development of an offender risk and needs assessment system particular to the health sensitivities of federally incarcerated pregnant women and mothers; the development of recommendations for recidivism reduction programs and productive activities; and ongoing research and data analysis to determine whether revisions or updates to the program are appropriate. The bill directs annual reporting to Congress regarding progress in implementation of the program. The bill would authorize \$10,000,000 per fiscal year, for 2020 through 2024.

Sec. 1103 This bill provides for research to be conducted and reported to Congress on the status of women in federal incarceration.

Sec. 1104 this bill requires the Attorney General, in coordination with the Chief of U.S. Probation and Pretrial Services and the Director of the Bureau of Prisons (including Women and Special Population Branch), to collaborate on a model of gender responsive transition for incarcerated women.

TITLE XII – Law Enforcement Tools to Enhance Public Safety

Sec. 1201 The bill requires the National Instant Criminal Background Check System (NICS) to notify law enforcement when a person subject to an order of protection or who has been convicted of a misdemeanor crime of stalking fails a background check after three business days and if the prohibited person has taken possession of the firearm. The appropriate agencies for notification are the relevant FBI field office and local, State and Tribal law enforcement.

Sec. 1202 The bill requires the Attorney General, within 24 hours after the issuance of an NICS notice about a person subject to an order of protection or who has been convicted of a misdemeanor crime of stalking, to issue a report to State, local, or tribal law enforcement and prosecutors in the jurisdiction where the person sought to acquire the firearm, or to law enforcement authorities and prosecutors in the person's state of residence.

Sec. 1203 The bill authorizes the Attorney General to use existing authority to deputize Special Assistant U.S. Attorneys in at least 75 jurisdictions, including tribal jurisdictions, with high rates of firearm-involved intimate partner violence, to enforce or assist the U.S. Attorneys' offices in prosecuting persons who have violated certain federal firearms prohibitions. It also deputizes State, tribal, territorial and local prosecutors and law enforcement officers for the purpose of enhancing the work of the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) in responding to intimate partner violence. The bill also requires ATF field offices and U.S. Attorney's Offices to appoint domestic violence points of contact to expedite requests for assistance from State, tribal, territorial and local law enforcement.

TITLE XIII – Closing the Law Enforcement Consent Loophole

Sec. 1301 The bill makes it unlawful for a person, while acting under color of law, to knowingly engage in a sexual act with an individual who is under arrest, in detention or otherwise in the actual custody of any Federal law enforcement officer. The bill establishes that, in such a prosecution, it shall not be a defense that the other individual consented to the sexual act. A person found guilty of this offense may be imprisoned for up to 15 years. The bill also authorizes the Attorney General to make grants to States, Tribes and territories that have in effect laws prohibiting a person charged with unlawfully engaging in a sexual act while acting under color of law, and which foreclose the defense of consent to such an act by the victim. The bill authorizes \$5M for each of fiscal years 2020 through 2024.

TITLE XIV – Other Matters

The bill preserves funding for fiscal years 2020 through 2024 for various victim and survivor-centered programs.