

1 **TITLE XI—LAW ENFORCEMENT**
2 **TOOLS TO ENHANCE PUBLIC**
3 **SAFETY**

4 **SEC. 1101. NICS DENIAL NOTIFICATION ACT OF 2022.**

5 (a) SHORT TITLE.—This section may be cited as the
6 “NICS Denial Notification Act of 2022”.

7 (b) LOCAL LAW ENFORCEMENT AUTHORITY DE-
8 FINED.—Section 921(a) of title 18, United States Code,
9 is amended by adding at the end the following:

10 “(36) The term ‘local law enforcement author-
11 ity’ means a bureau, office, department or other au-
12 thority of a State or local government or Tribe that
13 has jurisdiction to investigate a violation or potential
14 violation of, or enforce, a State, local, or Tribal
15 law.”.

16 (c) AMENDMENT.—Chapter 44 of title 18, United
17 States Code, is amended by inserting after section 925A
18 the following:

19 **“§ 925B. Reporting of background check denials to**
20 **State authorities**

21 “(a) IN GENERAL.—If the national instant criminal
22 background check system established under section 103
23 of the Brady Handgun Violence Prevention Act (34 U.S.C.
24 40901) (referred to in this section as ‘NICS’) provides a
25 notice pursuant to section 922(t) that the receipt of a fire-

1 arm by a person would violate subsection (g) or (n) of
2 section 922 or State, local, or Tribal law, the Attorney
3 General shall, in accordance with subsection (b) of this
4 section—

5 “(1) report to the local law enforcement author-
6 ity of the State or Tribe where the person sought to
7 acquire the firearm and, if different, the local law
8 enforcement authorities of the State or Tribe of resi-
9 dence of the person—

10 “(A) that the notice was provided;

11 “(B) the Federal, State, local or Tribal
12 prohibition;

13 “(C) the date and time the notice was pro-
14 vided;

15 “(D) the location of the licensee where the
16 firearm was sought to be transferred; and

17 “(E) the identity of the person; and

18 “(2) where practicable, report the incident to
19 State and local prosecutors or Tribal prosecutors in
20 the jurisdiction where the firearm transfer was
21 sought.

22 “(b) REQUIREMENTS FOR REPORT.—A report is
23 made in accordance with this subsection if the report is
24 made under subsection (a) within 24 hours after the NICS
25 denies a firearm transfer in accordance with section 922(t)

1 of title 18, United States Code, except that the making
2 of the report may be delayed for so long as is necessary
3 to avoid compromising an ongoing investigation.

4 “(c) AMENDMENT OF REPORT.—If a report is made
5 in accordance with subsection (b) and, after such report
6 is made, the Federal Bureau of Investigation determines
7 that the receipt of a firearm by a person for whom the
8 report was made would not violate subsection (g) or (n)
9 of section 922 or State, local, or Tribal law, the Attorney
10 General shall notify any law enforcement authority and
11 any prosecutor to whom the report was made of that de-
12 termination.

13 “(d) RULE OF CONSTRUCTION.—Nothing in sub-
14 section (a) shall be construed to require a report with re-
15 spect to a person to be made to the same State authorities
16 that made the original denial determination with respect
17 to the transfer of the firearm.”.

18 (d) CLERICAL AMENDMENT.—The table of sections
19 for chapter 44 of title 18, United States Code, is amended
20 by inserting after the item relating to section 925A the
21 following:

“925B. Reporting of background check denials to State authorities.”.

22 **SEC. 1102. ANNUAL REPORT TO CONGRESS.**

23 (a) IN GENERAL.—Chapter 44 of title 18, United
24 States Code, as amended by section 1101, is amended by
25 inserting after section 925B the following:

1 **“§ 925C. Annual report to Congress**

2 “Not later than 1 year after the date of enactment
3 of this section, and annually thereafter, the Attorney Gen-
4 eral shall submit to Congress a report detailing the fol-
5 lowing, broken down by Federal judicial district:

6 “(1) With respect to each category of persons
7 prohibited by subsection (g) or (n) of section 922 or
8 State law from receiving or possessing a firearm who
9 are so denied a firearm—

10 “(A) the number of denials;

11 “(B) the number of denials referred to the
12 Bureau of Alcohol, Tobacco, Firearms, and Ex-
13 plosives;

14 “(C) the number of denials for which the
15 Bureau of Alcohol, Tobacco, Firearms, and Ex-
16 plosives determines that the person denied was
17 not prohibited by subsection (g) or (n) of sec-
18 tion 922 or State law from receiving or pos-
19 sessed a firearm;

20 “(D) the number of denials overturned
21 through the appeals process of the national in-
22 stant criminal background check system estab-
23 lished under section 103 of the Brady Handgun
24 Violence Prevention Act (34 U.S.C. 40901);

25 “(E) the number of denials with respect to
26 which an investigation was opened by a field di-

1 vision of the Bureau of Alcohol, Tobacco, Fire-
2 arms, and Explosives;

3 “(F) the number of persons charged with
4 a Federal criminal offense in connection with a
5 denial; and

6 “(G) the number of convictions obtained
7 by Federal authorities in connection with a de-
8 nial.

9 “(2) The number of background check notices
10 reported pursuant to section 925B (including the
11 number of the notices that would have been so re-
12 ported but for section 925B(e)).”.

13 (b) CLERICAL AMENDMENT.—The table of sections
14 for chapter 44 of title 18, United States Code, as amended
15 by section 1101, is amended by inserting after the item
16 relating to section 925B the following:

“925C. Annual report to Congress.”.

17 **SEC. 1103. SPECIAL ASSISTANT U.S. ATTORNEYS AND**
18 **CROSS-DEPUTIZED ATTORNEYS.**

19 (a) IN GENERAL.—Chapter 44 of title 18, United
20 States Code, as amended by section 1102, is further
21 amended by inserting after section 925C the following:

1 **“§ 925D. Special assistant U.S. attorneys and cross-**
2 **deputized attorneys**

3 “(a) IN GENERAL.—In order to improve the enforce-
4 ment of paragraphs (8) and (9) of section 922(g), the At-
5 torney General may—

6 “(1) appoint, in accordance with section 543 of
7 title 28, qualified State, Tribal, territorial and local
8 prosecutors and qualified attorneys working for the
9 United States government to serve as special assist-
10 ant United States attorneys for the purpose of pros-
11 ecuting violations of such paragraphs; and

12 “(2) deputize State, Tribal, territorial and local
13 law enforcement officers for the purpose of enhanc-
14 ing the capacity of the agents of the Bureau of Alco-
15 hol, Tobacco, Firearms, and Explosives in respond-
16 ing to and investigating violations of such para-
17 graphs.

18 “(b) IMPROVE INTIMATE PARTNER AND PUBLIC
19 SAFETY.—The Attorney General shall—

20 “(1) identify not fewer than 75 jurisdictions
21 among States, territories and Tribes where there are
22 high rates of firearms violence and threats of fire-
23 arms violence against intimate partners and other
24 persons protected under paragraphs (8) and (9) of
25 section 922(g) and where local authorities lack the
26 resources to address such violence;

1 “(2) make such appointments as described in
2 subsection (a) in jurisdictions where enhanced en-
3 forcement of such paragraphs is necessary to reduce
4 firearms homicide and injury rates; and

5 “(3) establish, in order to receive and expedite
6 requests for assistance from State, Tribal, terri-
7 torial, and local law enforcement agencies respond-
8 ing to intimate partner violence cases where such
9 agencies have probable cause to believe that the of-
10 fenders may be in violation of such paragraphs,
11 points of contact within—

12 “(A) each Field Division of the Bureau of
13 Alcohol, Tobacco, Firearms, and Explosives;
14 and

15 “(B) each District Office of the United
16 States Attorneys.

17 “(c) QUALIFIED DEFINED.—For purposes of this
18 section, the term ‘qualified’ means, with respect to an at-
19 torney, that the attorney is a licensed attorney in good
20 standing with any relevant licensing authority.”.

21 (b) CLERICAL AMENDMENT.—The table of sections
22 for chapter 44 of title 18, United States Code, as amended
23 by this Act, is further amended by inserting after the item
24 relating to section 925C the following:

 “925D. Special assistant U.S. attorneys and cross-deputized attorneys.”.

1 **SEC. 1104. UNLAWFUL ACTS.**

2 (a) MISDEMEANOR CRIME OF DOMESTIC VIOLENCE
3 DEFINED.—Section 921(a)(33)(A)(i) of title 18, United
4 States Code, is amended by striking “or Tribal law” and
5 inserting “, Tribal, or local law”.

6 (b) TRANSFERS.— Section 922(t) of title 18, United
7 States Code, is amended—

8 (1) in paragraph (1)(B)(ii), by inserting “, or
9 State, local, or Tribal law” after “subsection (g) or
10 (n) of this section”;

11 (2) in paragraph (2), in the matter preceding
12 subparagraph (A), by inserting “, local or Tribal”
13 after “State”;

14 (3) in paragraph (4), by inserting “local, or
15 Tribal” after “State”; and

16 (4) in paragraph (5), by inserting “local, or
17 Tribal” after “State”.

18 **SEC. 1105. REVIEW ON CRIMINAL OFFENSES AFFECTING**
19 **NATIVE HAWAIIANS.**

20 (a) NATIVE HAWAIIAN DEFINED.—In this section,
21 the term “Native Hawaiian” has the meaning given the
22 term in section 801 of the Native American Housing As-
23 sistance and Self-Determination Act (25 U.S.C. 4221).

24 (b) REVIEW OF RELEVANT FEDERAL CRIME PRE-
25 VENTION, VICTIM SERVICE, AND CRIMINAL JUSTICE PRO-
26 GRAMS SERVING NATIVE HAWAIIANS.—

1 (1) REPORT.—Not later than 18 months after
2 the date of enactment of this Act, the Attorney Gen-
3 eral shall submit a report to Congress containing the
4 following:

5 (A) The results and findings of the com-
6 prehensive review required to be conducted
7 under paragraph (2).

8 (B) The amount of Federal funding re-
9 ceived by Native Hawaiian-serving organiza-
10 tions from relevant Federal programs, including
11 the percentage of each such amount of funding
12 received by Native Hawaiian-serving organiza-
13 tions relative to the total amount of funding
14 dispersed for each relevant Federal program.

15 (C) Recommendations and legislative pro-
16 posals to—

17 (i) improve how relevant Federal pro-
18 grams address the needs of Native Hawai-
19 ians;

20 (ii) improve responses to and inves-
21 tigation of incidences of missing or mur-
22 dered Native Hawaiians;

23 (iii) reduce the likelihood that a Na-
24 tive Hawaiian may become involved in the
25 criminal justice system; and

1 (iv) address any other relevant mat-
2 ters deemed necessary by the Attorney
3 General.

4 (2) COMPREHENSIVE REVIEW.—The Attorney
5 General shall conduct a comprehensive review of rel-
6 evant Federal programs.

7 (3) RELEVANT FEDERAL PROGRAM.—In this
8 subsection, the term “relevant Federal program”
9 means any—

10 (A) law enforcement or other crime preven-
11 tion program targeting criminal offenses that
12 affect Native Hawaiians, including child sexual
13 exploitation, child abuse, intimate partner vio-
14 lence, human trafficking, missing or murdered
15 individuals, and substance abuse;

16 (B) any program that provide services to
17 victims of criminal offenses affecting Native
18 Hawaiians, including child sexual exploitation,
19 child abuse, intimate partner violence, human
20 trafficking, and substance abuse; and

21 (C) any criminal justice system program or
22 service available to and used by Native Hawai-
23 ians in various jurisdictions, including diversion
24 programs, in-prison education programs, and
25 reentry services.

1 (c) REPORT ON NATIVE HAWAIIANS IN THE CRIMI-
2 NAL JUSTICE SYSTEM.—

3 (1) IN GENERAL.—Not later than 180 days
4 after the date of enactment of this Act, the Attorney
5 General, acting through the National Institute of
6 Justice, in coordination with the Bureau of Justice
7 Statistics, shall prepare a report on the interaction
8 of Native Hawaiians with the criminal justice sys-
9 tem.

10 (2) CONTENTS OF REPORT.—The report re-
11 quired under this subsection shall include—

12 (A) known statistics related to the percent-
13 age of persons who are Native Hawaiians out of
14 the total of—

15 (i) all persons arrested;

16 (ii) all persons detained in Federal,
17 State, and local jails;

18 (iii) all persons subject to pretrial su-
19 pervision;

20 (iv) all persons subject to post-convie-
21 tion supervision;

22 (v) all persons incarcerated in Federal
23 and State prisons; and

24 (vi) all persons subject to post-release
25 supervision;