

JUNE 3, 2022

**RULES COMMITTEE PRINT 117-46**  
**TEXT OF H.R. 2377, FEDERAL EXTREME RISK**  
**PROTECTION ORDER ACT OF 2022**

[Showing the text of H.R. 2377, as reported by the Committee on the Judiciary, and H.R. 3480, as introduced, with modifications.]

1 **SECTION 1. SHORT TITLE.**

2       This Act may be cited as the “Federal Extreme Risk  
3 Protection Order Act of 2022”.

4 **SEC. 2. FEDERAL EXTREME RISK PROTECTION ORDERS.**

5       (a) IN GENERAL.—Chapter 44 of title 18, United  
6 States Code, is amended by adding at the end the fol-  
7 lowing:

8 **“§ 932. Extreme risk protection orders**

9       “(a) DEFINITIONS.—In this section—

10           “(1) the term ‘court’ means a district court of  
11 the United States;

12           “(2) the term ‘designated law enforcement offi-  
13 cer’ means a law enforcement officer, designated by  
14 a United States marshal, who agrees to receive fire-  
15 arms, ammunition, and permits, as applicable, sur-  
16 rendered under subsection (f);

1           “(3) the term ‘Director’ means the Director of  
2 the Administrative Office of the United States  
3 Courts;

4           “(4) the term ‘ex parte Federal extreme risk  
5 protection order’ or ‘ex parte Federal order’ means  
6 a Federal extreme risk protection order issued under  
7 subsection (c);

8           “(5) the term ‘Federal extreme risk protection  
9 order’ means an order issued by a Federal court  
10 that enjoins an individual from purchasing, pos-  
11 sessed, or receiving, in or affecting interstate and  
12 foreign commerce, a firearm or ammunition;

13           “(6) the term ‘family or household member’,  
14 with respect to a Federal order respondent, means  
15 any—

16                   “(A) parent, spouse, sibling, or child re-  
17 lated by blood, marriage, or adoption to the re-  
18 spondent;

19                   “(B) dating partner of the respondent;

20                   “(C) individual who has a child in common  
21 with the respondent, regardless of whether the  
22 individual has—

23                           “(i) been married to the respondent;

24                                   or

1                   “(ii) lived together with the respond-  
2                   ent at any time;

3                   “(D) individual who resides or has resided  
4                   with the respondent during the past year;

5                   “(E) domestic partner of the respondent;

6                   “(F) individual who has a legal parent-  
7                   child relationship with the respondent, including  
8                   a stepparent-stepchild and grandparent-grand-  
9                   child relationship; and

10                  “(G) individual who is acting or has acted  
11                  as the legal guardian of the respondent;

12                  “(7) the term ‘Federal order petitioner’ means  
13                  an individual authorized to petition for an ex parte  
14                  or long-term Federal extreme risk protection order  
15                  under subsection (b)(1);

16                  “(8) the term ‘Federal order respondent’ means  
17                  an individual named in the petition for an ex parte  
18                  or long-term Federal extreme risk protection order  
19                  or subject to an ex parte or long-term Federal ex-  
20                  treme risk protection order;

21                  “(9) the term ‘long-term Federal extreme risk  
22                  protection order’ or ‘long-term Federal order’ means  
23                  a Federal extreme risk protection order issued under  
24                  subsection (d);

1           “(10) the term ‘mental health agency’ means  
2           an agency of a State, Tribal, or local government or  
3           its contracted agency that is responsible for mental  
4           health services or co-occurring mental health and  
5           substance abuse services; and

6           “(11) the term ‘national instant criminal back-  
7           ground check system’ means the national instant  
8           criminal background check system established under  
9           section 103 of the Brady Handgun Violence Preven-  
10          tion Act (34 U.S.C. 40901).

11          “(b) PETITION.—

12           “(1) IN GENERAL.—A family or household  
13          member of the applicable individual, or a law en-  
14          forcement officer, may submit to an appropriate dis-  
15          trict court of the United States a petition requesting  
16          that the court issue an ex parte Federal extreme  
17          risk protection order or long-term Federal extreme  
18          risk protection order with respect to an individual.

19           “(2) NO FEES.—A court or law enforcement  
20          agency may not charge a petitioner or respondent  
21          any fee for—

22                   “(A) filing, issuing, serving, or reporting  
23                   an extreme risk protection order;

24                   “(B) a petition for an extreme risk protec-  
25                   tion order or any pleading, subpoena, warrant,

1 or motion in connection with an extreme risk  
2 protection order; or

3 “(C) any order or order to show cause nec-  
4 essary to obtain or give effect to this section.

5 “(3) CONFIDENTIALITY.—A Federal order peti-  
6 tioner who is a law enforcement officer may provide  
7 the identity of the petitioner’s sources, and any iden-  
8 tifying information, to the court under seal.

9 “(c) EX PARTE ORDERS.—

10 “(1) TIMING.—

11 “(A) IN GENERAL.—Except as provided in  
12 subparagraph (B), a court that receives a peti-  
13 tion for an ex parte Federal order under sub-  
14 section (b) shall grant or deny the petition on  
15 the date on which the petition is submitted.

16 “(B) LATE PETITIONS.—If a court receives  
17 a petition for an ex parte Federal order sub-  
18 mitted under subsection (b) too late in the day  
19 to permit effective review, the court shall grant  
20 or deny the petition on the next day of judicial  
21 business at a time early enough to permit the  
22 court to file an order with the clerk of the court  
23 during that day.

24 “(2) EVIDENCE REQUIRED.—Before issuing an  
25 ex parte Federal order, a court shall require that the

1 petitioner for such order submit a signed affidavit,  
2 sworn to before the court, that—

3 “(A) explains why such petitioner believes  
4 that the Federal order respondent poses a risk  
5 of imminent personal injury to self or another  
6 individual, by purchasing, possessing, or receiv-  
7 ing a firearm or ammunition; and

8 “(B) describes the interactions and con-  
9 versations of the petitioner with—

10 “(i) the respondent; or

11 “(ii) another individual, if such peti-  
12 tioner believes that information obtained  
13 from that individual is credible and reli-  
14 able.

15 “(3) STANDARD FOR ISSUANCE OF ORDER.—A  
16 court may issue an ex parte Federal order only upon  
17 a finding of probable cause to believe that—

18 “(A) the Federal order respondent poses a  
19 risk of imminent personal injury to self or an-  
20 other individual, by purchasing, possessing, or  
21 receiving a firearm or ammunition; and

22 “(B) the order is necessary to prevent the  
23 injury described in subparagraph (A).

24 “(4) DURATION.—An ex parte Federal order  
25 shall expire on the earlier of—

1           “(A) the date that is 14 days after the  
2           date of issuance; or

3           “(B) the date on which the court deter-  
4           mines whether to issue a long-term Federal  
5           order with respect to the respondent.

6           “(d) LONG-TERM FEDERAL ORDERS.—

7           “(1) HEARING REQUIRED.—If a court receives  
8           a petition for a long-term Federal extreme risk pro-  
9           tection order for a respondent under subsection (b),  
10          the court shall hold a hearing to determine whether  
11          to issue a long-term Federal order with respect to  
12          the respondent either—

13                 “(A)(i) if the court issues an ex parte  
14                 order with respect to the respondent, not later  
15                 than 72 hours after the ex parte order is served  
16                 on the respondent; or

17                 “(ii) if the respondent waives the right to  
18                 a hearing within the 72-hour period under  
19                 clause (i), or the court does not issue an ex  
20                 parte order, within 14 days after the date on  
21                 which the court receives the petition; or

22                 “(B) in no event later than 14 days after  
23                 the date on which the court receives the peti-  
24                 tion.

1           “(2) NOTICE AND OPPORTUNITY TO BE  
2 HEARD.—

3           “(A) IN GENERAL.—The court shall pro-  
4 vide the Federal order respondent with notice  
5 and the opportunity to be heard at a hearing  
6 under this subsection, sufficient to protect the  
7 due process rights of the respondent.

8           “(B) RIGHT TO COUNSEL.—

9           “(i) IN GENERAL.—At a hearing  
10 under this subsection, the Federal order  
11 respondent may be represented by counsel  
12 who is—

13                   “(I) chosen by the respondent;  
14                   and

15                   “(II) authorized to practice at  
16                   such a hearing.

17           “(ii) COURT-PROVIDED COUNSEL.—If  
18 the Federal order respondent is financially  
19 unable to obtain representation by counsel,  
20 the court, at the request of the respondent,  
21 shall ensure, to the extent practicable, that  
22 the respondent is represented by an attor-  
23 ney with respect to the petition.



1           “(3) BURDEN OF PROOF; STANDARD.—At a  
2 hearing under this subsection, the Federal order pe-  
3 titioner—

4           “(A) shall have the burden of proving all  
5 material facts; and

6           “(B) shall be required to demonstrate, by  
7 clear and convincing evidence, that—

8           “(i) the respondent to such order  
9 poses a risk of personal injury to self or  
10 another individual, during the period to be  
11 covered by the proposed Federal extreme  
12 risk protection order, by purchasing, pos-  
13 sessing, or receiving a firearm or ammuni-  
14 tion; and

15           “(ii) the order is necessary to prevent  
16 the injury described in clause (i).

17           “(4) ISSUANCE.—Upon a showing of clear and  
18 convincing evidence under paragraph (3), the court  
19 shall issue a long-term Federal order with respect to  
20 the respondent that shall be in effect for a period of  
21 not more than 180 days.

22           “(5) DENIAL.—If the court finds that there is  
23 not clear and convincing evidence to support the  
24 issuance of a long-term Federal order, the court

1 shall dissolve any ex parte Federal order then in ef-  
2 fect with respect to the respondent.

3 “(6) RENEWAL.—

4 “(A) NOTICE OF SCHEDULED EXPIRA-  
5 TION.—Thirty days before the date on which a  
6 long-term Federal order is scheduled to expire,  
7 the court that issued the order shall—

8 “(i) notify the petitioner and the re-  
9 spondent to such order that the order is  
10 scheduled to expire; and

11 “(ii) advise the petitioner and the re-  
12 spondent of the procedures for seeking a  
13 renewal of the order under this paragraph.

14 “(B) PETITION.—If a family or household  
15 member of the Federal order respondent, or a  
16 law enforcement officer, believes that the condi-  
17 tions under paragraph (3)(B) continue to apply  
18 with respect to a respondent who is subject to  
19 a long-term Federal order, the family or house-  
20 hold member or law enforcement officer may  
21 submit to the court that issued the order a peti-  
22 tion for a renewal of the order.

23 “(C) HEARING.—A court that receives a  
24 petition submitted under subparagraph (B)  
25 shall hold a hearing to determine whether to

1 issue a renewed long-term Federal order with  
2 respect to the respondent.

3 “(D) APPLICABLE PROCEDURES.—The re-  
4 quirements under paragraphs (2) through (5)  
5 shall apply to the consideration of a petition for  
6 a renewed long-term Federal order submitted  
7 under subparagraph (B) of this paragraph.

8 “(E) ISSUANCE.—Upon a showing by clear  
9 and convincing evidence that the conditions  
10 under paragraph (3)(B) continue to apply with  
11 respect to the respondent, the court shall issue  
12 a renewed long-term Federal order with respect  
13 to the respondent.

14 “(e) FACTORS TO CONSIDER.—In determining  
15 whether to issue a Federal extreme risk protection order,  
16 a court—

17 “(1) shall consider factors including—

18 “(A) a recent threat or act of violence by  
19 the respondent directed toward another indi-  
20 vidual;

21 “(B) a recent threat or act of violence by  
22 the respondent directed toward self;

23 “(C) a recent act of cruelty to an animal  
24 by the respondent; and

1           “(D) evidence of ongoing abuse of a con-  
2           trolled substance or alcohol by the respondent  
3           that has led to a threat or act of violence di-  
4           rected to self or another individual; and

5           “(2) may consider other factors, including—

6           “(A) the reckless use, display, or bran-  
7           dishing of a firearm by the respondent;

8           “(B) a history of violence or attempted vio-  
9           lence by the respondent against another indi-  
10          vidual; and

11          “(C) evidence of an explicit or implicit  
12          threat made by the person through any medium  
13          that demonstrate that the person poses a risk  
14          of personal injury to self or another individual.

15          “(f) RELINQUISHMENT OF FIREARMS AND AMMUNI-  
16          TION.—

17          “(1) ORDER OF SURRENDER.—Upon issuance  
18          of an ex parte Federal order or long-term Federal  
19          order, the court shall order the respondent to such  
20          order to surrender all firearms and ammunition that  
21          the respondent possesses or owns, in or affecting  
22          interstate commerce, as well as any permit author-  
23          izing the respondent to purchase or possess firearms  
24          (including a concealed carry permit), to—

1 “(A) the United States Marshals Service;

2 or

3 “(B) a designated law enforcement officer.

4 “(2) SURRENDER AND REMOVAL.—

5 “(A) MANNER OF SERVICE.—

6 “(i) PERSONAL SERVICE.—Except as  
7 provided in clause (ii), a United States  
8 marshal or designated law enforcement of-  
9 ficer shall serve a Federal extreme risk  
10 protection order on a respondent by hand-  
11 ing the order to the respondent to such  
12 order.

13 “(ii) ALTERNATIVE SERVICE.—If the  
14 respondent cannot reasonably be located  
15 for service as described in clause (i), a  
16 Federal extreme risk protection order may  
17 be served on the respondent in any manner  
18 authorized under the Federal Rules of  
19 Civil Procedure.

20 “(B) REMOVAL.—Except as provided in  
21 subparagraph (C), a United States marshal or  
22 designated law enforcement officer serving a  
23 Federal extreme risk protection order personally  
24 on the respondent shall—

1           “(i) request that all firearms and am-  
2           munition, in or affecting interstate com-  
3           merce, as well as any permit authorizing  
4           the respondent to purchase or possess fire-  
5           arms (including a concealed carry permit),  
6           that the respondent possesses or owns—

7                       “(I) be immediately surrendered  
8                       to the United States marshal or des-  
9                       ignated law enforcement officer; or

10                      “(II) at the option of the re-  
11                      spondent, be immediately surrendered  
12                      and sold to a federally licensed fire-  
13                      arms dealer; and

14                      “(ii) take possession of all firearms  
15                      and ammunition described in clause (i)  
16                      that are not sold under subclause (II) of  
17                      that clause, as well as any permit de-  
18                      scribed in that clause, that are—

19                               “(I) surrendered;

20                               “(II) in plain sight; or

21                               “(III) discovered pursuant to a  
22                      lawful search.

23                      “(C) ALTERNATIVE SURRENDER.—If a  
24                      United States marshal or designated law en-  
25                      forcement officer is not able to personally serve

1 a Federal extreme risk protection order under  
2 subparagraph (A)(i), or is not reasonably able  
3 to take custody of the firearms, ammunition,  
4 and permits under subparagraph (B), the re-  
5 spondent shall surrender the firearms, ammuni-  
6 tion, and permits in a safe manner to the con-  
7 trol of a United States marshal or designated  
8 law enforcement officer not later than 48 hours  
9 after being served with the order.

10 “(3) RECEIPT.—

11 “(A) ISSUANCE.—At the time of surrender  
12 or removal under paragraph (2), a United  
13 States marshal or designated law enforcement  
14 officer taking possession of a firearm, ammuni-  
15 tion, or a permit pursuant to a Federal extreme  
16 risk protection order shall—

17 “(i) issue a receipt identifying all fire-  
18 arms, ammunition, and permits that have  
19 been surrendered or removed; and

20 “(ii) provide a copy of the receipt  
21 issued under clause (i) to the respondent  
22 to such order.

23 “(B) FILING.—Not later than 72 hours  
24 after issuance of a receipt under subparagraph  
25 (A), the United States marshal who issued the

1 receipt or designated another law enforcement  
2 officer to do so shall—

3 “(i) file the original receipt issued  
4 under subparagraph (A) of this paragraph  
5 with the court that issued the Federal ex-  
6 treme risk protection order; and

7 “(ii) ensure that the United States  
8 Marshals Service retains a copy of the re-  
9 ceipt.

10 “(C) DESIGNATED LAW ENFORCEMENT  
11 OFFICER.—If a designated law enforcement of-  
12 ficer issues a receipt under subparagraph (A),  
13 the officer shall submit the original receipt and  
14 a copy of the receipt to the appropriate United  
15 States marshal to enable the United States  
16 marshal to comply with subparagraph (B).

17 “(4) FORFEITURE.—If a respondent knowingly  
18 attempts, in violation of a Federal extreme risk pro-  
19 tection order, to access a firearm, ammunition, or a  
20 permit that was surrendered or removed under this  
21 subsection, the firearm, ammunition, or permit shall  
22 be subject to seizure and forfeiture under section  
23 924(d).

24 “(g) RETURN OF FIREARMS AND AMMUNITION.—



1           “(1) NOTICE.—If a Federal extreme risk pro-  
2           tection order is dissolved, or expires and is not re-  
3           newed, the court that issued the order shall order  
4           the United States Marshals Service to—

5                   “(A) confirm, through the national instant  
6                   criminal background check system and any  
7                   other relevant law enforcement databases, that  
8                   the respondent to such order may lawfully own  
9                   and possess firearms and ammunition; and

10                   “(B)(i) if the respondent may lawfully own  
11                   and possess firearms and ammunition, notify  
12                   the respondent that the respondent may re-  
13                   trieve each firearm, ammunition, or permit sur-  
14                   rendered by or removed from the respondent  
15                   under subsection (f); or

16                   “(ii) if the respondent may not lawfully  
17                   own or possess firearms and ammunition, notify  
18                   the respondent that each firearm, ammunition,  
19                   or permit surrendered by or removed from the  
20                   respondent under subsection (f) will be returned  
21                   only when the respondent demonstrates to the  
22                   United States Marshals Service that the re-  
23                   spondent may lawfully own and possess fire-  
24                   arms and ammunition.

1           “(2) RETURN.—If a Federal extreme risk pro-  
2           tection order is dissolved, or expires and is not re-  
3           newed, and the United States Marshals Service con-  
4           firms under paragraph (1)(A) that the respondent  
5           may lawfully own and possess firearms and ammuni-  
6           tion, the court that issued the order shall order the  
7           entity that possesses each firearm, ammunition, or  
8           permit surrendered by or removed from the respond-  
9           ent under subsection (f) to return those items to the  
10          respondent.

11          “(h) RETURN OF FIREARMS AND AMMUNITION IM-  
12          PROPERLY RECEIVED.—If a court, in a hearing under  
13          subsection (d), determines that a firearm or ammunition  
14          surrendered by or removed from a respondent under sub-  
15          section (f) is owned by an individual other than the re-  
16          spondent, the court may order the United States marshal  
17          or designated law enforcement officer in possession of the  
18          firearm or ammunition to transfer the firearm or ammuni-  
19          tion to that individual if—

20                 “(1) the individual may lawfully own and pos-  
21                 sess firearms and ammunition; and

22                 “(2) the individual will not provide the respond-  
23                 ent with access to the firearm or ammunition.

24          “(i) PENALTY FOR FALSE REPORTING OR FRIVO-  
25          LOUS PETITIONS.—An individual who knowingly submits

1 materially false information to the court in a petition for  
2 a Federal extreme risk protection order under this section,  
3 or who knowingly files such a petition that is frivolous,  
4 unreasonable, or without foundation, shall be fined not  
5 more than \$5,000, or imprisoned not more than 5 years,  
6 or both, except to the extent that a greater sentence is  
7 otherwise provided by any other provision of law, as the  
8 court deems necessary to deter such abuse of process.

9 “(j) MODEL POLICY.—

10 “(1) IN GENERAL.—The Director shall draft a  
11 model policy to maximize the accessibility of Federal  
12 extreme risk protection orders.

13 “(2) CONTENTS.—In drafting the model policy  
14 under paragraph (1), the Director shall—

15 “(A) ensure that State, Tribal, and local  
16 law enforcement officers and members of the  
17 public without legal training are able to easily  
18 file petitions for Federal extreme risk protection  
19 orders;

20 “(B) prescribe outreach efforts by employ-  
21 ees of the district courts of the United States  
22 to familiarize relevant law enforcement officers  
23 and the public with the procedures for filing pe-  
24 titions, either—

25 “(i) through direct outreach; or

1 “(ii) in coordination with—

2 “(I) relevant officials in the execu-  
3 tive or legislative branch of the Fed-  
4 eral Government; or

5 “(II) with relevant State, Tribal,  
6 and local officials;

7 “(C) prescribe policies for allowing the fil-  
8 ing of petitions and prompt adjudication of pe-  
9 titions on weekends and outside of normal court  
10 hours;

11 “(D) prescribe policies for coordinating  
12 with law enforcement agencies to ensure the  
13 safe, timely, and effective service of Federal ex-  
14 treme risk protection orders and relinquishment  
15 of firearms, ammunition, and permits, as appli-  
16 cable; and

17 “(E) identify governmental and non-gov-  
18 ernmental resources and partners to help offi-  
19 cials of the district courts of the United States  
20 coordinate with civil society organizations to en-  
21 sure the safe and effective implementation of  
22 this section.

23 “(k) REPORTING.—

24 “(1) INDIVIDUAL REPORTS.—

1           “(A) IN GENERAL.—Not later than 2 court  
2 days after the date on which a court issues or  
3 dissolves a Federal extreme risk protection  
4 order under this section or a Federal extreme  
5 risk protection order expires without being re-  
6 newed, the court shall notify—

7                   “(i) the Attorney General;

8                   “(ii) each relevant mental health  
9 agency in the State in which the order is  
10 issued; and

11                   “(iii) State and local law enforcement  
12 officials in the jurisdiction in which the  
13 order is issued, including the national in-  
14 stant criminal background check system  
15 single point of contact for the State of res-  
16 idence of the respondent, where applicable.

17           “(B) FORMAT.—A court shall submit a no-  
18 tice under subparagraph (A) in an electronic  
19 format, in a manner prescribed by the Attorney  
20 General.

21           “(C) UPDATE OF DATABASES.—As soon as  
22 practicable and not later than 5 days after re-  
23 ceiving a notice under subparagraph (A), the  
24 Attorney General shall update the background  
25 check databases of the Attorney General to re-

1           flect the prohibitions articulated in the applica-  
2           ble Federal extreme risk protection order.

3           “(2) ANNUAL REPORTS.—Not later than 1 year  
4           after the date of enactment of the Federal Extreme  
5           Risk Protection Order Act of 2022, and annually  
6           thereafter, the Director shall submit to the Com-  
7           mittee on the Judiciary of the Senate and the Com-  
8           mittee on the Judiciary of the House of Representa-  
9           tives a report that includes, with respect to the pre-  
10          ceding year—

11                   “(A) the number of petitions for ex parte  
12                   Federal orders filed, as well as the number of  
13                   such orders issued and the number denied,  
14                   disaggregated by—

15                           “(i) the jurisdiction;

16                           “(ii) whether the individual authorized  
17                           under subsection (b) to petition for a Fed-  
18                           eral extreme risk protection order is a law  
19                           enforcement officer, or a family or house-  
20                           hold member, and in the case of a family  
21                           or household member, which of subpara-  
22                           graphs (A) through (G) of subsection  
23                           (a)(6) describes the relationship; and

24                           “(iii) the alleged danger posed by the  
25                           Federal order respondent, including wheth-

1 er the danger involved a risk of suicide,  
2 unintentional injury, domestic violence, or  
3 other interpersonal violence;

4 “(B) the number of petitions for long-term  
5 Federal orders filed, as well as the number of  
6 such orders issued and the number denied,  
7 disaggregated by—

8 “(i) the jurisdiction;

9 “(ii) whether the individual authorized  
10 under subsection (b) to petition for a Fed-  
11 eral extreme risk protection order is a law  
12 enforcement officer, or a family or house-  
13 hold member, and in the case of a family  
14 or household member, which of subpara-  
15 graphs (A) through (G) of subsection  
16 (a)(6) describes the relationship; and

17 “(iii) the alleged danger posed by the  
18 Federal order respondent, including wheth-  
19 er the danger involved a risk of suicide,  
20 unintentional injury, domestic violence, or  
21 other interpersonal violence;

22 “(C) the number of petitions for renewals  
23 of long-term Federal orders filed, as well as the  
24 number of such orders issued and the number  
25 denied;

1           “(D) the number of cases in which a court  
2           has issued a penalty for false reporting or frivo-  
3           lous petitions;

4           “(E) demographic data of Federal order  
5           petitioners, including race, ethnicity, national  
6           origin, sex, gender, age, disability, average an-  
7           nual income, and English language proficiency,  
8           if available;

9           “(F) demographic data of Federal order  
10          respondents, including race, ethnicity, national  
11          origin, sex, gender, age, disability, average an-  
12          nual income, and English language proficiency,  
13          if available; and

14          “(G) the total number of firearms removed  
15          pursuant to Federal extreme risk protection or-  
16          ders, and, if available, the number of firearms  
17          removed pursuant to each such order.

18          “(I) TRAINING FOR FEDERAL LAW ENFORCEMENT  
19          OFFICERS.—

20                 “(1) TRAINING REQUIREMENTS.—The head of  
21                 each Federal law enforcement agency shall require  
22                 each Federal law enforcement officer employed by  
23                 the agency to complete training in the safe, impar-  
24                 tial, effective, and equitable use and administration



1 of Federal extreme risk protection orders, including  
2 training to address—

3 “(A) bias based on race and racism, eth-  
4 nicity, gender, sexual orientation, gender iden-  
5 tity, religion, language proficiency, mental  
6 health condition, disability, and classism in the  
7 use and administration of Federal extreme risk  
8 protection orders;

9 “(B) the appropriate use of Federal ex-  
10 treme risk protection orders in cases of domes-  
11 tic violence, including the applicability of other  
12 policies and protocols to address domestic vio-  
13 lence in situations that may also involve Fed-  
14 eral extreme risk protection orders and the ne-  
15 cessity of safety planning with the victim before  
16 law enforcement petitions for and executes a  
17 Federal extreme risk protection order, if appli-  
18 cable;

19 “(C) interacting with persons with mental,  
20 behavioral, or physical disabilities, or emotional  
21 distress, including de-escalation techniques and  
22 crisis intervention;

23 “(D) techniques for outreach to historically  
24 marginalized cultural communities and the de-

1           velopment of linguistic proficiencies for law en-  
2           forcement;

3           “(E) training on community relations; and

4           “(F) best practices for referring persons  
5           subject to Federal extreme risk protection or-  
6           ders and associated victims of violence to social  
7           service providers that may be available in the  
8           jurisdiction and appropriate for those individ-  
9           uals, including health care, mental health, sub-  
10          stance abuse, and legal services, employment  
11          and vocational services, housing assistance, case  
12          management, and veterans and disability bene-  
13          fits.

14          “(2) TRAINING DEVELOPMENT.—Federal law  
15          enforcement agencies developing law enforcement  
16          training required under this section shall seek advice  
17          from domestic violence service providers (including  
18          culturally specific (as defined in section 40002 of the  
19          Violence Against Women Act of 1994 (34 U.S.C.  
20          12291)) providers), social service providers, suicide  
21          prevention advocates, violence intervention special-  
22          ists, law enforcement agencies, mental health dis-  
23          ability experts, and other community groups working  
24          to reduce suicides and violence, including domestic  
25          violence, within the State.

1           “(m) **RULE OF CONSTRUCTION.**—Nothing in this sec-  
2 tion or shall be construed to alter the requirements of sub-  
3 sections (d)(8) or (g)(8) of section 922, related to domes-  
4 tic violence protective orders.

5           “(n) **PREEMPTION.**—Nothing in this section may be  
6 construed to preempt any State law or policy.”.

7           (b) **TECHNICAL AND CONFORMING AMENDMENTS.**—

8               (1) **TABLE OF SECTIONS.**—The table of sections  
9 for chapter 44 of title 18, United States Code, is  
10 amended by adding at the end the following:

          “932. Extreme risk protection orders.”.

11           (2) **FORFEITURE.**—Section 924(d)(3) of title  
12 18, United States Code, is amended—

13               (A) in subparagraph (E), by striking  
14 “and” at the end;

15               (B) in subparagraph (F), by striking the  
16 period at the end and inserting “; and”; and

17               (C) by adding at the end the following:

18               “(G) any attempt to violate a Federal extreme  
19 risk protection order issued under section 932.”.

20 **SEC. 3. FEDERAL FIREARMS PROHIBITION.**

21           Section 922 of title 18, United States Code, is  
22 amended—

23           (1) in subsection (d)—

24               (A) in paragraph (8)(B)(ii), by striking  
25 “or” at the end;

1 (B) in paragraph (9), by striking the pe-  
2 riod at the end and inserting “; or”; and

3 (C) by inserting after paragraph (9) the  
4 following:

5 “(10) is subject to a court order—

6 “(A) issued under section 932; or

7 “(B) that is an extreme risk protection  
8 order (as defined in section 4(a) of the Federal  
9 Extreme Risk Protection Order Act of 2022).”;  
10 and

11 (2) in subsection (g)—

12 (A) in paragraph (8)(C)(ii), by striking  
13 “or” at the end;

14 (B) in paragraph (9), by striking the  
15 comma at the end and inserting “; or”; and

16 (C) by inserting after paragraph (9) the  
17 following:

18 “(10) is subject to a court order—

19 “(A) issued under section 932; or

20 “(B) that is an extreme risk protection  
21 order (as defined in section 4(a) of the Federal  
22 Extreme Risk Protection Order Act of 2022).”.

23 **SEC. 4. EXTREME RISK PROTECTION ORDER GRANT PRO-**  
24 **GRAM.**

25 (a) DEFINITIONS.—In this section:

1 (1) ELIGIBLE ENTITY.—The term “eligible enti-  
2 ty” means—

3 (A) a State or Indian Tribe—

4 (i) that enacts legislation described in  
5 subsection (c);

6 (ii) with respect to which the Attorney  
7 General determines that the legislation de-  
8 scribed in clause (i) complies with the re-  
9 quirements under subsection (c)(1); and

10 (iii) that certifies to the Attorney  
11 General that the State or Indian Tribe  
12 shall—

13 (I) use the grant for the purposes  
14 described in subsection (b)(2); and

15 (II) allocate not less than 25 per-  
16 cent and not more than 70 percent of  
17 the amount received under a grant  
18 under subsection (b) for the develop-  
19 ment and dissemination of training  
20 for law enforcement officers in accord-  
21 ance with subsection (b)(4); or

22 (B) a unit of local government or other  
23 public or private entity that—

24 (i) is located in a State or in the terri-  
25 tory under the jurisdiction of an Indian

1 Tribe that meets the requirements de-  
2 scribed in clauses (i) and (ii) of subpara-  
3 graph (A); and

4 (ii) certifies to the Attorney General  
5 that the unit of local government or entity  
6 shall—

7 (I) use the grant for the purposes  
8 described in subsection (b)(2); and

9 (II) allocate not less than 25 per-  
10 cent and not more than 70 percent of  
11 the amount received under a grant  
12 under this section for the development  
13 and dissemination of training for law  
14 enforcement officers in accordance  
15 with subsection (b)(4).

16 (2) EXTREME RISK PROTECTION ORDER.—The  
17 term “extreme risk protection order” means a writ-  
18 ten order or warrant, issued by a State or Tribal  
19 court or signed by a magistrate (or other com-  
20 parable judicial officer), the primary purpose of  
21 which is to reduce the risk of firearm-related death  
22 or injury by doing 1 or more of the following:

23 (A) Prohibiting a named individual from  
24 having under the custody or control of the indi-

1           vidual, owning, purchasing, possessing, or re-  
2           ceiving a firearm.

3           (B) Having a firearm removed or requiring  
4           the surrender of firearms from a named indi-  
5           vidual.

6           (3) FIREARM.—The term “firearm” has the  
7           meaning given the term in section 921 of title 18,  
8           United States Code.

9           (4) INDIAN TRIBE.—The term “Indian Tribe”  
10          has the meaning given the term “Indian tribe” in  
11          section 1709 of title I of the Omnibus Crime Control  
12          and Safe Streets Act of 1968 (34 U.S.C. 10389).

13          (5) LAW ENFORCEMENT OFFICER.—The term  
14          “law enforcement officer” means a public servant  
15          authorized by Federal, State, local, or Tribal law or  
16          by a Federal, State, local, or Tribal government  
17          agency to—

18                 (A) engage in or supervise the prevention,  
19                 detection, investigation, or prosecution of an of-  
20                 fense; or

21                 (B) supervise sentenced criminal offenders.

22          (6) PETITIONER.—The term “petitioner”  
23          means an individual authorized under State or Trib-  
24          al law to petition for an extreme risk protection  
25          order.

1           (7) RESPONDENT.—The term “respondent”  
2 means an individual named in the petition for an ex-  
3 treme risk protection order or subject to an extreme  
4 risk protection order.

5           (8) STATE.—The term “State” means—

6                 (A) a State;

7                 (B) the District of Columbia;

8                 (C) the Commonwealth of Puerto Rico;

9                 and

10                (D) any other territory or possession of the  
11 United States.

12           (9) UNIT OF LOCAL GOVERNMENT.—The term  
13 “unit of local government” has the meaning given  
14 the term in section 901 of title I of the Omnibus  
15 Crime Control and Safe Streets Act of 1968 (34  
16 U.S.C. 10251).

17           (b) GRANT PROGRAM ESTABLISHED.—

18               (1) IN GENERAL.—The Director of the Office of  
19 Community Oriented Policing Services of the De-  
20 partment of Justice shall establish a program under  
21 which, from amounts made available to carry out  
22 this section, the Director may make grants to eligi-  
23 ble entities to assist in carrying out the provisions  
24 of the legislation described in subsection (c).



1           (2) USE OF FUNDS.—Funds awarded under  
2 this subsection may be used by an applicant to—

3           (A) enhance the capacity of law enforce-  
4 ment agencies and the courts of a State, unit  
5 of local government, or Indian Tribe by pro-  
6 viding personnel, training, technical assistance,  
7 data collection, and other resources to carry out  
8 enacted legislation described in subsection (c);

9           (B) train judges, court personnel, health  
10 care and legal professionals, and law enforce-  
11 ment officers to more accurately identify indi-  
12 viduals whose access to firearms poses a danger  
13 of causing harm to themselves or others by in-  
14 creasing the risk of firearms suicide or inter-  
15 personal violence;

16           (C) develop and implement law enforce-  
17 ment and court protocols, forms, and orders so  
18 that law enforcement agencies and the courts  
19 may carry out the provisions of the enacted leg-  
20 islation described in subsection (c) in a safe, eq-  
21 uitable, and effective manner, including through  
22 the removal and storage of firearms pursuant to  
23 extreme risk protection orders under the en-  
24 acted legislation; and

1           (D) raise public awareness and under-  
2           standing of the enacted legislation described in  
3           subsection (c), including through subgrants to  
4           community-based organizations for the training  
5           of community members, so that extreme risk  
6           protection orders may be issued in appropriate  
7           situations to reduce the risk of firearms-related  
8           death and injury.

9           (3) APPLICATION.—An eligible entity desiring a  
10          grant under this subsection shall submit to the At-  
11          torney General an application at such time, in such  
12          manner, and containing or accompanied by such in-  
13          formation as the Attorney General may reasonably  
14          require.

15          (4) TRAINING.—

16                (A) IN GENERAL.—A recipient of a grant  
17                under this subsection shall provide training to  
18                law enforcement officers, including officers of  
19                relevant Federal, State, local, and Tribal law  
20                enforcement agencies, in the safe, impartial, ef-  
21                fective, and equitable use and administration of  
22                extreme risk protection orders, including train-  
23                ing to address—

24                        (i) bias based on race and racism, eth-  
25                        nicity, gender, sexual orientation, gender

1 identity, religion, language proficiency, and  
2 classism in the use and administration of  
3 extreme risk protection orders;

4 (ii) the appropriate use of extreme  
5 risk protection orders in cases of domestic  
6 violence, including the applicability of other  
7 policies and protocols to address domestic  
8 violence in situations that may also involve  
9 extreme risk protection orders and the ne-  
10 cessity of safety planning with the victim  
11 before a law enforcement officer petitions  
12 for and executes an extreme risk protection  
13 order, if applicable;

14 (iii) interacting with persons with a  
15 mental illness or emotional distress, includ-  
16 ing de-escalation and crisis intervention;

17 (iv) techniques for outreach to histori-  
18 cally marginalized cultural communities  
19 and the development of linguistic proficien-  
20 cies for law enforcement; and

21 (v) best practices for referring persons  
22 subject to extreme risk protection orders  
23 and associated victims of violence to social  
24 service providers that may be available in  
25 the jurisdiction and appropriate for those

1 individuals, including health care, mental  
2 health, substance abuse, and legal services,  
3 employment and vocational services, hous-  
4 ing assistance, case management, and vet-  
5 erans and disability benefits.

6 (B) CONSULTATION WITH EXPERTS.—A  
7 recipient of a grant under this subsection, in  
8 developing law enforcement training required  
9 under subparagraph (A), shall seek advice from  
10 domestic violence service providers (including  
11 culturally specific (as defined in section 40002  
12 of the Violence Against Women Act of 1994 (34  
13 U.S.C. 12291)) organizations), social service  
14 providers, suicide prevention advocates, violence  
15 intervention specialists, and other community  
16 groups working to reduce suicides and violence,  
17 including domestic violence, within the State or  
18 the territory under the jurisdiction of the In-  
19 dian Tribe, as applicable, that enacted the legis-  
20 lation described in subsection (c) that enabled  
21 the grant recipient to be an eligible entity.

22 (5) INCENTIVES.—For each of fiscal years 2023  
23 through 2027, the Attorney General shall give af-  
24 firmative preference in awarding any discretionary  
25 grant awarded by the Office of Community Oriented

1 Policing Services to a State or Indian Tribe that has  
2 enacted legislation described in subsection (c) or to  
3 a unit of local government or other public or private  
4 entity located in such a State or in the territory  
5 under the jurisdiction of such an Indian Tribe.

6 (6) AUTHORIZATION OF APPROPRIATIONS.—

7 There are authorized to be appropriated such sums  
8 as are necessary to carry out this section.

9 (c) ELIGIBILITY FOR EXTREME RISK PROTECTION  
10 ORDER GRANT PROGRAM.—

11 (1) REQUIREMENTS.—Legislation described in  
12 this subsection is legislation that establishes require-  
13 ments that are substantially similar to the following:

14 (A) APPLICATION FOR EXTREME RISK  
15 PROTECTION ORDER.—A petitioner, including a  
16 law enforcement officer, may submit an applica-  
17 tion to a State or Tribal court, on a form de-  
18 signed by the court or a State or Tribal agency,  
19 that—

20 (i) describes the facts and cir-  
21 cumstances justifying that an extreme risk  
22 protection order be issued against the  
23 named individual; and

24 (ii) is signed by the applicant, under  
25 oath.

1 (B) NOTICE AND DUE PROCESS.—The in-  
2 dividual named in an application for an extreme  
3 risk protection order as described in subpara-  
4 graph (A) shall be given written notice of the  
5 application and an opportunity to be heard on  
6 the matter in accordance with this paragraph.

7 (C) ISSUANCE OF EXTREME RISK PROTEC-  
8 TION ORDERS.—

9 (i) HEARING.—

10 (I) IN GENERAL.—Upon receipt  
11 of an application described in sub-  
12 paragraph (A) or request of an indi-  
13 vidual named in such an application,  
14 the court shall order a hearing to be  
15 held within a reasonable time, and not  
16 later than 30 days after the date of  
17 the application or request.

18 (II) DETERMINATION.—If the  
19 court finds at the hearing ordered  
20 under subclause (I), by a preponder-  
21 ance of the evidence or according to a  
22 higher evidentiary standard estab-  
23 lished by the State or Indian Tribe,  
24 that the respondent poses a danger of  
25 causing harm to self or others by hav-

1                   ing access to a firearm, the court may  
2                   issue an extreme risk protection order.

3                   (ii) DURATION OF EXTREME RISK  
4 PROTECTION ORDER.—An extreme risk  
5 protection order shall be in effect—

6                   (I) until an order terminating or  
7                   superseding the extreme risk protec-  
8                   tion order is issued; or

9                   (II) for a set period of time.

10                  (D) EX PARTE EXTREME RISK PROTEC-  
11 TION ORDERS.—

12                  (i) IN GENERAL.—Upon receipt of an  
13 application described in subparagraph (A),  
14 the court may issue an ex parte extreme  
15 risk protection order, if—

16                  (I) the application for an extreme  
17 risk protection order alleges that the  
18 respondent poses a danger of causing  
19 harm to self or others by having ac-  
20 cess to a firearm; and

21                  (II) the court finds there is rea-  
22 sonable cause to believe, or makes a  
23 finding according to a higher evi-  
24 dentiary standard established by the  
25 State or Indian Tribe, that the re-

1                   spondent poses a danger of causing  
2                   harm to self or others by having ac-  
3                   cess to a firearm.

4                   (ii) DURATION OF EX PARTE EX-  
5                   TREME RISK PROTECTION ORDER.—An ex  
6                   parte extreme risk protection order shall  
7                   remain in effect only until the hearing re-  
8                   quired under subparagraph (C)(i).

9                   (E) STORAGE OF REMOVED FIREARMS.—

10                   (i) AVAILABILITY FOR RETURN.—All  
11                   firearms removed or surrendered pursuant  
12                   to an extreme risk protection order shall  
13                   only be available for return to the named  
14                   individual when the individual has regained  
15                   eligibility under Federal and State law,  
16                   and, where applicable, Tribal law to pos-  
17                   sess firearms.

18                   (ii) CONSENT REQUIRED FOR DIS-  
19                   POSAL OR DESTRUCTION.—Firearms  
20                   owned by a named individual may not be  
21                   disposed of or destroyed during the period  
22                   of the extreme risk protection order with-  
23                   out the consent of the named individual.

24                   (F) NOTIFICATION.—

25                   (i) IN GENERAL.—



1 (I) REQUIREMENT.—A State or  
2 Tribal court that issues an extreme  
3 risk protection order shall notify the  
4 Attorney General or the comparable  
5 State or Tribal agency, as applicable,  
6 of the order as soon as practicable or  
7 within a designated period of time.

8 (II) FORM AND MANNER.—A  
9 State or Tribal court shall submit a  
10 notification under subclause (I) in an  
11 electronic format, in a manner pre-  
12 scribed by the Attorney General or the  
13 comparable State or Tribal agency.

14 (ii) UPDATE OF DATABASES.—As  
15 soon as practicable or within the time pe-  
16 riod designated by State or Tribal law  
17 after receiving a notification under clause  
18 (i), the Attorney General or the com-  
19 parable State or Tribal agency shall ensure  
20 that the extreme risk protection order is  
21 reflected in the National Instant Criminal  
22 Background Check System.

23 (2) ADDITIONAL PROVISIONS.—Legislation de-  
24 scribed in this subsection may—

1 (A) provide procedures for the termination  
2 of an extreme risk protection order;

3 (B) provide procedures for the renewal of  
4 an extreme risk protection order;

5 (C) establish burdens and standards of  
6 proof for issuance of orders described in para-  
7 graph (1) that are substantially similar to or  
8 higher than the burdens and standards of proof  
9 set forth in that paragraph;

10 (D) limit the individuals who may submit  
11 an application described in paragraph (1), pro-  
12 vided that, at a minimum, law enforcement offi-  
13 cers are authorized to do so; and

14 (E) include any other authorizations or re-  
15 quirements that the State or Tribal authorities  
16 determine appropriate.

17 (3) ANNUAL REPORT.—Not later than 1 year  
18 after the date on which an eligible entity receives a  
19 grant under subsection (b), and annually thereafter  
20 for the duration of the grant period, the entity shall  
21 submit to the Attorney General a report that in-  
22 cludes, with respect to the preceding year—

23 (A) the number of petitions for ex parte  
24 extreme risk protection orders filed, as well as

1 the number of such orders issued and the num-  
2 ber denied, disaggregated by—

3 (i) the jurisdiction;

4 (ii) the individual authorized under  
5 State or Tribal law to petition for an ex-  
6 treme risk protection order, including the  
7 relationship of the individual to the re-  
8 spondent; and

9 (iii) the alleged danger posed by the  
10 respondent, including whether the danger  
11 involved a risk of suicide, unintentional in-  
12 jury, domestic violence, or other inter-  
13 personal violence;

14 (B) the number of petitions for extreme  
15 risk protection orders filed, as well as the num-  
16 ber of such orders issued and the number de-  
17 nied, disaggregated by—

18 (i) the jurisdiction;

19 (ii) the individual authorized under  
20 State or Tribal law to petition for an ex-  
21 treme risk protection order, including the  
22 relationship of the individual to the re-  
23 spondent; and

24 (iii) the alleged danger posed by the  
25 respondent, including whether the danger

1 involved a risk of suicide, unintentional in-  
2 jury, domestic violence, or other inter-  
3 personal violence;

4 (C) the number of petitions for renewals of  
5 extreme risk protection orders filed, as well as  
6 the number of such orders issued and the num-  
7 ber denied;

8 (D) the number of cases in which a court  
9 imposed a penalty for false reporting or frivo-  
10 lous petitions;

11 (E) demographic data of petitioners, in-  
12 cluding race, ethnicity, national origin, sex, gen-  
13 der, age, disability, and English language pro-  
14 ficiency, if available;

15 (F) demographic data of respondents, in-  
16 cluding race, ethnicity, national origin, sex, gen-  
17 der, age, disability, and English language pro-  
18 ficiency, if available; and

19 (G) the number of firearms removed, if  
20 available.

21 **SEC. 5. IDENTIFICATION RECORDS.**

22 Section 534 of title 28, United States Code, is  
23 amended—

24 (1) in subsection (a)—

1 (A) in paragraph (3), by striking “and” at  
2 the end;

3 (B) by redesignating paragraph (4) as  
4 paragraph (5); and

5 (C) by inserting after paragraph (3) the  
6 following:

7 “(4)(A) subject to subparagraph (B), acquire,  
8 collect, classify, and preserve records from Federal,  
9 Tribal, and State courts and other agencies identi-  
10 fying individuals subject to extreme risk protection  
11 orders, as defined in section 4(a) of the Federal Ex-  
12 treme Risk Protection Order Act of 2022; and

13 “(B) destroy each record acquired or collected  
14 under subparagraph (A) when the applicable ex-  
15 treme risk protection order expires or is terminated  
16 or dissolved; and”;

17 (2) in subsection (b), by striking “(a)(4)” and  
18 inserting “(a)(5)”; and

19 (3) by adding at the end the following:

20 “(g) EXTREME RISK PROTECTION ORDERS IN NA-  
21 TIONAL CRIME INFORMATION DATABASES.—A Federal,  
22 Tribal, or State criminal justice agency or criminal or civil  
23 court may—

24 “(1) include extreme risk protection orders, as  
25 defined in section 4 of the Federal Extreme Risk

1 Protection Order Act of 2022, in national crime in-  
2 formation databases, as that term is defined in sub-  
3 section (f)(3) of this section; and

4 “(2) have access to information regarding ex-  
5 treme risk protection orders through the national  
6 crime information databases.”.

7 **SEC. 6. FULL FAITH AND CREDIT.**

8 (a) DEFINITIONS.—In this section, the terms “ex-  
9 treme risk protection order”, “Indian Tribe”, and “State”  
10 have the meanings given those terms in section 4(a).

11 (b) FULL FAITH AND CREDIT REQUIRED.—Any ex-  
12 treme risk protection order issued under a State or Tribal  
13 law enacted in accordance with this Act shall be accorded  
14 the same full faith and credit by the court of another State  
15 or Indian Tribe (referred to in this subsection as the “en-  
16 forcing State or Indian Tribe”) and enforced by the court  
17 and law enforcement personnel of the other State or Tribal  
18 government as if it were the order of the enforcing State  
19 or Indian Tribe.

20 (c) APPLICABILITY TO PROTECTION ORDERS.—

21 (1) IN GENERAL.—Subsection (b) shall apply to  
22 a protection order issued by a State or Tribal court  
23 if—

1 (A) the court has jurisdiction over the par-  
2 ties and matter under the law of the State or  
3 Indian Tribe; and

4 (B) reasonable notice and opportunity to  
5 be heard is given to the person against whom  
6 the order is sought sufficient to protect that  
7 person's right to due process.

8 (2) EX PARTE PROTECTION ORDERS.—For pur-  
9 poses of paragraph (1)(B), in the case of an ex parte  
10 protection order, notice and opportunity to be heard  
11 shall be provided within the time required by State  
12 or Tribal law, and in any event within a reasonable  
13 time after the order is issued, sufficient to protect  
14 the due process rights of the respondent.

15 (d) TRIBAL COURT JURISDICTION.—For purposes of  
16 this section, a court of an Indian Tribe shall have full civil  
17 jurisdiction to issue and enforce a protection order involv-  
18 ing any person, including the authority to enforce any  
19 order through civil contempt proceedings, to exclude viola-  
20 tors from Indian land, and to use other appropriate mech-  
21 anisms, in matters arising anywhere in the Indian country  
22 (as defined in section 1151 of title 18, United States  
23 Code) of the Indian Tribe or otherwise within the author-  
24 ity of the Indian Tribe.

1 **SEC. 7. CONFORMING AMENDMENT.**

2 Section 3(1) of the NICS Improvement Amendments  
3 Act of 2007 (34 U.S.C. 40903(1)) is amended by striking  
4 “section 922(g)(8)” and inserting “paragraph (8) or (10)  
5 of section 922(g)”.

6 **SEC. 8. SEVERABILITY.**

7 If any provision of this Act, or an amendment made  
8 by this Act, or the application of such provision to any  
9 person or circumstance, is held to be invalid, the remain-  
10 der of this Act, or an amendment made by this Act, or  
11 the application of such provision to other persons or cir-  
12 cumstances, shall not be affected.

13 **SEC. 9. EFFECTIVE DATE.**

14 This Act and the amendments made by this Act shall  
15 take effect on the date that is 180 days after the date  
16 of enactment of this Act.

