The Next Steps to Ending Domestic Violence:
100 Day and Ongoing Recommendations for the
Biden-Harris Transition Team
November 2020

The National Network to End Domestic Violence (NNEDV) has been a leading national voice for domestic violence survivors and their advocates for thirty years. NNEDV represents the 56 state and U.S. territory coalitions to end domestic violence, who in turn represent nearly 2,000 local domestic violence programs nationwide, and the millions of victims they serve every day.

As an author of the landmark Violence Against Women Act (VAWA) in 1994, President-elect Biden has a legacy of over 25 years moving the country forward on issues of domestic violence. To build on the lessons learned over the past two decades and to make real strides in reducing gender-based violence during this challenging time, the Biden-Harris Administration must use a government-wide, coordinated strategy to:

Center the needs of historically marginalized survivors by supporting funding and policies that reduce barriers to safety and justice for survivors who face past or ongoing oppression and systemic discrimination. Reform systems that disproportionately harm Communities of Color, including the criminal justice and child welfare systems.

Prepare and respond to survivors’ needs amid the pandemic and natural disasters by calling upon FEMA, the Treasury Department, and Congress to address domestic and sexual violence during crises.

Scale up prevention strategies to reach every community by providing resources to state, territorial, and tribal coalitions, and culturally specific organizations.

Invest in strategies that prevent and end gender-based violence by greatly expanding funding for shelter and services, housing, culturally specific services, and legal services.

Address survivors’ housing needs by strengthening protections and survivor-specific resources, particularly rental assistance and flexible financial support.

Promote financial security and economic justice policies for survivors by increasing access to federal benefits and living wage jobs, providing survivor-specific employment protections.
Recommendations in Detail

NNEDV is a recognized authority on many issues intersecting with domestic violence, including interventions and services, housing, economic justice, technology safety and privacy, natural disasters and public health crises, legal information and state laws, and HIV/AIDS. Our signature projects, as well as our work with state domestic violence coalitions and local programs, inform our policy positions.

Our strong, unified membership is a powerful force on Capitol Hill. As your administration implements policy changes, convenes working groups, implements pilot projects, and more, let us be a resource to you. We look forward to connecting your Administration with state, territory, and national experts, as well as survivors.

Building upon Effective Strategies, Making Shifts for a New Day
Beginning with Day One

Our nation is in the midst of multiple, intersecting crises that exacerbate disparities and endanger survivors of domestic violence. To make real strides in reducing gender-based violence during this challenging time, we must invest in strategies that advance access to safety, justice, and economic stability for survivors while reducing reliance on systems that are not helping all survivors.

We urge the Biden-Harris Administration to implement the following recommendations, which are broken into 100-day and longer-term strategies.

USE A GOVERNMENT-WIDE, COORDINATED STRATEGY TO ADDRESS GENDER-BASED VIOLENCE

Each federal agency has a role to play in addressing gender-based violence and should prioritize addressing domestic violence and sexual assault within their work. The White House must lead the charge in developing a full government-wide strategic plan to address the urgent needs of survivors and a long-term plan to prevent and end domestic and sexual violence.

100 Day Recommendations: Government-wide Strategy

- Appoint a Deputy Assistant to the President (DAP) on Gender-Based Violence within a new White House Council on Gender Equity.
  - The DAP position should help shape policy and practice across the federal government.
  - There must be significant staffing to support the position.
  - The new White House Council for Gender Equity should be headed by an Assistant to the President.
• Convene Secretaries across federal agencies to address gender-based violence and direct them to begin work on a strategic action plan.
  o The Department of Justice (DOJ) Office on Violence Against Women (OVW) and the Department of Health and Human Services (HHS) Administration for Children and Families (ACF) should be tasked as co-leads under the direction of the new DAP on Gender-Based Violence.

• Establish an Interagency Task Force on the Impact of Trauma on Women of Color.
  o The taskforce should include Cabinet-level representation from the Departments of Health and Human Services, Justice, Education, Labor, Housing and Urban Development (HUD), State, and federal research agencies as applicable.

• Reinstate interagency groups working on equity issues and ensure they include gender-based violence as a central consideration.

• Elevate the Family Violence Prevention and Services (FVPS) Office to a higher level within HHS to improve agency-wide responses to gender-based violence. Establishing the FVPS Office as a direct component of ACF, similar to the Office on Trafficking in persons, would ensure that services and strategies are coordinated and that gender-based violence issues are given sufficient stature within HHS.

• Ensure representation of Women of Color who have expertise in domestic and sexual violence in key decision-making roles and positions of leadership across the Biden-Harris Administration to ensure that the voices and experiences of racial and ethnic populations and the intersections with gender-based violence will be fully reflected in policy and program responses.

CENTER THE NEEDS OF HISTORICALLY MARGINALIZED SURVIVORS

Survivors who identify as Black, Indigenous, People of Color, Lesbian, Gay, Bisexual, Transgender, or Queer (LGBTQ+), noncitizen immigrants, and survivors who are experiencing poverty, mental illness, substance abuse, or living with disabilities, face increased barriers to safety and justice. We urge you to support, craft, and design policies that are driven and supported by marginalized communities.

100 Day Recommendations: Historically Marginalized Survivors

• Ensure that gender-based violence experts and issues are included in DOJ criminal justice reform conversations.
  o Domestic and sexual violence issues must be focal points of the conversation, and domestic violence experts must be at the table to push for deep systemic change, innovative restorative justice solutions, and consideration of survivor safety.
Reducing the number of incarcerated survivors of domestic and sexual violence must also be a priority.

- **Convene experts and federal leaders to plan and craft restorative justice options for survivors of gender-based violence** (such as pilot projects, initiatives that provide housing and economic support to survivors, and inclusion within other agency work).

- **Convene agency leaders and outside experts to discuss and address obstacles within other human services systems**, such as child welfare, Temporary Assistance to Needy Families, and public housing, following the guidance of Black, Indigenous, and People of Color leaders in the domestic violence and sexual assault fields.

- **Create Deputy Directors on Culturally Specific Communities within OVW and the Office of Justice Programs (OJP).**
  - These positions would work to address equity and inclusion for Communities of Color and must be filled by a candidate who has lived experience and work expertise within Communities of Color and a history of leadership within the domestic violence and sexual assault movement.

- **Repeal the many Executive Orders and problematic regulations that harm Black, Indigenous, and other Communities of Color, noncitizen immigrants, and LGBTQ+ communities.**

### Ongoing Recommendations: Historically Marginalized Survivors

- Strengthen funding opportunities for culturally specific services programs.
- Strengthen immigration protections for survivors of gender-based violence and rescind harmful immigration policies.
- Address structural barriers to safety for Indigenous women and girls, ensure sufficient resources for tribal justice systems, and support ongoing coordination and consultation between federal agencies and tribal governments.
- Support laws and policies that expand resources and services for LGBTQ+ survivors and promulgate regulations that reduce discrimination.
- Remove barriers within the criminal justice system that prevent access to safety and services for Communities of Color, create meaningful alternatives to the existing system, and reduce the number of incarcerated survivors.
- Following the recommendations generated in the first 100 days, take meaningful steps to address other systems such as child welfare, Temporary Assistance to Needy Families, and public housing, following the guidance of Black, Indigenous, and People of Color leaders in the domestic violence and sexual assault fields.
- Direct the DOJ Civil Rights Division to increase enforcement actions under Title VI and ensure language access in all federal programs and across agencies, including social services, law enforcement, courts, and housing.
• Restore civil rights enforcement at all federal agencies that can have an impact on survivors, including enforcing Title VI to address racial disparities in punitive school discipline, urging the elimination of corporal punishment, bringing police misconduct pattern and practice investigations and cases, and restoring robust Title IX sex discrimination regulations and cases.

• Ensure that organizations by and for Communities of Color have fair access to all federal resources that address violence against women to develop culturally specific intervention, prevention, community engagement, public education and awareness efforts focused on their communities.

PREPARE AND RESPOND TO SURVIVORS’ NEEDS AMID THE PANDEMIC AND NATURAL DISASTERS

Survivors and the programs that serve them continue to await much needed pandemic and disaster relief. The need for services often peaks months after survivors can safely leave their homes. With both COVID-19 and natural disasters such as fires and hurricanes, survivors need emergency and ongoing support.¹

100 Day Recommendations: Pandemics and Disasters

• Integrate responses to domestic and sexual violence into disaster relief and recovery efforts.
  o Ensure the Federal Emergency Management Agency (FEMA), HUD, HHS, and DOJ work together closely to support survivors.
  o Require training for FEMA and other first responders on domestic and sexual violence.

• Establish a process at the Treasury Department using existing procedures to ensure survivors get access to past and future COVID-19 relief checks.²
  o Investigate claims of abusers stealing or inappropriately keeping survivors’ or their children’s COVID-19 Economic Impact Payments (EIP).
  o Send replacement checks where applicable.
  o Ensure survivors obtain any future EIPs to which they are entitled.

Ongoing Recommendations: Pandemics and Disasters

• Support passage of federal legislation³ that provides critical funding for shelter, housing, and services and provides access to resources for immigrant victims in response to COVID-19.
SCALE UP PREVENTION STRATEGIES TO REACH EVERY COMMUNITY

Thanks to federal investments, we have evidence-based strategies to prevent domestic and sexual violence from continuing as well as preventing them from happening in the first place. The promise of these strategies has yet to be realized because federal agencies lack coordination and sufficient resources to make nationwide improvements.

100 Day Recommendations: Prevention

• Use the powerful voice of the White House to elevate the need for and efficacy of domestic and sexual violence prevention strategies across the government.

• Create a high-level position at HHS to coordinate with the Centers for Disease Control, National Institute of Health, Health Resource Services Administration, Substance Abuse and Mental Health Services Administration, ACF, and others to ensure best-practice prevention strategies like those recommended by the CDC’s Preventing Intimate Partner Violence Across the Lifespan are adopted and promulgated across HHS and other federal agencies.

• Require each federal agency to include in their strategic plans evidence-based benchmarks that prevent domestic and sexual violence and improve outcomes for survivors.¹

• Address gaps in research related to the increased vulnerability of Women and Girls of Color to sexual assault, dating violence, domestic violence, and stalking.
  o Direct specific funding to research on the disproportionate impact of sexual assault, dating violence, domestic violence, and stalking on Women and Girls of Color. This research should be led and conducted by culturally specific institutes, organizations, and/or colleges and universities.

Ongoing Recommendations: Prevention

• Require each federal agency to invest in strategies that support prevention.

• Support an expanded Domestic Violence Prevention Enhancements and Leadership Through Alliances (DELTA) prevention program⁵ to build the capacity of domestic violence coalitions in every state and territory and in tribes, as well as provide targeted funding to culturally specific programs.

• Support funding for the Rape Prevention and Education program and VAWA prevention programs.
INVEST IN STRATEGIES THAT PREVENT AND END GENDER-BASED VIOLENCE

Funding core services has been and should continue to be a central way the Administration can ensure survivors have access to safety and justice. Additionally, the federal government must invest in a comprehensive prevention strategy that reaches each state, territory, and tribe, and invests in culturally specific programs.

100 Day Recommendations: Invest to End Gender-Based Violence

- Include in the FY 2022 President’s Budget significant investments for domestic and sexual violence programs.
  - VOCA (DOJ/OJP) – $2.5 billion
  - FVPSA (HHS/ACF) – $500 million
  - DELTA (HHS/CDC) – $100 million
  - Culturally Specific Services Program (New HHS Program) – $40 million
  - VAWA Transitional Housing Program (DOJ/OVW) – $100 million
  - VAWA Legal Assistance for Victims (DOJ/OVW) – $100 million
  - VAWA Sexual Assault Services Program (DOJ/OVW) – $200 million
  - Domestic Violence Bonus Funds for Homeless Assistance (HUD/CPD) – $200 million
- Work with Congress to act to save Victims of Crime Act (VOCA) funding by amending the law to deposit penalties and fines from non-prosecution and deferred prosecution agreements into the Crime Victims Fund.
- Establish a taskforce to improve access to federal funding for programs by and for Communities of Color.
  - Examine and evaluate DOJ, HHS, and HUD regulations, grant making policies, eligibility criteria, funding strategies and practices, and reporting requirements for federal grants that may cause significant barriers and adversely affects small organizations, particularly community-based, culturally specific organizations. Determine which should be repealed, replaced, streamlined, or modified and develop and implement new policies/practices to increase culturally specific organizations’ ability to access and maintain federal grant funds.

Ongoing Recommendations: Invest to End Gender-Based Violence

- Support Family Violence Prevention and Services Act (FVPSA) reauthorization, including dedicated funding for tribal coalitions, culturally specific service providers, and substantially increased funding.
• Support **Violence Against Women Act (VAWA) reauthorization**. VAWA has advanced our nation’s response to violence, but the criminal justice provisions have not led to safety for all survivors, especially for survivors of color and other historically marginalized survivors.
  
o  **Build upon bills introduced in the 116th Congress**\(^7\) and invest in strategies that work for all survivors.
  
o  Maintain or increase **authorized funding levels**, including set asides for culturally specific programs and tribes.

• Provide dedicated funding to support the capacity of culturally specific organizations to address linguistic barriers, including funding to increase the number of interpreters trained on domestic violence and sexual assault and other language access strategies.

### ADDRESS SURVIVORS’ HOUSING NEEDS

Survivors need **access to housing options**, including emergency assistance, flexible funding, shelter, transitional housing, rapid rehousing, and permanent housing subsidies, as well as protections against housing discrimination. Domestic violence and sexual assault programs depend on HUD Continuum of Care and Emergency Solutions Grants funds to provide safe housing for survivors yet these programs have many barriers that exclude victim service providers.

### 100 Day Recommendations: Housing

• **Create high-level staff positions at HUD to provide more consistent attention to the housing issues facing survivors and their families, oversee enforcement of VAWA rights, and transform the homelessness response to be survivor-centered.**

• **Create an interagency housing program for survivors** that weaves together funding from HUD, HHS, and DOJ to allow the full array of safe and confidential housing options, including emergency, transitional, rapid, and other interventions.

• **Clarify noncitizen immigrant domestic violence survivors’ access to housing** subsidies and Section 8 Housing.\(^8\)

• **Rescind harmful regulations, reverse harmful rulemaking processes, and reinstate regulations that increase access to housing.**\(^9\)

• **Amend guidance, training/technical assistance, and funding announcements** to reflect domestic and sexual violence survivors’ unique safety, housing, and confidentiality needs.

• **Simplify and clarify data collection and reporting requirements** for victim service providers using comparable databases, and improve confidentiality throughout HUD’s programs.
• Encourage collaboration between HUD’s Office of Fair Housing and DOJ’s Civil Rights Division to enforce housing protections for survivors of gender-based violence and sexual harassment.

Ongoing Recommendations: Housing

• Improve survivor access to HUD Continuum of Care resources.
  o Support the HEALS Act;10
  o Amend guidance, training/technical assistance, and funding announcements to reflect survivors’ unique safety, housing, and confidentiality needs; and
  o Simplify and clarify data collection and reporting requirements for victim service providers using comparable databases, and improve confidentiality throughout HUD’s programs.

• Support housing provisions proposed for VAWA reauthorization11 and significantly strengthen guidance, training, and enforcement mechanisms to ensure full implementation of all VAWA housing provisions, including the emergency transfer process.

• Support funding for additional housing choice vouchers for survivors, including VAWA emergency transfer vouchers, for survivors who need housing when fleeing abuse or in the aftermath of sexual assault.12

• Support legislation and policy that protects tenants from unfair eviction screening policies that disproportionately affect Women of Color, such as previous evictions, credit history and criminal background checks.

• Support legislative amendments to the Fair Housing Act that protect survivors.13

PROMOTE FINANCIAL SECURITY AND ECONOMIC JUSTICE POLICIES FOR SURVIVORS

The COVID pandemic, and the nation’s response to it, have laid bare the severe economic disparities in this country. Survivors need job security, employment protections, access to non-traditional and high paying jobs, and barrier-free access to cash, utility, and food assistance because of job insecurity (often caused by harassment and stalking by abusers). Ninety-nine percent of domestic violence victims experience financial abuse.14 Addressing economic conditions and social conditions can reduce risks of domestic violence perpetration and victimization.15

100 Day Recommendations: Economic Justice

• Broaden the discussion around the “women’s economic agenda” to include the impact of domestic and sexual violence on women. Center the
needs of survivors in discussions about economic security, including a living wage, higher and equal paying jobs, STEM education, and access to protections and resources intended to advance women’s economic equity and security.16

- Ensure eligible immigrant survivors have timely access to employment authorization.

- Work with federal agencies (HHS, DOJ, HUD) to allow victim service agencies to use federal funds to create and administer no barrier/low barrier, accessible, and flexible emergency relief funds for survivors.

- Reinvigorate policies that strengthen protections and supports afforded to federal workforce members who are survivors of domestic or sexual violence, as originally mandated by President Obama.17

- Convene corporate leaders to deepen private and public partnerships to advance workplace equity and survivors’ access to economic security and justice.

- Support the Employment Litigation Section of DOJ’s Civil Rights Division and the U.S. Equal Employment Opportunity Commission and restore a robust program to investigate and bring systemic sex, race, and other workplace discrimination cases.

**Ongoing Recommendations: Economic Justice**

- Support federal initiatives to revise and expand safety net protections for survivors, such as cash and food assistance and access to tax credits.18

- Support federal labor and employment protections, including legislation to ensure: paid family medical leave and paid sick and safe days;19 anti-discrimination measures for survivors;20 unemployment insurance;21 equal pay initiatives;22 living wages; and protections for pregnant workers.23

- Protect survivors from cyber violence, which often impedes employment and economic stability.24

For more information, please contact communications@nnedv.org.
Multiple studies have found a correlation between disasters with similarities to the COVID-19 pandemic and an increase in domestic violence.

Processes the IRS can use to ensure survivors have access to CARES Act relief checks, as well as more information about the issues, are described in the Domestic Violence Victim Economic Impact Payment Roadmap from the Center for Taxpayer Rights, Community Tax Law Project, and NNEDV.

Such as the provisions in the HEROES Act (H.R. 8406) introduced in the 116th Congress.


- Change the social norms around violence and gender, focusing on the attitudes and behavior of men and boys who commit the overwhelming majority of domestic violence and sexual assault;
- Help young people form healthy relationships and address dating violence;
- Help children who have been exposed to violence to heal;
- Address the systemic economic and social conditions that put some groups at greater risk for violence; and
- Fund treatment as a tool for secondary prevention.

Building upon H.R. 5041 and S. 2259 as introduced in the 116th Congress. See DELTA Prevention Factsheet.

NNEDV and our allies support expansions included in H.R. 5041 and S. 2259 introduced in the 116th Congress.

Support a VAWA bill that builds on S. 2843 and H.R. 1585 introduced in the 116th Congress and, include the field's expanded priorities.

In 1996, Congress passed the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (PRWORA) which established new restrictions on the eligibility of noncitizens for public benefits. PRWORA exempted certain types of programs that are usually thought of as emergency programs from the eligibility restrictions. PRWORA created the term “qualified alien,” a term which did not previously exist in immigration law, to encompass the different categories of noncitizens who are not prohibited by PRWORA from receiving federal public benefits. Under PRWORA, certain individuals experiencing violence are eligible for federal public benefits such as housing assistance if the agency providing such benefits determines “[t]hat there is a substantial connection between such battery or cruelty and the need for the benefits to be provided.” See https://fas.org/sgp/crs/homesec/RL31753.pdf.

Regulatory reform recommendations include:

- Reinstate and fully implement the Affirmatively Furthering Fair Housing rule to consider barriers survivors face to fair housing;
- Rescind the Mixed Status rule to ensure eligible immigrant survivors can continue to access housing support;
- Restore HUD’s Equal Access rule to ensure that transgender individuals can access homelessness programs provided in line with their gender identity; and
- Rescind harmful changes to the 2013 Disparate Impact Rule and reinstate the three-part burden-shifting standard originally implemented in 2013 to allow individuals to show the discriminatory impact of a housing policy or program.

The HEALS Act (S. 1624/H.R. 5184), introduced in the 116th Congress.

VAWA housing protections in S. 2843, introduced in the 116th Congress, include:

- Protects survivors from eviction based on the criminal actions of perpetrators;
• Establishes reliable “family break-up procedures,” which would require that survivors retain possession of the unit or subsidy in the event of a family break-up;
• Authorizes $20 million in funding and a process for distribution for emergency transfer vouchers for VAWA survivors;
• Allows early lease termination in VAWA-covered housing;
• Addresses the need for consistent implementation, compliance and accountability regarding VAWA’s housing protections;
• Protects survivors right to request emergency and law enforcement assistance and support effective law enforcement in assisting survivors.

12 Partially included in S. 2843.

13 Legislation introduced in the 116th Congress includes, the Fair Housing for Domestic Violence and Sexual Assault Survivors Act of 2020, which would give HUD and the DOJ clear and direct authority to protect survivors from housing discrimination in the private rental market and the Combatting Sexual Harassment in Housing Act, which would ensure that harassment is recognized as a violation of the Fair Housing Act.


16 Because domestic and sexual violence, child sexual abuse, and stalking impact women’s ability to work, meet educational goals, or build assets, these issues must be addressed in programs broadly intended to help women and girls attain economic equity. For example, a 2018 national survey of domestic violence survivors found that 83% of respondents reported that their abusive partners disrupted their ability to work. Among those who reported experiencing one or more disruption, 70% said they were not able to have a job when they wanted or needed one, and 53% said they lost a job because of the abuse. Forty-nine percent said they missed one or more days of work, 18% missed out on a promotion or raise, 38% said they lost out on other work opportunities, and 60% said an abusive partner had disrupted their ability to complete education or training. Additionally, an analysis of 2012 National Intimate Partner and Sexual Violence Survey data estimates that U.S. adults experience 741 million lost days of work because of victimizations by an average of 2.5 perpetrators per survivor.


18 Federal Safety Net programs include:
  • Temporary Assistance to Needy Families (TANF) – including enhancing Family Violence Option (FVO) waivers and access for immigrant survivors;
  • Child support;
  • Social Security Disability Insurance (SSDI);
  • Earned Income Tax Credit and Child Tax Credits;
  • Additional tax credits to low and moderate working families and individuals; and
  • Supplemental Nutrition Assistance Program (by boosting the maximum allowable and eliminating time limits and other barriers).

19 Paid family and medical leave includes time off after the birth of a child, during an illness, or while caring for ill family members. Paid safe days – beyond typical paid sick days – enable survivors to attend court proceedings, meet with lawyers and advocates, obtain services from a
domestic violence or sexual assault program, and recover from or seek medical care for physical and/or psychological injuries due to the violence perpetrated against them. In the 116th Congress, paid family leave was included in the FAMILY Act (H.R. 1185/S. 463) and paid sick and safe days in the Healthy Families Act (H.R. 1784/S. 840). The PAID Leave Act (H.R. 6442/S. 3513) combined provisions from both the FAMILY Act and the Healthy Families Act.

Measures to prohibit survivors from being treated differently, fired, or not hired because they are experiencing or have experienced domestic or sexual violence. See for example the SAFE Act of 2019, H.R. 1468.

Requirement for states to include leaving employment for reasons relating to domestic/sexual violence on their “good cause” list for unemployment insurance. See H.R. 1585/S. 2843, section 703, 116th Congress.

See the Paycheck Fairness Act (H.R. 7/S.270) as introduced in 116th Congress.

See the Pregnant Workers Fairness Act (H.R. 2694) as introduced in 116th Congress.

Federal strategies to address cyberviolence may include the following:

- Create a federal task to closes legal gaps allowing people who commit cyberviolence and companies that explicitly facilitate crimes to escape accountability.
- Support federal legislation that provides a civil remedy for victims whose private, sexually explicit imagery—whether created consensually or nonconsensually—is disseminated without their consent.
- Support the creation of public educational campaigns to address the societal norms that perpetuate a culture where people are victimized online.
- Direct the DOJ, the Federal Communications Commission, and the Federal Trade Commission to investigate individuals and companies that explicitly create technology products that facilitate stalking, harassment, or other crimes, and investigate online platforms that profit from exploitation.