

116TH CONGRESS
1ST SESSION

S. 336

To direct the Comptroller General of the United States to submit a report on the response of law enforcement agencies to reports of missing or murdered Indians.

IN THE SENATE OF THE UNITED STATES

FEBRUARY 5, 2019

Mr. TESTER introduced the following bill; which was read twice and referred to the Committee on Indian Affairs

A BILL

To direct the Comptroller General of the United States to submit a report on the response of law enforcement agencies to reports of missing or murdered Indians.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Studying the Missing
5 and Murdered Indian Crisis Act of 2019”.

6 **SEC. 2. DEFINITIONS.**

7 In this Act:

8 (1) COVERED DATABASE.—The term “covered
9 database” means—

1 (A) the database of the National Crime In-
2 formation Center;

3 (B) the Combined DNA Index System;

4 (C) the Next Generation Identification
5 System; and

6 (D) any other database or system of a law
7 enforcement agency under which a report of a
8 missing or murdered Indian may be submitted,
9 including—

10 (i) the Violent Criminal Apprehension
11 Program; or

12 (ii) the National Missing and Uniden-
13 tified Persons System.

14 (2) INDIAN.—The term “Indian” has the mean-
15 ing given the term in section 4 of the Indian Self-
16 Determination and Education Assistance Act (25
17 U.S.C. 5304).

18 (3) INDIAN COUNTRY.—The term “Indian coun-
19 try” has the meaning given the term in section 1151
20 of title 18, United States Code.

21 (4) LAW ENFORCEMENT AGENCY.—The term
22 “law enforcement agency” means a Federal, State,
23 local, or Tribal law enforcement agency.

1 (5) MISSING OR MURDERED INDIAN.—The term
2 “missing or murdered Indian” means any Indian
3 who is—

4 (A) reported missing in Indian country or
5 any other location; or

6 (B) murdered in Indian country or any
7 other location.

8 (6) NOTIFICATION SYSTEM.—The term “notifi-
9 cation system” means—

10 (A) the Criminal Justice Information Net-
11 work;

12 (B) the AMBER Alert communications
13 network established under subtitle A of title III
14 of the PROTECT Act (34 U.S.C. 20501 et
15 seq.); and

16 (C) any other system or public notification
17 system that relates to a report of a missing or
18 murdered Indian, including any State, local, or
19 Tribal notification system.

20 **SEC. 3. REPORT.**

21 Not later than 1 year after the date of enactment
22 of this Act, the Comptroller General of the United States
23 shall submit to the Committee on Indian Affairs of the
24 Senate and the Committee on Natural Resources of the

1 House of Representatives a comprehensive report that in-
2 cludes—

3 (1) a review of—

4 (A) each law enforcement agency that has
5 jurisdiction over missing or murdered Indians
6 and the basis for that jurisdiction;

7 (B) the response procedures, with respect
8 to a report of a missing or murdered Indian,
9 of—

10 (i) the Federal Bureau of Investiga-
11 tion;

12 (ii) the Bureau of Indian Affairs; and

13 (iii) any other Federal law enforce-
14 ment agency responsible for responding to
15 or investigating a report of a missing or
16 murdered Indian;

17 (C) each covered database and notification
18 system;

19 (D) Federal interagency cooperation and
20 notification policies and procedures related to
21 missing or murdered Indians;

22 (E) the requirements of each Federal law
23 enforcement agency relating to notifying State,
24 local, or Tribal law enforcement agencies after

1 the Federal law enforcement agency receives a
2 report of a missing or murdered Indian; and

3 (F) the public notification requirements of
4 law enforcement agencies relating to missing or
5 murdered Indians;

6 (2) recommendations and best practices relating
7 to improving cooperation between and response poli-
8 cies of law enforcement agencies relating to missing
9 and murdered Indians; and

10 (3) recommendations relating to—

11 (A) improving how—

12 (i) covered databases address in-
13 stances of missing or murdered Indians,
14 including by improving access to, inte-
15 grating, and improving the sharing of in-
16 formation between covered databases; and

17 (ii) notification systems address in-
18 stances of missing or murdered Indians,
19 including by improving access to, inte-
20 grating, and improving the sharing of in-
21 formation between notification systems;

22 (B) social, educational, economic, and any
23 other factor that may contribute to an Indian
24 becoming a missing or murdered Indian; and

1 (C) legislation to reduce the likelihood that
2 an Indian may become a missing or murdered
3 Indian.

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