

of this title is completed, the Attorney General shall direct United States attorneys to develop regionally appropriate guidelines to respond to cases of missing or murdered Indians that shall include—

- (1) guidelines on inter-jurisdictional cooperation among law enforcement agencies at the Tribal, Federal, State, and local levels, including inter-jurisdictional enforcement of protection orders and detailing specific responsibilities of each law enforcement agency;
- (2) best practices in conducting searches for missing persons on and off Indian land;
- (3) standards on the collection, reporting, and analysis of data and information on missing persons and unidentified human remains, and information on culturally appropriate identification and handling of human remains identified as Indian, including guidance stating that all appropriate information related to missing or murdered Indians be entered in a timely manner into applicable databases;
- (4) guidance on which law enforcement agency is responsible for inputting information into appropriate databases under paragraph (3) if the Tribal law enforcement agency does not have access to those appropriate databases;
- (5) guidelines on improving law enforcement agency response rates and follow-up responses to cases of missing or murdered Indians; and
- (6) guidelines on ensuring access to culturally appropriate victim services for victims and their families.

**(b) Consultation**

United States attorneys shall develop the guidelines required under subsection (a) in consultation with Indian Tribes and other relevant partners, including—

- (1) the Department of Justice;
- (2) the Federal Bureau of Investigation;
- (3) the Department of the Interior;
- (4) the Bureau of Indian Affairs;
- (5) Tribal, State, and local law enforcement agencies;
- (6) medical examiners;
- (7) coroners;
- (8) Tribal, State, and local organizations that provide victim services; and
- (9) national, regional, or urban Indian organizations with relevant expertise.

**(c) Compliance**

**(1) In general**

Not later than 1 year after October 10, 2020, the United States attorneys shall implement, by incorporating into office policies and procedures, the guidelines developed under subsection (a).

**(2) Modification**

Each Federal law enforcement agency shall modify the guidelines, policies, and protocols of the agency to incorporate the guidelines developed under subsection (a).

**(3) Determination**

Not later than the end of each fiscal year beginning after the date the guidelines are established under this section and incorporated under this subsection, upon the request of a Tribal, State, or local law enforcement agen-

cy, the Attorney General shall determine whether the Tribal, State, or local law enforcement agency seeking recognition of compliance has incorporated guidelines into their respective guidelines, policies, and protocols.

**(d) Accountability**

Not later than 30 days after compliance determinations are made each fiscal year in accordance with subsection (c)(3), the Attorney General shall—

- (1) disclose and publish, including on the website of the Department of Justice, the name of each Tribal, State, or local law enforcement agency that the Attorney General has determined has incorporated guidelines in accordance with subsection (c)(3);
- (2) disclose and publish, including on the website of the Department of Justice, the name of each Tribal, State, or local law enforcement agency that has requested a determination in accordance with subsection (c)(3) that is pending;
- (3) collect the guidelines into a resource of examples and best practices that can be used by other law enforcement agencies seeking to create and implement such guidelines.

**(e) Training and technical assistance**

The Attorney General shall use the National Indian Country Training Initiative to provide training and technical assistance to Indian Tribes and law enforcement agencies on—

- (1) implementing the guidelines developed under subsection (a) or developing and implementing locally specific guidelines or protocols for responding to cases of missing or murdered Indians; and
- (2) using the National Missing and Unidentified Persons System and accessing program services that will assist Indian Tribes with responding to cases of missing or murdered Indians.

**(f) Guidelines from Indian Tribes**

**(1) In general**

Indian Tribes may submit their own guidelines to respond to cases of missing or murdered Indians to the Attorney General.

**(2) Publication**

Upon receipt of any guidelines from an Indian Tribe, the Attorney General shall publish the guidelines on the website of the Department of Justice in 1 centralized location to make the guidelines available as a resource to any Federal agency, State, or Tribal government.

(Pub. L. 116-165, § 5, Oct. 10, 2020, 134 Stat. 762.)

**§ 5705. Annual reporting requirements**

**(a) Annual reporting**

Beginning in the first fiscal year after October 10, 2020, the Attorney General shall include in its annual Indian Country Investigations and Prosecutions report to Congress information that—

- (1) includes known statistics on missing Indians in the United States, available to the Department of Justice, including—
  - (A) age;

- (B) gender;
- (C) Tribal enrollment information or affiliation, if available;
- (D) the current number of open cases per State;
- (E) the total number of closed cases per State each calendar year, from the most recent 10 calendar years; and
- (F) other relevant information the Attorney General determines is appropriate;

(2) includes known statistics on murdered Indians in the United States, available to the Department of Justice, including—

- (A) age;
- (B) gender;
- (C) Tribal enrollment information or affiliation, if available;
- (D) the current number of open cases per State;
- (E) the total number of closed cases per State each calendar year, from the most recent 10 calendar years; and
- (F) other relevant information the Attorney General determines is appropriate;

(3) maintains victim privacy to the greatest extent possible by excluding information that can be used on its own or with other information to identify, contact, or locate a single person, or to identify an individual in context; and

(4) includes—

- (A) an explanation of why the statistics described in paragraph (1) may not be comprehensive; and
- (B) recommendations on how data collection on missing or murdered Indians may be improved.

## (b) Compliance

### (1) In general

Beginning in the first fiscal year after October 10, 2020, and annually thereafter, for the purpose of compiling accurate data for the annual report required under subsection (a), the Attorney General shall request all Tribal, State, and local law enforcement agencies to submit to the Department of Justice, to the fullest extent possible, all relevant information pertaining to missing or murdered Indians collected by the Tribal, State, and local law enforcement agency, and in a format provided by the Department of Justice that ensures the streamlining of data reporting.

### (2) Disclosure

The Attorney General shall disclose and publish annually, including on the website of the Department of Justice, the name of each Tribal, State, or local law enforcement agency that the Attorney General has determined has submitted the information requested under paragraph (1) for the fiscal year in which the report was published.

### (c) Inclusion of gender in missing and unidentified persons statistics

Beginning in the first calendar year after October 10, 2020, and annually thereafter, the Federal Bureau of Investigation shall include gender in its annual statistics on missing and unidentified persons published on its public website.

(Pub. L. 116-165, §6, Oct. 10, 2020, 134 Stat. 763.)

## CHAPTER 50—NATIVE AMERICAN BUSINESS INCUBATORS PROGRAM

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### § 5801. Findings

Congress finds that—

(1) entrepreneurs face specific challenges when transforming ideas into profitable business enterprises;

(2) entrepreneurs that want to provide products and services in reservation communities face an additional set of challenges that requires special knowledge;

(3) a business incubator is an organization that assists entrepreneurs in navigating obstacles that prevent innovative ideas from becoming viable businesses by providing services that include—

(A) workspace and facilities resources;

(B) access to capital, business education, and counseling;

(C) networking opportunities;

(D) mentorship opportunities; and

(E) an environment intended to help establish and expand business operations;

(4) the business incubator model is suited to accelerating entrepreneurship in reservation communities because the business incubator model promotes collaboration to address shared challenges and provides individually tailored services for the purpose of overcoming obstacles unique to each participating business; and

(5) business incubators will stimulate economic development by providing Native entrepreneurs with the tools necessary to grow businesses that offer products and services to reservation communities.

(Pub. L. 116-174, §2, Oct. 20, 2020, 134 Stat. 839.)

### Statutory Notes and Related Subsidiaries

#### SHORT TITLE

Pub. L. 116-174, §1, Oct. 20, 2020, 134 Stat. 839, provided that: “This Act [enacting this chapter] may be cited as the ‘Native American Business Incubators Program Act.’”

### § 5802. Definitions

In this chapter:

#### (1) Business incubator

The term “business incubator” means an organization that—

(A) provides physical workspace and facilities resources to startups and established businesses; and

(B) is designed to accelerate the growth and success of businesses through a variety of business support resources and services, including—

(i) access to capital, business education, and counseling;