

- (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**

Sec.	
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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;

- (ii) networking opportunities;
- (iii) mentorship opportunities; and
- (iv) other services intended to aid in developing a business.

**(2) Eligible applicant**

The term “eligible applicant” means an applicant eligible to apply for a grant under section 5803(b) of this title.

**(3) Indian tribe**

The term “Indian tribe” has the meaning given the term in section 5304 of this title.

**(4) Institution of higher education**

The term “institution of higher education” has the meaning given the term in section 1001 of title 20.

**(5) Native American; Native**

The terms “Native American” and “Native” have the meaning given the term “Indian” in section 5304 of this title.

**(6) Native business**

The term “Native business” means a business concern that is at least 51-percent owned and controlled by 1 or more Native Americans.

**(7) Native entrepreneur**

The term “Native entrepreneur” means an entrepreneur who is a Native American.

**(8) Program**

The term “program” means the program established under section 5803(a) of this title.

**(9) Reservation**

The term “reservation” has the meaning given the term in section 1452 of this title.

**(10) Secretary**

The term “Secretary” means the Secretary of the Interior.

**(11) Tribal college or university**

The term “tribal college or university” has the meaning given the term “Tribal College or University” in section 1059c(b) of title 20.

(Pub. L. 116–174, §3, Oct. 20, 2020, 134 Stat. 839.)

**§ 5803. Establishment of program**

**(a) In general**

The Secretary shall establish a program in the Office of Indian Energy and Economic Development under which the Secretary shall provide financial assistance in the form of competitive grants to eligible applicants for the establishment and operation of business incubators that serve reservation communities by providing business incubation and other business services to Native businesses and Native entrepreneurs.

**(b) Eligible applicants**

**(1) In general**

To be eligible to receive a grant under the program, an applicant shall—

- (A) be—
  - (i) an Indian tribe;
  - (ii) a tribal college or university;
  - (iii) an institution of higher education;
- or
- (iv) a private nonprofit organization or tribal nonprofit organization that—

(I) provides business and financial technical assistance; and

(II) will commit to serving 1 or more reservation communities;

(B) be able to provide the physical workspace, equipment, and connectivity necessary for Native businesses and Native entrepreneurs to collaborate and conduct business on a local, regional, national, and international level; and

(C) in the case of an entity described in clauses (ii) through (iv) of subparagraph (A), have been operational for not less than 1 year before receiving a grant under the program.

**(2) Joint project**

**(A) In general**

Two or more entities may submit a joint application for a project that combines the resources and expertise of those entities at a physical location dedicated to assisting Native businesses and Native entrepreneurs under the program.

**(B) Contents**

A joint application submitted under subparagraph (A) shall—

- (i) contain a certification that each participant of the joint project is one of the eligible entities described in paragraph (1)(A); and
- (ii) demonstrate that together the participants meet the requirements of subparagraphs (B) and (C) of paragraph (1).

**(c) Application and selection process**

**(1) Application requirements**

Each eligible applicant desiring a grant under the program shall submit to the Secretary an application at such time, in such manner, and containing such information as the Secretary may require, including—

- (A) a certification that the applicant—
  - (i) is an eligible applicant;
  - (ii) will designate an executive director or program manager, if such director or manager has not been designated, to manage the business incubator; and
  - (iii) agrees—
    - (I) to a site evaluation by the Secretary as part of the final selection process;
    - (II) to an annual programmatic and financial examination for the duration of the grant; and
    - (III) to the maximum extent practicable, to remedy any problems identified pursuant to the site evaluation under subclause (I) or an examination under subclause (II);

(B) a description of the 1 or more reservation communities to be served by the business incubator;

(C) a 3-year plan that describes—
 

- (i) the number of Native businesses and Native entrepreneurs to be participating in the business incubator;
- (ii) whether the business incubator will focus on a particular type of business or industry;