

graph (A) which are inactive as of the close of the reporting period but have not been closed or declined; and

(ii) unaddressed referrals which allege criminal misconduct involving offenses described in subparagraph (A),

and the reasons such matters are inactive and the referrals unaddressed;

(C) the nature and number of such matters closed, settled, or litigated to conclusion; and

(D) the results achieved, including convictions and pretrial diversions, fines and penalties levied, restitution assessed and collected, and damages recovered, in such matters.

## (2) Analysis and report

The Attorney General shall analyze and report to the Congress on the data described in paragraph (1) and its coordination and other related activities named in section 41501(c)(2)<sup>1</sup> of this title and shall provide such report on the data monthly through December 31, 1991, and quarterly after such date.

## (b) Specifics of report

The report required by subsection (a) shall—

(1) categorize data as to various types of financial institutions and appropriate dollar loss categories;

(2) disclose data for each Federal judicial district;

(3) describe the activities of the Financial Institution Fraud Unit; and

(4) list—

(A) the number of institutions, categorized by failed and open institutions, in which evidence of significant fraud, unlawful activity, insider abuse or serious misconduct has been alleged or detected;

(B) civil, criminal, and administrative enforcement actions, including those of the Federal financial institutions regulatory agencies, brought against offenders;

(C) any settlements or judgments obtained against offenders;

(D) indictments, guilty pleas, or verdicts obtained against offenders; and

(E) the resources allocated in pursuit of investigations, prosecutions, and sentencings (including indictments, guilty pleas, or verdicts obtained against offenders) and related proceedings.

(Pub. L. 101-647, title XXV, §2546, Nov. 29, 1990, 104 Stat. 4885.)

## Editorial Notes

### CODIFICATION

Section was formerly classified as a note under section 522 of Title 28, Judiciary and Judicial Procedure, prior to editorial reclassification and renumbering as this section.

## § 41307. Reporting requirement for missing children

### (a) In general

Each Federal, State, and local law enforcement agency shall report each case of a missing

child under the age of 21 reported to such agency to the National Crime Information Center of the Department of Justice and, consistent with section 40507 (including rules promulgated pursuant to section 40507(c)) of this title, shall also report such case, either directly or through authorization described in such section to transmit, enter, or share information on such case, to the NamUs databases.

### (b) Guidelines

The Attorney General may establish guidelines for the collection of such reports including procedures for carrying out the purposes of this section and section 41308 of this title.<sup>1</sup>

### (c) Annual summary

The Attorney General shall publish an annual statistical summary of the reports received under this section and section 41308 of this title.

(Pub. L. 101-647, title XXXVII, §3701, Nov. 29, 1990, 104 Stat. 4966; Pub. L. 108-21, title II, §204, Apr. 30, 2003, 117 Stat. 660; Pub. L. 117-327, §2(c)(1), Dec. 27, 2022, 136 Stat. 4455.)

## Editorial Notes

### REFERENCES IN TEXT

This section and section 41308 of this title, referred to in subsec. (b), was in the original “this Act”, and was translated as reading “this title”, meaning title XXXVII of Pub. L. 101-647, which enacted this section and section 41308 of this title, to reflect the probable intent of Congress.

### CODIFICATION

Section was formerly classified to section 5779 of Title 42, The Public Health and Welfare, prior to editorial reclassification and renumbering as this section.

### AMENDMENTS

2022—Subsec. (a). Pub. L. 117-327 inserted before period at end “and, consistent with section 40507 (including rules promulgated pursuant to section 40507(c)) of this title, shall also report such case, either directly or through authorization described in such section to transmit, enter, or share information on such case, to the NamUs databases”.

2003—Subsec. (a). Pub. L. 108-21 substituted “age of 21” for “age of 18”.

## Statutory Notes and Related Subsidiaries

### EFFECTIVE DATE OF 2022 AMENDMENT

Amendment by Pub. L. 117-327 applicable with respect to reports made before, on, or after Dec. 27, 2022, see section 40506(c)(3) of this title.

## § 41308. State requirements for reporting missing children

Each State reporting under the provisions of this section and section 41307 of this title shall—

(1) ensure that no law enforcement agency within the State establishes or maintains any policy that requires the observance of any waiting period before accepting a missing child or unidentified person report;

(2) ensure that no law enforcement agency within the State establishes or maintains any policy that requires the removal of a missing person entry from its State law enforcement

<sup>1</sup> So in original. Probably should be “41501(c)(3)”.

<sup>1</sup> See References in Text note below.

system, the National Crime Information Center computer database, or the NamUs databases based solely on the age of the person;

(3) provide that each such report and all necessary and available information, which, with respect to each missing child report, shall include—

(A) the name, date of birth, sex, race, height, weight, and eye and hair color of the child;

(B) a recent photograph of the child, if available;

(C) the date and location of the last known contact with the child; and

(D) the category under which the child is reported missing;

is entered within 2 hours of receipt into the State law enforcement system, the National Crime Information Center computer networks, and the NamUs databases and made available to the Missing Children Information Clearinghouse within the State or other agency designated within the State to receive such reports; and

(4) provide that after receiving reports as provided in paragraph (3), the law enforcement agency that entered the report into the National Crime Information Center or the NamUs databases shall—

(A) no later than 30 days after the original entry of the record into the State law enforcement system, National Crime Information Center computer networks, and the NamUs databases, verify and update such record with any additional information, including, where available, medical and dental records and a photograph taken during the previous 180 days;

(B) institute or assist with appropriate search and investigative procedures;

(C) notify the National Center for Missing and Exploited Children of each report received relating to a child reported missing from a foster care family home or childcare institution;

(D) maintain close liaison with State and local child welfare systems and the National Center for Missing and Exploited Children for the exchange of information and technical assistance in the missing children cases; and

(E) grant permission to the National Crime Information Center Terminal Contractor for the State to update the missing person record in the National Crime Information Center computer networks with additional information learned during the investigation relating to the missing person.

(Pub. L. 101-647, title XXXVII, §3702, Nov. 29, 1990, 104 Stat. 4967; Pub. L. 109-248, title I, §154(a), July 27, 2006, 120 Stat. 611; Pub. L. 114-22, title I, §116(b), May 29, 2015, 129 Stat. 244; Pub. L. 117-327, §2(c)(2), Dec. 27, 2022, 136 Stat. 4455.)

#### Editorial Notes

##### CODIFICATION

Section was formerly classified to section 5780 of Title 42, The Public Health and Welfare, prior to editorial reclassification and renumbering as this section.

#### AMENDMENTS

2022—Par. (2). Pub. L. 117-327, §2(c)(2)(A), substituted “, the National Crime Information Center computer database, or the NamUs databases” for “or the National Crime Information Center computer database”.

Par. (3). Pub. L. 117-327, §2(c)(2)(B), substituted “, the National Crime Information Center computer networks, and the NamUs databases” for “and the National Crime Information Center computer networks” in concluding provisions.

2022—Par. (4). Pub. L. 117-327, §2(c)(2)(C)(i), inserted “or the NamUs databases” after “National Crime Information Center” in introductory provisions.

Par. (4)(A). Pub. L. 117-327, §2(c)(2)(C)(ii), substituted “, National Crime Information Center computer networks, and the NamUs databases” for “and National Crime Information Center computer networks”.

2015—Par. (2). Pub. L. 114-22, §116(b)(1), struck out “and” at end.

Par. (3)(B) to (D). Pub. L. 114-22, §116(b)(2), added subpar. (B) and redesignated former subpars. (B) and (C) as (C) and (D), respectively.

Par. (4). Pub. L. 114-22, §116(b)(3)(A), substituted “paragraph (3)” for “paragraph (2)” in introductory provisions.

Par. (4)(A). Pub. L. 114-22, §116(b)(3)(B), substituted “30 days” for “60 days” and inserted “and a photograph taken during the previous 180 days” after “dental records”.

Par. (4)(B), (C). Pub. L. 114-22, §116(b)(3)(C), (E), struck out “and” at end of subpar. (B) and added subpar. (C). Former subpar. (C) redesignated (D).

Par. (4)(D). Pub. L. 114-22, §116(b)(3)(F), inserted “State and local child welfare systems and” before “the National Center for Missing and Exploited Children” and substituted “; and” for period at end.

Pub. L. 114-22, §116(b)(3)(D), redesignated subpar. (C) as (D).

Par. (4)(E). Pub. L. 114-22, §116(b)(3)(G), added subpar. (E).

2006—Pub. L. 109-248 added par. (2), redesignated former pars. (2) and (3) as (3) and (4), respectively, and substituted “within 2 hours of receipt” for “immediately” in concluding provisions of par. (3).

#### Statutory Notes and Related Subsidiaries

##### EFFECTIVE DATE OF 2022 AMENDMENT

Amendment by Pub. L. 117-327 applicable with respect to reports made before, on, or after Dec. 27, 2022, see section 40506(c)(3) of this title.

#### § 41309. Reporting on human trafficking

##### (a) Trafficking offense classification

The Director of the Federal Bureau of Investigation shall—

(1) classify the offense of human trafficking as a Part I crime in the Uniform Crime Reports;

(2) to the extent feasible, establish subcategories for State sex crimes that involve—

(A) a person who is younger than 18 years of age;

(B) the use of force, fraud or coercion; or

(C) neither of the elements described in subparagraphs (A) and (B); and

(3) classify the offense of human trafficking as a Group A offense for purpose of the National Incident-Based Reporting System.

##### (b) Additional information

The Director of the Federal Bureau of Investigation shall revise the Uniform Crime Reporting System<sup>1</sup> and the National Incident-Based

<sup>1</sup> So in original. Probably should be “Program”.