

**(5) State opt out**

A State may decline to participate in the background check system authorized by this section by enacting a law or issuing an order by the Governor (if consistent with State law) providing that the State is declining to participate pursuant to this subsection.

(Pub. L. 108-458, title VI, §6402, Dec. 17, 2004, 118 Stat. 3755.)

## REFERENCES IN TEXT

Public Law 101-515, referred to in subsec. (d)(4)(B)(i), is Pub. L. 101-515, Nov. 5, 1990, 104 Stat. 2101. For complete classification of this Act to the Code, see Tables.

Public Law 104-99, referred to in subsec. (d)(4)(B)(i), is Pub. L. 104-99, Jan. 26, 1996, 110 Stat. 26. For complete classification of this Act to the Code, see Tables.

## CODIFICATION

Section was formerly classified as a note under section 534 of Title 28, Judiciary and Judicial Procedure, prior to editorial reclassification and renumbering as this section.

**§ 41107. Access to the national crime information databases by tribes****(1) In general**

The Attorney General shall ensure that tribal law enforcement officials that meet applicable Federal or State requirements be permitted access to national crime information databases.

**(2) Sanctions**

For purpose of sanctions for noncompliance with requirements of, or misuse of, national crime information databases and information obtained from those databases, a tribal law enforcement agency or official shall be treated as Federal law enforcement agency or official.

**(3) NCIC**

Each tribal justice official serving an Indian tribe with criminal jurisdiction over Indian country shall be considered to be an authorized law enforcement official for purposes of access to the National Crime Information Center of the Federal Bureau of Investigation.

(Pub. L. 111-211, title II, §233(b), July 29, 2010, 124 Stat. 2279.)

## CODIFICATION

Section was formerly classified as a note under section 534 of Title 28, Judiciary and Judicial Procedure, prior to editorial reclassification and renumbering as this section.

Section is comprised of subsec. (b) of section 233 of Pub. L. 111-211. Subsec. (a) of section 233 amended section 534 of Title 28, Judiciary and Judicial Procedure.

## DEFINITIONS

For definitions of “Indian tribe” and “Indian country” used in this section, see section 203(a) of Pub. L. 111-211, set out as a note under section 2801 of Title 25, Indians.

**CHAPTER 413—CRIME REPORTS AND STATISTICS**

Sec.	
41301.	Report to Congress on sexual exploitation of children.
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**§ 41301. Report to Congress on sexual exploitation of children**

Beginning one hundred and twenty days after May 21, 1984, and every year thereafter, the Attorney General shall report to the Congress on prosecutions, convictions, and forfeitures under chapter 110 of title 18.

(Pub. L. 98-292, §9, May 21, 1984, 98 Stat. 206.)

## 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.

**§ 41302. Acquisition of statistical data on child abuse****(a) Data acquisition for 1987 and 1988**

The Attorney General shall acquire from criminal justice agencies statistical data, for the calendar years 1987 and 1988, about the incidence of child abuse, including child sexual abuse, and shall publish annually a summary of such data.

**(b) Modification of uniform crime reporting program**

(1) As soon as practicable, but in no case later than January 1, 1989, the Attorney General shall modify the uniform crime reporting program in the Federal Bureau of Investigation to include data on the age of the victim of the offense and the relationship, if any, of the victim to the offender, for types of offenses that may involve child abuse, including child sexual abuse.

(2) The modification, once made, shall remain in effect until the later of—

(A) 10 years after the date it is made; or

(B) such ending date as may be set by the Attorney General.

(Pub. L. 99-401, title I, §105, Aug. 27, 1986, 100 Stat. 906.)

## CODIFICATION

Section was formerly classified as a note under section 5101 of Title 42, The Public Health and Welfare, prior to editorial reclassification and renumbering as this section.

**§ 41303. Uniform Federal Crime Reporting Act of 1988****(a) Short title**

This section may be cited as the “Uniform Federal Crime Reporting Act of 1988”.

**(b) Definitions**

For purposes of this section, the term “Uniform Crime Reports” means the reports author-

ized under section 534 of title 28 and administered by the Federal Bureau of Investigation which compiles nationwide criminal statistics for use in law enforcement administration, operation, and management and to assess the nature and type of crime in the United States.

**(c) Establishment of system**

**(1) In general**

The Attorney General shall acquire, collect, classify, and preserve national data on Federal criminal offenses as part of the Uniform Crime Reports.

**(2) Reporting by Federal agencies**

All departments and agencies within the Federal government (including the Department of Defense) which routinely investigate complaints of criminal activity, shall report details about crime within their respective jurisdiction to the Attorney General in a uniform manner and on a form prescribed by the Attorney General. The reporting required by this subsection shall be limited to the reporting of those crimes comprising the Uniform Crime Reports.

**(3) Distribution of data**

The Attorney General shall distribute data received pursuant to paragraph (2), not less frequently than annually, to the President, Members of the Congress, State governments, and officials of localities and penal and other institutions participating in the Uniform Crime Reports program.

**(4) Interagency coordination**

**(A) In general**

Not later than 90 days after December 21, 2018, the Director of the Federal Bureau of Investigation shall coordinate with the head of each department or agency within the Federal Government that is subject to the mandatory reporting requirements under paragraph (2) for the purpose of ensuring successful implementation of paragraph (2).

**(B) For report**

Not later than 6 months after December 21, 2018, the head of each department or agency within the Federal Government that is subject to the mandatory reporting requirements under paragraph (2) shall provide the Director of the Federal Bureau of Investigation such information as the Director determines is necessary to complete the first report required under paragraph (5).

**(5) Annual report by Federal Bureau of Investigation**

Not later than 1 year after December 21, 2018, and annually thereafter, the Director of the Federal Bureau of Investigation shall prepare and submit to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives a report detailing the efforts of the departments and agencies within the Federal Government to come into compliance with paragraph (2). The report shall contain a list of all departments and agencies within the Federal Government subject to paragraph (2) and

whether each department or agency is in compliance with paragraph (2).

**(d) Role of Federal Bureau of Investigation**

The Attorney General may designate the Federal Bureau of Investigation as the lead agency for purposes of performing the functions authorized by this section and may appoint or establish such advisory and oversight boards as may be necessary to assist the Bureau in ensuring uniformity, quality, and maximum use of the data collected.

**(e) Inclusion of offenses involving illegal drugs**

The Director of the Federal Bureau of Investigation is authorized to classify offenses involving illegal drugs and drug trafficking as a part I crime in the Uniform Crime Reports.

**(f) Authorization of appropriations**

There are authorized to be appropriated \$350,000 for fiscal year 1989 and such sums as may be necessary to carry out the provisions of this section after fiscal year 1989.

**(g) Effective date**

The provisions of this section shall be effective on January 1, 1989.

(Pub. L. 100-690, title VII, § 7332, Nov. 18, 1988, 102 Stat. 4468; Pub. L. 115-393, title IV, § 402, Dec. 21, 2018, 132 Stat. 5274.)

CODIFICATION

Section was formerly classified as a note under section 534 of Title 28, Judiciary and Judicial Procedure, prior to editorial reclassification and renumbering as this section.

AMENDMENTS

2018—Subsec. (c)(3). Pub. L. 115-393, § 402(1), substituted “not less frequently than annually” for “in the form of annual Uniform Crime Reports for the United States”.

Subsec. (c)(4), (5). Pub. L. 115-393, § 402(2), added pars. (4) and (5).

**§ 41304. Family and domestic violence: data collection and reporting**

**(a) Family violence reporting**

Under the authority of section 534 of title 28, the Attorney General shall require, and include in uniform crime reports, data that indicate—

- (1) the age of the victim; and
- (2) the relationship of the victim to the offender, for crimes of murder, aggravated assault, simple assault, rape, sexual offenses, and offenses against children.

**(b) National Crime Survey**

The Director of the Bureau of Justice Statistics, through the annual National Crime Survey, shall collect and publish data that more accurately measures the extent of domestic violence in America, especially the physical and sexual abuse of children and the elderly.

**(c) Authorization of appropriations**

There are authorized to be appropriated in fiscal years 1989, 1990, 1991, and 1992, such sums as are necessary to carry out the purposes of this section.

(Pub. L. 100-690, title VII, § 7609, Nov. 18, 1988, 102 Stat. 4517.)