

to the protocols for inclusion of such forensic DNA profiles into CODIS, and the privacy protections required under section 40502(c) of this title.

(C) Medical examiners offices.

(D) Accredited, publicly funded toxicology laboratories.

(E) Accredited, publicly funded crime laboratories.

(F) Publicly funded university forensic anthropology laboratories.

(G) Nonprofit organizations that have working collaborative agreements with State and county forensic offices, including medical examiners, coroners, and justices of the peace, for entry of data into CODIS or the National Missing and Unidentified Persons System (commonly known as “NamUs”), or both.

(Pub. L. 106–177, title II, §202, as added Pub. L. 116–277, §2(a)(1), Dec. 31, 2020, 134 Stat. 3368.)

#### Editorial Notes

##### PRIOR PROVISIONS

A prior section 40501, Pub. L. 106–177, title II, §202, Mar. 10, 2000, 114 Stat. 36, authorized Attorney General to provide grant awards to States to enable States to improve the reporting of unidentified and missing persons, prior to repeal by Pub. L. 116–277, §2(a)(1), Dec. 31, 2020, 134 Stat. 3368. Such section was formerly classified to section 14661 of Title 42, The Public Health and Welfare, prior to editorial reclassification and renumbering as section 40501.

#### § 40502. Eligibility

##### (a) Application

To be eligible to receive a grant award under this chapter, an entity described in section 40501 of this title shall submit an application at such time and in such form as the Attorney General may reasonably require.

##### (b) Contents

Each such application shall include assurances that the applicant shall, to the greatest extent possible—

(1) report to the National Crime Information Center and, when possible, to law enforcement authorities throughout the applicant’s jurisdiction regarding every deceased unidentified person, regardless of age, found in the applicant’s jurisdiction;

(2) enter a complete profile of such unidentified person in compliance with the guidelines established by the Department of Justice for the National Crime Information Center Missing and Unidentified Persons File, including dental records, DNA records, x-rays, and fingerprints, if available;

(3) enter the National Crime Information Center number or other appropriate number assigned to the unidentified person on the death certificate of each such unidentified person;

(4) retain all such records pertaining to unidentified persons until a person is identified; and

(5) collect and report information to the National Missing and Unidentified Persons System (NamUs) regarding missing persons and unidentified remains.

##### (c) Privacy protections for biological family reference samples

###### (1) In general

Any suspected biological family DNA reference samples received from citizens of the United States or foreign nationals and uploaded into the Combined DNA Index System (commonly referred to as “CODIS”) by an accredited, publicly funded CODIS forensic laboratory awarded a grant under this section may be used only for identifying missing persons and unidentified remains.

###### (2) Limitation on use

Any biological family DNA reference samples from citizens of the United States or foreign nationals entered into CODIS for purposes of identifying missing persons and unidentified remains may not be disclosed to a Federal or State law enforcement agency for law enforcement purposes.

(Pub. L. 106–177, title II, §203, Mar. 10, 2000, 114 Stat. 36; Pub. L. 116–277, §2(a)(2), Dec. 31, 2020, 134 Stat. 3369.)

#### Editorial Notes

##### CODIFICATION

Section was formerly classified to section 14662 of Title 42, The Public Health and Welfare, prior to editorial reclassification and renumbering as this section.

##### AMENDMENTS

2020—Subsec. (a). Pub. L. 116–277, §2(a)(2)(A), substituted “an entity described in section 40501 of this title” for “a State”.

Subsec. (b). Pub. L. 116–277, §2(a)(2)(B)(i), substituted “applicant” for “State” in introductory provisions.

Subsec. (b)(1). Pub. L. 116–277, §2(a)(2)(B)(ii), added par. (1) and struck out former par. (1) which read as follows: “report to the National Crime Information Center and when possible, to law enforcement authorities throughout the State regarding every deceased unidentified person, regardless of age, found in the State’s jurisdiction;”.

Subsec. (b)(5). Pub. L. 116–277, §2(a)(2)(B)(iii)–(v), added par. (5).

Subsec. (c). Pub. L. 116–277, §2(a)(2)(C), added subsec. (c).

#### § 40503. Use of funds

An applicant receiving a grant award under this chapter may use such funds to—

(1) pay for the costs incurred during or after fiscal year 2017 for the transportation, processing, identification, and reporting of missing persons and unidentified remains, including migrants;

(2) establish and expand programs developed to improve the reporting of unidentified persons in accordance with the assurances provided in the application submitted pursuant to section 40502(b) of this title;

(3) hire and maintain additional DNA case analysts and technicians, fingerprint examiners, forensic odontologists, and forensic anthropologists, needed to support such identification programs; and

(4) procure and maintain state of the art multi-modal, multi-purpose forensic and DNA-typing and analytical equipment.

(Pub. L. 106–177, title II, §205, as added Pub. L. 116–277, §2(a)(3), Dec. 31, 2020, 134 Stat. 3369.)