

106TH CONGRESS  
1ST SESSION

# H. R. 3087

To provide assistance to State and local forensic laboratories in analyzing DNA samples from convicted offenders, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

OCTOBER 14, 1999

Mr. WEINER (for himself, Mr. FORBES, Ms. SLAUGHTER, Mr. WALSH, Mr. SWEENEY, Mrs. MCCARTHY of New York, Mrs. LOWEY, and Mr. NADLER) introduced the following bill; which was referred to the Committee on the Judiciary

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## A BILL

To provide assistance to State and local forensic laboratories in analyzing DNA samples from convicted offenders, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “DNA Backlog Elimina-  
5 tion Act”.

6 **SEC. 2. ELIMINATION OF CONVICTED OFFENDER DNA**  
7 **BACKLOG.**

8 (a) DEVELOPMENT OF PLAN.—

1           (1) IN GENERAL.—Not later than 45 days after  
2           the date of the enactment of this Act, the Director  
3           of the Federal Bureau of Investigation, in coordina-  
4           tion with the Assistant Attorney General of the Of-  
5           fice of Justice Programs of the Department of Jus-  
6           tice, and after consultation with representatives of  
7           State and local forensic laboratories, shall develop a  
8           voluntary plan to assist State and local forensic lab-  
9           oratories in performing DNA analyses of DNA sam-  
10          ples collected from convicted offenders and in ana-  
11          lyzing all casework evidence for unsolved crimes.

12          (2) OBJECTIVE.—The objective of the plan de-  
13          veloped under paragraph (1) shall be to effectively  
14          eliminate the backlog of convicted offender DNA  
15          samples awaiting analysis in State or local forensic  
16          laboratory storage, including samples that need to be  
17          reanalyzed using upgraded methods, and to analyze  
18          all casework evidence for unsolved crimes in an effi-  
19          cient, expeditious manner that will provide for their  
20          entry into the Combined DNA Indexing System  
21          (CODIS).

22          (b) PLAN CONDITIONS.—The plan developed under  
23          subsection (a) shall—

24                 (1) require that each laboratory performing  
25                 DNA analyses satisfy quality assurance standards

1 and utilize state-of-the-art testing methods, as set  
2 forth by the Director of the Federal Bureau of In-  
3 vestigation, in coordination with the Assistant Attor-  
4 ney General of the Office of Justice Programs of the  
5 Department of Justice; and

6 (2) require that each DNA sample collected and  
7 analyzed be accessible only—

8 (A) to criminal justice agencies for law en-  
9 forcement identification purposes;

10 (B) in judicial proceedings, if otherwise ad-  
11 missible pursuant to applicable statutes or  
12 rules;

13 (C) for criminal defense purposes, to a de-  
14 fendant, who shall have access to samples and  
15 analyses performed in connection with the case  
16 in which such defendant is charged; or

17 (D) if personally identifiable information is  
18 removed, for a population statistics database,  
19 for identification research and protocol develop-  
20 ment purposes, or for quality control purposes.

21 (c) IMPLEMENTATION OF PLAN.—

22 (1) IN GENERAL.—Subject to the availability of  
23 appropriations under subsection (d), the Director of  
24 the Federal Bureau of Investigation, in coordination  
25 with the Assistant Attorney General of the Office of

1 Justice Programs of the Department of Justice,  
2 shall implement the plan developed pursuant to sub-  
3 section (a) with State and local forensic laboratories  
4 that elect to participate.

5 (2) CONSIDERATION OF EACH BACKLOG.—In  
6 determining the extent of assistance to be provided  
7 to State and local forensic laboratories under this  
8 section, the Director of the Federal Bureau of Inves-  
9 tigation, in coordination with the Assistant Attorney  
10 General of the Office of Justice Programs of the De-  
11 partment of Justice, shall consider the quantity of  
12 each State and local forensic laboratory's backlog of  
13 convicted offender DNA samples awaiting analysis,  
14 including samples that need to be reanalyzed using  
15 upgraded methods, and the quantity of casework evi-  
16 dence for unsolved crimes.

17 (d) AUTHORIZATION OF APPROPRIATIONS.—There  
18 are authorized to be appropriated to the Department of  
19 Justice to carry out this section \$30,000,000 for each of  
20 fiscal years 2001 and 2002.

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