

Calendar No. 241113TH CONGRESS
1ST SESSION**S. 822**

To protect crime victims' rights, to eliminate the substantial backlog of DNA samples collected from crime scenes and convicted offenders, to improve and expand the DNA testing capacity of Federal, State, and local crime laboratories, to increase research and development of new DNA testing technologies, to develop new training programs regarding the collection and use of DNA evidence, to provide post conviction testing of DNA evidence to exonerate the innocent, to improve the performance of counsel in State capital cases, and for other purposes.

IN THE SENATE OF THE UNITED STATES

APRIL 25, 2013

Mr. LEAHY (for himself, Mr. CORNYN, Mr. COONS, Mr. UDALL of New Mexico, Mr. MCCONNELL, Ms. KLOBUCHAR, Mr. FRANKEN, Mr. PORTMAN, Mrs. FEINSTEIN, Mr. HATCH, Mr. SCHUMER, and Ms. LANDRIEU) introduced the following bill; which was read twice and referred to the Committee on the Judiciary

NOVEMBER 7, 2013

Reported by Mr. LEAHY, with amendments

[Omit the part struck through and insert the part printed in *italie*]

A BILL

To protect crime victims' rights, to eliminate the substantial backlog of DNA samples collected from crime scenes and convicted offenders, to improve and expand the DNA testing capacity of Federal, State, and local crime laboratories, to increase research and development of new DNA

testing technologies, to develop new training programs regarding the collection and use of DNA evidence, to provide post conviction testing of DNA evidence to exonerate the innocent, to improve the performance of counsel in State capital cases, 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 “Justice for All Reau-
 5 thorization Act of 2013”.

6 **SEC. 2. CRIME VICTIMS’ RIGHTS.**

7 (a) IN GENERAL.—Section 3771 of title 18, United
 8 States Code, is amended—

9 (1) in subsection (a), by adding at the end the
 10 following:

11 “(9) *The right to be informed in a timely man-*
 12 *ner of any plea bargain or deferred prosecution agree-*
 13 *ment.*”

14 “~~(9)~~ (10) The right to be informed of the rights
 15 under this section and the services described in sec-
 16 tion 503(c) of the Victims’ Rights and Restitution
 17 Act of 1990 (42 U.S.C. 10607(c)) and provided con-
 18 tact information for the Office of the Victims’
 19 Rights Ombudsman of the Department of Justice.”;

20 (2) in subsection (d)(3), in the fifth sentence,
 21 by inserting “, unless the litigants, with the approval

1 of the court, have stipulated to a different time pe-
 2 riod for consideration” before the period; and

3 (3) in subsection (e)—

4 (A) by striking “this chapter, the term”
 5 and inserting the following: “this chapter:

6 “(1) COURT OF APPEALS.—The term ‘court of
 7 appeals’ means—

8 “(A) the United States court of appeals for
 9 the judicial district in which a defendant is
 10 being prosecuted; or

11 “(B) for a prosecution in the Superior
 12 Court of the District of Columbia, the District
 13 of Columbia Court of Appeals.

14 “(2) CRIME VICTIM.—

15 “(A) IN GENERAL.—The term”;

16 (B) by striking “In the case” and inserting
 17 the following:

18 “(B) MINORS AND CERTAIN OTHER VIC-
 19 TIMS.—In the case”; and

20 (C) by adding at the end the following:

21 “(3) DISTRICT COURT; COURT.—The terms
 22 ‘district court’ and ‘court’ include the Superior
 23 Court of the District of Columbia.”.

1 (b) ~~CRIME VICTIMS FUND.—Section 1402(d)(3) of~~
2 ~~the Victims of Crime Act of 1984 (42 U.S.C. 10601(d)(3)~~
3 ~~is amended—~~

4 ~~(1) by inserting “(A)” before “Of the sums”;~~
5 and

6 ~~(2) by adding at the end the following:~~

7 ~~“(B) Amounts made available under subpara-~~
8 ~~graph (A) may not be used for any purpose that is~~
9 ~~not specified in subparagraph (A).”.~~

10 (b) *CRIME VICTIMS FUND.—Section 1402(d)(3) of the*
11 *Victims of Crime Act of 1984 (42 U.S.C. 10601(d)(3)) is*
12 *amended—*

13 *(1) by inserting “(A)” before “Of the sums”; and*

14 *(2) by striking “available for the United States*
15 *Attorneys Offices” and all that follows and inserting*
16 *the following: “available only for—*

17 *“(i) the United States Attorneys Of-*
18 *fices and the Federal Bureau of Investiga-*
19 *tion to provide and improve services for the*
20 *benefit of crime victims in the Federal*
21 *criminal justice system (as described in*
22 *3771 of title 18, United States Code, and*
23 *section 503 of the Victims’ Rights and Res-*
24 *titution Act of 1990 (42 U.S.C. 10607))*
25 *through victim coordinators, victims’ spe-*

1 *cialists, and advocates, including for the ad-*
2 *ministrative support of victim coordinators*
3 *and advocates providing such services; and*
4 *“(ii) a Victim Notification System.*

5 *“(B) Amounts made available under sub-*
6 *paragraph (A) may not be used for any purpose*
7 *that is not specified in clause (i) or (ii) of sub-*
8 *paragraph (A).”.*

9 *(c) APPELLATE REVIEW OF PETITIONS RELATING TO*
10 *CRIME VICTIMS’ RIGHTS.—*

11 *(1) IN GENERAL.—Section 3771(d)(3) of title 18,*
12 *United States Code, as amended by subsection (a)(2)*
13 *of this section, is amended by inserting after the fifth*
14 *sentence the following: “In deciding such application,*
15 *the court of appeals shall apply ordinary standards*
16 *of appellate review.”.*

17 *(2) APPLICATION.—The amendment made by*
18 *paragraph (1) shall apply with respect to any peti-*
19 *tion for a writ of mandamus filed under section*
20 *3771(d)(3) of title 18, United States Code, that is*
21 *pending on the date of enactment of this Act.*

1 **SEC. 3. AUTHORIZATION OF APPROPRIATIONS FOR GRANTS**
2 **FOR CRIME VICTIMS.**

3 (a) CRIME VICTIMS LEGAL ASSISTANCE GRANTS.—
4 Section 103(b) of the Justice for All Act of 2004 (Public
5 Law 108–405; 118 Stat. 2264) is amended—

6 (1) in paragraph (1), by striking “\$2,000,000”
7 and all that follows through “2009” and inserting
8 “\$5,000,000 for each of fiscal years 2014, 2015,
9 2016, 2017, and 2018”;

10 (2) in paragraph (2), by striking “\$2,000,000”
11 and all that follows through “2009,” and inserting
12 “\$5,000,000 for each of fiscal years 2014, 2015,
13 2016, 2017, and 2018”;

14 (3) in paragraph (3), by striking “\$300,000”
15 and all that follows through “2009,” and inserting
16 “\$500,000 for each of fiscal years 2014, 2015,
17 2016, 2017, and 2018”;

18 (4) in paragraph (4), by striking “\$7,000,000”
19 and all that follows through “2009,” and inserting
20 “\$11,000,000 for each of fiscal years 2014, 2015,
21 2016, 2017, and 2018”; and

22 (5) in paragraph (5), by striking “\$5,000,000”
23 and all that follows through “2009,” and inserting
24 “\$7,000,000 for each of fiscal years 2014, 2015,
25 2016, 2017, and 2018”.

1 (b) CRIME VICTIMS NOTIFICATION GRANTS.—Sec-
2 tion 1404E(c) of the Victims of Crime Act of 1984 (42
3 U.S.C. 10603e(c)) is amended by striking “this
4 section—” and all that follows and inserting “this section
5 \$5,000,000 for each of fiscal years 2014, 2015, 2016,
6 2017, and 2018.”.

7 **SEC. 4. DEBBIE SMITH DNA BACKLOG GRANT PROGRAM.**

8 Section 2(j) of the DNA Analysis Backlog Elimini-
9 nation Act of 2000 (42 U.S.C. 14135(j)) is amended by
10 striking “fiscal years 2009 through 2014” and inserting
11 “fiscal years 2014 through 2018”.

12 **SEC. 5. RAPE EXAM PAYMENTS.**

13 Section 2010(d)(2) of title I of the Omnibus Crime
14 Control and Safe Streets Act of 1968 (42 U.S.C. 3796gg-
15 4(d)(2)) is amended by striking “enactment of this Act”
16 and inserting “enactment of the Violence Against Women
17 Reauthorization Act of 2013”.

18 **SEC. 6. ADDITIONAL REAUTHORIZATIONS.**

19 (a) DNA TRAINING AND EDUCATION FOR LAW EN-
20 FORCEMENT.—Section 303(b) of the Justice for All Act
21 of 2004 (42 U.S.C. 14136(b)) is amended by striking
22 “\$12,500,000 for each of fiscal years 2009 through 2014”
23 and inserting “\$5,000,000 for each of fiscal years 2014
24 through 2018”.

1 (b) SEXUAL ASSAULT FORENSIC EXAM PROGRAM
2 GRANTS.—Section 304(c) of the Justice for All Act of
3 2004 (42 U.S.C. 14136a(c)) is amended by striking
4 “\$30,000,000 for each of 2014 through 2018” and insert-
5 ing “\$15,000,000 for each of fiscal years 2014 through
6 2018”.

7 (c) DNA RESEARCH AND DEVELOPMENT.—Section
8 305(c) of the Justice for All Act of 2004 (42 U.S.C.
9 14136b(c)) is amended by striking “\$15,000,000 for each
10 of fiscal years 2005 through 2009” and inserting
11 “\$5,000,000 for each of fiscal years 2014 through 2018”.

12 (d) FBI DNA PROGRAMS.—Section 307(a) of the
13 Justice for All Act of 2004 (Public Law 108–405; 118
14 Stat. 2275) is amended by striking “\$42,100,000 for each
15 of fiscal years 2005 through 2009” and inserting
16 “\$10,000,000 for each of fiscal years 2014 through
17 2018”.

18 (e) DNA IDENTIFICATION OF MISSING PERSONS.—
19 Section 308(c) of the Justice for All Act of 2004 (42
20 U.S.C. 14136d(c)) is amended by striking “fiscal years
21 2005 through 2009” and inserting “fiscal years 2014
22 through 2018”.

1 **SEC. 7. PAUL COVERDELL FORENSIC SCIENCES IMPROVE-**
2 **MENT GRANTS.**

3 Section 1001(a)(24) of title I of the Omnibus Crime
4 Control and Safe Streets Act of 1968 (42 U.S.C.
5 3793(a)(24)) is amended—

6 (1) in subparagraph (H), by striking “and” at
7 the end;

8 (2) in subparagraph (I), by striking the period
9 at the end and inserting “; and”; and

10 (3) by adding at the end the following:

11 “(J) \$25,000,000 for each of fiscal years
12 2014 through 2018.”.

13 **SEC. 8. IMPROVING THE QUALITY OF REPRESENTATION IN**
14 **STATE CAPITAL CASES.**

15 Section 426 of the Justice for All Act of 2004 (42
16 U.S.C. 14163e) is amended—

17 (1) in subsection (a), by striking “\$75,000,000
18 for each of fiscal years 2005 through 2009” and in-
19 serting “\$30,000,000 for each of fiscal years 2014
20 through 2018”; and

21 (2) in subsection (b), by inserting before the pe-
22 riod at the end the following: “, or upon a showing
23 of good cause, and at the discretion of the Attorney
24 General, the State may determine a fair allocation of
25 funds across the uses described in sections 421 and
26 422”.

1 **SEC. 9. POST-CONVICTION DNA TESTING.**

2 (a) IN GENERAL.—Section 3600 of title 18, United
3 States Code, is amended—

4 (1) in subsection (a)—

5 (A) in paragraph (1)(B)(i), by striking
6 “death”; and

7 (B) in paragraph (3)(A), by striking “and
8 the applicant did not—” and all that follows
9 through “knowingly fail to request” and insert-
10 ing “and the applicant did not knowingly fail to
11 request”; and

12 (2) in subsection (g)(2)(B), by striking
13 “death”.

14 (b) PRESERVATION OF BIOLOGICAL EVIDENCE.—
15 Section 3600A(c) of title 18, United States Code, is
16 amended—

17 (1) by striking paragraph (2); and

18 (2) by redesignating paragraphs (3), (4), and
19 (5) as paragraphs (2), (3), and (4), respectively.

20 **SEC. 10. INCENTIVE GRANTS TO STATES TO ENSURE CON-**
21 **SIDERATION OF CLAIMS OF ACTUAL INNO-**
22 **CENCE.**

23 (a) IN GENERAL.—Section 413 of the Justice for All
24 Act of 2004 (42 U.S.C. 14136 note) is amended—

1 (1) in the matter preceding paragraph (1), by
2 striking “fiscal years 2005 through 2009” and in-
3 sserting “fiscal years 2014 through 2018”; and

4 (2) by striking paragraph (2) and inserting the
5 following:

6 “(2) for eligible entities that are a State or unit
7 of local government, provide a certification by the
8 chief legal officer of the State in which the eligible
9 entity operates or the chief legal officer of the juris-
10 diction in which the funds will be used for the pur-
11 poses of the grants, that the State or jurisdiction—

12 “(A) provides DNA testing of specified evi-
13 dence under a State statute or a State or local
14 rule or regulation to persons convicted after
15 trial and under a sentence of imprisonment or
16 death for a State felony offense, in a manner
17 intended to ensure a reasonable process for re-
18 solving claims of actual innocence that ensures
19 post-conviction DNA testing in at least those
20 cases that would be covered by section 3600(a)
21 of title 18, United States Code, had they been
22 Federal cases, and, if the results of the testing
23 exclude the applicant as the perpetrator of the
24 offense, permits the applicant to apply for post-
25 conviction relief, notwithstanding any provision

1 of law that would otherwise bar the application
2 as untimely; and

3 “(B) preserves biological evidence, as de-
4 fined in section 3600A of title 18, United
5 States Code, under a State statute or a State
6 or local rule, regulation, or practice in a man-
7 ner intended to ensure that reasonable meas-
8 ures are taken by the State or jurisdiction to
9 preserve biological evidence secured in relation
10 to the investigation or prosecution of, at a min-
11 imum, murder, non-negligent manslaughter and
12 sexual offenses.”.

13 (b) AUTHORIZATION OF APPROPRIATIONS.—Section
14 412(b) of the Justice for All Act of 2004 (42 U.S.C.
15 14136e(b)) is amended by striking “\$5,000,000 for each
16 of fiscal years 2005 through 2009” and inserting
17 “\$10,000,000 for each of fiscal years 2014 through
18 2018”.

19 **SEC. 11. ESTABLISHMENT OF BEST PRACTICES FOR EVI-**
20 **DENCE RETENTION.**

21 (a) IN GENERAL.—Subtitle A of title IV of the Jus-
22 tice for All Act of 2004 (Public Law 108–405; 118 Stat.
23 2278) is amended by adding at the end the following:

1 **“SEC. 414. ESTABLISHMENT OF BEST PRACTICES FOR EVI-**
 2 **DENCE RETENTION.**

3 “(a) IN GENERAL.—The Director of the National In-
 4 stitute of Justice, in consultation with Federal, State, and
 5 local law enforcement agencies and government labora-
 6 tories, shall—

7 “(1) establish best practices for evidence reten-
 8 tion to focus on the preservation of biological evi-
 9 dence; and

10 “(2) assist State, local, and tribal governments
 11 in adopting and implementing the best practices es-
 12 tablished under paragraph (1).

13 “(b) DEADLINE.—Not later than 1 year after the
 14 date of enactment of this section, the Director of the Na-
 15 tional Institute of Justice shall publish the best practices
 16 established under subsection (a)(1).

17 “(c) LIMITATION.—Nothing in this section shall be
 18 construed to require or obligate compliance with the best
 19 practices established under subsection (a)(1).”.

20 (b) TECHNICAL AND CONFORMING AMENDMENT.—
 21 The table of contents in section 1(b) of the Justice for
 22 All Act of 2004 (Public Law 108–405; 118 Stat. 2260)
 23 is amended by inserting after the item relating to section
 24 413 the following:

“Sec. 414. Establishment of best practices for evidence retention.”.

1 **SEC. 12. EFFECTIVE ADMINISTRATION OF CRIMINAL JUS-**
2 **TICE.**

3 (a) **SHORT TITLE.**—This section may be cited as the
4 “Effective Administration of Criminal Justice Act of
5 2013”.

6 (b) **STRATEGIC PLANNING.**—Section 502 of title I of
7 the Omnibus Crime Control and Safe Streets Act of 1968
8 (42 U.S.C. 3752) is amended—

9 (1) by inserting “(a) **IN GENERAL.**—” before
10 “To request a grant”; and

11 (2) by adding at the end the following:

12 “(6) A comprehensive State-wide plan detailing
13 how grants received under this section will be used
14 to improve the administration of the criminal justice
15 system, which shall—

16 “(A) be designed in consultation with local
17 governments, and all segments of the criminal
18 justice system, including judges, prosecutors,
19 law enforcement personnel, corrections per-
20 sonnel, and providers of indigent defense serv-
21 ices, victim services, juvenile justice delinquency
22 prevention programs, community corrections,
23 and reentry services;

24 “(B) include a description of how the State
25 will allocate funding within and among each of

1 the uses described in subparagraphs (A)
2 through (G) of section 501(a)(1);

3 “(C) describe the process used by the State
4 for gathering evidence-based data and devel-
5 oping and using evidence-based and evidence-
6 gathering approaches in support of funding de-
7 cisions; and

8 “(D) be updated every 5 years, with an-
9 nual progress reports that—

10 “(i) address changing circumstances
11 in the State, if any;

12 “(ii) describe how the State plans to
13 adjust funding within and among each of
14 the uses described in subparagraphs (A)
15 through (G) of section 501(a)(1);

16 “(iii) provide an ongoing assessment
17 of need;

18 “(iv) discuss the accomplishment of
19 goals identified in any plan previously pre-
20 pared under this paragraph; and

21 “(v) reflect how the plan influenced
22 funding decisions in the previous year.

23 “(b) TECHNICAL ASSISTANCE.—

24 “(1) STRATEGIC PLANNING.—Not later than 90
25 days after the date of enactment of this subsection,

1 the Attorney General shall begin to provide technical
2 assistance to States and local governments request-
3 ing support to develop and implement the strategic
4 plan required under subsection (a)(6).

5 “(2) PROTECTION OF CONSTITUTIONAL
6 RIGHTS.—Not later than 90 days after the date of
7 enactment of this subsection, the Attorney General
8 shall begin to provide technical assistance to States
9 and local governments, including any agent thereof
10 with responsibility for administration of justice, re-
11 questing support to meet the obligations established
12 by the Sixth Amendment to the Constitution of the
13 United States, which shall include—

14 “(A) public dissemination of practices,
15 structures, or models for the administration of
16 justice consistent with the requirements of the
17 Sixth Amendment; and

18 “(B) assistance with adopting and imple-
19 menting a system for the administration of jus-
20 tice consistent with the requirements of the
21 Sixth Amendment.

22 “(3) AUTHORIZATION OF APPROPRIATIONS.—
23 There is authorized to be appropriated \$5,000,000
24 for each of fiscal years 2014 through 2018 to carry
25 out this subsection.”.

1 (c) APPLICABILITY.—The requirement to submit a
2 strategic plan under section 501(a)(6) of title I of the Om-
3 nibus Crime Control and Safe Streets Act of 1968, as
4 added by subsection (b), shall apply to any application
5 submitted under such section 501 for a grant for any fis-
6 cal year beginning after the date that is 1 year after the
7 date of enactment of this Act.

8 **SEC. 13. OVERSIGHT AND ACCOUNTABILITY.**

9 All grants awarded by the Department of Justice that
10 are authorized under this Act shall be subject to the fol-
11 lowing:

12 (1) AUDIT REQUIREMENT.—Beginning in fiscal
13 year 2014, and each fiscal year thereafter, the In-
14 spector General of the Department of Justice shall
15 conduct audits of recipients of grants under this Act
16 to prevent waste, fraud, and abuse of funds by
17 grantees. The Inspector General shall determine the
18 appropriate number of grantees to be audited each
19 year.

20 (2) MANDATORY EXCLUSION.—A recipient of
21 grant funds under this Act that is found to have an
22 unresolved audit finding shall not be eligible to re-
23 ceive grant funds under this Act during the 2 fiscal
24 years beginning after the 12-month period described
25 in paragraph (5).

1 (3) PRIORITY.—In awarding grants under this
2 Act, the Attorney General shall give priority to eligi-
3 ble entities that, during the 3 fiscal years before
4 submitting an application for a grant under this Act,
5 did not have an unresolved audit finding showing a
6 violation in the terms or conditions of a Department
7 of Justice grant program.

8 (4) REIMBURSEMENT.—If an entity is awarded
9 grant funds under this Act during the 2-fiscal-year
10 period in which the entity is barred from receiving
11 grants under paragraph (2), the Attorney General
12 shall—

13 (A) deposit an amount equal to the grant
14 funds that were improperly awarded to the
15 grantee into the General Fund of the Treasury;
16 and

17 (B) seek to recoup the costs of the repay-
18 ment to the fund from the grant recipient that
19 was erroneously awarded grant funds.

20 (5) DEFINED TERM.—In this section, the term
21 “unresolved audit finding” means an audit report
22 finding in the final audit report of the Inspector
23 General of the Department of Justice that the
24 grantee has utilized grant funds for an unauthorized
25 expenditure or otherwise unallowable cost that is not

1 closed or resolved within a 12-month period begin-
2 ning on the date when the final audit report is
3 issued.

4 (6) NONPROFIT ORGANIZATION REQUIRE-
5 MENTS.—

6 (A) DEFINITION.—For purposes of this
7 section and the grant programs described in
8 this Act, the term “‘nonprofit organization’”
9 means an organization that is described in sec-
10 tion 501(c)(3) of the Internal Revenue Code of
11 1986 and is exempt from taxation under section
12 501(a) of such Code.

13 (B) PROHIBITION.—The Attorney General
14 shall not award a grant under any grant pro-
15 gram described in this Act to a nonprofit orga-
16 nization that holds money in offshore accounts
17 for the purpose of avoiding paying the tax de-
18 scribed in section 511(a) of the Internal Rev-
19 enue Code of 1986.

20 (C) DISCLOSURE.—Each nonprofit organi-
21 zation that is awarded a grant under a grant
22 program described in this Act and uses the pro-
23 cedures prescribed in regulations to create a re-
24 buttable presumption of reasonableness for the
25 compensation of its officers, directors, trustees

1 and key employees, shall disclose to the Attor-
2 ney General, in the application for the grant,
3 the process for determining such compensation,
4 including the independent persons involved in
5 reviewing and approving such compensation, the
6 comparability data used, and contemporaneous
7 substantiation of the deliberation and decision.
8 Upon request, the Attorney General shall make
9 the information disclosed under this subsection
10 available for public inspection.

11 (7) ADMINISTRATIVE EXPENSES.—Unless oth-
12 erwise explicitly provided in authorizing legislation,
13 not more than 7.5 percent of the amounts author-
14 ized to be appropriated under this Act may be used
15 by the Attorney General for salaries and administra-
16 tive expenses of the Department of Justice.

17 (8) CONFERENCE EXPENDITURES.—

18 (A) LIMITATION.—No amounts authorized
19 to be appropriated to the Department of Justice
20 under this Act may be used by the Attorney
21 General or by any individual or organization
22 awarded discretionary funds through a coopera-
23 tive agreement under this Act, to host or sup-
24 port any expenditure for conferences that uses
25 more than \$20,000 in Department funds, un-

1 less the Deputy Attorney General or the appro-
2 priate Assistant Attorney General, Director, or
3 principal deputy as the Deputy Attorney Gen-
4 eral may designate, provides prior written au-
5 thorization that the funds may be expended to
6 host a conference.

7 (B) WRITTEN APPROVAL.—Written ap-
8 proval under subparagraph (A) shall include a
9 written estimate of all costs associated with the
10 conference, including the cost of all food and
11 beverages, audio/visual equipment, honoraria
12 for speakers, and any entertainment.

13 (C) REPORT.—The Deputy Attorney Gen-
14 eral shall submit an annual report to the Com-
15 mittee on the Judiciary of the Senate and the
16 Committee on the Judiciary of the House of
17 Representatives on all conference expenditures
18 approved by operation of this paragraph.

19 (9) PROHIBITION ON LOBBYING ACTIVITY.—

20 (A) IN GENERAL.—Amounts authorized to
21 be appropriated under this Act may not be uti-
22 lized by any grant recipient to—

23 (i) lobby any representative of the De-
24 partment of Justice regarding the award of
25 grant funding; or

1 (ii) lobby any representative of a Fed-
2 eral, state, local, or tribal government re-
3 garding the award of grant funding.

4 (B) PENALTY.—If the Attorney General
5 determines that any recipient of a grant under
6 this Act has violated subparagraph (A), the At-
7 torney General shall—

8 (i) require the grant recipient to repay
9 the grant in full; and

10 (ii) prohibit the grant recipient from
11 receiving another grant under this Act for
12 not less than 5 years.

Calendar No. 241

113TH CONGRESS
1ST Session
S. 822

A BILL

To protect crime victims' rights, to eliminate the substantial backlog of DNA samples collected from crime scenes and convicted offenders, to improve and expand the DNA testing capacity of Federal, State, and local crime laboratories, to increase research and development of new DNA testing technologies, to develop new training programs regarding the collection and use of DNA evidence, to provide post conviction testing of DNA evidence to exonerate the innocent, to improve the performance of counsel in State capital cases, and for other purposes.

NOVEMBER 7, 2013

Reported with amendments