

Calendar No. 462

114TH CONGRESS
2^D SESSION

S. 2348

To implement the use of Rapid DNA instruments to inform decisions about pretrial release or detention and their conditions, to solve and prevent violent crimes and other crimes, to exonerate the innocent, to prevent DNA analysis backlogs, and for other purposes.

IN THE SENATE OF THE UNITED STATES

DECEMBER 3, 2015

Mr. HATCH (for himself, Mrs. FEINSTEIN, Mr. LEE, Mrs. GILLIBRAND, Mr. CARDIN, Mr. ROUNDS, Mr. PERDUE, Mr. WHITEHOUSE, Ms. KLOBUCHAR, Mr. SESSIONS, Mr. CORNYN, Mr. COONS, and Mr. FLAKE) introduced the following bill; which was read twice and referred to the Committee on the Judiciary

MAY 12, 2016

Reported by Mr. GRASSLEY, with amendments

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

A BILL

To implement the use of Rapid DNA instruments to inform decisions about pretrial release or detention and their conditions, to solve and prevent violent crimes and other crimes, to exonerate the innocent, to prevent DNA analysis backlogs, 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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Rapid DNA Act of
3 ~~2015~~ 2016”.

4 **SEC. 2. RAPID DNA INSTRUMENTS.**

5 (a) STANDARDS.—Section 210303(a) of the DNA
6 Identification Act of 1994 (42 U.S.C. 14131(a)) is amend-
7 ed by adding at the end the following:

8 “(5)(A) In addition to issuing standards as pro-
9 vided in paragraphs (1) through (4), the Director of
10 the Federal Bureau of Investigation shall issue
11 standards and procedures for the use of Rapid DNA
12 instruments and resulting DNA analyses.

13 “(B) In this ~~paragraph~~ *Act*, the term ‘Rapid
14 DNA instruments’ means instrumentation that car-
15 ries out a fully automated process to derive a DNA
16 ~~profile analysis~~ *analysis* from a DNA sample.”.

17 (b) INDEX.—Paragraph (2) of section 210304(b) of
18 the DNA Identification Act of 1994 (42 U.S.C.
19 14132(b)(2)) is amended to read as follows:

20 “(2) prepared by—

21 “(A) laboratories that—

22 “(i) have been accredited by a non-
23 profit professional association of persons
24 actively involved in forensic science that is
25 nationally recognized within the forensic
26 science community; and

1 “(ii) undergo external audits, not less
2 than once every 2 years, that demonstrate
3 compliance with standards established by
4 the Director of the Federal Bureau of In-
5 vestigation; or

6 “(B) criminal justice agencies using Rapid
7 DNA instruments approved by the Director of
8 the Federal Bureau of Investigation in compli-
9 ance with the standards and procedures issued
10 by the Director under section 210303(a)(5);
11 and”.

12 **SEC. 3. CONFORMING AMENDMENTS RELATING TO COL-**
13 **LECTION OF DNA IDENTIFICATION INFORMA-**
14 **TION.**

15 (a) FROM CERTAIN FEDERAL OFFENDERS.—Section
16 3 of the DNA Analysis Backlog Elimination Act of 2000
17 (42 U.S.C. 14135a) is amended—

18 (1) in subsection (b), by adding at the end the
19 following: “The Director of the Federal Bureau of
20 Investigation may waive the requirements under this
21 subsection if DNA samples are analyzed by means
22 of Rapid DNA instruments and the results are in-
23 cluded in CODIS.”; and

24 (2) in subsection (c), by adding at the end the
25 following:

1 “(3) The term ‘Rapid DNA instruments’ means
2 instrumentation that carries out a fully automated
3 process to derive a DNA ~~profile~~ *analysis* from a
4 DNA sample.”.

5 (b) FROM CERTAIN DISTRICT OF COLUMBIA OF-
6 FENDERS.—Section 4 of the DNA Analysis Backlog
7 Elimination Act of 2000 (42 U.S.C. 14135b) is amend-
8 ed—

9 (1) in subsection (b), by adding at the end the
10 following: “The Director of the Federal Bureau of
11 Investigation may waive the requirements under this
12 subsection if DNA samples are analyzed by means
13 of Rapid DNA instruments and the results are in-
14 cluded in CODIS.”; and

15 (2) in subsection (c), by adding at the end the
16 following:

17 “(3) The term ‘Rapid DNA instruments’ means
18 instrumentation that carries out a fully automated
19 process to derive a DNA ~~profile~~ *analysis* from a
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