

115TH CONGRESS  
1ST SESSION

# H. R. 3541

To reauthorize the SAFER Act of 2013, and for other purposes.

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IN THE HOUSE OF REPRESENTATIVES

JULY 28, 2017

Mr. POE of Texas introduced the following bill; which was referred to the  
Committee on the Judiciary

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## A BILL

To reauthorize the SAFER Act of 2013, 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 “Sexual Assault Foren-  
5 sic Evidence Reporting Act of 2017” or the “SAFER Act  
6 of 2017”.

7 **SEC. 2. BEST PRACTICES FOR RAPE KIT RETENTION OF**  
8 **SEXUAL ASSAULT FORENSIC EVIDENCE FOR**  
9 **UNSOLVED CRIMES.**

10 (a) IN GENERAL.—Section 414 of the Justice for All  
11 Act of 2004 (42 U.S.C. 14136f) is amended—

1 (1) in subsection (a)—

2 (A) in the matter preceding paragraph

3 (1)—

4 (i) by inserting “and the Director of  
5 the Bureau of Justice Assistance” after  
6 “Justice”; and

7 (ii) by striking “and government” and  
8 inserting “, government”; and

9 (iii) by inserting “and other national  
10 and State subject matter experts,” before  
11 “shall”; and

12 (B) in paragraph (1)—

13 (i) by inserting “and encourage com-  
14 pliance with” after “establish”; and

15 (ii) by inserting “connected to cases  
16 in which no person is currently convicted,  
17 including best practices for the preserva-  
18 tion of sexual assault evidence collection  
19 kits or their probative contents for un-  
20 solved cases” before the semicolon at the  
21 end;

22 (2) by striking subsection (b) and inserting the  
23 following:

1 “(b) DEADLINES.—The Director of the National In-  
2 stitute of Justice and the Director of the Bureau of Jus-  
3 tice Assistance shall—

4 “(1) not later than December 31, 2018, publish  
5 the best practices established under subsection  
6 (a)(1); and

7 “(2) not later than 5 years after the date on  
8 which the best practices are established under sub-  
9 section (a)(1), and once every 5 years thereafter,  
10 conduct a review of the best practices, and update  
11 the best practices as necessary.”; and

12 (3) in subsection (c), by inserting “, except as  
13 otherwise required under section 3772 of title 18,  
14 United States Code” before the period at the end.

15 (b) SEXUAL ASSAULT SURVIVORS’ RIGHTS.—Section  
16 3772(a)(2)(A) of title 18, United States Code, is amended  
17 by striking “subject to paragraph (3).”.

18 **SEC. 3. PEDIATRIC SEXUAL ASSAULT NURSE EXAMINERS.**

19 Section 304(c)(2) of the DNA Sexual Assault Justice  
20 Act of 2004 (42 U.S.C. 14136a) is amended—

21 (1) by inserting “, both adult and pediatric,”  
22 after “role of forensic nurses”; and

23 (2) by striking “and elder abuse” and inserting  
24 “elder abuse, and, in particular, the need for pedi-  
25 atric sexual assault nurse examiners, including such

1 nurse examiners working in the multidisciplinary  
2 setting, in responding to abuse of both children and  
3 adolescents”.

4 **SEC. 4. PROSECUTION OF DNA COLD CASES.**

5 (a) DEBBIE SMITH DNA BACKLOG GRANT PRO-  
6 GRAM.—Section 2 of the DNA Analysis Backlog Elimini-  
7 nation Act of 2000 (42 U.S.C. 14135) is amended—

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

10 “(9) To increase the capacity of State and local  
11 prosecution offices to address the backlog of violent  
12 crime cases in which suspects have been identified  
13 through DNA evidence.”; and

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

16 “(5) ALLOCATION OF GRANT AWARDS FOR  
17 PROSECUTORS.—For each fiscal year, not less than  
18 5 percent, but not more than 7 percent, of the grant  
19 amounts distributed under paragraph (1) shall, if  
20 sufficient applications to justify such amounts are  
21 received by the Attorney General, be awarded for  
22 purposes described in subsection (a)(9), provided  
23 that none of the funds required to be distributed  
24 under this paragraph shall decrease or otherwise  
25 limit the availability of funds required to be awarded

1 to States or units of local government under para-  
2 graph (3).”.

3 (b) **JUSTICE FOR ALL REAUTHORIZATION ACT OF**  
4 **2016.**—Section 3(a) of the Justice for All Reauthorization  
5 Act of 2016 (Public Law 114–324; 130 Stat. 1949) is  
6 amended—

7 (1) in paragraph (1), by striking “and” at the  
8 end;

9 (2) in paragraph (2), by striking the period at  
10 the end and inserting “; and”; and

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

12 “(3) not less than 5 percent, but not more than  
13 7 percent, of such amounts shall be provided for  
14 grants for prosecutors to increase the capacity of  
15 State and local prosecution offices to address the  
16 backlog of violent crime cases in which suspects have  
17 been identified through DNA evidence.”.

18 **SEC. 5. REDUCING THE RAPE KIT BACKLOG.**

19 (a) **REAUTHORIZATION.**—Section 2(c)(4) of the DNA  
20 Analysis Backlog Elimination Act of 2000 (42 U.S.C.  
21 14135(c)(4)) is amended by striking “2017” and inserting  
22 “2022”.

23 (b) **REPEAL OF SUNSET.**—

24 (1) **IN GENERAL.**—Section 1006 of the SAFER  
25 Act of 2013 (42 U.S.C. 14135 note) is repealed.

1           (2) TECHNICAL AND CONFORMING AMEND-  
2           MENT.—The table of contents for the Violence  
3           Against Women Reauthorization Act of 2013 (Public  
4           Law 113–4; 127 Stat. 54) is amended by striking  
5           the item relating to section 1006.

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