

## Calendar No. 74

115TH CONGRESS  
1ST SESSION

# S. 139

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.

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### IN THE SENATE OF THE UNITED STATES

JANUARY 12, 2017

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

MAY 11, 2017

Reported by Mr. GRASSLEY, without amendment

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## 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 2017”.

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 Act, the term ‘Rapid DNA instru-  
14 ments’ means instrumentation that carries out a  
15 fully automated process to derive a DNA analysis  
16 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 analysis from a DNA sam-  
4 ple.”.

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 analysis from a DNA sam-  
20 ple.”.



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