

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, and Ms. KLOBUCHAR) introduced the following bill; which was read twice and referred to the Committee on the Judiciary

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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,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Rapid DNA Act of  
5 2017”.

1 **SEC. 2. RAPID DNA INSTRUMENTS.**

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

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

10 “(B) In this Act, the term ‘Rapid DNA instru-  
11 ments’ means instrumentation that carries out a  
12 fully automated process to derive a DNA analysis  
13 from a DNA sample.”.

14 (b) INDEX.—Paragraph (2) of section 210304(b) of  
15 the DNA Identification Act of 1994 (42 U.S.C.  
16 14132(b)(2)) is amended to read as follows:

17 “(2) prepared by—

18 “(A) laboratories that—

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

24 “(ii) undergo external audits, not less  
25 than once every 2 years, that demonstrate  
26 compliance with standards established by

1 the Director of the Federal Bureau of In-  
2 vestigation; or

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

9 **SEC. 3. CONFORMING AMENDMENTS RELATING TO COL-**  
10 **LECTION OF DNA IDENTIFICATION INFORMA-**  
11 **TION.**

12 (a) FROM CERTAIN FEDERAL OFFENDERS.—Section  
13 3 of the DNA Analysis Backlog Elimination Act of 2000  
14 (42 U.S.C. 14135a) is amended—

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

21 (2) in subsection (c), by adding at the end the  
22 following:

23 “(3) The term ‘Rapid DNA instruments’ means  
24 instrumentation that carries out a fully automated

1 process to derive a DNA analysis from a DNA sam-  
2 ple.”.

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

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

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

15 “(3) The term ‘Rapid DNA instruments’ means  
16 instrumentation that carries out a fully automated  
17 process to derive a DNA analysis from a DNA sam-  
18 ple.”.

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