

114TH CONGRESS  
1ST SESSION

# H. R. 320

To establish a system for integration of Rapid DNA instruments for use by law enforcement to reduce violent crime and reduce the current DNA analysis backlog.

---

## IN THE HOUSE OF REPRESENTATIVES

JANUARY 13, 2015

Mr. SENSENBRENNER (for himself and Mr. SWALWELL of California) introduced the following bill; which was referred to the Committee on the Judiciary

---

## A BILL

To establish a system for integration of Rapid DNA instruments for use by law enforcement to reduce violent crime and reduce the current DNA analysis backlog.

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 2015”.

6 **SEC. 2. DEFINITIONS.**

7 The DNA Identification Act of 1994 (42 U.S.C.  
8 14132) is amended by inserting at the end the following:

1 **“SEC. \_\_\_\_ . DEFINITIONS.**

2           “(1) The term ‘reference DNA sample’ means  
3 a tissue, fluid, or other bodily sample of an indi-  
4 vidual on which a DNA analysis can be carried out.

5           “(2) The term ‘DNA analysis’ means analysis  
6 of the deoxyribonucleic acid (DNA) identification in-  
7 formation from a bodily sample.

8           “(3) The term ‘sample-to-answer DNA analysis  
9 systems’ means fully automated systems that after  
10 input of a DNA sample can perform all necessary  
11 sample preparation and analysis with no operator  
12 intervention.

13           “(4) The term ‘qualified agencies’ means book-  
14 ing stations, jails, prisons, detention centers, other  
15 law enforcement organizations, and facilities outside  
16 of forensic laboratories that can perform DNA anal-  
17 ysis using sample-to-answer DNA systems on sub-  
18 jects meeting current legislative guidelines.

19           “(5) The term ‘operators’ means persons  
20 trained to operate a sample-to-answer DNA sys-  
21 tem.”.

22 **SEC. 3. REVISED QUALITY ASSURANCE AND PROFICIENCY**  
23 **TESTING STANDARDS.**

24 Section 210303 of the DNA Identification Act of  
25 1994 (42 U.S.C. 14131) is amended—

1 (1) in subsection (a)(1)(B), by inserting after  
2 “Technology” the following: “, and members from  
3 Federal, State, and local law enforcement agencies.”;

4 (2) in subsection (a)(1)(C), by inserting after  
5 “DNA” the following: “and separate standards for  
6 testing the proficiency of qualified agencies, and op-  
7 erators, in conducting analyses of DNA samples  
8 using sample-to-answer DNA analysis systems.”;

9 (3) in subsection (a)(2), by inserting after  
10 “DNA” the following: “DNA and separate stand-  
11 ards for testing the proficiency of qualified agencies,  
12 and operators, in conducting analyses of DNA sam-  
13 ples using sample-to-answer DNA analysis sys-  
14 tems.”;

15 (4) in subsection (a)(3), by inserting after  
16 “used by forensic laboratories” the following: “and  
17 by qualified agencies conducting analyses of DNA  
18 samples using sample-to-answer DNA analysis sys-  
19 tems.”; and by inserting after “determine whether a  
20 laboratory” the following: “, or agency,”;

21 (5) in subsection (a)(4), by inserting after “for  
22 purposes of this section” the following: “, and for  
23 qualified agencies the quality assurance guidelines  
24 recommended by the scientific working group on  
25 DNA analysis methods.”;

1           (6) in subsection (c)(1)(A), by inserting after  
2           “forensic DNA analyses” the following: “; and quali-  
3           fied agencies conducting analyses of DNA samples  
4           using sample-to-answer DNA analysis systems.”;

5           (7) in subsection (c)(1)(B), by inserting after  
6           “forensic DNA analyses” the following: “; and for  
7           qualified agencies conducting analyses of DNA sam-  
8           ples using sample-to-answer DNA analysis sys-  
9           tems.”;

10          (8) in subsection (c)(1)(C), by inserting after  
11          “forensic DNA analyses” the following: “; and quali-  
12          fied agencies conducting analyses of DNA samples  
13          using sample-to-answer DNA analysis systems.”;  
14          and

15          (9) in subsection (c)(2), by inserting after “rou-  
16          tine evidence” the following: “; and for qualified  
17          agencies the term ‘blind external proficiency test’  
18          means a test that is presented to qualified agencies  
19          through a second agency and appears to the oper-  
20          ator to involve routine DNA samples for sample-to-  
21          answer DNA analysis systems.”.

22 **SEC. 4. QUALIFYING AGENCIES.**

23          Section 210304 of the DNA Identification Act of  
24          1994 (42 U.S.C. 14132) is amended—

1           (1) in subsection (b)(2), by inserting after “lab-  
2           oratories” the following: “or qualified agencies”;

3           (2) in subsection (b)(2)(A), by striking “; and”  
4           at the end and inserting a semicolon; and

5           (3) in subsection (b)(2), by inserting the fol-  
6           lowing new subparagraph:

7                   “(C) are a qualifying agency engaged in  
8                   the intake, processing, booking, detention, or  
9                   incarceration of individuals charged or con-  
10                  victed of qualifying offenses and the analysis of  
11                  DNA samples is conducted on a sample-to-an-  
12                  swer DNA analysis system; and”.

13 **SEC. 5. DISTRICT OF COLUMBIA DNA ANALYSIS.**

14           Section \_\_\_\_\_ of the DNA Identification Act of  
15           1994 (42 U.S.C. 14135b) is amended in subsection (b),  
16           by inserting after “the DNA shall be analyzed” the fol-  
17           lowing: “on a sample-to-answer DNA analysis system”.

○