

114<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# S. 2348

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IN THE HOUSE OF REPRESENTATIVES

JUNE 20, 2016

Referred to the Committee on the Judiciary

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## AN ACT

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 2016”.

6 **SEC. 2. RAPID DNA INSTRUMENTS.**

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

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

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

19        (b) INDEX.—Paragraph (2) of section 210304(b) of  
20 the DNA Identification Act of 1994 (42 U.S.C.  
21 14132(b)(2)) is amended to read as follows:

22            “(2) prepared by—

23                    “(A) laboratories that—

24                            “(I) have been accredited by a non-  
25 profit professional association of persons

1 actively involved in forensic science that is  
2 nationally recognized within the forensic  
3 science community; and

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

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

15 **SEC. 3. CONFORMING AMENDMENTS RELATING TO COL-**  
16 **LECTION OF DNA IDENTIFICATION INFORMA-**  
17 **TION.**

18 (a) FROM CERTAIN FEDERAL OFFENDERS.—Section  
19 3 of the DNA Analysis Backlog Elimination Act of 2000  
20 (42 U.S.C. 14135a) is amended—

21 (1) in subsection (b), by adding at the end the  
22 following: “The Director of the Federal Bureau of  
23 Investigation may waive the requirements under this  
24 subsection if DNA samples are analyzed by means

1 of Rapid DNA instruments and the results are in-  
2 cluded in CODIS.”; and

3 (2) in subsection (c), by adding at the end the  
4 following:

5 “(3) The term ‘Rapid DNA instruments’ means  
6 instrumentation that carries out a fully automated  
7 process to derive a DNA analysis from a DNA sam-  
8 ple.”.

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

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

19 (2) in subsection (c), by adding at the end the  
20 following:

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

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

Passed the Senate June 16, 2016.

Attest: JULIE E. ADAMS,  
*Secretary.*