

118TH CONGRESS
2D SESSION

S. 5498

To establish a grant program for certain State and local forensic activities,
and for other purposes.

IN THE SENATE OF THE UNITED STATES

DECEMBER 12, 2024

Mr. CORNYN (for himself and Mr. WELCH) introduced the following bill; which
was read twice and referred to the Committee on the Judiciary

A BILL

To establish a grant program for certain State and local
forensic activities, 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 “Carla Walker Act”.

5 **SEC. 2. GRANTS TO IMPROVE FORENSIC ACTIVITIES.**

6 Title I of the Omnibus Crime Control and Safe
7 Streets Act of 1968 (34 U.S.C. 10101 et seq.) is amended
8 by adding at the end the following:

1 **“PART PP—GRANTS TO IMPROVE FORENSIC**
2 **ACTIVITIES**

3 **“SEC. 3061. DEFINITIONS.**

4 “‘In this part:

5 “(1) FORENSIC ANALYSIS.—The term ‘forensic
6 analysis’ means an expert examination or test—

7 “(A) required by a law enforcement agen-
8 cy, a prosecutor, a criminal suspect or defend-
9 ant, or a relevant court; and

10 “(B) performed on physical evidence, in-
11 cluding DNA evidence, for the purpose of deter-
12 mining the connection of the evidence to a
13 criminal act.

14 “(2) FORENSIC LABORATORY.—The term ‘fo-
15 rensic laboratory’ means a facility, entity, or site ac-
16 credited or pursuing accreditation as described in
17 section 3062(d)(1)(C)(iii) that—

18 “(A) offers or performs forensic analysis;
19 and

20 “(B) follows relevant chain of custody re-
21 quirements for authentication by an appropriate
22 court.

23 **“SEC. 3062. DNA ANALYSIS GRANTS.**

24 “(a) ELIGIBLE ENTITY DEFINED.—In this section,
25 the term ‘eligible entity’ means—

26 “(1) a State;

1 “(2) a Tribal or local law enforcement agency;

2 “(3) a prosecutor’s office with a forensic labora-
3 tory capability;

4 “(4) a medical examiner’s office; and

5 “(5) a coroner’s office.

6 “(b) AUTHORIZATION OF GRANTS.—The Attorney
7 General may award a competitive grant to an eligible enti-
8 ty for the purpose of using any technology used in a foren-
9 sic laboratory—

10 “(1) in order to conduct whole genome sequenc-
11 ing technology to assess at least 100,000 genetic
12 markers ; and

13 “(2) that is compatible with multiple genea-
14 logical databases permitted to be used by law en-
15 forcement agencies under this part to generate in-
16 vestigative leads for criminal investigations or un-
17 identified human remains.

18 “(c) APPLICATIONS.—An eligible entity seeking a
19 grant under this section shall submit to the Attorney Gen-
20 eral an application at such time and in such form as the
21 Attorney General may require.

22 “(d) USE OF GRANT.—

23 “(1) IN GENERAL.—An eligible entity that re-
24 ceives a grant under this section shall use amounts
25 from the grant for any of the following activities:

1 “(A) To carry out DNA analyses of sam-
2 ples collected under applicable legal authority
3 using the technology described in subsection (b)
4 if the submission of such samples to the Com-
5 bined DNA Index System has failed to produce
6 investigative leads.

7 “(B) To carry out DNA analyses of un-
8 identified human remains reasonably believed
9 by investigators to be the remains of a sus-
10 pected homicide victim using the technology de-
11 scribed in subsection (b) if submission of such
12 samples to the Combined DNA Index System
13 has failed to provide an identity.

14 “(C) To outsource an activity described in
15 subparagraph (A) or (B) for the use of tech-
16 nology described in subsection (b) and search-
17 ing to—

18 “(i) an accredited publicly funded fo-
19 rensic laboratory;

20 “(ii) an accredited nongovernmental
21 forensic laboratory; or

22 “(iii) a nongovernmental forensic lab-
23 oratory that attests to the Attorney Gen-
24 eral, in a manner that is legally binding
25 and enforceable, that the nongovernmental

1 forensic laboratory will prepare and apply
2 for such accreditation not later than 2
3 years after the date on which the non-
4 governmental laboratory first receives a re-
5 quest for analysis from an eligible entity
6 receiving a grant under this section.

7 “(2) DOJ POLICY.—An activity carried out
8 using amounts from a grant under this section shall
9 be carried out consistent with the policy of the De-
10 partment of Justice entitled ‘Interim Policy on Fo-
11 rensic Genealogical DNA Analysis and Searching’
12 and dated November 1, 2019, or any successor pol-
13 icy, including with respect to communication be-
14 tween custodial Combined DNA Index System lab-
15 oratories and vendor laboratories.

16 “(e) AUTHORIZATION OF APPROPRIATIONS.—

17 “(1) IN GENERAL.—There are authorized to be
18 appropriated to the Attorney General to carry out
19 this section \$5,000,000 for each of fiscal years 2024
20 through 2028.

21 “(2) LIMITATIONS ON USE.—

22 “(A) IN GENERAL.—Amounts appropriated
23 to carry out this section—

1 “(i) subject to subparagraph (B),
 2 shall only be made available to carry out
 3 forensic genetic genealogical analysis; and

4 “(ii) shall not be made available for
 5 staffing, training, travel, and equipment.

6 “(B) ADMINISTRATIVE COSTS.—The Attor-
 7 ney General may use not more than 10 percent
 8 of amounts appropriated to carry out this sec-
 9 tion for administrative costs.

10 **“SEC. 3063. GRANTS TO PURCHASE FORENSIC EQUIPMENT**
 11 **ENABLED FOR FORENSIC GENETIC GENE-**
 12 **ALOGY DNA ANALYSIS AND SEARCHING.**

13 “(a) ELIGIBLE ENTITY DEFINED.—In this section,
 14 the term ‘eligible entity’ means—

15 “(1) a publicly funded and accredited forensic
 16 laboratory;

17 “(2) a medical examiner’s office; and

18 “(3) a coroner’s office.

19 “(b) AUTHORIZATION OF GRANTS.—The Attorney
 20 General may award a grant to an eligible entity for the
 21 purpose of purchasing equipment to deploy forensic ge-
 22 netic genealogical DNA analysis and searching to generate
 23 investigative leads for criminal investigations or unidenti-
 24 fied human remains.

1 “(c) APPLICATIONS.—An eligible entity seeking a
2 grant under this section shall submit to the Attorney Gen-
3 eral an application at such time and in such form as the
4 Attorney General may require.

5 “(d) USE OF FUNDS.—An eligible entity that receives
6 a grant under this section shall use amounts from the
7 grant to purchase forensic equipment, including supplies,
8 reagents, consumables, and validation expenses, to deploy
9 forensic genetic genealogy techniques, as defined in the In-
10 terim Policy on Forensic Genealogical DNA Analysis and
11 Search of the Department of Justice dated November 1,
12 2019, or any successor policy, as applicable.

13 “(e) AUTHORIZATION OF APPROPRIATIONS.—There
14 are authorized to be appropriated to the Attorney General
15 to carry out this section \$5,000,000 for each of fiscal
16 years 2024 through 2028.

17 **“SEC. 3064. ADMINISTRATIVE PROVISIONS.**

18 “(a) REGULATIONS.—The Attorney General may pro-
19 mulgate guidelines, regulations, and procedures to carry
20 out this part, including guidelines, regulations, and proce-
21 dures relating to the submission and review of applications
22 for grants under sections 3062 and 3063.

23 “(b) ACCOUNTABILITY.—

24 “(1) RECORDS.—An eligible entity that receives
25 a grant under this part shall maintain such records

1 as the Attorney General may require to facilitate an
2 effective audit relating to the receipt of the grant,
3 the use of amounts from the grant, outsourcing ac-
4 tivities, and compliance with section VIII, entitled
5 ‘Sample and Data Control and Disposition’, of the
6 Interim Policy on Forensic Genealogical DNA Anal-
7 ysis and Search of the Department of Justice dated
8 November 1, 2019, or any successor policy.

9 “(2) ACCESS.—For the purpose of conducting
10 audits and examinations, the Attorney General shall
11 have access to any book, document, or record of an
12 eligible entity that receives a grant under this sec-
13 tion, a State or unit of local government within
14 which the eligible entity operates, and any entity to
15 which the eligible entity outsources work using
16 amounts from the grant if the Attorney General de-
17 termines that the book, document, or record relates
18 to—

19 “(A) the receipt of the grant;

20 “(B) the use of amounts from the grant;

21 or

22 “(C) compliance with section VIII, entitled
23 ‘Sample and Data Control and Disposition’, of
24 the Interim Policy on Forensic Genealogical
25 DNA Analysis and Search of the Department of

1 Justice dated November 1, 2019, or any suc-
2 cessor policy.

3 “(3) SUSPENSION AND DEBARMENT.—In car-
4 rying out this part, the Attorney General shall com-
5 ply with part 180 of title 2, Code of Federal Regula-
6 tions, or any successor regulation.

7 **“SEC. 3065. REPORTS.**

8 “Not later than 1 year after the date on which an
9 eligible entity receives a grant under section 3062 or 3063,
10 the eligible entity shall submit to the Attorney General a
11 report that includes—

12 “(1) the amount of funding the eligible entity
13 receives from the grant each fiscal year;

14 “(2) the number of cases for which the eligible
15 entity performed testing using forensic genealogical
16 DNA analysis during the previous year;

17 “(3) the type of forensic genetic genealogical
18 DNA testing performed by the eligible entity, includ-
19 ing—

20 “(A) the name of any laboratory to which
21 the eligible entity outsources the testing;

22 “(B) the type of equipment used for the
23 testing; and

24 “(C) the results of the testing, such as
25 whether the testing resulted in successful victim

1 or perpetrator identification or no identification
2 and the time it took to make the identification;
3 “(4) the number of cases in which forensic ge-
4 netic genealogical DNA analysis—
5 “(A) resulted in a searchable profile in a
6 publicly available genealogy database;
7 “(B) generated a victim or perpetrator
8 identification;
9 “(C) did not generate a victim or perpe-
10 trator identification; and
11 “(D) directly resulted in an arrest or vic-
12 tim identification; and
13 “(5) the average number of days it took to
14 make an identification between the date of sample
15 submission for forensic genetic genealogical DNA
16 testing and the date of delivery of test results to the
17 requesting office or agency.”.

18 **SEC. 3. DOJ REPORT.**

19 Not later than 2 years after the date of enactment
20 of this Act, the Attorney General, in consultation with the
21 Forensic Laboratory Needs Working Group of the Na-
22 tional Institute of Justice, shall submit to Congress a re-
23 port—

24 (1) on the awards and practices reported the
25 Attorney General under section 3064 of title I of the

1 Omnibus Crime Control and Safe Streets Act of
2 1968, as added by this Act;

3 (2) on forensic genetic genealogy technologies
4 and how best to implement forensic genetic gene-
5 alogy into publicly funded forensic laboratories; and

6 (3) that includes recommendations for—

7 (A) implementing forensic investigative ge-
8 netic genealogy technology, including expected
9 funding needs; and

10 (B) necessary regulations for the use of fo-
11 rensic investigative genetic genealogy tech-
12 nology.

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