of all those who came before us depends on making sure that those who come after can do the job duty requires. Nothing is more fundamentally American than protecting those who protect our rights.

Mr. Speaker, I ask that we pass this bill.

Mr. CONYERS. Mr. Speaker, I have no further requests for time, and I yield back balance of my time.

Mr. SMITH of Texas. I yield back the balance of my time as well.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Michigan (Mr. CONYERS) that the House suspend the rules and pass the Senate bill, S. 3296.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. SMITH of Texas. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

The point of no quorum is considered withdrawn.

DEBBIE SMITH REAUTHORIZATION ACT OF 2008

Mr. CONYERS. Mr. Speaker, I move to suspend the rules and concur in the Senate amendment to the bill (H.R. 5057) to reauthorize the Debbie Smith DNA Backlog Grant Program.

The Clerk read the title of the bill.

The text of the Senate amendment is as follows:

Senate amendment:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Debbie Smith Reauthorization Act of 2008''.

SEC. 2. GENERAL REAUTHORIZATION.

Section 2 of the DNA Analysis Backlog Elimination Act of 2000 (42 U.S.C. 14135) is amended—

(1) in subsection (c)(3), by—

(A) striking subparagraphs (A) through (D);

(B) redesignating subparagraph (E) and subparagraph (A); and

(C) inserting at the end the following:

''(B) For each of the fiscal years 2010 through 2014, not less than 40 percent of the grant amounts shall be awarded for purposes under subsection (a)(2).''; and

(2) by amending subsection (j) to read as follows:

''(j) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Attorney General for grants under subsection (a) $151,000,000 for each of fiscal years 2009 through 2014.''.

SEC. 3. TRAINING AND EDUCATION.

Section 303(b) of the DNA Sexual Assault Justice Act of 2004 (42 U.S.C. 14136(b)) is amended by striking ''2005 through 2009'' and inserting ''2009 through 2014''.

SEC. 4. SEXUAL ASSAULT FORENSIC EXAM GRANTS.

Section 304(c) of the DNA Sexual Assault Justice Act of 2004 (42 U.S.C. 14136a(c)) is amended by striking ''2005 through 2009'' and inserting ''2009 through 2014''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Michigan (Mr. CONYERS) and the gentleman from Texas (Mr. SMITH) each will control 20 minutes.

The Chair recognizes the gentleman from Michigan.

GENERAL LEAVE

Mr. CONYERS. Mr. Speaker, I ask unanimous consent that all Members have 5 days within which to revise and extend their remarks and include extraneous material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. CONYERS. Mr. Speaker, I yield such time as she may consume to the gentlewoman from New York (Mrs. MALONEY).

Mrs. MALONEY of New York. Mr. Speaker, I thank the gentleman for yielding and for his extraordinary leadership on so many important issues before this body, including the Debbie Smith Act, which I rise today in strong support of, H.R. 5057, the Debbie Smith Reauthorization Act that I introduced to ensure that the nationwide backlog of DNA evidence is processed.

I want to thank the bill's supporters in the Senate, especially Senators BIDEN, LEAHY, KYL and SPECTER, for their assistance in getting this legislation through the Senate and back to the House before we adjourn.

I also want to commend Chairman CONYERS for his leadership, Ranking Member SMITH, Chairman SCOTT and Ranking Member GOHMERT, along with ANTHONY WEINER and so many of my colleagues for their support and commitment to this issue.

Advocates have called the Debbie Smith Act one of the most important anti-crime bills that has ever passed Congress and one of the most important anti-violence against women and anti-rape pieces of legislation ever.

I first introduced the grant program in 2001 after a rape victim whose attacker was later identified through DNA analysis testified before a hearing in Congress. The long, bipartisan effort to pass the original legislation was made into a Lifetime movie entitled ''A Life Interrupted: The Debbie Smith Story.'' I thank Lifetime and Oprah for having championed the passage of this important legislation.

I have been working on this issue since 2001, when I organized a hearing in the Government Reform and Oversight Committee to examine the use of DNA to both convict and to exonerate. We reached out to many victims to testify. Only one would come before Congress, Debbie Smith.

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She told her horrifying story, how an intruder broke into her suburban home in Williamsburg, Virginia, in 1989 and raped her repeatedly in nearby woods while her police officer husband slept upstairs. He rushed her to the police station. DNA was taken, but in many ways her life was destroyed, as she believed he would come back as he said he would and kill her if she had told anybody what happened.

Six years later, after an assailant was charged with her rape, because DNA processing techniques had produced a cold hit with a State prisoner's DNA sample, that match gave Debbie her first moment of closure and security. Since then, Debbie and her husband, Robert, have lobbied Congress, traveled the country and started a not-for-profit to help victims of rape.

It was unconscionable that hundreds of thousands of rape kits with DNA evidence already collected were gathering dust in police stations and crime labs all over this country, and it is still unconscionable that according to the U.S. Department of Justice, there are over 221,000 untested rape kits on shelves and evidence cabinets in States across our country.

It was for Debbie and rape survivors like her that in 2001 I authored the Debbie Smith Act to provide Federal funding to process the backlog of DNA evidence. The bill helped standardize the evidence collection of kits for sexual assaults, making it easier to enter the information into State and national databases.

It also helped forensic labs process the data evidence and compare the DNA samples with those taken from criminals. It funded the SANE nurse program that taught them how to process and maintain the information and to go into court to help the police with convictions. The law also allows law enforcement greater leeway to indict John Doe or an unnamed individual using their DNA profile.

The Justice for All Act accomplished several critical objectives, including authorizing the necessary funding, $151 million in each fiscal year from 2005 through 2009, to process the backlog of DNA evidence through the creation of the State grant program.

Since 2004, millions of dollars in funding have been appropriated to States across our country to attack this backlog grant program. Each unprocessed kit represents an innocent life like Debbie Smith, and a rapist who may commit multiple rapes before he is caught.

The FBI has characterized rape as the worst crime, preceded only by murder in terms of the destruction to one's life. They have said that a rapist, a sick person, will attack seven times. So at least, if you process these kits, you can put people in jail and prevent innocent victims from having the horror in their lives that Debbie experienced.

The Debbie Smith Reauthorization Act extends the program through 2014 and also reauthorizes programs for training, education and sexual assault forensic exam grants.

DNA is remarkable evidence. It doesn't forget, it can't be confused, it is not intimidated, and it does not lie.

While an eyewitness can easily get mixed up about height, weight, hair color, DNA never changes its story.

Debbie's bravery and dedication and working with me and others to pass the Debbie Smith Act, which was a very difficult thing to accomplish, has already made a tremendous impact on our justice system.

I also want to acknowledge the RAINN program for its steadfast support of the Debbie Smith Reauthorization Act and for its efforts on behalf of sexual assault victims and survivors. Tragically, only 6 percent of rapists will ever spend any time in jail. Congress must continue to support programs like the Debbie Smith DNA Backlog Grant Program and help to put to rapists in prison, reduce the violence against women and solve other violent crimes.

I urge my colleagues to join me in important bipartisan, hopefully unanimous support for this reauthorization.

Mr. SMITH of Texas. Mr. Speaker, I strongly support this legislation, and I want to give credit to the gentlewoman from New York, Congresswoman MALONEY, for taking the initiative for introducing this legislation and for advancing it to the point where we are considering it here tonight.

Mr. Speaker, this is the second time that the House has considered this bill. The House passed an earlier version last July. The Senate recently passed this more streamlined version of H.R. 5057, which I hope our colleagues will support once again.

As Ranking Member of the Judiciary Committee, I joined Chairman CONYERS as an original co-sponsor of this legislation, which was introduced by Congresswoman CAROLYN MALONEY.

This bill reauthorizes a tremendously important program: the Debbie Smith DNA Backlog Elimination Grant Program. H.R. 5057 reauthorizes the grant program through fiscal year 2014 at $151 million per year.

The Debbie Smith Program provides grants to state and local governments to reduce the DNA backlog of samples collected and entered into the national DNA database. The program, originally authorized in 2000, expires at the end of fiscal year 2009.

DNA has become an invaluable tool in identifying and convicting criminal suspects. At the same time, the increased use of DNA evidence in criminal prosecutions has also increased DNA collection and processing requests. The result is a substantial backlog in processing DNA evidence across the country.

Since 2000, DNA backlog grants live assisted state and local governments with the collection Of 2.5 million DNA samples from convicted offenders and arrestees for inclusion in the national DNA database. The backlog grants have also funded the testing of approximately 104,000 DNA cases between 2004 and 2007.

While the Debbie Smith program has been successful in reducing the backlog, there is still work to do. A 2003 Department of Justice report indicated that a backlog existed of 48,000 DNA samples. The current backlog is expected to be just as high.

Congress has a responsibility to assist states with investigating, prosecuting and punishing criminals and to provide justice for victims. The Debbie Smith Reauthorization Act protects victims by providing Federal funding to process the DNA evidence needed to take violent criminals off the streets.

I urge my colleagues to join me in supporting this important legislation.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise in support of H.R. 5057, the ''Debbie Smith Reauthorization Act of 2008'' (reauthorizing Title II of P.L. 108–405). This Act authorizes funding to eliminate the large backlogs of DNA crime scene samples awaiting testing in State forensic labs. I am in support of this bill.

In recent years, law enforcement agencies have realized the critical value that DNA evidence has in quickly solving cases. Often, a DNA sample result can scientifically link a perpetrator to a crime or prove a defendant's innocence with virtual certainty. Many of the Nation's Federal and State criminal forensics laboratories currently are overwhelmed with innumerable samples awaiting DNA analysis.

Named for Debbie Smith, who was kidnapped in her Virginia home and raped in nearby woods by a stranger, the Debbie Smith DNA Backlog Grant Program authorized grant money to states to collect samples from crime seems and convicted persons, conduct DNA analyses, and enter these results into a comprehensive national database. Debbie Smith's attacker remained unidentified for over six years, until a DNA sample collected from a convicted person serving time in a Virginia State prison revealed his involvement in her rape. Although eventually identified, the six years between crime and identification allowed Ms. Smith's attacker to engage in more criminal activity.

Re-authorization of the Debbie Smith DNA Backlog Grant Program will help law enforcement throughout the Nation. It will facilitate the development of a comprehensive national data base against which samples from current crime scenes can be compared. It will allow laboratories to reduce the currently unacceptable delays in processing DNA samples. Finally, it will provide law enforcement and prosecutors strong tools to quickly identify and prosecute criminals, minimizing the costs of investigation and prosecution, the possibility of prosecuting the wrong person and the possibility of future heinous crimes.

Recognizing that the backlog of biological evidence that had to be entered in State databases was preventing law enforcement officials from solving many of the Nation's most heinous crimes, like the tragedy that befell Debbie Smith, Congress passed the DNA ''Analysis Backlog Elimination Act of 2000'' (P.L. 106–546). The bill authorized the Attorney General to make grants to eligible States to collect DNA samples from convicted individuals and crime scenes for inclusion in the Federal DNA database, Combined DNA Index System (CODIS), and to increase the capacity of State crime laboratories. The Act required the Bureau of Prisons and the military to collect DNA samples from convicted individuals and forward these samples for analysis, and required the FBI to expand its CODIS database to include the analyses of these DNA samples.

The Act also amended the criminal code to require all defendants on probation or supervised release to cooperate with the collection of a DNA sample. The Act expressed the sense of Congress that State grants should be conditioned upon the State's agreement to ensure post-conviction DNA testing in appropriate cases; and that Congress should work with the States to improve the quality of legal representation in capital cases. Finally, the Act authorized an unspecified amount of appropriations to the Attorney General to carry out the Act.

In 2004, DNA backlog elimination was incorporated into the Justice for Act of 2004'', P.L. 108–405 and was renamed the Debbie Smith DNA Backlog Grant Program, which became Title II of P.L. 108–405. While the Act authorized $151 million for each fiscal year 2005–2009, Congress did not appropriate any money until FY 2008, at which time it appropriated $147–4 million.

The Debbie Smith DNA Backlog Grant Program expires at the end of FY 2009. H.R. 5057, the ''Debbie Smith Reauthorization Act,'' which has strong bipartisan support, would renew the law and authorize $151 million for each fiscal year 2009–2014. H.R. 5057 specifies that not less than 40% of the total amount awarded in grants must be used for DNA analyses of samples from crime scenes, rape kits and other sexual assault evidence, and in cases that do not have an identified suspect.

AMENDMENT

While I support this legislation, I offered an amendment that was accepted and reported out of the House. However, now that the bill has returned from the Senate, the bill is before the House again without my original amendment. My amendment required the Attorney General to evaluate the integrity and security of DNA collection and storage practices and procedures at a sample of crime laboratories throughout the country to determine the extent to which DNA samples are tampered with or are otherwise contaminated in such laboratories. The sample should be a representative sample and should include at least one lab from each State. My amendment required the Attorney General to conduct this evaluation annually and the Attorney General should be required to submit the evaluation to Congress. This amendment was necessary and critically important.

A district attorney in Harris County, Texas used evidence to wrongfully convict persons based upon faulty evidence. An investigation into the Houston Police Department's crime lab revealed that bad management, undertrained staff, false documentation, and inaccurate work cast doubt on thousands of DNA based convictions. Investigators raised serious questions about the reliability of evidence in hundreds cases they investigated and asked for further independent scrutiny and new testing to determine the extent to which individuals were wrongly convicted with faulty evidence.

My amendment would have ensured that Congress will exercise some oversight of the program. It ensured the integrity and security of the DNA collection and storage and procedures. It was my hope that my amendment would minimize wrongful convictions and would make the DNA storage and collection process more reliable.

Mr. SMITH of Texas. Mr. Speaker, I yield back the balance of my time.

Mr. CONYERS. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by

the gentleman from Michigan (Mr. CONYERS) that the House suspend the rules and concur in the Senate amendment to the bill, H.R. 5057.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the Senate amendment was concurred in.

A motion to reconsider was laid on the table.

MILITARY PERSONNEL CITIZENSHIP PROCESSING ACT

Mr. CONYERS. Mr. Speaker, I move to suspend the rules and pass the Senate bill (S. 2840) to establish a liaison with the Federal Bureau of Investigation in United States Citizenship and Immigration Services to expedite naturalization applications filed by members of the Armed Forces and to establish a deadline for processing such applications.

The Clerk read the title of the Senate bill.

The text of the Senate bill is as follows:

S. 2840

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Military Personnel Citizenship Processing Act''.

SEC. 2. OFFICE OF THE FBI LIAISON.

(a) ESTABLISHMENT.—Section 451 of the Homeland Security Act of 2002 (6 U.S.C. 271) is amended by adding at the end the following:

''(g) OFFICE OF THE FBI LIAISON.—

''(1) IN GENERAL.—There shall be an Office of the FBI Liaison in the Department of Homeland Security.

''(2) FUNCTIONS.—The Office of the FBI Liaison shall monitor the progress of the functions of the Federal Bureau of Investigation in the naturalization process to assist in the expeditious completion of all such functions pertaining to naturalization applications filed by, or on behalf of—

''(A) current or former members of the Armed Forces under section 328 or 329 of the Immigration and Nationality Act (8 U.S.C. 1439 and 1440);

''(B) current spouses of United States citizens who are currently serving on active duty in the Armed Forces, who qualify for naturalization under section 319(b) of the Immigration and Nationality Act (8 U.S.C. 1430(b)), and surviving spouses and children who qualify for naturalization under section 319(d) of such Act; or

''(C) a deceased individual who is eligible for posthumous citizenship under section 329A of the Immigration and Nationality Act (8 U.S.C. 1440–1).

''(3) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as may be necessary to carry out this subsection.''.

(b) RULEMAKING.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Homeland Security, in consultation with the Attorney General, shall promulgate rules to carry out the amendment made by subsection (a).

SEC. 3. DEADLINE FOR PROCESSING AND ADJUDICATING NATURALIZATION APPLICATIONS FILED BY CURRENT OR FORMER MEMBERS OF THE ARMED FORCES AND THEIR SPOUSES AND CHILDREN.

(a) IN GENERAL.—Section 328 of the Immigration and Nationality Act (8 U.S.C. 1439) is amended by adding at the end the following:

''(g) Not later than 6 months after receiving an application for naturalization filed by a current member of the Armed Forces under subsection (a), section 329(a), or section 329A, by the spouse of such member under section 319(b), or by a surviving spouse or child under section 319(d), United States Citizenship and Immigration Services shall—

''(1) process and adjudicate the application, including completing all required background checks to the satisfaction of the Secretary of Homeland Security ; or

''(2) provide the applicant with—

''(A) an explanation for its inability to meet the processing and adjudication deadline under this subsection; and

''(B) an estimate of the date by which the application will be processed and adjudicated.

''(h) The Director of United States Citizenship and Immigration Services shall submit an annual report to the Subcommittee on Immigration, Border Security, and Refugees and the Subcommittee on Homeland Security of the Senate and the Subcommittee on Immigration, Citizenship, Refugees, Border Security, and International Law and the Subcommittee on Homeland Security of the House of Representatives that identifies every application filed under subsection (a), subsection (b) or (d) of section 319, section 329(a), or section 329A that is not processed and adjudicated within 1 year after it was filed due to delays in conducting required background checks.''.

(b) GAO REPORT.—Not later than 180 days after the date of the enactment of this Act, the Comptroller General shall submit a report to Congress that contains the results of a study regarding the average length of time taken by United States Citizenship and Immigration Services to process and adjudicate applications for naturalization filed by members of the Armed Forces, deceased members of the Armed Forces, and their spouses and children.

SEC. 4. SUNSET PROVISION.

This Act and the amendments made by this Act are repealed on the date that is 5 years after the date of the enactment of this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Michigan (Mr. CONYERS) and the gentleman from Texas (Mr. SMITH) each will control 20 minutes.

The Chair recognizes the gentleman from Michigan.

GENERAL LEAVE

Mr. CONYERS. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and include extraneous material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. CONYERS. I yield myself such time as I may consume.

Mr. Speaker, foreign-born soldiers serving in our Armed Forces are eligible for expedited U.S. citizenship, yet they often face delays in the processing of the FBI background check required for naturalization.

S. 2840 would address this backlog by creating an Office of the FBI Liaison within the Department of Homeland Security. This office will help expedite the processing of naturalization applications filed by soldiers, veterans, and spouses and children of active duty soldiers.

The bill requires DHS to adjudicate these naturalization applications within six months, or to inform the applicants of the reasons for the delay and provide them with an estimated date of completion.

It promotes accountability by having the United States Citizenship and Immigration Service (USCIS) report annually to Congress on how many of these naturalization applications that remain pending a year after filing due to delays in background checks.

Approximately 45,000 lawful permanent residents are currently serving in our Armed Forces. More than 13,000 non-citizen military have applied for U.S. citizenship since 2002.

S. 2480 is a good measure that will help ensure that our soldiers and veterans do not face unreasonable hurdles to U.S. citizenship.

I urge my colleagues to support the bill.

Mr. Speaker, I yield to the gentleman from Texas, Mr. Ciro Rodriguez, as much time as he may consume.

Mr. RODRIGUEZ. Thank you, Mr. Chairman, and thank you, Mr. SMITH.

Mr. Speaker, I rise in Senate bill 2840, the Military Personnel Citizenship Processing Act, sponsored by Senator CHUCK SCHUMER of New York. I was a sponsor on the House side. Senate bill 2840 would address the growing backlog of citizenship applications of those men and women that are serving our country and happen to be foreign born.

This bill addresses some of the hold-ups with the FBI backgrounds, not only for the soldiers, sailors and airmen, but also ensuring that dialogue occurs also with the Department of Defense and the military in the applications.

It creates an office of FBI liaison with DHS and monitors the communication gaps that exist between them at the present time. This bill further requires that the agencies send notice out to the military applicants explaining the delay and estimating the date of completion for any application pending over 6 months.

This bill works in harmony with the recently passed Kendell Frederick Act. While the Kendell Frederick Act will ensure prompt processing of biometric data and timely adjudication after the FBI background checks are completed, S. 2840 will ensure that the background checks themselves are done expeditiously.

Taken together, this bill will be a one-two punch that's required and needed in order for our military servicemen to be able to move forward and become citizens.

Some 7,500 military applications are presently pending with citizenship and immigration services. These men and women represent the best of America, and they unquestionably deserve and are owed the full rights of every citizen in this country.

The provisions on this bill allow it to hopefully expedite this to occur.

Mr. SMITH of Texas. Mr. Speaker, I would like to associate myself with the remarks made by my Texas colleague, Mr. RODRIGUEZ.

Mr. Speaker, the Military Personnel Citizenship Processing Act creates an Office of the