

108TH CONGRESS
1ST SESSION

H. R. 1705

To expand and improve the use of DNA analysis in criminal investigations,
and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

APRIL 9, 2003

Mr. SCHIFF (for himself, Mr. FROST, and Ms. JACKSON-LEE of Texas) introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To expand and improve the use of DNA analysis in criminal
investigations, 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 “DNA Database En-
5 hancement Act”.

6 **SEC. 2. INCLUSION OF DNA SAMPLES FROM ALL PERSONS**
7 **CONVICTED OF VIOLENT FELONIES.**

8 Section 2(b) of the DNA Analysis Backlog Elimini-
9 nation Act of 2000 (42 U.S.C. 14135(b)) is amended in
10 paragraph (3) by inserting before the semicolon at the end

1 the following: “, provided that each violent felony under
2 the law of that State shall be treated for purposes of this
3 section as a qualifying State offense”.

4 **SEC. 3. AUTHORIZATION FOR STATES TO UPLOAD DNA**
5 **SAMPLES COLLECTED IN A LAWFUL MANNER.**

6 Section 210304(a) of the Violent Crime Control and
7 Law Enforcement Act of 1994 (42 U.S.C. 14132(a)) is
8 amended—

9 (1) in paragraph (1), by inserting “arrested for
10 or” before “convicted of crimes”;

11 (2) in paragraph (3), by striking “; and” at the
12 end;

13 (3) in paragraph (4), by striking the period at
14 the end and inserting “; and”; and

15 (4) by adding at the end the following new
16 paragraph:

17 “(5) analyses of DNA samples from other per-
18 sons, as authorized under the laws of the jurisdiction
19 in which the samples were collected.”.

20 **SEC. 4. REQUIREMENT THAT LAW ENFORCEMENT OFFI-**
21 **CERS BE ABLE TO COMPARE COLLECTED**
22 **DNA SAMPLES WITH NATIONAL DATABASE.**

23 Section 2(b) of the DNA Analysis Backlog Elimini-
24 nation Act of 2000 (42 U.S.C. 14135(b)), as amended by
25 section 2, is further amended—

1 (1) by striking “and” at the end of paragraph
2 (4);

3 (2) by striking the period at the end of para-
4 graph (5) and inserting “; and”; and

5 (3) by adding at the end the following new
6 paragraph:

7 “(6) include a certification that the State does
8 not, by statute, rule, or regulation, prohibit or limit
9 the comparison by a law enforcement officer of (A)
10 the results of a DNA analysis carried out on a DNA
11 sample lawfully obtained by such officer with (B) the
12 information in such Combined DNA Index System.”.

13 **SEC. 5. REAUTHORIZATION OF DNA BACKLOG GRANT PRO-**
14 **GRAM.**

15 Section 2(j) of the DNA Analysis Backlog Elimini-
16 nation Act of 2000 (42 U.S.C. 14135(j)) is amended—

17 (1) in paragraph (1)—

18 (A) by striking “and” at the end of sub-
19 paragraph (B);

20 (B) by striking the period at the end of
21 subparagraph (C) and inserting “: and”; and

22 (C) by adding at the end the following:

23 “(D) such sums as many be necessary for
24 fiscal years after fiscal year 2003.”; and

25 (2) in paragraph (2)—

1 (A) by striking “and” at the end of sub-
2 paragraph (C);

3 (B) by striking the period at the end of
4 subparagraph (D) and inserting “: and”; and

5 (C) by adding at the end the following:

6 “(E) such sums as may be necessary for
7 fiscal years after fiscal year 2004.”.

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