

109TH CONGRESS
1ST SESSION

H. R. 2623

To require States to conduct DNA tests to ascertain the degree of genetic relatedness between two or more persons in accordance with a national standard.

IN THE HOUSE OF REPRESENTATIVES

MAY 25, 2005

Mr. ANDREWS introduced the following bill; which was referred to the
Committee on Ways and Means

A BILL

To require States to conduct DNA tests to ascertain the degree of genetic relatedness between two or more persons in accordance with a national standard.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. REQUIREMENT THAT STATES CONDUCT DNA**
2 **TESTS TO ASCERTAIN THE DEGREE OF GE-**
3 **NETIC RELATEDNESS BETWEEN TWO OR**
4 **MORE PERSONS IN ACCORDANCE WITH NA-**
5 **TIONAL STANDARD.**

6 (a) IN GENERAL.—Section 474 of the Social Security
7 Act (42 U.S.C. 674) is amended by adding at the end the
8 following:

9 “(g)(1) If, during a fiscal year, the Secretary finds
10 that a State operating a program under a State plan ap-
11 proved under this part does not have in effect such laws
12 and procedures as may be necessary to ensure that every
13 DNA test conducted pursuant to an order of a court of
14 the State for the purpose of ascertaining the degree of
15 genetic relatedness between 2 or more persons is con-
16 ducted in accordance with the standards developed in ac-
17 cordance with paragraph (2), or (if such laws and proce-
18 dures are in effect) that such a State has not complied
19 with such a law or procedure in conducting such a test,
20 the Secretary shall reduce the amount otherwise payable
21 to the State under subsection (a)(1) for the fiscal year
22 by an amount equal to 10 percent of the otherwise payable
23 amount.

24 “(2)(A) The Secretary shall prescribe regulations
25 governing the conduct of DNA tests referred to in para-
26 graph (1). The regulations shall include the requirement

1 that the tests be conducted only by an entity accredited
2 by the Secretary in accordance with subparagraph (B) to
3 conduct such a test.

4 “(B) The Secretary shall not accredit an entity to
5 conduct DNA tests referred to in paragraph (1) unless
6 the entity certifies to the Secretary that each employee
7 of the entity who is responsible for performing a function
8 relating to such a test has successfully completed training
9 in conducting DNA tests in accordance with the regula-
10 tions prescribed under this paragraph.”.

11 (b) REGULATIONS.—

12 (1) ISSUANCE.—Not later than 90 days after
13 the date of the enactment of this Act, the Secretary
14 shall prescribe the regulations required by section
15 474(g) of the Social Security Act (as added by the
16 amendment made by subsection (a) of this section).

17 (2) EFFECTIVE DATE.—The regulations re-
18 ferred to in paragraph (1) shall take effect 6 months
19 after issuance.

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