

Federal property should be made in the United States.

The U.S. Census bureau estimates that \$5.3 million worth of American flags were imported from other countries in 2006, mostly from China. Even though U.S. law requires every flag be labeled with its "country of origin," the figure of foreign-made American flags has steadily grown over the past few years. This is an absolute shame! I am glad that the office of the Architect of the Capitol has reassured me that flags that we fly everyday over this very Capitol are proudly made in the United States.

As we celebrated Independence Day last week, we were reminded that the American flag is much more than our national symbol. It embodies our courage, liberty, and justice. The flag reminds us each and every day of the blood that was shed so that we may enjoy our freedoms. So as we proudly fly the Stars and Stripes, we must ensure that they are homespun in the United States. I urge my colleagues to vote for H. Res. 1182.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise today in support of H. Res. 1182 introduced by my distinguished colleague from California, Representative FILNER. This important legislation seeks to express the sense of the House of Representatives that American flags flown on Federal Government buildings and on Federal property be made in the United States.

On June 14, 1777, the Stars and Stripes were officially adopted as the national flag of the United States. Francis Scott Key was so inspired by the sight of the American flag still flying over Baltimore's Fort McHenry after a British bombardment that he wrote the "Star-Spangled Banner" on September 14, 1814. The American flag has 7 red and 6 white horizontal stripes; these stripes represent the 13 original States.

The flag still has its field of blue, which represents the Union and contains 50 stars, one for each State. Many brave men and women have fought and died for the freedom that this flag represents. The sight of this banner brings feelings of joy, courage, pride, and unity for all Americans. Therefore, it should be the sense of the United States House of Representatives that all American flags flown over Federal buildings be entirely produced in the United States.

For more than 200 years, the American flag has been the symbol of our Nation's strength and unity. It's been a source of pride and inspiration for millions of citizens. And the American Flag has been a prominent icon in our national history. On June 14, 1777, in order to establish an official flag for the new Nation, the Continental Congress passed the first Flag Act, "resolved that the flag of the United States be made of thirteen stripes, alternate red and white; that the Union be thirteen stars, white in a blue field, representing a new Constellation."

Between 1777 and 1960, Congress passed several acts that changed the shape, design and arrangement of the flag and allowed for additional stars and stripes to be added to reflect the admission of each new state. Executive Order of President Eisenhower dated January 3, 1959—provided for the arrangement of the stars in seven rows of seven stars each, staggered horizontally and vertically. Executive Order of President Eisenhower dated August 21, 1959—provided for the arrangement of the

stars in nine rows of stars staggered horizontally and eleven rows of stars staggered vertically which made official the design of the flag that we know today.

Therefore, we should not reserve the right to make our Nation's flag at home, where blood was shed by brave men who had a vision for a free country rooted in democracy and justice. Although we may outsource many things, I support that we preserve the integrity of the symbol that serves as the very essence of our national anthem. This anthem serves to remind us of the United States flag, also known as the Star-Spangled Banner, which waves over the land of the free and the home of the brave. When we rise to pledge allegiance to our country, we place our hand over our beating heart; then we sing the delicate notes of the Star-Spangled Banner, but most of all we fix our gaze upon our Nation's flag. This time of reverence serves as a moment of introspection. Not until we fully come to grips with ourselves can we apply the wisdom that is needed to gather solutions for international issues.

Our Nation was founded upon the principles of liberty, equality and justice, which are reflected by the symbol of our Nation's flag. Therefore, I strongly support this powerful resolution that says that flags flown on Federal Government buildings and on Federal property be made in the United States. I urge my colleagues to join me in supporting this resolution.

Mr. GOHMERT. I hope all my colleagues will join me in supporting this resolution.

With that, I yield back the balance of my time.

Mr. SCHIFF. I join my colleague from Texas in urging support of this measure, and yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. SCHIFF) that the House suspend the rules and agree to the resolution, H. Res. 1182.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the resolution was agreed to.

A motion to reconsider was laid on the table.

#### HONORING THE DRUG ENFORCEMENT ADMINISTRATION ON ITS 35TH ANNIVERSARY

Mr. SCHIFF. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 369) honoring the men and women of the Drug Enforcement Administration on the occasion of its 35th anniversary.

The Clerk read the title of the concurrent resolution.

The text of the concurrent resolution is as follows:

#### H. CON. RES. 369

Whereas the Drug Enforcement Administration (DEA) was created by an Executive order on July 6, 1973, and merged the previously separate law enforcement and intelligence agencies responsible for narcotics control;

Whereas the first administrator of the DEA, John R. Bartels, Jr., was confirmed by the Senate on October 4, 1973;

Whereas since 1973, the men and women of the DEA have served our Nation with courage, vision, and determination, protecting all Americans from the scourge of drug trafficking, drug abuse, and related violence;

Whereas the DEA has adjusted and refined the tactics and methods by which it targets the most dangerous drug trafficking operations to bring to justice criminals such as New York City's Nicky Barnes, key members of the infamous Colombian Medellin cartel, Thai warlord Khun Sa, several members of the Mexican Arellano-Felix organization, Afghan terrorist Haji Baz Mohammad, and international arms dealer Viktor Bout;

Whereas throughout its 35 years, the DEA has continually adapted to the evolving trends of drug trafficking organizations by aggressively targeting organizations involved in the growing, manufacturing, and distribution of such substances as marijuana, cocaine, heroin, methamphetamine, Ecstasy, and controlled prescription drugs;

Whereas in its 227 domestic offices in 21 field divisions, the DEA continues to strengthen and enhance existing relationships with Federal, State, and local counterparts in every State in the Union to combat drug trafficking;

Whereas in this decade alone, DEA special agents have seized over 5,500 kilograms of heroin; 650,000 kilograms of cocaine; 2,300,000 kilograms of marijuana; 13,000 kilograms of methamphetamine; almost 80,000,000 dosage units of hallucinogens; and made over 240,000 arrests;

Whereas in its 87 foreign offices in 63 countries, the DEA has the largest international presence of any Federal law enforcement agency;

Whereas its personnel continue to collaborate closely with international partners around the globe, including in such drug-producing countries as Colombia, Mexico, Afghanistan, and Thailand;

Whereas the results of this international collaboration in this decade alone have led to the indictments of 63 leaders, members, and associates of the Revolutionary Armed Forces of Colombia, a designated foreign terrorist organization, as well as 144 arrests and detentions of narcotics traffickers for violations of Afghan and United States narcotics laws and terrorist-related offenses;

Whereas through the creation of the Diversion Control Program in 1971, the DEA now registers and regulates over 1,200,000 registrants, while simultaneously combating the continually-evolving threat posed by the diversion of controlled pharmaceuticals;

Whereas the DEA continues to hit drug traffickers financially, where it hurts the most, denying drug trafficking organizations \$3,500,000,000 in fiscal year 2007 alone, exceeding their 5-year goal of \$3,000,000,000 annually by fiscal year 2009;

Whereas DEA special agents continue to work shoulder-to-shoulder with Federal, State, and local law enforcement officials throughout the Nation in a cooperative effort to put drug traffickers behind bars;

Whereas throughout its history, many DEA employees and members of the agency's task forces have given their lives in the line of duty, including: Charles Archie Wood, Stafford E. Beckett, Joseph W. Floyd, Bert S. Gregory, James T. Williams, Louis L. Marks, James E. Brown, James R. Kerrigan, John W. Crozier, Spencer Stafford, Andrew P. Sanderson, Anker M. Bangs, Wilson M. Shee, Mansel R. Burrell, Hector Jordan, Gene A. Clifton, Frank Tummillo, Richard Heath, Jr., George F. White, Emir Benitez, Gerald Sawyer, Leslie S. Grosso, Nickolas Fragos, Mary M. Keehan, Charles H. Mann, Anna Y. Mounger, Anna J. Pope, Martha D. Skeels, Mary P. Sullivan, Larry D. Wallace,

Ralph N. Shaw, James T. Lunn, Octavio Gonzalez, Francis J. Miller, Robert C. Lightfoot, Thomas J. Devine, Larry N. Carwell, Marcellus Ward, Enrique S. Camarena, James A. Avant, Charles M. Bassing, Kevin L. Brosch, Susan M. Hoefler, William Ramos, Raymond J. Stastny, Arthur L. Cash, Terry W. McNett, George M. Montoya, Paul S. Seema, Everett E. Hatcher, Rickie C. Finley, Joseph T. Aversa, Wallie Howard, Jr., Eugene T. McCarthy, Alan H. Winn, George D. Althouse, Becky L. Dwojeski, Stephen J. Strehl, Juan C. Vars, Jay W. Seale, Meredith Thompson, Frank S. Wallace, Jr., Frank Fernandez, Jr., Kenneth G. McCullough, Carrol June Fields, Rona L. Chafey, Shelly D. Bland, Carrie A. Lenz, Shaun E. Curl, Royce D. Tramel, Alice Faye Hall-Walton, Elton Armstead, Larry Steilen, Terry Loftus, Jay Balchunas, and Richard E. Fass;

Whereas many other DEA employees and task force officers have been wounded or injured in the line of duty; and

Whereas over 9,000 employees of the DEA, including special agents, intelligence analysts, diversion investigators, program analysts, forensic chemists, attorneys, and administrative support, along with over 2,000 task force officers, and over 2,000 vetted foreign officers, work tirelessly to hunt down and bring to justice the drug trafficking cartels that seek to poison our citizens with dangerous narcotics: Now, therefore, be it

*Resolved by the House of Representatives (the Senate concurring), That Congress—*

(1) congratulates the Drug Enforcement Administration (DEA) on the occasion of its 35th anniversary;

(2) honors the heroic sacrifice of the agency's employees who have given their lives or have been wounded or injured in service of our Nation; and

(3) gives heartfelt thanks to all the men and women of the DEA for their past and continued efforts to defend the American people from the scourge of illegal drugs and terrorism.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. SCHIFF) and the gentleman from Texas (Mr. GOHMERT) each will control 20 minutes.

The Chair recognizes the gentleman from California.

#### GENERAL LEAVE

Mr. SCHIFF. 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 resolution.

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

There was no objection.

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

Mr. Speaker, I ask my colleagues to join me in honoring the brave men and women of the Drug Enforcement Administration on the occasion of its 35th anniversary. The DEA's employees include not only the special agents, but intelligence analysts, diversion investigators, program analysts, forensic chemists, attorneys and administrative support staff, together with task force officers and vetted foreign officials. These men and women work tirelessly to hunt down and bring to justice the drug trafficking cartels that profit by poisoning our citizens with dangerous narcotics.

The DEA and its dedicated officers have served our Nation with courage,

vision and determination, protecting all Americans from the scourge of drug trafficking, drug abuse and related violence. It is fitting that we recognize their accomplishments and express our gratitude for their service.

Throughout its 35 years, the DEA has combated the evolving trends of drug trafficking by aggressively targeting both domestic and international organizations involved in the unlawful growing, manufacturing and distribution of such substances as marijuana, cocaine, heroin, methamphetamine, Ecstasy and controlled prescription drugs. These successes are unfortunately not without tragic costs.

Over its history, more than 75 DEA employees and task force members have given their lives in the line of duty, with many others wounded. During the time I served with the U.S. Attorney's Office in Los Angeles, I had many, many occasions to work with DEA officers. I saw the professionalism of their work, their determination, their bravery and courage.

For some time I worked on the investigation into the capture, murder and torture of Enrique Camarena and, along with my colleagues, worked to investigate and bring to justice some of those that were responsible for the death of that courageous agent. So I have great personal regard for the many employees of the DEA, their proud history and the great work they do.

It is a commitment to duty almost too great to ask of anyone, yet these dedicated men and women of the DEA and their families face the risks and endure the hardships to make our Nation safer for all of us.

And so, Mr. Speaker, this resolution is a well-deserved tribute to the DEA on the occasion of its 35th anniversary.

I urge my colleagues to support it, and I reserve the balance of my time.

Mr. GOHMERT. Mr. Speaker, I yield myself such time as I may consume.

I rise in support of H. Con. Res. 369. This concurrent resolution does honor the men and women of the Drug Enforcement Administration on the occasion of its 35th anniversary.

The Drug Enforcement Administration, or DEA, was created by President Nixon in July 1973. The DEA was established to create a single unified command to conduct "an all-out global war on the drug menace."

The DEA has the core mission to enforce U.S. controlled substances laws that regulate drugs such as marijuana, cocaine, heroin, methamphetamine, Ecstasy and controlled prescription drugs. Initially, the DEA had 1,470 special agents and a budget of less than \$75 million. Its foreign presence consisted of 43 foreign offices in 31 countries. Since that time the DEA has grown substantially and is now 5,235 special agents, a budget of more than \$2.3 billion, and 87 foreign offices in 63 countries.

I have personally seen them at work, both here and abroad, and know that

the DEA agents are on the front lines of our war on drugs. They are courageous individuals, and they are to be honored and commended.

DEA special agents work to track and identify the individuals and organized crime syndicates that grow, manufacture and traffic drugs into the U.S. To accomplish that mission, the DEA manages a national drug intelligence program by cooperating with Federal, State, local and foreign officials to collect, analyze and disseminate strategic and operational drug intelligence information. The DEA and its multi-jurisdictional partners form task forces that use this intelligence to plan highly successful operations.

In May, a DEA-led task force completed an investigation called "Operation Sudden Fall" in San Diego. This investigation resulted in the arrest of 96 individuals, including 75 San Diego State University students who were involved with the trafficking of cocaine, marijuana and Ecstasy on the university's campus.

As the plague of drugs has become more pervasive, the DEA has also increased its international efforts to combat drug trafficking abroad. The DEA coordinates with the United Nations, Interpol and foreign governments to develop programs designed to reduce the availability of illicit drugs in the United States such as crop eradication, crop substitution and training of foreign officials.

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These international efforts bring significant results. Recently, Colombia extradited 14 members of a paramilitary and drug trafficking group to the United States to face charges of drug trafficking, support to a terrorist organization, and money laundering.

In June, the DEA worked with partners in Afghanistan to conduct Operation Albatross. This effort resulted in the seizure of 262 tons of hashish, the largest of any known drug seizure in history.

As H. Con. Res. 369 notes, in this decade alone, DEA agents have seized over 5,500 kilograms of heroin, 650,000 kilograms of cocaine, 2.3 million kilograms of marijuana, 13,000 kilograms of methamphetamine, almost 80 million dosage units of hallucinogens, and made over 240,000 arrests. This is a tremendous amount of poison that they have prevented from entering our fellow citizens.

In supporting this resolution, I join my colleagues in, one, congratulating the DEA on the occasion of its 35th anniversary; two, honoring the heroic sacrifice of the agency's employees who have given their lives or have been wounded or injured in service of our Nation; and three, giving heartfelt thanks to all of the men and women of the DEA for their past and continued efforts to defend the American people from the scourge of illegal drugs and terrorism.

With that, Mr. Speaker, I reserve the balance of my time.

Mr. SCHIFF. Mr. Speaker, it gives me great pleasure to yield 3 minutes to the gentleman from New Jersey (Mr. PASCRELL).

Mr. PASCRELL. Thank you for yielding.

Mr. Speaker, I rise to honor the men and women of the Drug Enforcement Administration on the occasion of their 35th anniversary. We must take every opportunity to honor our brave law enforcement officers, but we often forget the critical importance of the DEA and the terrible dangers that their officers face in order to keep our streets safe from drugs. When you look at the list of those who have given their lives, Mr. Speaker, we know how serious this is. And we have this issue occur on our streets every day.

I want to congratulate the DEA acting administrator, Michele M. Leonhart, for leading this commendable agency through its 35th year. I want to give great thanks to Gerald McAleer, Special Agent in charge of the DEA New Jersey division, for all of the tremendous work he's done to team with local law enforcement in order to provide the most effective level of security against drugs in our neighborhoods.

Just 3 days ago, the DEA in New Jersey teamed with Passaic County Prosecutor James F. Avigliano to arrest six individuals affiliated with the Trey 9 set of the Bloods street gang who were peddling large quantities of drugs in Newark, Parsippany, and in my town of Paterson, New Jersey. These arrests were executed as part of New Jersey Governor Jon Corzine's Crime Initiative to target criminal gangs, drugs, and guns.

This particular 35-day investigation was initiated by the prosecutor's office of gang/narcotics task force, the Drug Enforcement Administration, the United States Postal Office, and the Clifton Police Department, proving once again that our greatest level of homeland security can only come from Federal, State, and local enforcement agencies working in this partnership.

In regards to the DEA's efforts in this high-profile drug bust, I can provide no greater testament to the urgency of the work than by quoting Prosecutor James Avigliano who stated this: "Without the outstanding cooperation with the DEA Newark office, we would have been unable to arrest six major gang leaders and confiscate a substantial quantity of narcotics. The assistance provided by the DEA is key to our continued success in taking high level dealers and large quantities of drugs off the street."

It is due to the critical nature of their work that I am very thankful that we saw fit to approve much-needed funding of the DEA in last year's Consolidated Appropriations Act that put 200 more agents on the street after having to endure a long hiring freeze in previous years. No justification for that whatsoever, Mr. Speaker.

The SPEAKER pro tempore. The gentleman's time has expired.

Mr. SCHIFF. I yield the gentleman an additional 30 seconds.

Mr. PASCRELL. We must do more to honor the DEA and I pledge my full support.

Mr. Speaker, let me plead with you and my fellow Members on both sides of the aisle that there is no greater threat to the United States of America than the undermining of our will and our morale with the issuing of drugs through proliferation through our streets. There is no greater danger, Mr. Speaker. I cannot say it enough. The DEA understands that. Hopefully the Congress will come to understand it as well.

Mr. GOHMERT. Mr. Speaker, at this time I have no other speakers.

I reserve the remainder of my time.

Mr. SCHIFF. Mr. Speaker, at this time it gives me great pleasure to yield 2 minutes to the gentleman from Maryland (Mr. RUPPERSBERGER).

Mr. RUPPERSBERGER. Mr. Speaker, I rise today in support and recognition of House Resolution 369 honoring the men and women of the Drug Enforcement Administration on the occasion of its 35th anniversary.

For the last 35 years, the men and women of the DEA have served their country with distinction and honor while fighting one of the most dangerous problems this country faces today. Drug use and the violence associated with drug trafficking touches every American's life in some way or another. The men and women of the DEA are working tirelessly every day to prevent drugs from coming into the United States and to prevent or dismantle the manufacturing and distribution of drugs within our borders. This is no easy task.

The DEA consistently adapts to changes in the drug trade. From dismantling illegal Internet pharmacies to identifying new trends in manufacturing and distribution, the DEA is and must be at the top of their game. Because the DEA has the greatest presence overseas of any Federal law enforcement agency, diplomacy and collaboration with the leadership of drug-producing countries, like Colombia, is essential for their efforts to be effective. The men and women of the DEA are up to the challenge.

The over 9,000 employees of the DEA are an asset to the country, and I'm proud to honor them every day. They are in very dangerous places putting their lives on the line every day. I want to thank them for their dedication and their commitment to the agency and our country. I urge my colleagues to support the resolution.

Mr. GOHMERT. With that, Mr. Speaker, we would urge our colleagues to join us in this resolution's support.

My friend from Ohio will be managing the next two bills, the Debbie Smith Reauthorization Act, and the one to follow. Before I finish yielding back my time, I would like to express my thanks to my friend from California, the chairman of the Judiciary

Committee, the ranking member of Judiciary, as well as our chairman in Crime, BOBBY SCOTT, on the Debbie Smith reauthorization. I will not be here to be able to speak on that, but I am so grateful we were able to keep that from being overly burdened with things that would keep it from achieving its goal which, here again, helps everybody, including the DEA agents, when we do that job properly. I'm so grateful that we're going to be able to take that up and get that done today.

With that, I yield back the balance of my time.

Mr. SCHIFF. Mr. Speaker, just to conclude on the legislation recognizing the 35th anniversary of the DEA, I recall very well the loss of two DEA agents in the City of San Marino, very close to my district, back when I was with the U.S. Attorney. They were involved in a buy-bust. It was a small amount of drugs, a small amount of money, I think amounting to some \$35,000. These two agents, one was killed in a shoot-out with the drug dealers, the other shot at point-blank range execution style when these young drug dealers decided they would rather keep the \$35,000 and kill two people for it.

This is the kind of risk the DEA agents face every day. We're extraordinarily grateful to have such courageous men and women working within the agency. I urge the passage of the recognition bill.

Mr. SMITH of Nebraska. Mr. Speaker, I rise today in support of H. Con. Res. 369, honoring the men and women of the United States Drug Enforcement Administration on the occasion of its 35th Anniversary.

Earlier this year, I had the opportunity to visit the DEA's training facility in Quantico, Virginia.

This training facility is designed to prepare local law enforcement agents to deal with the specific hazards surrounding small, clandestine methamphetamine labs. More than 100 law enforcement officers from my home state of Nebraska have taken part in the training.

We also had the opportunity to speak briefly with agent trainees at the DEA training facility.

I truly appreciate these men and women who are battling against the evil of illegal drugs in the heartland of Nebraska and throughout our country.

These individuals—both the agents on the street and their instructors—deserve commendation for their dedication and sacrifice.

Through public education, vigilance, and the efforts of law enforcement, we can curb the spread of dangerous drugs in our communities.

Mr. SCHIFF. I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. SCHIFF) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 369.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

# DEBBIE SMITH REAUTHORIZATION ACT OF 2008

Mr. SCHIFF. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5057) to reauthorize the Debbie Smith DNA Backlog Grant Program, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5057

*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 “Debbie Smith Reauthorization Act of 2008”.

## SEC. 2. REAUTHORIZATION OF THE DEBBIE SMITH DNA BACKLOG GRANT PROGRAM.

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

(1) in subsection (a)—

(A) by redesignating paragraphs (3) through (5) as paragraphs (4) through (6), respectively;

(B) by inserting after paragraph (2) the following new paragraph:

“(3) To carry out, for inclusion in such Combined DNA Index System, DNA analyses of samples from missing or unidentified persons, including samples from the remains, personal effects, or biological relatives of such persons.”;

(C) in paragraph (4) (as redesignated by subparagraph (A)), by striking “paragraph (1) or (2)” and inserting “paragraph (1), (2), or (3)”;

(D) in paragraph (5) (as so redesignated), by striking “in paragraph (1)” and inserting “in paragraphs (1) and (3)”;

(2) in subsection (b)—

(A) in paragraph (6), by striking “and” after the semicolon;

(B) in paragraph (7), by striking the period and inserting “; and”;

(C) by adding at the end the following new paragraph:

“(8) provide assurances that the State or unit of local government has implemented, or will implement not later than 2 years after the date of such application, a process under which the State or unit, respectively, provides for the collection, for purposes of inclusion in the Combined DNA Index System of the Federal Bureau of Investigation, of DNA samples from all felons who are imprisoned in a prison of such State or unit, respectively, (including all felons imprisoned in such prison or unit, respectively, as of the date of the enactment of the Debbie Smith Reauthorization Act of 2008).”;

(3) in subsection (c)(3)—

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

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

(C) by inserting after subparagraph (A) (as so redesignated) the following new subparagraph:

“(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) of this section.”; and

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

“(j) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Attorney General for grants under subsection (a)—

“(1) \$151,000,000 for fiscal year 2009; and

“(2) \$200,000,000 for each of the fiscal years 2010 through 2014.”.

(b) EFFECTIVE DATE.—The amendments made by paragraph (2) of subsection (a) shall

apply to grants made on or after January 1, 2009.

## SEC. 3. STUDY TO ASSESS THE DNA ANALYSIS BACKLOG.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) despite the funding provided for more than 5 fiscal years by the Federal Government to assist in the reduction of the DNA analysis backlog, the backlog continues to exist in many crime laboratories around the country;

(2) as a consequence of the continuance of the DNA analysis backlog, many violent crimes that could be solved remain unsolved, and individuals who have been wrongfully convicted who could be determined to be innocent through DNA testing remain in prison; and

(3) the causes of the DNA analysis backlog are complex and require a thorough and detailed study.

(b) STUDY REQUIRED.—The National Academy of Sciences shall, in consultation with no fewer than 3 forensic science practitioners from States and units of local government, conduct a study to determine the resources and other requirements necessary to eliminate the DNA analysis backlog and to prevent such a backlog from reoccurring after it has been eliminated.

(c) REPORT.—Not later than one year after the date of the enactment of this Act, the National Academy of Sciences shall submit to the Attorney General and to Congress a report on the results of the study conducted under subsection (b).

(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section \$2,000,000 for fiscal year 2009.

## SEC. 4. INCENTIVES FOR PERMANENT STATE-GENERATED DNA FUNDING STREAMS.

(a) MATCHING FUNDS.—For each fiscal year beginning after the date of the enactment of this Act, each eligible DNA funding State, with respect to a funding mechanism described in subsection (b) implemented by such State, shall be eligible for Federal matching funds to carry out such mechanism in an amount determined to be appropriate by the Attorney General.

(b) ELIGIBLE DNA FUNDING STATES DESCRIBED.—For purposes of this section, the term “eligible DNA funding State” means a State that demonstrates to the satisfaction of the Attorney General that the State has implemented (and applies) a permanent funding mechanism that generates funds, whether by fees or penalties, that are allocated by the State only for purposes of the analysis of DNA samples for law enforcement purposes.

(c) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section such sums as may be necessary for each of the fiscal years 2009 through 2013.

## SEC. 5. EVALUATION OF DNA INTEGRITY AND SECURITY.

(a) EVALUATION.—Not later than one year after the date of the enactment of this Act, and annually thereafter, the Attorney General shall evaluate the integrity and security of DNA collection and storage practices and procedures at a sample of crime laboratories in the United States to determine the extent to which DNA samples are tampered with or are otherwise contaminated in crime laboratories. Such sample shall be a representative sample of crime laboratories in the United States.

(b) REPORT.—The Attorney General shall annually report to Congress the findings of the evaluation conducted under subsection (a).

(c) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to

carry out this section \$10,000,000 for each of the fiscal years 2009 through 2015.

## SEC. 6. INCENTIVES FOR STATES TO COLLECT DNA SAMPLES FROM INDIVIDUALS ARRESTED FOR OR CHARGED WITH MURDER AND SEX CRIMES.

(a) IN GENERAL.—In the case of a State that receives funds for a fiscal year under subpart 1 of part E of title I of the Omnibus Crime Control and Safe Streets Act of 1968 and that has an implemented enhanced State DNA collection process for such year, the amount of funds that would otherwise be allocated for that fiscal year to the State under such subpart shall be increased by 10 percent.

(b) ENHANCED STATE DNA COLLECTION PROCESS DEFINED.—For purposes of this section, the term “enhanced State DNA collection process” means, with respect to a State, a process under which the State provides for the collection, for purposes of inclusion in the Combined DNA Index System of the Federal Bureau of Investigation, of DNA samples from the following individuals who are at least 18 years of age:

(1) Such individuals who are arrested for or charged with a criminal offense under State law that consists of murder or voluntary manslaughter or any attempt to commit murder or voluntary manslaughter.

(2) Such individuals who are arrested for or charged with a criminal offense under State law that has an element involving a sexual act or sexual contact with another and that is punishable by imprisonment for more than 1 year, or an attempt to commit such an offense.

(3) Such individuals who are arrested for or charged with a criminal offense under State law that consists of a specified offense against a minor (as defined in section 111(7) of the Sex Offender Registration and Notification Act (42 U.S.C. 16911(7))), or an attempt to commit such an offense.

The expungement requirements under section 210304(d) of the DNA Identification Act of 1994 (42 U.S.C. 14132(d)) shall apply to any samples collected pursuant to this section for purposes of inclusion in the Combined DNA Index System.

(c) EFFECTIVE DATE.—The provisions of this section shall apply to grants made on or after the date of the enactment of this Act.

(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated, in addition to funds made available under section 508 of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3758), such sums as may be necessary to carry out this section for each of the fiscal years 2009 through 2013.

## SEC. 7. ADDITIONAL STUDY AND REPORT ON INVESTIGATIONS AND PROSECUTIONS RELATED TO CODIS “HITS”.

(a) STUDY.—The Inspector General of the Department of Justice shall carry out a study on—

(1) the number of instances in which DNA samples that are matched with samples included in the Combined DNA Index System database of the Federal Bureau of Investigation that are followed up on by appropriate law enforcement entities;

(2) the number of such matches described in paragraph (1) that are brought to the attention of a prosecutor;

(3) the number of the investigations described in paragraph (2) that result in a trial; and

(4) in the case of matches described in paragraph (1) that were not followed up on by appropriate law enforcement entities, were not brought to the attention of a prosecutor, or did not result in a trial—

(A) the reasons why such matches were not pursued accordingly; and

(B) the resulting impact on the criminal justice system, including whether other