

today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote incurs objection under clause 6 of rule XX.

The House will resume proceedings on postponed questions at a later time.

RAPID DNA ACT OF 2017

Mr. GOODLATTE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 510) to establish a system for integration of Rapid DNA instruments for use by law enforcement to reduce violent crime and reduce the current DNA analysis backlog.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 510

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 “Rapid DNA Act of 2017”.

SEC. 2. RAPID DNA INSTRUMENTS.

(a) STANDARDS.—Section 210303(a) of the DNA Identification Act of 1994 (42 U.S.C. 14131(a)) is amended by adding at the end the following:

“(5)(A) In addition to issuing standards as provided in paragraphs (1) through (4), the Director of the Federal Bureau of Investigation shall issue standards and procedures for the use of Rapid DNA instruments and resulting DNA analyses.

“(B) In this Act, the term ‘Rapid DNA instruments’ means instrumentation that carries out a fully automated process to derive a DNA analysis from a DNA sample.”.

(b) INDEX.—Paragraph (2) of section 210304(b) of the DNA Identification Act of 1994 (42 U.S.C. 14132(b)(2)) is amended to read as follows:

“(2) prepared by—

“(A) laboratories that—

“(i) have been accredited by a nonprofit professional association of persons actively involved in forensic science that is nationally recognized within the forensic science community; and

“(ii) undergo external audits, not less than once every 2 years, that demonstrate compliance with standards established by the Director of the Federal Bureau of Investigation; or

“(B) criminal justice agencies using Rapid DNA instruments approved by the Director of the Federal Bureau of Investigation in compliance with the standards and procedures issued by the Director under section 210303(a)(5); and”.

SEC. 3. CONFORMING AMENDMENTS RELATING TO COLLECTION OF DNA IDENTIFICATION INFORMATION.

(a) FROM CERTAIN FEDERAL OFFENDERS.—Section 3 of the DNA Analysis Backlog Elimination Act of 2000 (42 U.S.C. 14135a) is amended—

(1) in subsection (b), by adding at the end the following: “The Director of the Federal Bureau of Investigation may waive the requirements under this subsection if DNA samples are analyzed by means of Rapid DNA instruments and the results are included in CODIS.”; and

(2) in subsection (c), by adding at the end the following:

“(3) The term ‘Rapid DNA instruments’ means instrumentation that carries out a fully automated process to derive a DNA analysis from a DNA sample.”.

(b) FROM CERTAIN DISTRICT OF COLUMBIA OFFENDERS.—Section 4 of the DNA Analysis

Backlog Elimination Act of 2000 (42 U.S.C. 14135b) is amended—

(1) in subsection (b), by adding at the end the following: “The Director of the Federal Bureau of Investigation may waive the requirements under this subsection if DNA samples are analyzed by means of Rapid DNA instruments and the results are included in CODIS.”; and

(2) in subsection (c), by adding at the end the following:

“(3) The term ‘Rapid DNA instruments’ means instrumentation that carries out a fully automated process to derive a DNA analysis from a DNA sample.”.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Virginia (Mr. GOODLATTE) and the gentleman from Maryland (Mr. RASKIN) each will control 20 minutes.

The Chair recognizes the gentleman from Virginia.

GENERAL LEAVE

Mr. GOODLATTE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and to include extraneous materials on H.R. 510, currently under consideration.

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

There was no objection.

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

The House of Representatives works on many important issues, but few are more important than making sure that innocent arrestees are promptly released and that culpable suspects are not released to strike again.

Rapid DNA technology has the potential to do both of those things and, as such, can be an important tool for law enforcement and a key component of this body’s ongoing efforts on criminal justice reform.

I applaud the gentleman from Wisconsin (Mr. SENSENBRENNER) for reintroducing H.R. 510, the Rapid DNA Act of 2017, in this session of Congress.

With Rapid DNA technology, it is possible to test the DNA of arrestees as soon as they are in custody and determine within hours whether they match the DNA profile from a crime scene or from other earlier crimes.

This technology would also enable police to check the Federal DNA database to see if an arrestee matches the DNA profile from previous crimes for which a DNA sample exists but no known suspect has been identified.

Rather than waiting weeks for a DNA sample to be processed and risk releasing a suspect back into the public to potentially reoffend, creating new victims, police will be able to determine at initial booking if the suspect is a person of interest in other crimes.

This bill will provide important tools for law enforcement. For instance, it will inform decisions about pretrial release or detention and their conditions. It will solve and prevent all crimes, including violent crimes. By freeing up forensic analysts, it will prevent DNA analysis backlogs.

I believe this is necessary, responsible legislation that will aid law enforcement and protect American citizens by keeping offenders off the streets. I again thank Congressman SENSENBRENNER for sponsoring this important legislation, and I urge my colleagues to vote in favor of this bill.

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

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

I rise in strong support of H.R. 510, the Rapid DNA Act of 2017. I also want to salute Mr. SENSENBRENNER for his hard work on it.

This bipartisan legislation would integrate Rapid DNA technology into the FBI’s Combined DNA Index System, popularly known as CODIS, to enable law enforcement to perform valuable investigative functions faster and more efficiently.

DNA technology is a valuable, dynamic, and rapidly unfolding element of our criminal justice system. DNA technology helps us to identify suspects, eliminate false suspects, exonerate the innocent, and ultimately to convict responsible perpetrators of crime. My State of Maryland is home to the first capital prisoner in the United States who was exonerated while in prison for a homicide with DNA technology.

CODIS and the National DNA Index System play a critical role across the country in criminal investigations by Federal, State, and local law enforcement agencies. Rapid DNA involves a fully automated, hands-free process designed to produce a DNA profile within minutes at the booking stage outside of a crime lab.

Existing law does not provide for the inclusion of Rapid DNA analyses into CODIS. H.R. 510 would bridge the gap between Rapid DNA technology and CODIS by authorizing law enforcement to conduct Rapid DNA analyses and upload the results to the national index, as long as the Rapid DNA machines that are used are accredited. This adds a real-time layer to CODIS and saves us all significant time and resources, improving efficiency in the criminal justice process.

H.R. 510 has significant practical and positive consequences for law enforcement and for public safety. For example, Detroit, as of this April, has tested approximately 10,000 backlogged sexual assault kits. As a result, there have been more than 2,600 DNA matches, including CODIS hits; the identification of nearly 800 potential serial rapists; 92 convictions obtained by the Wayne County Prosecutor’s Office; and DNA crimes linked to 40 other States and the District of Columbia.

The addition of Rapid DNA information to the CODIS database will help identify serial rapists if matches are made to the lab analyses of the sexual assault kit samples.

I hope that the use of Rapid DNA will allow other DNA labs to focus more of their resources on reducing the backlog

of untested sexual assault kits across the country. My home State of Maryland has 3,700 untested rape kits right now, according to a report done last year.

Accordingly, I urge my colleagues to join the chairman and those of us in the minority in supporting this important legislation.

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

Mr. GOODLATTE. Mr. Speaker, I yield such time as he may consume to the gentleman from Wisconsin (Mr. SENSENBRENNER), the former chairman of the House Judiciary Committee and the chief author of this legislation.

Mr. SENSENBRENNER. Mr. Speaker, I thank the gentleman from Virginia (Mr. GOODLATTE) for yielding me this time.

Rapid DNA is a promising new technology that allows for the almost immediate DNA analysis of an arrestee. Unlike standard DNA practices, which require sending DNA samples from arrestees out to labs with a result taking weeks to ascertain, Rapid DNA results take only a few hours and can be done right at the booking station. Like fingerprinting, photographing, and other booking procedures which at the time were novel but now have become routine, Rapid DNA will soon be standard procedure in police stations throughout the country.

There is only one problem with Rapid DNA technology: Federal law. Our law, written in 1994 when DNA technology was still in its infancy, prohibits the use of Rapid DNA technology in booking stations. This is not because of any limitation in Rapid DNA technology, but simply because at that time Rapid DNA technology was not even contemplated. Similar to the transformation of musical devices—records leading to cassette tapes, cassette tapes leading to CDs, CDs leading to MP3, and now iPods and online music hosting services—technology moves quicker than we can legislate. Now is the time to change the law to permit Rapid DNA technology.

Rapid DNA machines are compact, approximately the size of copy machines, and can provide a DNA analysis from a cheek swab sample of an arrestee within 2 hours. This has two profound implications. First, arrestees may be exonerated of crimes in 2 hours rather than waiting for up to 72 hours for release, or months for more standard DNA testing. Second, those arrested for a crime can quickly be matched to other unsolved crimes where there was forensic evidence left at the crime scene but for which there was no identified suspect.

The Rapid DNA Act updates the current law to allow DNA samples to be processed using Rapid DNA instruments located in booking stations and other approved locations. The bill will require the FBI to issue standards and procedures for the use of such instruments and their resulting DNA analyses to ensure the integrity of such in-

struments and the accuracy of the results. It will permit those results to be included in the DNA index if criminal justice agencies taking the samples comply with the standards and procedures that the FBI approves. In this way, the bill would permit this new category of DNA samples to be uploaded into the index with the same protections and quality standards as current DNA samples.

Not only does Rapid DNA have the potential to reduce crime, help expeditiously exonerate the innocent, but also to positively impact the current backlogs for rape kits and other DNA sample analysis.

This committee has spent a great deal of time and significant work to try to reduce the forensic DNA backlog, especially in rape kits. Rapid DNA could not at this time be used for rape kits, but the implementation of Rapid DNA will allow forensic labs to focus on forensic samples, not on identification samples which can easily be handled by Rapid DNA machines. I hope this will reduce the rape kit backlog, which will also prevent future rapes from happening.

I am pleased that the House is taking a significant step in furthering the use of this technology. I urge my colleagues to support this legislation.

Mr. RASKIN. Mr. Speaker, I yield such time as he may consume to the gentleman from Tennessee (Mr. COHEN).

Mr. COHEN. Mr. Speaker, I thank Mr. RASKIN for his kind words and his work on this. I particularly thank Mr. SENSENBRENNER for his work. He has been the sponsor of this since it was introduced. I was an original sponsor since it was introduced as well. It makes a lot of sense for us to do this and get DNA evidence and use science to the advantage of the American people, and particularly in law enforcement where we have problems in identifying suspects and proving guilt on occasion, and also exonerating the innocent. DNA is a perfect tool as it exonerates the wrongfully accused and gets the person who has committed the crime.

I am honored to be a part of this. This bill, while a small part in the big picture, shows that Democrats and Republicans can work together to get some things done. I appreciate the honor to be able to sponsor, and I appreciate Mr. SENSENBRENNER's work.

Mr. GOODLATTE. Mr. Speaker, I don't have any additional speakers, and I reserve the balance of my time to close.

Mr. RASKIN. Mr. Speaker, I yield myself the balance of my time.

The Rapid DNA Act is strongly supported by several organizations which know that the expanded use and availability of Rapid DNA will enhance public safety by reducing the DNA backlog, reducing violent crime, and allowing law enforcement to investigate crimes and identify suspects with greater efficiency and accuracy. The

organizations include the National Center for Victims of Crime; the Police Foundation, which works to improve policing through innovation and science; and the Federal Law Enforcement Officers Association.

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Mr. Speaker, in the case that I referred to before, the Bloodsworth case from Maryland, this was a gentleman who was convicted of a grisly rape and murder of a 9-year-old girl. He swore he hadn't done it. He was convicted. In court he swore every day that he was the wrong guy.

When DNA technology was first unveiled, he read about it. He begged his lawyer who is now the chief judge on the D.C. Superior Court, Judge Morin, to get the DNA test done. That lawyer took \$5,000 out of his own pocket to do the DNA test, and it came back with greater than 99 percent certainty it could not have been Bloodsworth.

Then the DNA evidence provided an exact match to a prisoner who was a floor below Bloodsworth at the time. So they found the right guy, and he was about to get out of prison a few months later.

The DNA evidence establishes an extraordinary new era that we are in terms of criminal justice, and I am proud to be supporting this legislation that Mr. SENSENBRENNER has brought forward, which I think will improve accuracy and efficiency all around. I applaud his efforts and the efforts of our chairman to ensure the integrity and the quality of the analysis that will be used in the criminal justice system.

I urge all of our colleagues to join me in voting for H.R. 510 today.

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

Mr. GOODLATTE. Mr. Speaker, this is a good bill. It is a bipartisan bill. I thank Members on both sides of the aisle for their contributions to this effort. I again commend the gentleman from Wisconsin (Mr. SENSENBRENNER) for reintroducing this bill. I urge my colleagues to support the bill.

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 Virginia (Mr. GOODLATTE) that the House suspend the rules and pass the bill, H.R. 510.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

STRENGTHENING STATE AND LOCAL CYBER CRIME FIGHTING ACT OF 2017

Mr. GOODLATTE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1616) to amend the Homeland Security Act of 2002 to authorize the National Computer Forensics Institute, and for other purposes, as amended.