

the Secretary, shall submit to the Committee on the Judiciary of the Senate, the Committee on Health, Education, Labor, and Pensions of the Senate, the Committee on the Judiciary of the House of Representatives, and the Committee on Energy and Commerce of the House of Representatives a report on—

(A) the availability of, and patient access to, trained SANEs and other providers who perform MFEs or sexual assault forensic examinations;

(B) the health care facilities, including hospitals or clinics, that offer SANEs and sexual assault forensic examinations and whether each health care facility, including a hospital or clinic, has full-time, part-time, or on-call coverage;

(C) regional, provider, or other barriers to access for SANE care and services, including MFEs and sexual assault forensic examinations;

(D) State requirements, minimum standards, and protocols for training SANEs, including trauma-informed and culturally competent training standards;

(E) State requirements, minimum standards, and protocols for training emergency services personnel involved in MFEs and sexual assault forensic examinations;

(F) the availability of sexual assault nurse examiner training, frequency of when training is convened, the providers of such training, the State's role in such training, and what process or procedures are in place for continuing education of such examiners;

(G) the dedicated Federal and State funding to support SANE training;

(H) funding opportunities for SANE training and continuing education;

(I) the availability of sexual assault advocates at locations providing MFEs and sexual assault forensic exams; and

(J) the total annual cost of conducting sexual assault forensic exams described in section 10449(b) of this title.

(e) Authorization of appropriations

There are authorized to be appropriated \$30,000,000 for each of fiscal years 2023 through 2027 to carry out this section.

(Pub. L. 108-405, title III, §304, Oct. 30, 2004, 118 Stat. 2273; Pub. L. 110-360, §4, Oct. 8, 2008, 122 Stat. 4009; Pub. L. 113-182, §4, Sept. 29, 2014, 128 Stat. 1918; Pub. L. 114-324, §4, Dec. 16, 2016, 130 Stat. 1950; Pub. L. 115-107, §2, Jan. 8, 2018, 131 Stat. 2266; Pub. L. 116-104, §4, Dec. 30, 2019, 133 Stat. 3273; Pub. L. 117-103, div. W, title XIII, §1318(b)-(e), Mar. 15, 2022, 136 Stat. 940-945.)

Editorial Notes

CODIFICATION

Section was formerly classified to section 14136a of Title 42, The Public Health and Welfare, prior to editorial reclassification and renumbering as this section.

AMENDMENTS

2022—Subsec. (a). Pub. L. 117-103, §1318(b), added subsec. (a) and struck out former subsec. (a). Prior to amendment, text read as follows: “The Attorney General shall make grants to eligible entities to provide training, technical assistance, education, equipment,

and information relating to the identification, collection, preservation, analysis, and use of DNA samples and DNA evidence by medical personnel and other personnel, including doctors, medical examiners, coroners, nurses, victim service providers, and other professionals involved in treating victims of sexual assault and sexual assault examination programs, including SANE (Sexual Assault Nurse Examiner), SAFE (Sexual Assault Forensic Examiner), and SART (Sexual Assault Response Team).”

Subsec. (b). Pub. L. 117-103, §1318(b), (c), added subsec. (b) and struck out former subsec. (b) which defined “eligible entity”.

Subsec. (c). Pub. L. 117-103, §1318(b), (d)(2), added subsec. (c) and struck out former subsec. (c) which related to preference given to certain eligible entities for grants and promoting the role and employment of forensic nurses.

Subsec. (d). Pub. L. 117-103, §1318(d)(2), added subsec. (d). Former subsec. (d) redesignated (e).

Subsec. (e). Pub. L. 117-103, §1318(d)(2), (e), redesignated subsec. (d) as (e) and amended it generally. Prior to amendment, subsec. authorized appropriation of \$30,000,000 for each of fiscal years 2019 through 2024 to carry out this section.

2019—Subsec. (d). Pub. L. 116-104 substituted “2019 through 2024” for “2015 through 2019”.

2018—Subsec. (c)(2). Pub. L. 115-107 inserted “, both adult and pediatric,” after “role of forensic nurses” and substituted “elder abuse, and, in particular, the need for pediatric sexual assault nurse examiners, including such nurse examiners working in the multidisciplinary setting, in responding to abuse of both children and adolescents” for “and elder abuse”.

2016—Subsecs. (c), (d). Pub. L. 114-324 added subsec. (c) and redesignated former subsec. (c) as (d).

2014—Subsec. (c). Pub. L. 113-182 substituted “2015 through 2019” for “2009 through 2014”.

2008—Subsec. (c). Pub. L. 110-360 substituted “2009 through 2014” for “2005 through 2009”.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 2022 AMENDMENT

Amendment by Pub. L. 117-103 not effective until Oct. 1 of the first fiscal year beginning after Mar. 15, 2022, see section 4(a) of div. W of Pub. L. 117-103, set out as an Effective Date note under section 6851 of Title 15, Commerce and Trade.

§ 40724. DNA research and development

(a) Improving DNA technology

The Attorney General shall make grants for research and development to improve forensic DNA technology, including increasing the identification accuracy and efficiency of DNA analysis, decreasing time and expense, and increasing portability.

(b) Demonstration projects

The Attorney General shall make grants to appropriate entities under which research is carried out through demonstration projects involving coordinated training and commitment of resources to law enforcement agencies and key criminal justice participants to demonstrate and evaluate the use of forensic DNA technology in conjunction with other forensic tools. The demonstration projects shall include scientific evaluation of the public safety benefits, improvements to law enforcement operations, and cost-effectiveness of increased collection and use of DNA evidence.

(c) Authorization of appropriations

There are authorized to be appropriated \$5,000,000 for each of fiscal years 2017 through 2021 to carry out this section.

(Pub. L. 108-405, title III, §305, Oct. 30, 2004, 118 Stat. 2273; Pub. L. 114-324, §8(a), Dec. 16, 2016, 130 Stat. 1954.)

Editorial Notes

CODIFICATION

Section was formerly classified to section 14136b of Title 42, The Public Health and Welfare, prior to editorial reclassification and renumbering as this section.

AMENDMENTS

2016—Subsec. (c). Pub. L. 114-324 substituted “\$5,000,000 for each of fiscal years 2017 through 2021” for “\$15,000,000 for each of fiscal years 2005 through 2009”.

§ 40725. National Forensic Science Commission

(a) Appointment

The Attorney General shall appoint a National Forensic Science Commission (in this section referred to as the “Commission”), composed of persons experienced in criminal justice issues, including persons from the forensic science and criminal justice communities, to carry out the responsibilities under subsection (b).

(b) Responsibilities

The Commission shall—

- (1) assess the present and future resource needs of the forensic science community;
- (2) make recommendations to the Attorney General for maximizing the use of forensic technologies and techniques to solve crimes and protect the public;
- (3) identify potential scientific advances that may assist law enforcement in using forensic technologies and techniques to protect the public;
- (4) make recommendations to the Attorney General for programs that will increase the number of qualified forensic scientists available to work in public crime laboratories;
- (5) disseminate, through the National Institute of Justice, best practices concerning the collection and analyses of forensic evidence to help ensure quality and consistency in the use of forensic technologies and techniques to solve crimes and protect the public;
- (6) examine additional issues pertaining to forensic science as requested by the Attorney General;
- (7) examine Federal, State, and local privacy protection statutes, regulations, and practices relating to access to, or use of, stored DNA samples or DNA analyses, to determine whether such protections are sufficient;
- (8) make specific recommendations to the Attorney General, as necessary, to enhance the protections described in paragraph (7) to ensure—
 - (A) the appropriate use and dissemination of DNA information;
 - (B) the accuracy, security, and confidentiality of DNA information;
 - (C) the timely removal and destruction of obsolete, expunged, or inaccurate DNA information; and
 - (D) that any other necessary measures are taken to protect privacy; and
- (9) provide a forum for the exchange and dissemination of ideas and information in fur-

therance of the objectives described in paragraphs (1) through (8).

(c) Personnel; procedures

The Attorney General shall—

- (1) designate the Chair of the Commission from among its members;
- (2) designate any necessary staff to assist in carrying out the functions of the Commission; and
- (3) establish procedures and guidelines for the operations of the Commission.

(d) Authorization of appropriations

There are authorized to be appropriated \$500,000 for each of fiscal years 2005 through 2009 to carry out this section.

(Pub. L. 108-405, title III, §306, Oct. 30, 2004, 118 Stat. 2274.)

Editorial Notes

CODIFICATION

Section was formerly classified to section 14136c of Title 42, The Public Health and Welfare, prior to editorial reclassification and renumbering as this section.

§ 40726. DNA identification of missing persons

(a) In general

The Attorney General shall make grants to promote the use of forensic DNA technology to identify missing persons and unidentified human remains.

(b) Requirement

Each State or unit of local government that receives funding under this section shall be required to submit the DNA profiles of such missing persons and unidentified human remains to the National Missing Persons DNA Database of the Federal Bureau of Investigation.

(c) Authorization of appropriations

There are authorized to be appropriated \$2,000,000 for each of fiscal years 2017 through 2021 to carry out this section.

(Pub. L. 108-405, title III, §308, Oct. 30, 2004, 118 Stat. 2275; Pub. L. 114-324, §8(c), Dec. 16, 2016, 130 Stat. 1954.)

Editorial Notes

CODIFICATION

Section was formerly classified to section 14136d of Title 42, The Public Health and Welfare, prior to editorial reclassification and renumbering as this section.

AMENDMENTS

2016—Subsec. (c). Pub. L. 114-324 substituted “fiscal years 2017 through 2021” for “fiscal years 2005 through 2009”.

§ 40727. Kirk Bloodworth Post-Conviction DNA Testing Grant Program

(a) In general

The Attorney General shall establish the Kirk Bloodworth Post-Conviction DNA Testing Grant Program to award grants to States to help defray the costs of post-conviction DNA testing.

(b) Authorization of appropriations

There are authorized to be appropriated \$10,000,000 for each of fiscal years 2017 through 2021 to carry out this section.