

112TH CONGRESS
2D SESSION

H. R. 6196

To eliminate the backlog in performing DNA analyses of DNA samples collected from convicted child sex offenders, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 25, 2012

Mr. KING of New York (for himself, Mr. TURNER of New York, and Mr. BURTON of Indiana) introduced the following bill; which was referred to the Committee on the Judiciary, and in addition to the Committee on Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To eliminate the backlog in performing DNA analyses of DNA samples collected from convicted child sex offenders, 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 “Convicted Child Sex
5 Offender DNA Index System Support Act”.

6 **SEC. 2. ELIMINATION OF CHILD SEX OFFENDER DNA BACK-**

7 **LOG.**

8 (a) DEVELOPMENT OF PLAN.—

1 (1) IN GENERAL.—Not later than 45 days after
2 the date of the enactment of this Act, the Director
3 of the Federal Bureau of Investigation, after con-
4 sultation with representatives of the States and of
5 appropriate Federal agencies, shall develop a plan to
6 assist States in performing DNA analyses of DNA
7 samples collected from convicted child sex offenders.

8 (2) OBJECTIVE.—The objective of the plan de-
9 veloped under paragraph (1) shall be to effectively
10 eliminate the backlog of convicted child sex offender
11 DNA samples awaiting analysis in State or local fo-
12 rensic laboratory storage, including samples that
13 need to be reanalyzed using upgraded methods, in
14 an efficient, expeditious manner that will provide for
15 the entry of those analyses into the combined DNA
16 Indexing System (CODIS).

17 (3) PREFERENCE IN FUNDING.—In providing
18 assistance to States under the plan, the Director
19 shall give a preference in assistance to those States
20 that have developed a comprehensive program for
21 the DNA analysis of crime scene evidence in case-
22 work for which there are no suspects.

23 (b) PLAN CONDITIONS.—The plan developed under
24 subsection (a) shall require the following:

1 (1) That the Director of the Federal Bureau of
2 Investigation—

3 (A) establish requirements for the perform-
4 ance of DNA analyses by private forensic lab-
5 oratories, including quality assurance stand-
6 ards, state-of-the-art testing methods, and other
7 requirements that the Director considers appro-
8 priate; and

9 (B) determine which private forensic lab-
10 oratories satisfy the requirements established
11 pursuant to subparagraph (A).

12 (2) That a laboratory may perform DNA anal-
13 yses under the plan only if it is a private forensic
14 laboratory determined under paragraph (1)(B) to
15 satisfy the requirements established pursuant to
16 paragraph (1)(A).

17 (3) That the Director of the Federal Bureau of
18 Investigation provide assistance under the plan only
19 pursuant to arrangements with private forensic lab-
20 oratories that have been determined under para-
21 graph (1)(B) to satisfy the requirements established
22 pursuant to paragraph (1)(A).

23 (4) That under each such arrangement—

24 (A) the Director shall determine, for each
25 State to which assistance is provided under the

1 plan, the quantity of convicted child sex of-
2 fender DNA samples awaiting analysis in that
3 State on which the laboratory shall perform
4 DNA analysis;

5 (B) the laboratory shall perform those
6 DNA analyses; and

7 (C) the Director shall, on behalf of that
8 State, provide funding to the laboratory to
9 cover the costs of those DNA analyses.

10 (5) That each DNA sample collected and ana-
11 lyzed under the plan be accessible only—

12 (A) to criminal justice agencies for law en-
13 forcement identification purposes;

14 (B) in judicial proceedings, if otherwise ad-
15 missible pursuant to applicable statutes or
16 rules;

17 (C) for criminal defense purposes, to a de-
18 fendant, who shall have access to samples and
19 analyses performed in connection with the case
20 in which such defendant is charged; or

21 (D) for validation studies and protocol de-
22 velopment purposes, if personally identifiable
23 information is removed.

24 (c) IMPLEMENTATION OF PLAN.—Subject to the
25 availability of appropriations under subsection (d), the Di-

1 rector of the Federal Bureau of Investigation shall imple-
2 ment the plan developed pursuant to subsection (a) with
3 States that elect to participate.

4 (d) AUTHORIZATION OF APPROPRIATIONS.—There
5 are authorized to be appropriated to the Director of the
6 Federal Bureau of Investigation to carry out this section
7 \$25,000,000 for each of the fiscal years 2013, 2014, and
8 2015.

9 **SEC. 3. OFFSETTING SAVINGS.**

10 The Administrator of the Office of Personnel Man-
11 agement shall implement all of the recommendations made
12 by the Office of Inspector General in its report dated Sep-
13 tember 14, 2011 regarding stopping improper payments
14 from the Federal Government’s Civil Service Retirement
15 and Disability Fund to deceased annuitants and survivors.

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