

117TH CONGRESS
2D SESSION

H. R. 8264

To improve the processing of samples of sexual assault evidence, and for
other purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 1, 2022

Mr. CLEAVER (for himself, Ms. ADAMS, Ms. BONAMICI, Ms. BROWNLEY, Mr. CARSON, Mr. CARTER of Louisiana, Mrs. CHERFILUS-McCORMICK, Mr. COSTA, Ms. DAVIDS of Kansas, Ms. DELBENE, Mrs. HAYES, Ms. JACKSON LEE, Ms. JAYAPAL, Mr. JOHNSON of Georgia, Ms. KUSTER, Mr. LARSEN of Washington, Mr. LAWSON of Florida, Mrs. CAROLYN B. MALONEY of New York, Ms. NORTON, Mr. O'HALLERAN, Mr. PAPPAS, Ms. PORTER, Ms. ROSS, Ms. SEWELL, Mr. TAKANO, Ms. TITUS, Mr. TORRES of New York, Ms. VELÁZQUEZ, Mrs. WATSON COLEMAN, Mrs. WAGNER, and Ms. CLARK of Massachusetts) introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To improve the processing of samples of sexual assault
evidence, 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 “Backlog Justice Act
5 of 2022”.

1 **SEC. 2. NATIONAL RAPE KIT BACKLOG DATABASE.**

2 (a) IN GENERAL.—The Attorney General, acting
3 through the Director of the Bureau of Justice Assistance,
4 shall establish, maintain, and update not less than bian-
5 nually, a publicly accessible online database of information
6 from inventories or audits conducted by States and units
7 of local governments of the sexual assault evidence collec-
8 tion kits that are in the possession of the State or unit
9 of local government and have been awaiting testing for
10 more than 90 days, including an estimate of the amount
11 of time it takes for each laboratory, with respect to which
12 data is submitted, to test a sexual assault evidence collec-
13 tion kit.

14 (b) AUTHORIZATION OF APPROPRIATIONS.—There is
15 authorized to be appropriated \$5,000,000 for each of fis-
16 cal years 2024 through 2028 to carry out this section.

17 **SEC. 3. TRAINING ANALYSTS TO TEST SAMPLES OF SEXUAL**
18 **ASSAULT EVIDENCE.**

19 (a) AUTHORIZATION.—The Attorney General, acting
20 through the Director of the Federal Bureau of Investiga-
21 tion, is authorized to develop and operate training pro-
22 grams at the Federal Bureau of Investigation labora-
23 tory—

24 (1) for individuals hired by States and units of
25 local government as analysts to test samples of sex-
26 ual assault evidence, which may include training at

1 the Federal Bureau of Investigation laboratory or at
2 State and local laboratories;

3 (2) pursuant to which individuals hired and
4 trained by the Federal Bureau of Investigation as
5 analysts to test samples of sexual assault evidence,
6 may be hired by States and units of local govern-
7 ment upon completion of such training; and

8 (3) for DNA Technical Leader training, includ-
9 ing a curriculum to host both in-person and remote
10 training sessions for technical leaders or trained
11 DNA examiners seeking to become technical leaders.

12 (b) RULE OF CONSTRUCTION.—Nothing in this sec-
13 tion may be construed to require a State or local forensic
14 science services provider to participate in a program estab-
15 lished under subsection (a).

16 (c) AUTHORIZATION OF APPROPRIATIONS.—There is
17 authorized to be appropriated \$5,000,000 for each of fis-
18 cal years 2024 through 2028 to carry out this section.

19 **SEC. 4. VALIDATION AND TECHNOLOGY TRANSFER PRO-**
20 **GRAM.**

21 (a) AUTHORIZATION.—The Attorney General, acting
22 through the Director of the Federal Bureau of Investiga-
23 tion, is authorized to convene and coordinate, in conjunc-
24 tion with State and local forensic science service providers,
25 a validation and technology transfer program, pursuant to

1 which the Federal Bureau of Investigation laboratory, in
2 partnership with a collaborative of State and local forensic
3 science service providers, may research new technologies
4 and processes for processing DNA, and provide for use
5 by State and local laboratories related to such technologies
6 and processes—

- 7 (1) analytical protocols;
8 (2) developmental validation data; and
9 (3) model lab instrument performance
10 verification plans.

11 (b) VALIDATION LIST.—Upon completing the re-
12 search described in subsection (a), the Director of the
13 Federal Bureau of Investigation is authorized to publish
14 a list of validated technologies and processes, along with
15 validation data and additional documentation related to
16 each such technology or process.

17 (c) AUTHORIZATION OF APPROPRIATIONS.—There is
18 authorized to be appropriated \$10,000,000 for each of fis-
19 cal years 2024 through 2028 to carry out this section.

20 **SEC. 5. INCREASE IN STOP GRANT FUNDING FOR STATES**
21 **THAT HAVE IN PLACE ELECTRONIC EVI-**
22 **DENCE TRACKING SYSTEMS FOR SEXUAL AS-**
23 **SAULT KITS.**

24 (a) AUTHORIZATION.—Beginning in fiscal year 2024,
25 the Attorney General shall increase by not more than 10

1 percent the amount provided to a State under the part
2 T of title I of the Omnibus Crime Control and Safe Streets
3 Act of 1968 (34 U.S.C. 10441 et seq.) if the State has
4 in place an electronic evidence tracking system for sexual
5 assault kits that complies with the requirements under
6 subsection (b).

7 (b) TRACKING SYSTEM REQUIREMENTS.—In order to
8 qualify for the grant increase under subsection (a), the
9 tracking system shall be a website that provides informa-
10 tion to victims of sexual assault who underwent a sexual
11 assault kit examination and their advocates on each stage
12 of the processing of a rape kit, including from the hospital,
13 to a local law enforcement agency, through the analysis
14 process at a lab, to final disposition.

15 (c) PERIOD OF INCREASE.—

16 (1) IN GENERAL.—The Attorney General shall
17 provide an increase in the amount provided to a
18 State under the program described in subsection (a)
19 for a 2-year period.

20 (2) LIMIT.—The Attorney General may not
21 provide an increase in the amount provided to a
22 State under the program described in subsection (a)
23 more than 4 times.

1 (d) AUTHORIZATION OF APPROPRIATIONS.—There is
2 authorized to be appropriated \$1,500,000 for each of fis-
3 cal years 2024 through 2028 to carry out this section.

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