

109<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION

# H. R. 2796

To expand the use of DNA for the identification and prosecution of sex offenders, and for other purposes.

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IN THE HOUSE OF REPRESENTATIVES

JUNE 8, 2005

Mr. GREEN of Wisconsin introduced the following bill; which was referred to the Committee on the Judiciary

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## A BILL

To expand the use of DNA for the identification and prosecution of 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 “DNA Fingerprinting  
5 Act of 2005”.

6 **SEC. 2. EXPANDING USE OF DNA TO IDENTIFY AND PROS-**  
7 **ECUTE SEX OFFENDERS.**

8       (a) EXPANSION OF NATIONAL DNA INDEX SYS-  
9 TEM.—Section 210304 of the DNA Identification Act of  
10 1994 (42 U.S.C. 14132) is amended—

1 (1) in subsection (a)(1)(C), by striking “, pro-  
2 vided” and all that follows through “System”; and

3 (2) by striking subsections (d) and (e).

4 (b) DNA SAMPLE COLLECTION FROM PERSONS AR-  
5 RESTED OR DETAINED UNDER FEDERAL AUTHORITY.—

6 (1) IN GENERAL.—Section 3 of the DNA Anal-  
7 ysis Backlog Elimination Act of 2000 (42 U.S.C.  
8 14135a) is amended—

9 (A) in subsection (a)—

10 (i) in paragraph (1), by striking “The  
11 Director” and inserting the following:

12 “(A) The Attorney General may, as pro-  
13 vided by the Attorney General by regulation,  
14 collect DNA samples from individuals who are  
15 arrested or detained under the authority of the  
16 United States. The Attorney General may dele-  
17 gate this function within the Department of  
18 Justice as provided in section 510 of title 28,  
19 United States Code, and may also authorize  
20 and direct any other agency of the United  
21 States that arrests or detains individuals or su-  
22 pervises individuals facing charges to carry out  
23 any function and exercise any power of the At-  
24 torney General under this section.

25 “(B) The Director”; and

1 (ii) in paragraphs (3) and (4), by  
2 striking “Director of the Bureau of Pris-  
3 ons” each place it appears and inserting  
4 “Attorney General, the Director of the Bu-  
5 reau of Prisons,”; and

6 (B) in subsection (b), by striking “Director  
7 of the Bureau of Prisons” and inserting “Attor-  
8 ney General, the Director of the Bureau of  
9 Prisons,”.

10 (2) CONFORMING AMENDMENT.—Subsections  
11 (b) and (c)(1)(A) of section 3142 of title 18, United  
12 States Code, are each amended by inserting “and  
13 subject to the condition that the person cooperate in  
14 the collection of a DNA sample from the person if  
15 the collection of such a sample is authorized pursu-  
16 ant to section 3 of the DNA Analysis Backlog Elimini-  
17 nation Act of 2000 (42 U.S.C. 14135a)” after “pe-  
18 riod of release”.

19 (c) TOLLING OF STATUTE OF LIMITATIONS IN SEX-  
20 UAL ABUSE CASES.—Section 3297 of title 18, United  
21 States Code, is amended by striking “except for a felony  
22 offense under chapter 109A,”.

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