H. R. 3541

To reauthorize the SAFER Act of 2013, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 28, 2017

Mr. Poe of Texas introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To reauthorize the SAFER Act of 2013, 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
4 SECTION 1. SHORT TITLE.
5 This Act may be cited as the “Sexual Assault Foren-
6 sic Evidence Reporting Act of 2017” or the “SAFER Act
7 of 2017”.
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9 SEC. 2. BEST PRACTICES FOR RAPE KIT RETENTION OF
10 SEXUAL ASSAULT FORENSIC EVIDENCE FOR
11 UNSOLVED CRIMES.
12 (a) In General.—Section 414 of the Justice for All
13 Act of 2004 (42 U.S.C. 14136f) is amended—
(1) in subsection (a)—

(A) in the matter preceding paragraph (1)—

(i) by inserting “and the Director of the Bureau of Justice Assistance” after “Justice”; and

(ii) by striking “and government” and inserting “, government”; and

(iii) by inserting “and other national and State subject matter experts,” before “shall”; and

(B) in paragraph (1)—

(i) by inserting “and encourage compliance with” after “establish”; and

(ii) by inserting “connected to cases in which no person is currently convicted, including best practices for the preservation of sexual assault evidence collection kits or their probative contents for unsolved cases” before the semicolon at the end;

(2) by striking subsection (b) and inserting the following:
“(b) DEADLINES.—The Director of the National Institute of Justice and the Director of the Bureau of Justice Assistance shall—

“(1) not later than December 31, 2018, publish the best practices established under subsection (a)(1); and

“(2) not later than 5 years after the date on which the best practices are established under subsection (a)(1), and once every 5 years thereafter, conduct a review of the best practices, and update the best practices as necessary.”; and

(3) in subsection (c), by inserting “, except as otherwise required under section 3772 of title 18, United States Code” before the period at the end.

(b) SEXUAL ASSAULT SURVIVORS’ RIGHTS.—Section 3772(a)(2)(A) of title 18, United States Code, is amended by striking “subject to paragraph (3),”.

SEC. 3. PEDIATRIC SEXUAL ASSAULT NURSE EXAMINERS.

Section 304(c)(2) of the DNA Sexual Assault Justice Act of 2004 (42 U.S.C. 14136a) is amended—

(1) by inserting “, both adult and pediatric,” after “role of forensic nurses”; and

(2) by striking “and elder abuse” and inserting “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”.

SEC. 4. PROSECUTION OF DNA COLD CASES.

(a) DEBBIE SMITH DNA BACKLOG GRANT PROGRAM.—Section 2 of the DNA Analysis Backlog Elimination Act of 2000 (42 U.S.C. 14135) is amended—

(1) in subsection (a), by adding at the end the following:

“(9) To increase the capacity of State and local prosecution offices to address the backlog of violent crime cases in which suspects have been identified through DNA evidence.”; and

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

“(5) ALLOCATION OF GRANT AWARDS FOR PROSECUTORS.—For each fiscal year, not less than 5 percent, but not more than 7 percent, of the grant amounts distributed under paragraph (1) shall, if sufficient applications to justify such amounts are received by the Attorney General, be awarded for purposes described in subsection (a)(9), provided that none of the funds required to be distributed under this paragraph shall decrease or otherwise limit the availability of funds required to be awarded
to States or units of local government under para-
graph (3).”.

(b) Justice for All Reauthorization Act of
2016.—Section 3(a) of the Justice for All Reauthorization
Act of 2016 (Public Law 114–324; 130 Stat. 1949) is
amended—

(1) in paragraph (1), by striking “and” at the
end;

(2) in paragraph (2), by striking the period at
the end and inserting “; and”;

(3) by adding at the end the following:

“(3) not less than 5 percent, but not more than
7 percent, of such amounts shall be provided for
grants for prosecutors to increase the capacity of
State and local prosecution offices to address the
backlog of violent crime cases in which suspects have
been identified through DNA evidence.”.

Sec. 5. Reducing the Rape Kit Backlog.

(a) Reauthorization.—Section 2(c)(4) of the DNA
Analysis Backlog Elimination Act of 2000 (42 U.S.C.
14135(c)(4)) is amended by striking “2017” and inserting
“2022”.

(b) Repeal of Sunset.—

(1) In General.—Section 1006 of the SAFER
Act of 2013 (42 U.S.C. 14135 note) is repealed.
(2) TECHNICAL AND CONFORMING AMENDMENT.—The table of contents for the Violence Against Women Reauthorization Act of 2013 (Public Law 113–4; 127 Stat. 54) is amended by striking the item relating to section 1006.