

**Editorial Notes**

## REFERENCES IN TEXT

This title, referred to in subsec. (b), is title I of Pub. L. 106-468, Nov. 9, 2000, 114 Stat. 2027, which enacted this section and provisions set out as a note under this section. For complete classification of title I to the Code, see Tables.

## CODIFICATION

Section was enacted as part of Kristen's Act, and not as part of Jennifer's Law which comprises this chapter.

Section was formerly classified to section 14665 of Title 42, The Public Health and Welfare, prior to editorial reclassification and renumbering as this section.

## AMENDMENTS

2018—Subsec. (b). Pub. L. 115-401 substituted “this title” for “this Act”.

**Statutory Notes and Related Subsidiaries**

## AUTHORIZATION OF FUNDING

Pub. L. 106-468, title I, §102, formerly §3, Nov. 9, 2000, 114 Stat. 2028, renumbered title I, §102, and amended by Pub. L. 115-401, §2(1), (2), (4), Dec. 31, 2018, 132 Stat. 5336; Pub. L. 116-277, §2(b), Dec. 31, 2020, 134 Stat. 3370, provided that: “To the extent provided in advance in appropriations Acts, the Attorney General is authorized to use funds appropriated for the operationalization, maintenance, and expansion of the National Missing and Unidentified Persons System (NamUs) for the purpose of carrying out this Act [enacting this section].”

**§ 40505. Reporting on National Missing and Unidentified Persons System (NamUs) Program**

Not later than 18 months after December 31, 2020, and every year thereafter, the Attorney General shall submit a report to the appropriate committees of Congress regarding—

- (1) the number of unidentified person cases processed;
- (2) CODIS associations and identifications;
- (3) the number of anthropology cases processed;
- (4) the number of suspected border crossing cases and associations made;
- (5) the number of trials supported with expert testimony;
- (6) the number of students trained and professions of those students; and
- (7) the turnaround time and backlog.

(Pub. L. 116-277, §4, Dec. 31, 2020, 134 Stat. 3370.)

**Editorial Notes**

## CODIFICATION

Section was enacted as part of Missing Persons and Unidentified Remains Act of 2019, and not as part of Jennifer's Law which comprises this chapter.

**CHAPTER 407—DNA IDENTIFICATION**

## SUBCHAPTER I—COLLECTION AND ANALYSIS OF SAMPLES

Sec.	
40701.	The Debbie Smith DNA Backlog Grant Program.
40702.	Collection and use of DNA identification information from certain Federal offenders.
40703.	Collection and use of DNA identification information from certain District of Columbia offenders.
40704.	Conditions of release generally.

Sec.	
40705.	Authorization of appropriations.
40706.	Privacy protection standards.

## SUBCHAPTER II—TRAINING, TECHNOLOGY, RESEARCH, AND EXPANDED USE

40721.	Report to Congress on plans to modify CODIS system.
40722.	DNA training and education for law enforcement, correctional personnel, and court officers.
40723.	Sexual assault forensic exam program grants.
40724.	DNA research and development.
40725.	National Forensic Science Commission.
40726.	DNA identification of missing persons.
40727.	Kirk Bloodsworth Post-Conviction DNA Testing Grant Program.
40728.	Establishment of best practices for evidence retention.

## SUBCHAPTER III—DNA ARRESTEE COLLECTION PROCESSES

40741.	Definitions.
40742.	Grants to States to implement DNA arrestee collection processes.
40743.	Expungement of profiles.
40744.	Offset of funds appropriated.

## SUBCHAPTER I—COLLECTION AND ANALYSIS OF SAMPLES

**§ 40701. The Debbie Smith DNA Backlog Grant Program****(a) Authorization of grants**

The Attorney General may make grants to eligible States or units of local government for use by the State or unit of local government for the following purposes:

- (1) To carry out, for inclusion in the Combined DNA Index System of the Federal Bureau of Investigation, DNA analyses of samples collected under applicable legal authority.
- (2) To carry out, for inclusion in such Combined DNA Index System, DNA analyses of samples from crime scenes, prioritizing, to the extent practicable consistent with public safety considerations<sup>1</sup> samples from rape kits, samples from other sexual assault evidence, and samples taken in cases without an identified suspect.
- (3) To increase the capacity of laboratories owned by the State or by units of local government to carry out DNA analyses of samples specified in paragraph (1) or (2).
- (4) To collect DNA samples specified in paragraph (1).
- (5) To ensure that DNA testing and analysis of samples from crimes, including sexual assault and other serious violent crimes, are carried out in a timely manner.
- (6) To implement a DNA arrestee collection process consistent with subchapter III of this chapter.
- (7) To conduct an audit consistent with subsection (n) of the samples of sexual assault evidence that are in the possession of the State or unit of local government and are awaiting testing.
- (8) To ensure that the collection and processing of DNA evidence by law enforcement agencies from crimes, in particular, sexual as-

<sup>1</sup> So in original. Probably should be followed by a comma.