

**Colloquy Between Senator Hatch & FBI Director Comey on the *Rapid DNA Act of 2015***  
**Hearing: "Oversight of the Federal Bureau of Investigation"**  
**Senate Judiciary Committee**  
**December 9, 2015**

HATCH:

OK. I'd like to turn now to the issue of rapid DNA. Last week, I introduced bipartisan investigation with Senators Feinstein, Lee, and Gillibrand to update our nation's laws to take account of this exciting new technology.

Now, rapid DNA devices -- they're self-contained, they're fully automated instruments that can be placed in booking stations, and they can both develop a DNA profile from a cheek swab and compare the results against existing profiles in less than two hours.

Now, my bill, the Rapid DNA Act of 2015, would allow law enforcement officials using FBI-approved rapid DNA instruments to upload profiles generated by such devices to the FBI's Combined DNA Index System and perform database comparisons.

Director Comey, you've spoken in the past about rapid DNA and how this technology will help law enforcement. Do you believe that rapid DNA technology is important? How will it impact law enforcement? And do you believe Congress should pass legislation authorizing its use within standards and guidelines promulgated by your agency?

COMEY:

That authority that's in your bill would help us change the world in a very, very exciting way. That -- allow us, in booking stations around the country, if someone's arrested, to know instantly -- or near-instantly -- whether that person is the rapist who's been on the loose in a particular community before they're released on bail and get away, or to clear somebody, to show that they're not the person.

It's very, very exciting. We are very grateful that we're going to have the statutory authorization if that passes to connect those rapid DNA technologies to the national DNA database.

HATCH:

Well, thank you. My bill, the Rapid DNA Act, will not affect when or under what circumstances law enforcement collects DNA samples. These decisions would be governed by state or other federal law. What it will do is affect where samples are processed and how quickly they're processed.

Now, Mr. Director, what would you say to individuals who may be concerned that rapid DNA technology will raise privacy concerns? And what would you say to individuals who may be concerned that this technology could affect the integrity of FBI's combined DNA index system, or CODIS? And I would note that my bill restricts access to CODIS to FBI-approved rapid DNA instruments operated in accordance with FBI-issued standards and procedures.

COMEY:

First, you said it well, Senator. Folks need to understand this isn't about collecting DNA from more people. It's about the DNA that's collected when someone is arrested being able to be analyzed much more quickly. That can show us in some cases this is the wrong person or can show us in some cases this is someone we have to be very worried about.

That is good for our justice system as a whole. And you're exactly right. The national database, the CODIS database, is the gold standard. This legislation does not make it any -- water-down the standards that are applied before a DNA result can be pressed against that database. We're still going to have high standards. We're still going to require that this is the gold standard for identification in the United States.