



July 24, 2026

The Honorable Troy Nehls
U.S. House of Representatives
1104 Longworth House Office Building
Washington, DC 20515

Dear Representative Nehls:

On behalf of the undersigned state and local law enforcement organizations, we write to express serious concerns regarding H.R. 7916, the *CODIS Access Modernization Act*. While we support the bill's goal of reducing DNA backlogs and expanding the role of private laboratories in forensic testing, the legislation as drafted creates significant evidentiary and operational problems that must be addressed before it advances. We respectfully urge you to engage state and local law enforcement stakeholders in that process.

We support the goal. Backlogs, which are often due to lack of funding for public forensic laboratories, are real and private laboratory partnerships have proven their value. But the bill as drafted creates serious problems that must be resolved before it advances. Several of those problems exist precisely because workable solutions already exist and the bill bypasses them.

Before a DNA profile enters CODIS, authorized local and state laboratories review it to ensure it meets the system's standards. That review happens at the state and local level, and nearly 90 percent of CODIS hits occur within state and local DNA databases. The bill would allow private laboratories to bypass that review entirely, uploading profiles directly to the national database without the quality check that local and state agencies currently provide. Unreviewed profiles in a system that criminal prosecutions depend on is not a modernization. It is a risk. Private laboratory profiles should flow through established CODIS pathways, not around them.

When CODIS produces a hit, it generates law enforcement sensitive information including offender identity, case details, and investigative data. Most state laws prohibit sharing that information with entities outside the criminal justice system. Private laboratories are not criminal justice agencies. The bill establishes no framework for how that information would be handled when a match involves a privately uploaded profile. This is a structural problem that must be resolved before direct upload authority is granted. It cannot be patched by regulation after the fact.

Prosecutors require access to the original analyst when DNA evidence is challenged at trial. When a private laboratory, particularly one located out of state, cannot produce that analyst, local crime laboratories are compelled to re-test the evidence at their own expense, with no

reimbursement mechanism in the bill. That means rushed re-testing, delays for other cases, and the risk of conflicting results. Local laboratory staff may also be subpoenaed to explain and defend private lab methods and protocols they did not develop. These costs and burdens are real, they are foreseeable, and the bill assigns them to no one. They will fall on state and local agencies and ultimately take away time and funding from critical analyses, potentially exacerbating backlog and funding challenges.

Private laboratories also close, change ownership, and lose accreditation. The bill establishes no framework for what happens to uploaded profiles when any of those events occur. The bill also establishes no framework for private ownership and security of law enforcement data. There are no rules for DNA profile ownership, case record continuity, expungement obligations, or testimony and discovery responsibilities.

The tools to address many of these concerns already exist. Some state and local laboratories have developed arrangements in which they accept ownership of private laboratory data, conduct a thorough review of methods and protocols, and enter eligible profiles into CODIS. This model gives private laboratories a path to CODIS participation while preserving the quality review the system requires. Before restructuring CODIS access at the national level, Congress should examine whether expanding and incentivizing these existing models would achieve the bill's objectives without the risks the current draft introduces.

Finally, the bill sets a six-month deadline for implementing regulations. Developing the agreements, oversight mechanisms, data stewardship requirements, and standards necessary for a framework of this scope across DOJ, FBI, state and local laboratories, and private laboratories cannot be done responsibly in that timeframe. A more realistic timeline, developed collaboratively with the stakeholders who will have to live with the result, is essential.

We respectfully ask that this legislation not advance until state and local law enforcement stakeholders have been meaningfully consulted. The concerns outlined here are not procedural objections. They reflect what agencies will face on the ground when CODIS hits come back and cases go to court. We are ready to work with you and your team toward a framework that expands private laboratory participation while preserving the integrity and investigative value of CODIS, and we ask for the opportunity to do so before the bill moves forward.

Sincerely,

Association of State Criminal Investigative Agencies (ASCIA)
International Association of Chiefs of Police (IACP)
Major Cities Chiefs Association (MCCA)
Major County Sheriffs of America (MCSA)
National District Attorneys Association (NDAA)