

106TH CONGRESS
2D SESSION

S. 3045

To improve the quality, timeliness, and credibility of forensic science services
for criminal justice purposes.

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 14, 2000

Mr. SESSIONS (for himself, Mr. CLELAND, Mr. THURMOND, Mr. MILLER, Mr. DODD, Mr. FRIST, Mr. HATCH, Mr. LOTT, Mr. L. CHAFEE, Mr. MACK, Mr. HELMS, Mr. SPECTER, Mr. SANTORUM, Mr. NICKLES, Mr. STEVENS, Mr. DURBIN, Mr. COCHRAN, Mr. HUTCHINSON, Mr. WELLSTONE, Mr. JEFFORDS, Mr. ABRAHAM, Mr. THOMAS, Mr. SHELBY, Mr. KYL, and Mr. ASHCROFT) introduced the following bill; which was read twice and referred to the Committee on the Judiciary

A BILL

To improve the quality, timeliness, and credibility of forensic
science services for criminal justice 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 “Paul Coverdell Na-
5 tional Forensic Sciences Improvement Act of 2000”.

1 **SEC. 2. IMPROVING THE QUALITY, TIMELINESS, AND**
2 **CREDIBILITY OF FORENSIC SCIENCE SERV-**
3 **ICES FOR CRIMINAL JUSTICE PURPOSES.**

4 (a) DESCRIPTION OF DRUG CONTROL AND SYSTEM
5 IMPROVEMENT GRANT PROGRAM.—Section 501(b) of title
6 I of the Omnibus Crime Control and Safe Streets Act of
7 1968 (42 U.S.C. 3751(b)) is amended—

8 (1) in paragraph (25), by striking “and” at the
9 end;

10 (2) in paragraph (26), by striking the period at
11 the end and inserting “; and”; and

12 (3) by adding at the end the following:

13 “(27) improving the quality, timeliness, and credi-
14 bility of forensic science services for criminal justice pur-
15 poses.”.

16 (b) STATE APPLICATIONS.—Section 503(a) of title I
17 of the Omnibus Crime Control and Safe Streets Act of
18 1968 (42 U.S.C. 3753(a)) is amended by adding at the
19 end the following:

20 “(13) If any part of the amount received from a grant
21 under this part is to be used to improve the quality, timeli-
22 ness, and credibility of forensic science services for crimi-
23 nal justice purposes, a certification that, as of the date
24 of enactment of this paragraph, the State has an
25 established—

1 “(A) forensic science laboratory or forensic
2 science laboratory system, that—

3 “(i) employs 1 or more full-time
4 scientists—

5 “(I) whose principal duties are the ex-
6 amination of physical evidence for law en-
7 forcement agencies in criminal matters;
8 and

9 “(II) who provide testimony with re-
10 spect to such physical evidence to the
11 criminal justice system;

12 “(ii) employs generally accepted practices
13 and procedures, as established by appropriate
14 accrediting organizations; and

15 “(iii) is accredited by the Laboratory Ac-
16 creditation Board of the American Society of
17 Crime Laboratory Directors or the National As-
18 sociation of Medical Examiners, or will use a
19 portion of the grant amount to prepare and
20 apply for such accreditation by not later than 2
21 years after the date on which a grant is initially
22 awarded under this paragraph; or

23 “(B) medical examiner’s office (as defined by
24 the National Association of Medical Examiners)
25 that—

1 “(i) employs generally accepted practices
 2 and procedures, as established by appropriate
 3 accrediting organizations; and

4 “(ii) is accredited by the Laboratory Ac-
 5 creditation Board of the American Society of
 6 Crime Laboratory Directors or the National As-
 7 sociation of Medical Examiners, or will use a
 8 portion of the grant amount to prepare and
 9 apply for such accreditation by not later than 2
 10 years after the date on which a grant is initially
 11 awarded under this paragraph.”.

12 (c) FORENSIC SCIENCES IMPROVEMENT GRANTS.—

13 (1) IN GENERAL.—Title I of the Omnibus
 14 Crime Control and Safe Streets Act of 1968 (42
 15 U.S.C. 3711 et seq.) is amended—

16 (A) by redesignating part Z as part AA
 17 and redesignating section 2601 as section 2701;
 18 and

19 (B) by inserting after part Y the following:

20 **“PART Z—FORENSIC SCIENCES IMPROVEMENT**
 21 **GRANTS**

22 **“SEC. 2601. GRANT AUTHORIZATION.**

23 “The Attorney General shall award grants to States
 24 in accordance with this part.

1 **“SEC. 2602. APPLICATIONS.**

2 “To request a grant under this part, a State shall
3 submit to the Attorney General—

4 “(1) a certification that the State has developed
5 a consolidated State plan under a program described
6 in section 2604(a), and a specific description of the
7 manner in which the grant will be used to carry out
8 that plan;

9 “(2) a certification that any forensic science
10 laboratory system, medical examiner’s office, or
11 coroner’s office in the State that will receive any
12 portion of the grant amount uses generally accepted
13 laboratory practices and procedures, established by
14 accrediting organizations; and

15 “(3) a specific description of any new facility to
16 be constructed as part of the program described in
17 paragraph (1), and the estimated costs of that facil-
18 ity, and a certification that grant will not be used
19 to fund more than 40 percent of the total costs of
20 that facility.

21 **“SEC. 2603. ALLOCATION.**

22 “(a) IN GENERAL.—Of the amount made available
23 to carry out this part in each fiscal year, each State that
24 meets the requirements of section 2602 shall receive an
25 amount that bears the same ratio to the total amount
26 made available to carry out this part for that fiscal year

1 as the population of the State bears to the population of
2 all States.

3 “(b) STATE DEFINED.—In this section, the term
4 ‘State’ means each of the several States, the District of
5 Columbia, the Commonwealth of Puerto Rico, the Virgin
6 Islands, American Samoa, Guam, and the Commonwealth
7 of the Northern Mariana Islands, except that—

8 “(1) for purposes of the allocation under this
9 section, American Samoa and the Commonwealth of
10 the Northern Mariana Islands shall be considered as
11 1 State; and

12 “(2) for purposes of paragraph (1), 67 percent
13 of the amount allocated shall be allocated to Amer-
14 ican Samoa, and 33 percent shall be allocated to the
15 Commonwealth of the Northern Mariana Islands.

16 **“SEC. 2604. USE OF GRANTS.**

17 “(a) IN GENERAL.—A State that receives a grant
18 under this part shall use the grant to carry out all or a
19 substantial part of a program intended to improve the
20 quality and timeliness of forensic science or medical exam-
21 iner services in the State.

22 “(b) PERMITTED CATEGORIES OF FUNDING.—Sub-
23 ject to subsections (c) and (d), a grant awarded under this
24 part—

1 “(1) may only be used for program expenses re-
 2 lating to facilities, personnel, computerization, equip-
 3 ment, supplies, accreditation and certification, edu-
 4 cation, and training; and

5 “(2) may not be used for any general law en-
 6 forcement or nonforensic investigatory function.

7 “(c) FACILITIES COSTS.—A grant awarded under
 8 this part may not be used to fund more than 40 percent
 9 of the total costs of any new facility constructed as part
 10 of a program described in subsection (a).

11 “(d) ADMINISTRATIVE COSTS.—Not more than 10
 12 percent of the total amount of a grant awarded under this
 13 part may be used for administrative expenses.

14 **“SEC. 2605. ADMINISTRATIVE PROVISIONS.**

15 “(a) REGULATIONS.—The Attorney General may pro-
 16 mulgate such guidelines, regulations, and procedures as
 17 may be necessary to carry out this part, including guide-
 18 lines, regulations, and procedures relating to the submis-
 19 sion and review of applications for grants under section
 20 2602.

21 “(b) EXPENDITURE RECORDS.—

22 “(1) RECORDS.—Each State that receives a
 23 grant under this part shall maintain such records as
 24 the Attorney General may require to facilitate an ef-

1 fective audit relating to the receipt of the grant, or
2 the use of the grant amount.

3 “(2) ACCESS.—The Attorney General and the
4 Comptroller General of the United States, or a des-
5 ignee thereof, shall have access, for the purpose of
6 audit and examination, to any book, document, or
7 record of a State that receives a grant under this
8 part, if, in the determination of the Attorney Gen-
9 eral, Comptroller General, or designee thereof, the
10 book, document, or record is related to the receipt
11 of the grant, or the use of the grant amount.

12 **“SEC. 2606. REPORTS.**

13 “(a) REPORTS TO ATTORNEY GENERAL.—For each
14 fiscal year for which a grant is awarded under this part,
15 each State that receives such a grant shall submit to the
16 Attorney General a report, at such time and in such man-
17 ner as the Attorney General may reasonably require,
18 which report shall include—

19 “(1) a summary and assessment of the program
20 carried out with the grant;

21 “(2) the average number of days between sub-
22 mission of a sample to a forensic science laboratory
23 or forensic science laboratory system in that State
24 and the delivery of test results to the requesting of-
25 fice or agency; and

1 “(3) such other information as the Attorney
2 General may require.

3 “(b) REPORTS TO CONGRESS.—Not later than 90
4 days after the last day of each fiscal year for which 1 or
5 more grants are awarded under this part, the Attorney
6 General shall submit to the Speaker of the House of Rep-
7 resentatives and the President pro tempore of the Senate,
8 a report, which shall include—

9 “(1) the aggregate amount of grants awarded
10 under this part for that fiscal year; and

11 “(2) a summary of the information provided
12 under subsection (a).”.

13 (2) AUTHORIZATION OF APPROPRIATIONS.—

14 (A) IN GENERAL.—Section 1001(a) of title
15 I of the Omnibus Crime Control and Safe
16 Streets Act of 1968 (42 U.S.C. 3753(a)) is
17 amended by adding at the end the following:

18 “(24) There are authorized to be appropriated
19 to carry out part Z, to remain available until
20 expended—

21 “(A) \$55,000,000 for fiscal year 2001;

22 “(B) \$130,600,000 for fiscal year 2002;

23 “(C) \$204,600,000 for fiscal year 2003;

24 “(D) \$194,600,000 for fiscal year 2004;

25 “(E) \$87,600,000 for fiscal year 2005; and

1 “(F) \$65,600,000 for fiscal year 2006.”.

2 (B) BACKLOG ELIMINATION.—There is au-
3 thorized to be appropriated \$30,000,000 for fis-
4 cal year 2001 for the elimination of DNA con-
5 victed offender database sample backlogs and
6 for other related purposes, as provided in the
7 Departments of Commerce, Justice, and State,
8 the Judiciary, and Related Agencies Appropria-
9 tions Act, 2001.

10 (3) TABLE OF CONTENTS.—Title I of the Om-
11 nibus Crime Control and Safe Streets Act of 1968
12 (42 U.S.C. 3711 et seq.) is amended by striking the
13 table of contents.

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