

106TH CONGRESS  
1ST SESSION

# S. 1196

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

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IN THE SENATE OF THE UNITED STATES

JUNE 9, 1999

Mr. COVERDELL introduced the following bill; which was read twice and  
referred to the Committee on the Judiciary

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## 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 “National Forensic  
5 Sciences Improvement Act of 1999”.

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

9 (a) DESCRIPTION OF DRUG CONTROL AND SYSTEM  
10 IMPROVEMENT GRANT PROGRAM.—Section 501(b) of title

1 I of the Omnibus Crime Control and Safe Streets Act of  
2 1968 (42 U.S.C. 375(b)) is amended—

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

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

7 (3) by adding at the end, the following:

8 “(27) improving the quality, timeliness, and  
9 credibility of forensic science services for criminal  
10 justice purposes.”.

11 (b) STATE APPLICATIONS.—Section 503(a) of title I  
12 of the Omnibus Crime Control and Safe Streets Act of  
13 1968 (42 U.S.C. 3753(a)) is amended by adding at the  
14 end of the following:

15 “(13) If any part of the amount received from  
16 a grant under this part is to be used to improve the  
17 quality, timeliness, and credibility of forensic science  
18 services for criminal justice purposes, a certification  
19 that, as of the date of enactment of this paragraph,  
20 the State has an established—

21 “(A) forensic science laboratory or forensic  
22 science laboratory system, that—

23 “(i) employs 1 or more full-time  
24 scientists—

1                   “(I) whose principle duties are  
2                   the examination of physical evidence  
3                   for law enforcement agencies in crimi-  
4                   nal matters; and

5                   “(II) who provide testimony with  
6                   respect to such physical evidence to  
7                   the criminal justice system;

8                   “(ii) employs generally accepted prac-  
9                   tices and procedures, as established by ap-  
10                  propriate accrediting organizations; and

11                  “(iii) is accredited by the Laboratory  
12                  Accreditation Board of the American Soci-  
13                  ety of Crime Laboratory Directors or the  
14                  National Association of Medical Exam-  
15                  iners, or will use a portion of the grant  
16                  amount to prepare and apply for such ac-  
17                  creditation by not later than 2 years after  
18                  the date on which a grant is initially  
19                  awarded under this paragraph; or

20                  “(B) medical examiner’s office (as defined  
21                  by the National Association of Medical Exam-  
22                  iners) that—

23                         “(i) employs generally accepted prac-  
24                         tices and procedures, as established by ap-  
25                         propriate accrediting organizations; and

1 “(ii) is accredited by the Laboratory  
 2 Accreditation Board of the American Soci-  
 3 ety of Crime Laboratory Directors or the  
 4 National Association of Medical Exam-  
 5 iners, or will use a portion of the grant  
 6 amount to prepare and apply for such ac-  
 7 creditation by not later than 2 years after  
 8 the date on which a grant is initially  
 9 awarded under this paragraph.”.

10 (c) FORENSIC SCIENCES IMPROVEMENT GRANTS.—

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

14 (A) by redesignating part Z as part AA  
 15 and redesignating section 2601 as section 2701;  
 16 and

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

18 **“PART Z—FORENSIC SCIENCES IMPROVEMENT**  
 19 **GRANTS**

20 **“SEC. 2601. GRANT AUTHORIZATION.**

21 “The Attorney General shall award grants to States  
 22 in accordance with this part.

23 **“SEC. 2602. APPLICATIONS.**

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

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

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

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

18   **“SEC. 2603. ALLOCATION.**

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

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

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

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

14 **“SEC. 2604. USE OF GRANTS.**

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

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

23              “(1) may only be used for program expenses re-  
 24 lating to facilities, personnel, computerization, equip-

1       ment, supplies, accreditation and certification, edu-  
2       cation, and training; and

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

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

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

12 **“SEC. 2605. ADMINISTRATIVE PROVISIONS.**

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

19       “(b) EXPENDITURE RECORDS.—

20               “(1) RECORDS.—Each State that receives a  
21 grant under this part shall maintain such records as  
22 the Attorney General may require to facilitate an ef-  
23 fective audit relating to the receipt of the grant, or  
24 the use of the grant amount.

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

10   **“SEC. 2606. REPORTS.**

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

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

19                   “(2) such other information as the Attorney  
20                   General may require.

21           “(b) REPORTS TO CONGRESS.—Not later than 90  
22           days after the last day of each fiscal year for which 1 or  
23           more grants are awarded under this part, the Attorney  
24           General shall submit to the Speaker of the House of Rep-



1 representatives and the President pro tempore of the Senate,  
 2 a report, which shall include—

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

5 “(2) a summary of the information provided  
 6 under subsection (a).”.

7 (2) AUTHORIZATION OF APPROPRIATIONS.—

8 Section 1001(a) of title I of the Omnibus Crime  
 9 Control and Safe Streets Act of 1968 (42 U.S.C.  
 10 3753(a)) is amended by adding at the end the fol-  
 11 lowing:

12 “(24) There are authorized to be appropriated  
 13 to carry out part Z, to remain available until  
 14 expended—

15 “(A) \$215,600,000 for fiscal year 2000;

16 “(B) \$204,600,000 for fiscal year 2001;

17 “(C) \$194,600,000 for fiscal year 2002;

18 “(D) \$87,600,000 for fiscal year 2003;

19 and

20 “(E) \$65,600,000 for fiscal year 2004.”.

21 (3) TABLE OF CONTENTS.—Title I of the Om-  
 22 nibus Crime Control and Safe Streets Act of 1968  
 23 (42 U.S.C. 3711 et seq.) is amended by striking the  
 24 table of contents.

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