

113TH CONGRESS
2D SESSION

S. 2177

To establish an Office of Forensic Science and a Forensic Science Board, to strengthen and promote confidence in the criminal justice system by ensuring scientific validity, reliability, and accuracy in forensic testing, and for other purposes.

IN THE SENATE OF THE UNITED STATES

MARCH 27, 2014

Mr. LEAHY (for himself and Mr. CORNYN) introduced the following bill; which was read twice and referred to the Committee on the Judiciary

A BILL

To establish an Office of Forensic Science and a Forensic Science Board, to strengthen and promote confidence in the criminal justice system by ensuring scientific validity, reliability, and accuracy in forensic testing, and for other 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; TABLE OF CONTENTS.**

4 (a) SHORT TITLE.—This Act may be cited as the
5 “Criminal Justice and Forensic Science Reform Act”.

6 (b) TABLE OF CONTENTS.—The table of contents for
7 this Act is as follows:

- Sec. 1. Short title; table of contents.
- Sec. 2. Definitions.
- Sec. 3. Purpose.

TITLE I—STRUCTURE AND OVERSIGHT

- Sec. 101. Office of Forensic Science.
- Sec. 102. Forensic Science Board.
- Sec. 103. Committees.
- Sec. 104. Authorization of appropriations.

TITLE II—ACCREDITATION OF FORENSIC SCIENCE LABORATORIES

- Sec. 201. Accreditation of forensic science laboratories.
- Sec. 202. Standards for laboratory accreditation.
- Sec. 203. Administration and enforcement of accreditation program.

TITLE III—CERTIFICATION OF FORENSIC SCIENCE PERSONNEL

- Sec. 301. Definitions.
- Sec. 302. Certification of forensic science personnel.
- Sec. 303. Standards for certification.
- Sec. 304. Administration and review of certification program.
- Sec. 305. Support and technical assistance for State and local laboratories.

TITLE IV—RESEARCH

- Sec. 401. Research strategy and priorities.
- Sec. 402. Research grants.
- Sec. 403. Oversight and review.
- Sec. 404. Public-private collaboration.

TITLE V—STANDARDS AND BEST PRACTICES

- Sec. 501. Development of standards and best practices.
- Sec. 502. Establishment and dissemination of standards and best practices.
- Sec. 503. Review and oversight.

TITLE VI—ADDITIONAL RESPONSIBILITIES OF THE OFFICE OF FORENSIC SCIENCE AND THE FORENSIC SCIENCE BOARD

- Sec. 601. Forensic science training and education for judges, attorneys, and law enforcement personnel.
- Sec. 602. Educational programs in the forensic sciences.
- Sec. 603. Medicolegal death investigation.
- Sec. 604. Intergovernmental coordination.
- Sec. 605. Anonymous reporting.
- Sec. 606. Interoperability of databases and technologies.
- Sec. 607. Code of ethics.
- Sec. 608. Needs assessment.

1 **SEC. 2. DEFINITIONS.**

2 In this Act:

1 (1) BOARD.—The term “Board” means the Fo-
2 rensic Science Board established under section
3 102(a).

4 (2) COMMITTEE.—The term “Committee”
5 means a committee established under section
6 103(a)(2).

7 (3) DIRECTOR.—The term “Director” means
8 the Director of the Office.

9 (4) FORENSIC SCIENCE DISCIPLINE.—The term
10 “forensic science discipline” shall have the meaning
11 given that term by the Director in accordance with
12 section 102(h).

13 (5) FORENSIC SCIENCE LABORATORY.—The
14 term “forensic science laboratory” shall have the
15 meaning given that term by the Director in accord-
16 ance with section 201(c).

17 (6) NIST.—The term “NIST” means the Na-
18 tional Institute of Standards and Technology.

19 (7) OFFICE.—The term “Office” means the Of-
20 fice of Forensic Science established under section
21 101(a).

22 (8) RELEVANT PERSONNEL.—The term “rel-
23 evant personnel” shall have the meaning given that
24 term by the Director in accordance with section
25 301(b).

1 **SEC. 3. PURPOSE.**

2 The purpose of this Act is to strengthen and promote
 3 confidence in the criminal justice system by promoting
 4 standards and best practices and ensuring scientific valid-
 5 ity, reliability, and accuracy with respect to forensic test-
 6 ing, analysis, identification, and comparisons, the results
 7 of which may be interpreted, presented, or otherwise used
 8 during the course of a criminal investigation or criminal
 9 court proceeding.

10 **TITLE I—STRUCTURE AND**
 11 **OVERSIGHT**

12 **SEC. 101. OFFICE OF FORENSIC SCIENCE.**

13 (a) IN GENERAL.—There is established an Office of
 14 Forensic Science within the Office of the Deputy Attorney
 15 General in the Department of Justice.

16 (b) OFFICERS AND STAFF.—

17 (1) IN GENERAL.—The Office shall include—

18 (A) a Director, who shall have a back-
 19 ground in science and be appointed by the At-
 20 torney General; and

21 (B) such other officers and staff as the
 22 Deputy Attorney General and the Director de-
 23 termine appropriate.

24 (2) LEADERSHIP ROLE OF THE DIRECTOR.—

25 The Director shall have primary responsibility for
 26 establishing and implementing national policy re-

1 garding forensic science as used in the criminal jus-
2 tice system.

3 (3) DEADLINE.—Not later than 90 days after
4 the date of enactment of this Act, the initial ap-
5 pointment and hiring under paragraph (1) shall be
6 completed.

7 (c) VACANCY.—In the event of a vacancy in the posi-
8 tion of Director—

9 (1) the Attorney General shall designate an act-
10 ing Director; and

11 (2) during any period of vacancy before des-
12 ignation of an acting Director, the Deputy Attorney
13 General shall serve as acting Director.

14 (d) COLLABORATION AND COORDINATION WITH
15 NIST.—

16 (1) IN GENERAL.—Not later than 180 days
17 after the appointment of the Director, the Director
18 and the Director of NIST shall establish a Memo-
19 randum of Understanding to ensure collaboration
20 and coordination in the implementation of this Act.

21 (2) REQUIREMENTS.—The Memorandum of
22 Understanding required under paragraph (1) shall
23 include—

1 (A) policies and procedures to ensure that,
2 in implementing this Act, the Director and the
3 Director of NIST—

4 (i) incorporate appropriately the prior-
5 ities and expertise of law enforcement and
6 forensic practitioners; and

7 (ii) establish structures designed to
8 guarantee independent and objective sci-
9 entific determinations; and

10 (B) agreements governing—

11 (i) selection of members of Commit-
12 tees and support by NIST of the Commit-
13 tees in accordance with section 103;

14 (ii) administration by NIST of grant
15 programs described in section 402;

16 (iii) designation of a liaison at NIST
17 to facilitate communication between the
18 Office and NIST; and

19 (iv) any other appropriate collabora-
20 tion or coordination.

21 (e) LIAISON FROM THE NATIONAL SCIENCE FOUN-
22 DATION.—The Director of the National Science Founda-
23 tion, in consultation with the Director, shall designate a
24 liaison at the National Science Foundation to—

1 (1) facilitate communication and collaboration
2 between the Office and the National Science Foun-
3 dation; and

4 (2) encourage participation by the National
5 Science Foundation in implementing title IV of this
6 Act.

7 (f) DUTIES AND AUTHORITY.—

8 (1) IN GENERAL.—The Office shall—

9 (A) assist the Board in carrying out all the
10 functions of the Board under this Act and such
11 other related functions as are necessary to per-
12 form the functions of the Board; and

13 (B) evaluate and act upon the rec-
14 ommendations of the Board in accordance with
15 paragraph (3).

16 (2) SPECIFIC RESPONSIBILITIES.—The Director
17 shall—

18 (A) establish, lead, and oversee implemen-
19 tation of accreditation and certification stand-
20 ards under titles II and III;

21 (B) establish a comprehensive strategy for
22 scientific research in the forensic sciences under
23 title IV;

24 (C) establish standards and best practices
25 for forensic science disciplines under title V;

1 (D) define the term “forensic science dis-
2 cipline” for the purposes of this Act in accord-
3 ance with section 102(h);

4 (E) establish and maintain a list of foren-
5 sic science disciplines in accordance with section
6 102(h);

7 (F) establish Committees in accordance
8 with section 103;

9 (G) define the term “forensic science lab-
10 oratory” for the purposes of this Act in accord-
11 ance with section 201(c);

12 (H) establish a code of ethics for the foren-
13 sic science disciplines in accordance with section
14 607; and

15 (I) perform all other functions of the Of-
16 fice under this Act and such other related func-
17 tions as are necessary to perform the functions
18 of the Office described in this Act.

19 (3) CONSIDERATION OF RECOMMENDATIONS.—

20 (A) IN GENERAL.—Upon receiving a rec-
21 ommendation from the Board, the Director
22 shall—

23 (i) give substantial deference to the
24 recommendation; and

(ii) not later than 30 days after the date on which the Director receives the recommendation, determine whether to adopt, modify, or reject the recommendation.

(B) MODIFICATION.—

(i) IN GENERAL.—If the Director determines to substantially modify a recommendation under subparagraph (A), the Director shall immediately notify the Board of the proposed modification.

(ii) BOARD RECOMMENDATION.—Not later than 30 days after the date on which the Director provides notice to the Board under clause (i), the Board shall submit to the Director a recommendation on whether the proposed modification should be adopted.

(iii) ACCEPTANCE OF MODIFICATION.—If the Board recommends that a proposed modification should be adopted under clause (ii), the Director may implement the modified recommendation.

(iv) REJECTION OF MODIFICATION.—
If the Board recommends that a proposed

1 modification should not be adopted under
2 clause (ii), the Director shall, not later
3 than 10 days after the date on which the
4 Board makes the recommendation—

5 (I) provide notice and an expla-
6 nation of the proposed modification to
7 the Committee on the Judiciary and
8 the Committee on Commerce, Science,
9 and Transportation of the Senate and
10 the Committee on the Judiciary and
11 the Committee on Science, Space, and
12 Technology of the House of Rep-
13 resentatives; and

14 (II) begin, with regard to the
15 proposed modification, a rulemaking
16 on the record after opportunity for an
17 agency hearing.

18 (C) REJECTION.—Not later than 30 days
19 after the date on which the Director determines
20 to reject a recommendation under subparagraph
21 (A), the Director shall—

22 (i) provide notice and an explanation
23 of the decision to reject the recommenda-
24 tion to the Committee on the Judiciary
25 and the Committee on Commerce, Science,

1 and Transportation of the Senate and the
2 Committee on the Judiciary and the Com-
3 mittee on Science, Space, and Technology
4 of the House of Representatives; and

5 (ii) begin, with regard to the rec-
6 ommendation, a rulemaking on the record
7 after opportunity for an agency hearing.

8 (g) WEB SITE.—The Director shall—

9 (1) establish a Web site that is publicly acces-
10 sible; and

11 (2) publish and maintain on the Web site—

12 (A) a central repository of recommenda-
13 tions of the Board and all standards, best prac-
14 tices, protocols, definitions, and other materials
15 established, accepted, or amended, by the Direc-
16 tor under this Act; and

17 (B) a central repository of current and
18 past forensic science research, which shall be—

19 (i) collected and catalogued in a man-
20 ner that is easily accessible to the public;
21 and

22 (ii) updated no less frequently than
23 once every 2 years.

1 **SEC. 102. FORENSIC SCIENCE BOARD.**

2 (a) IN GENERAL.—There is established a Forensic
3 Science Board to serve as an advisory board regarding fo-
4 rensic science in order to strengthen and promote con-
5 fidence in the criminal justice system by promoting stand-
6 ards and best practices and ensuring scientific validity, re-
7 liability, and accuracy with respect to forensic testing,
8 analysis, identification, and comparisons, the results of
9 which may be interpreted, presented, or otherwise used
10 during the course of a criminal investigation or criminal
11 court proceeding.

12 (b) APPOINTMENT.—

13 (1) IN GENERAL.—The Board shall be com-
14 posed of 17 members, who shall—

15 (A) be appointed by the President not later
16 than 180 days after the date of enactment of
17 this Act; and

18 (B) come from professional communities
19 that have expertise relevant to and significant
20 interest in the field of forensic science.

21 (2) CONSIDERATION AND CONSULTATION.—In
22 making an appointment under paragraph (1), the
23 President shall—

24 (A) consider the need for the Board to ex-
25 ercise independent and objective scientific judg-
26 ment; and

1 (B) consider, among other factors, mem-
2 bership on the National Commission on Foren-
3 sic Science and recommendations from leading
4 scientific organizations and leading professional
5 organizations in the field of forensic science and
6 other relevant fields.

7 (3) REQUIREMENTS.—The Board shall in-
8 clude—

9 (A) 11 voting members;

10 (B) 6 nonvoting members; and

11 (C) the ex officio members described in
12 paragraph (7).

13 (4) VOTING MEMBER REQUIREMENTS.—

14 (A) IN GENERAL.—Of the 11 voting mem-
15 bers—

16 (i) each shall have comprehensive sci-
17 entific backgrounds;

18 (ii) not fewer than 6 shall have exten-
19 sive experience and background in sci-
20 entific research;

21 (iii) not fewer than 6 shall have exten-
22 sive and current practical experience and
23 background in forensic science; and

24 (iv) not less than 1 shall be a board
25 certified forensic pathologist.

1 (B) MULTIPLE REQUIREMENTS.—An indi-
2 vidual voting member may meet more than 1 of
3 the requirements described in clauses (ii)
4 through (iv) of subparagraph (A).

5 (5) NONVOTING MEMBERS.—One nonvoting
6 member shall come from each of the following cat-
7 egories:

8 (A) Judges.

9 (B) Prosecutors.

10 (C) State and local law enforcement offi-
11 cials.

12 (D) Criminal defense attorneys.

13 (E) Organizations that represent people
14 who may have been wrongly convicted.

15 (F) State and local laboratory directors.

16 (6) FULFILLMENT OF MULTIPLE REQUIRE-
17 MENTS.—An individual who fulfills the requirements
18 described in paragraph (4) may serve as a voting
19 member even if that individual also fulfills a require-
20 ment described in paragraph (5).

21 (7) EX OFFICIO MEMBERS.—The Director, the
22 Deputy Attorney General, and the Directors of
23 NIST and the National Science Foundation, or their
24 designees, shall serve as ex officio members of the
25 Board and shall not participate in voting.

1 (8) APPOINTMENT OF BOARD CHAIRPERSON.—

2 The President shall designate a voting member of
3 the Board to serve as Chairperson of the Board for
4 the duration of that member's term.

5 (c) TERMS.—

6 (1) IN GENERAL.—Each voting and nonvoting
7 member of the Board, excluding ex officio members,
8 shall be appointed for a term of 6 years.

9 (2) EXCEPTION.—Of the members first ap-
10 pointed to the Board—

11 (A) 3 voting members and 2 nonvoting
12 members shall serve a term of 2 years;

13 (B) 4 voting members and 2 nonvoting
14 members shall serve a term of 4 years; and

15 (C) 4 voting members and 2 nonvoting
16 members shall serve a term of 6 years.

17 (3) RENEWABLE TERM.—A voting or nonvoting
18 member of the Board may be appointed for not more
19 than a total of 2 terms, including an initial term de-
20 scribed in paragraph (2).

21 (4) VACANCIES.—

22 (A) IN GENERAL.—In the event of a va-
23 cancy, the President may appoint a member to
24 fill the remainder of the term.

1 (B) ADDITIONAL TERM.—A member ap-
2 pointed under subparagraph (A) may be re-
3 appointed for 1 additional term.

4 (5) HOLDOVERS.—If a successor has not been
5 appointed at the conclusion of the term of a member
6 of the Board, the member of the Board may con-
7 tinue to serve until—

8 (A) a successor is appointed; or

9 (B) the member of the Board is re-
10 appointed.

11 (d) RESPONSIBILITIES.—The Board shall—

12 (1) make recommendations to the Director re-
13 lating to research priorities and needs, accreditation
14 and certification standards, standards and protocols
15 for forensic science disciplines, and any other issue
16 consistent with this Act;

17 (2) monitor and evaluate—

18 (A) the administration of accreditation,
19 certification, and research programs and proce-
20 dures established under this Act; and

21 (B) the operation of the Committees;

22 (3) review and update, as appropriate, any rec-
23 ommendations made under paragraph (1);

1 (4) identify, as appropriate, any additional
 2 issues that 1 or more Committees should consider;
 3 and

4 (5) perform all other functions of the Board
 5 under this Act and such other related functions as
 6 are necessary to perform the functions of the Board.

7 (e) CONSULTATION.—The Board shall consult as ap-
 8 propriate with the Deputy Attorney General, the Director
 9 of NIST, the Director of the National Science Foundation,
 10 the Director of the National Institute of Justice, the Di-
 11 rector of the Centers for Disease Control and Prevention,
 12 the Director of the National Institutes of Health, senior
 13 officials from other relevant Federal agencies including
 14 the Department of Defense, and relevant officials of State
 15 and local governments.

16 (f) MEETINGS.—

17 (1) IN GENERAL.—The Board shall hold not
 18 fewer than 4 meetings of the full Board each year.

19 (2) REQUIREMENTS.—

20 (A) NOTICE.—The Board shall provide
 21 public notice of any meeting of the Board in a
 22 reasonable period in advance of the meeting.

23 (B) OPEN MEETINGS.—A meeting of the
 24 Board shall be open to the public.

1 (C) QUORUM.—A majority of the voting
 2 members of the Board shall be present for a
 3 quorum to conduct business.

4 (g) VOTES.—

5 (1) IN GENERAL.—Decisions of the Board shall
 6 be made by an affirmative vote of not less than $\frac{2}{3}$
 7 of the members of the Board voting.

8 (2) VOTING PROCEDURES.—

9 (A) RECORDED.—All votes of the Board
 10 shall be recorded.

11 (B) REMOTE AND PROXY VOTING.—If nec-
 12 essary, a voting member of the Board may cast
 13 a vote—

14 (i) over the phone or through elec-
 15 tronic mail or other electronic means if the
 16 vote is scheduled to take place during a
 17 time other than a full meeting of the
 18 Board; and

19 (ii) over the phone or by proxy if the
 20 vote is scheduled to take place during a
 21 full meeting of the Board.

22 (h) DEFINITION OF FORENSIC SCIENCE DIS-
 23 CIPLINE.—

1 (1) IN GENERAL.—Not later than 18 months
2 after the date of enactment of this Act, the Board
3 shall—

4 (A) develop a recommended definition of
5 the term “forensic science discipline” for pur-
6 poses of this Act, which shall encompass dis-
7 ciplines with a sufficient scientific basis that in-
8 volve forensic testing, analysis, identification, or
9 comparisons, the results of which may be inter-
10 preted, presented, or otherwise used during the
11 course of a criminal investigation or criminal
12 court proceeding;

13 (B) develop a recommended list of forensic
14 science disciplines for purposes of this Act; and

15 (C) submit the recommended definition
16 and proposed list of forensic science disciplines
17 to the Director.

18 (2) CONSIDERATION.—In developing a rec-
19 ommended list of forensic science disciplines under
20 paragraph (1)(B), the Board shall—

21 (A) consider each field from which courts
22 in criminal cases hear forensic testimony or
23 admit forensic evidence; and

24 (B) consult with relevant practitioners, ex-
25 perts, and professional organizations.

1 (3) EXCLUSION FROM LIST.—If the Board rec-
2 ommends that a field should not be included on the
3 list submitted under paragraph (1) because the field
4 has insufficient scientific basis on the date of the
5 recommendation of the Board, the Board shall pub-
6 lish an explanation of the recommendation, which—

7 (A) shall be published on the Web site of
8 the Board; and

9 (B) may include a finding that a field
10 could be recognized as a forensic science dis-
11 cipline for purposes of this Act, based on addi-
12 tional research.

13 (4) ESTABLISHMENT.—After the Director re-
14 ceives the recommendations of the Board under
15 paragraph (1), the Director shall, in accordance with
16 section 101(f)(3), establish a definition for the term
17 “forensic science discipline”, and shall establish a
18 list of forensic science disciplines.

19 (5) ANNUAL EVALUATION.—On an annual
20 basis, the Board shall—

21 (A) evaluate—

22 (i) whether any field should be added
23 to the list of forensic science disciplines es-
24 tablished under paragraph (4), including
25 any field previously excluded; and

1 (ii) whether any field on the list of fo-
2 rensic science disciplines established under
3 paragraph (4) should be modified or re-
4 moved; and

5 (B) submit the evaluation conducted under
6 subparagraph (A), including any recommenda-
7 tions, to the Director.

8 (i) STAFF.—

9 (1) IN GENERAL.—The Board may, without re-
10 gard to the civil service laws and regulations, ap-
11 point and terminate a staff director and such other
12 additional personnel as may be necessary to enable
13 the Board to perform the duties of the Board.

14 (2) COMPENSATION.—The Board may fix the
15 compensation of the staff director and other per-
16 sonnel appointed under paragraph (1) without re-
17 gard to the provisions of chapter 51 and subchapter
18 III of chapter 53 of title 5, United States Code, re-
19 lating to classification of positions and General
20 Schedule pay rates, except that the rate of pay for
21 the executive director and other personnel may not
22 exceed the rate payable for level V of the Executive
23 Schedule under section 5316 of such title.

24 (3) PERSONNEL AS FEDERAL EMPLOYEES.—

1 (A) IN GENERAL.—Any personnel of the
2 Board who are employees shall be employees
3 under section 2105 of title 5, United States
4 Code, for purposes of chapters 63, 81, 83, 84,
5 85, 87, 89, 89A, 89B, and 90 of that title.

6 (B) MEMBERS OF THE BOARD.—Subpara-
7 graph (A) shall not be construed to apply to
8 members of the Board.

9 (4) PROCUREMENT OF TEMPORARY AND INTER-
10 MITTENT SERVICES.—The Board may procure tem-
11 porary and intermittent services under section
12 3109(b) of title 5, United States Code, at rates for
13 individuals which do not exceed the daily equivalent
14 of the annual rate of basic pay prescribed for level
15 V of the Executive Schedule under section 5316 of
16 such title.

17 (5) VOLUNTARY SERVICES.—Notwithstanding
18 section 1342 of title 31, United States Code, the
19 Board may accept and use voluntary and uncompen-
20 sated services for the Board as the Board deter-
21 mines necessary.

22 (j) REPORTS TO CONGRESS.—Not later than 2 years
23 after the date of enactment of this Act, and every 2 years
24 thereafter, the Board shall submit to Congress a report
25 describing the work of the Board and the work of each

1 Committee, which shall include a description of any rec-
 2 ommendations, decisions, and other significant materials
 3 generated during the 2-year period.

4 (k) APPLICABILITY OF THE FEDERAL ADVISORY
 5 COMMITTEE ACT.—

6 (1) IN GENERAL.—Subject to paragraphs (2)
 7 through (4), the Federal Advisory Committee Act (5
 8 U.S.C. App.) shall apply to the Board.

9 (2) TERMINATION PROVISION.—Section
 10 14(a)(2) of the Federal Advisory Committee Act (5
 11 U.S.C. App.) shall not apply to the Board.

12 (3) COMPENSATION OF MEMBERS.—Members of
 13 the Board shall serve without compensation for serv-
 14 ices performed for the Board.

15 (4) TRAVEL EXPENSES.—The members of the
 16 Board shall be allowed travel expenses, including per
 17 diem in lieu of subsistence, at rates authorized for
 18 employees of agencies under subchapter I of chapter
 19 57 of title 5, United States Code, while away from
 20 their homes or regular places of business in the per-
 21 formance of services for the Board.

22 (5) DESIGNATED FEDERAL OFFICER.—In ac-
 23 cordance with the Federal Advisory Committee Act
 24 (5 U.S.C. App.), the Director shall—

1 (A) serve as the designated Federal officer
2 (as described in section 10(e) of such Act); and
3 (B) designate an Advisory Committee
4 Management Officer (as described in section
5 8(b) of such Act) for the Board.

6 (l) TRANSFER AND CONSOLIDATION OF NATIONAL
7 COMMISSION ON FORENSIC SCIENCE.—Not later than 30
8 days after the date on which the first meeting of the
9 Board occurs, the Attorney General or the Director of
10 NIST, as the case may be, shall transfer to the Office,
11 control, supervision, and any unobligated balances avail-
12 able for the operation of the National Commission on Fo-
13 rensic Science or any national commission that has a simi-
14 lar scope or responsibility to the Office.

15 **SEC. 103. COMMITTEES.**

16 (a) ESTABLISHMENT AND MAINTENANCE OF COM-
17 MITTEES.—

18 (1) IN GENERAL.—Not later than 18 months
19 after the date of enactment of this Act, the Board
20 shall issue recommendations to the Director relating
21 to—

22 (A) the number of Committees that shall
23 be established to examine research needs,
24 standards and best practices, and certification

standards for the forensic science disciplines,
which shall be sufficient to—

(i) ensure that the Committees are
representative of each forensic science dis-
cipline; and

(ii) allow the Committees to function
effectively;

(B) the scope of responsibility for each
Committee recommended to be established,
which shall ensure that each forensic science
discipline is addressed by a Committee;

(C) what the relationship should be be-
tween the Committees and any scientific work-
ing group, scientific area committee, guidance
group, or technical working group that has a
similar scope of responsibility; and

(D) whether any Committee should con-
sider any field not recognized as a forensic
science discipline for the purpose of determining
whether there is research that could be con-
ducted and used to form the basis for estab-
lishing the field as a forensic science discipline.

(2) ESTABLISHMENT.—After the Director re-
ceives the recommendations of the Board under

1 paragraph (1), the Director, in consultation with the
2 Director of NIST shall—

3 (A) consider how to adapt and incorporate
4 any scientific working group, scientific area
5 committee, guidance group, or technical work-
6 ing group operating under the Department of
7 Justice or NIST into a Committee;

8 (B) in accordance with section 101(f)(3),
9 establish—

10 (i) Committees to examine research
11 needs, standards, best practices, and cer-
12 tification standards for the forensic science
13 disciplines, which shall be not fewer than
14 1; and

15 (ii) a clear scope of responsibility for
16 each Committee; and

17 (C) publish a list of the Committees and
18 the scope of responsibility for each Committee
19 on the Web site for the Office.

20 (3) ANNUAL EVALUATION.—The Board, on an
21 annual basis, shall—

22 (A) evaluate whether—

23 (i) any new Committees should be es-
24 tablished;

1 (ii) the scope of responsibility for any
2 Committee should be modified; and

3 (iii) any Committee should be discon-
4 tinued; and

5 (B) submit any recommendations relating
6 to the evaluation conducted under subpara-
7 graph (A) to the Director.

8 (4) UPDATES.—Upon receipt of any rec-
9 ommendations from the Board under paragraph (3),
10 the Director shall, in accordance with section
11 101(f)(3), determine whether to establish, modify
12 the scope of, or discontinue any Committee.

13 (5) TRANSFER AND CONSOLIDATION OF SCI-
14 ENTIFIC AND TECHNICAL WORKING GROUPS.—Not
15 later than 30 days after the date on which the first
16 meeting of a Committee occurs, the Attorney Gen-
17 eral or the Director of NIST, as the case may be,
18 shall transfer to the Office, control, supervision, and
19 any unobligated balances available for the operation
20 of any scientific working group, scientific area com-
21 mittee, guidance group, or technical working group
22 that has a similar scope or responsibility to the
23 Committee.

24 (b) MEMBERSHIP.—

25 (1) IN GENERAL.—Each Committee shall—

1 (A) consist of not more than 21 mem-
2 bers—

3 (i) each of whom shall be a scientist
4 with knowledge relevant to a forensic
5 science discipline addressed by the Com-
6 mittee;

7 (ii) not less than 50 percent of whom
8 shall have extensive experience and back-
9 ground in scientific research; and

10 (iii) not less than 50 percent of whom
11 shall have extensive practical experience
12 and background in the forensic sciences
13 sufficient to ensure that the Committee
14 has an adequate understanding of the fac-
15 tors and needs unique to the forensic
16 sciences; and

17 (B) have a membership that represents a
18 variety of scientific disciplines, including the fo-
19 rensic sciences.

20 (2) DEFINITION.—In this subsection, the term
21 “scientist” includes—

22 (A) a statistician with a scientific back-
23 ground; and

24 (B) a board certified physician or forensic
25 pathologist with expertise in forensic sciences.

1 (c) APPOINTMENT.—

2 (1) IN GENERAL.—The Director of NIST, in
3 close coordination with the Board and the Director
4 and pursuant to the Memorandum of Understanding
5 required under section 101(d), shall appoint the
6 members of each Committee.

7 (2) CONSIDERATION.—In appointing members
8 to a Committee under paragraph (1), the Director of
9 NIST shall consider—

10 (A) the importance of analysis from sci-
11 entists with academic research backgrounds in
12 both basic and applied sciences; and

13 (B) the importance of input from experi-
14 enced and actively practicing forensic practi-
15 tioners, including individuals who participated
16 in scientific working groups, scientific area
17 committees, guidance groups, or technical work-
18 ing groups.

19 (3) VACANCIES.—In the event of a vacancy, the
20 Director of NIST, in consultation with the Board
21 and the Director, may appoint a member to fill the
22 remainder of the term.

23 (4) HOLDOVERS.—If a successor has not been
24 appointed at the conclusion of the term of a member

1 of the Committee, the member of the Committee
2 may continue to serve until—

3 (A) a successor is appointed; or

4 (B) the member of the Committee is re-
5 appointed.

6 (d) TERMS.—A member of a Committee shall serve
7 for renewable terms of 4 years.

8 (e) SUPPORT AND OVERSIGHT.—

9 (1) IN GENERAL.—Pursuant to the Memo-
10 randum of Understanding required under section
11 101(d), the Director of NIST, in consultation with
12 the Director, shall provide support and staff for each
13 Committee as needed.

14 (2) DUTIES AND OVERSIGHT.—The Director of
15 NIST, in consultation with the Director, shall—

16 (A) perform periodic oversight of each
17 Committee; and

18 (B) report any concerns about the per-
19 formance or functioning of a Committee to the
20 Board and the Director.

21 (3) FAILURE TO COMPLY.—If a Committee fails
22 to produce recommendations within the time periods
23 required under this Act, the Director of NIST, in
24 consultation with the Director, shall work with the

1 Committee to assist the Committee in producing the
2 required recommendations in a timely manner.

3 (f) DUTIES.—

4 (1) IN GENERAL.—A Committee shall have the
5 duties and responsibilities set out in this Act, and
6 shall perform any other functions determined appro-
7 priate by the Board.

8 (2) COMMITTEE DECISIONS AND RECOMMENDA-
9 TIONS.—

10 (A) IN GENERAL.—A Committee shall sub-
11 mit recommendations and all recommended
12 standards, protocols, or other materials devel-
13 oped by the Committee to the Board for evalua-
14 tion.

15 (B) PROHIBITION OF MODIFICATION OF
16 DECISIONS AND RECOMMENDATIONS.—Any rec-
17 ommendations of a Committee and any rec-
18 ommended standards, protocols, or other mate-
19 rials developed by a Committee may be ap-
20 proved or disapproved by the Board, but may
21 not be modified by the Board.

22 (C) APPROVAL OF DECISIONS AND REC-
23 OMMENDATIONS.—If the Board approves a rec-
24 ommendation or recommended standard, pro-
25 tocol, or other material submitted by a Com-

mittee under subparagraph (A), the Board shall submit the recommendation or recommended standard, protocol, or other material as a recommendation of the Board, to the Director for consideration in accordance with section 101(f)(3).

(D) DISAPPROVAL OF DECISIONS AND RECOMMENDATIONS.—If the Board disapproves of any recommendation of a Committee or recommended standard, protocol, or other material developed by a Committee—

(i) the Board shall provide in writing the reason for the disapproval of the recommendation or recommended standard, protocol, or other material;

(ii) the Committee shall withdraw the recommendation or recommended standard, protocol, or other material; and

(iii) the Committee may submit a revised recommendation or recommended standard, protocol, or other material.

(g) MEETINGS.—

(1) IN GENERAL.—A Committee shall hold not fewer than 4 meetings of the full Committee each year.

1 (2) REQUIREMENTS.—

2 (A) NOTICE.—A Committee shall provide
3 public notice of any meeting of the Committee
4 a reasonable period in advance of the meeting.

5 (B) OPEN MEETINGS.—A meeting of a
6 Committee shall be open to the public.

7 (C) QUORUM.—A majority of members of
8 a Committee shall be present for a quorum to
9 conduct business.

10 (h) VOTES.—

11 (1) IN GENERAL.—Decisions of a Committee
12 shall be made by an affirmative vote of not less than
13 $\frac{2}{3}$ of the members of the Committee voting.

14 (2) VOTING PROCEDURES.—

15 (A) RECORDED.—All votes taken by a
16 Committee shall be recorded.

17 (B) REMOTE AND PROXY VOTING.—If nec-
18 essary, a member of a Committee may cast a
19 vote—

20 (i) over the phone or through elec-
21 tronic mail if the vote is scheduled to take
22 place during a time other than a full meet-
23 ing of the Committee; and

1 (ii) over the phone or by proxy if the
 2 vote is scheduled to take place during a
 3 full meeting of the Committee.

4 (i) APPLICABILITY OF THE FEDERAL ADVISORY
 5 COMMITTEE ACT.—

6 (1) IN GENERAL.—The Federal Advisory Com-
 7 mittee Act (5 U.S.C. App.) shall not apply to a
 8 Committee.

9 (2) COMPENSATION OF MEMBERS.—Members of
 10 a Committee shall serve without compensation for
 11 services performed for the Committee.

12 (3) TRAVEL EXPENSES.—The members of a
 13 Committee shall be allowed travel expenses, includ-
 14 ing per diem in lieu of subsistence, at rates author-
 15 ized for employees of agencies under subchapter I of
 16 chapter 57 of title 5, United States Code, while
 17 away from their homes or regular places of business
 18 in the performance of services for the Committee.

19 **SEC. 104. AUTHORIZATION OF APPROPRIATIONS.**

20 There are authorized to be appropriated, including
 21 from any unobligated funds appropriated to the Depart-
 22 ment of Justice and the National Institute of Standards
 23 and Technology for the operation of a scientific working
 24 group, scientific area committee, guidance group, or tech-
 25 nical working group transferred under section 103(a)(5),

1 and including any unobligated funds appropriated to
2 strengthen and enhance the practice of forensic sciences
3 under any other provision of law, \$8,000,000 for each of
4 fiscal years 2015 through 2019 for the operation and
5 staffing of the Office, Board, and Committees.

6 **TITLE II—ACCREDITATION OF**
7 **FORENSIC SCIENCE LABORA-**
8 **TORIES**

9 **SEC. 201. ACCREDITATION OF FORENSIC SCIENCE LABORA-**
10 **TORIES.**

11 (a) IN GENERAL.—On and after the date established
12 under subsection (b)(2)(E), a forensic science laboratory
13 may not receive, directly or indirectly, any Federal funds,
14 unless the Director has verified that the laboratory has
15 been accredited in accordance with the standards and pro-
16 cedures established under this title.

17 (b) PROCEDURES FOR ACCREDITATION.—

18 (1) RECOMMENDATIONS.—Not later than 3
19 years after the date of enactment of this Act, the
20 Board shall submit to the Director—

21 (A) a comprehensive strategy to enable fo-
22 rensic science laboratories to obtain and main-
23 tain accreditation;

24 (B) recommended procedures for the ac-
25 creditation of forensic science laboratories that

1 are consistent with the recommended standards
2 developed by the Board under section 202;

3 (C) recommended procedures for the peri-
4 odic review and updating of the accreditation
5 status of forensic science laboratories;

6 (D) recommended procedures for the Di-
7 rector to verify that laboratories have been ac-
8 credited in accordance with the standards and
9 procedures established under this title, which
10 shall include procedures to implement, admin-
11 ister, and coordinate enforcement of the pro-
12 gram for the accreditation of forensic science
13 laboratories; and

14 (E) a recommendation regarding the dates
15 by which forensic science laboratories should—

16 (i) begin the process of laboratory ac-
17 creditation; and

18 (ii) obtain verification of laboratory
19 accreditation to be eligible to receive Fed-
20 eral funds.

21 (2) ESTABLISHMENT.—After the Director re-
22 ceives the recommendations of the Board under
23 paragraph (1), the Director shall, in accordance with
24 section 101(f)(3), establish—

1 (A) procedures to implement a comprehen-
2 sive strategy to enable forensic science labora-
3 tories to obtain and maintain accreditation;

4 (B) procedures for the accreditation of a
5 forensic science laboratory;

6 (C) procedures for the Director to verify
7 that laboratories have been accredited in ac-
8 cordance with the standards and procedures es-
9 tablished under this title;

10 (D) the date by which a forensic science
11 laboratory shall begin the process of accredita-
12 tion; and

13 (E) the date by which a forensic science
14 laboratory shall obtain verification of laboratory
15 accreditation to be eligible to receive Federal
16 funds.

17 (3) CONSIDERATION OF APPROPRIATIONS.—In
18 determining, recommending, and establishing the
19 dates under paragraphs (1) and (2), the Board and
20 Director shall consider whether funding has been ap-
21 propriated pursuant to section 305 and other rel-
22 evant Federal grant programs to sufficiently assist
23 and support laboratories in obtaining accreditation
24 under this Act.

25 (c) DEFINITION.—

1 (1) IN GENERAL.—Not later than 1 year after
2 the date of enactment of this Act, the Board shall
3 recommend to the Director a definition of the term
4 “forensic science laboratory” for purposes of this
5 Act, which shall include any laboratory that con-
6 ducts forensic testing, analysis, identification, or
7 comparisons, the results of which may be inter-
8 preted, presented, or otherwise used during the
9 course of a criminal investigation or criminal court
10 proceeding.

11 (2) ESTABLISHMENT.—After the Director re-
12 ceives the recommendation of the Board under para-
13 graph (1), the Director shall, in accordance with sec-
14 tion 101(f)(3), establish a definition for the term
15 “forensic science laboratory”.

16 (d) APPLICABILITY TO FEDERAL AGENCIES.—On
17 and after the date established by the Director under sub-
18 section (b)(2)(E), a Federal agency may not use any fo-
19 rensic science laboratory, including any services, products,
20 analysis, opinions, or conclusions provided by the forensic
21 science laboratory, during the course of a criminal inves-
22 tigation or criminal court proceeding unless the forensic
23 science laboratory meets the standards of accreditation
24 and certification established by the Office under this Act.

1 **SEC. 202. STANDARDS FOR LABORATORY ACCREDITATION.**

2 (a) STANDARDS.—

3 (1) RECOMMENDATIONS.—Not later than 18
4 months after the date of enactment of this Act, the
5 Board shall, in consultation with qualified profes-
6 sional organizations, submit to the Director rec-
7 ommendations regarding standards for the accredi-
8 tation of forensic science laboratories, including
9 quality assurance and quality control standards, to
10 ensure the quality, integrity, and accuracy of any
11 testing, analysis, identification, or comparisons per-
12 formed by a forensic science laboratory for use dur-
13 ing the course of a criminal investigation or criminal
14 court proceeding.

15 (2) ESTABLISHMENT.—After the Director re-
16 ceives the recommendations of the Board under
17 paragraph (1), the Director shall, in accordance with
18 section 101(f)(3), establish standards for the accred-
19 itation of forensic science laboratories.

20 (3) REQUIREMENTS.—In recommending or es-
21 tablishing standards under paragraph (1) or (2) the
22 Board and the Director shall—

23 (A) consider—

24 (i) whether any relevant national or
25 international accreditation standards that
26 were in effect before the date of enactment

1 of this Act would be sufficient for the ac-
2 creditation of forensic science laboratories
3 under this Act;

4 (ii) whether any relevant national or
5 international accreditation standards that
6 were in effect before the date of enactment
7 of this Act would be sufficient for the ac-
8 creditation of forensic science laboratories
9 under this Act with supplemental stand-
10 ards; and

11 (iii) the incorporation of relevant na-
12 tional or international accreditation stand-
13 ards that were in effect before the date of
14 enactment of this Act; and

15 (B) include—

16 (i) educational and training require-
17 ments for relevant laboratory personnel;

18 (ii) proficiency and competency test-
19 ing requirements for relevant laboratory
20 personnel; and

21 (iii) maintenance and auditing re-
22 quirements for accredited forensic science
23 laboratories.

24 (b) REVIEW OF STANDARDS.—

1 (1) IN GENERAL.—Not less frequently than
2 once every 5 years—

3 (A) the Board shall—

4 (i) review the scope and effectiveness
5 of the accreditation standards established
6 under subsection (a);

7 (ii) submit recommendations to the
8 Director relating to whether, and if so,
9 how to update or supplement the standards
10 as necessary to—

11 (I) account for developments in
12 relevant scientific research, techno-
13 logical advances, and new forensic
14 science disciplines;

15 (II) ensure adherence to the
16 standards and best practices estab-
17 lished under title V; and

18 (III) address any other issue
19 identified during the course of the re-
20 view conducted under clause (i); and

21 (B) the Director shall, as necessary and in
22 accordance with section 101(f)(3), update the
23 accreditation standards established under sub-
24 section (a).

1 (2) PROCEDURES FOR OPEN AND TRANS-
 2 PARENT REVIEW OF STANDARDS.—The Director, in
 3 consultation with the Board, shall establish proce-
 4 dures to ensure that the process for developing, re-
 5 viewing, and updating accreditation standards under
 6 this section—

7 (A) is open and transparent to the public;
 8 and

9 (B) includes an opportunity for the public
 10 to comment on proposed standards with suffi-
 11 cient prior notice.

12 **SEC. 203. ADMINISTRATION AND ENFORCEMENT OF AC-**
 13 **CREDITATION PROGRAM.**

14 (a) ADMINISTRATION AND OVERSIGHT OF ACCREDI-
 15 TATION PROGRAM.—

16 (1) IN GENERAL.—The Director shall determine
 17 whether a forensic science laboratory is eligible to
 18 receive, directly or indirectly, Federal funds under
 19 section 201(a).

20 (2) ADMINISTRATION.—

21 (A) IN GENERAL.—The Director shall, in
 22 consultation with the Board and as appropriate,
 23 identify 1 or more qualified accrediting bodies
 24 with significant expertise relevant to the accred-
 25 itation of forensic science laboratories, the ac-

1 creditation of a forensic science laboratory by
2 which shall constitute accreditation for purposes
3 of section 201(a).

4 (B) OVERSIGHT.—The Director shall peri-
5 odically—

6 (i) reevaluate whether accreditation by
7 a qualified accrediting body identified
8 under subparagraph (A) is adequate to en-
9 sure compliance with the standards and
10 procedures established under this title; and

11 (ii) recommend updates to the stand-
12 ards and procedures used by 1 or more
13 qualified accrediting bodies, as necessary.

14 (C) REPORTING.—The Director shall pro-
15 vide to the Board, and publish on the Web site
16 of the Office, regular reports regarding—

17 (i) the accreditation of forensic
18 science laboratories by qualified accrediting
19 bodies identified under subparagraph (A);
20 and

21 (ii) reevaluations of accreditation by
22 qualified accrediting bodies under subpara-
23 graph (B).

24 (b) REVIEW OF ELIGIBILITY.—Not less frequently
25 than once every 5 years, the Director shall evaluate wheth-

1 er a forensic science laboratory that has been determined
 2 to be eligible to receive Federal funds under section 201(a)
 3 remains eligible to receive Federal funds, including wheth-
 4 er any accreditation of the forensic science laboratory by
 5 a qualified accrediting body identified under subparagraph
 6 (A) is still in effect.

7 (c) WEB SITE.—The Director shall develop and
 8 maintain on the Web site of the Office an updated list
 9 of—

10 (1) the forensic science laboratories that are eli-
 11 gible for Federal funds under section 201(a);

12 (2) the forensic science laboratories that have
 13 been determined to be ineligible to receive Federal
 14 funds under section 201(a); and

15 (3) the forensic science laboratories that are
 16 awaiting a determination regarding eligibility to re-
 17 ceive Federal funds under section 201(a).

18 **TITLE III—CERTIFICATION OF** 19 **FORENSIC SCIENCE PERSONNEL**

20 **SEC. 301. DEFINITIONS.**

21 (a) COVERED ENTITY.—In this title, the term “cov-
 22 ered entity” means an entity that—

23 (1) is not a forensic science laboratory; and

24 (2) conducts forensic testing, analysis, inves-
 25 tigation, identification, or comparisons, the results of

1 which may be interpreted, presented, or otherwise
2 used during the course of a criminal investigation or
3 criminal court proceeding.

4 (b) RELEVANT PERSONNEL.—

5 (1) RECOMMENDATION.—Not later than 18
6 months after the date of enactment of this Act, the
7 Board shall submit to the Director a recommended
8 definition of the term “relevant personnel”, which
9 shall include all individuals who—

10 (A) conduct forensic testing, analysis, in-
11 vestigation, identification, or comparisons, the
12 results of which may be interpreted, presented,
13 or otherwise used during the course of a crimi-
14 nal investigation or criminal court proceeding;
15 or

16 (B) testify about evidence prepared by an
17 individual described in subparagraph (A).

18 (2) DEFINITION.—After the Director receives
19 the recommendation of the Board under paragraph
20 (1), the Director shall, in accordance with section
21 101(f)(3), define the term “relevant personnel” for
22 purposes of this title.

1 **SEC. 302. CERTIFICATION OF FORENSIC SCIENCE PER-**
2 **SONNEL.**

3 Except as provided in section 304(c)(2), on and after
4 the date established under section 304(c)(1), a forensic
5 science laboratory or covered entity may not receive, di-
6 rectly or indirectly, any Federal funds, unless all relevant
7 personnel of the forensic science laboratory or covered en-
8 tity are certified under this title.

9 **SEC. 303. STANDARDS FOR CERTIFICATION.**

10 (a) RECOMMENDED STANDARDS.—

11 (1) IN GENERAL.—Not later than 2 years after
12 the date on which all members of a Committee have
13 been appointed, the Committee shall make rec-
14 ommendations to the Board relating to standards
15 for the certification of relevant personnel in each fo-
16 rensic science discipline addressed by the Committee.

17 (2) REQUIREMENTS.—In developing rec-
18 ommended standards under paragraph (1), a Com-
19 mittee shall—

20 (A) consult with qualified professional or-
21 ganizations, including qualified professional or-
22 ganizations that accredit forensic science certifi-
23 cation programs;

24 (B) consider relevant certification stand-
25 ards and best practices developed by qualified
26 professional or scientific organizations;

1 (C) consider whether successful completion
2 of a certification program accredited by a quali-
3 fied professional organization would be suffi-
4 cient to meet the certification requirements for
5 relevant personnel under this Act;

6 (D) consider whether and under what cir-
7 cumstances internal certification programs by
8 accredited laboratories would be sufficient to
9 meet the certification requirements for relevant
10 personnel under this Act;

11 (E) consider any standards or best prac-
12 tices established under title V; and

13 (F) consider—

14 (i) whether certain minimum stand-
15 ards should be established for the edu-
16 cation and training of relevant personnel;

17 (ii) whether there should be an alter-
18 native process to enable relevant personnel
19 who were hired before the date established
20 under section 304(c)(1), to obtain certifi-
21 cations, including—

22 (I) testing that demonstrates
23 proficiency in a specific forensic
24 science discipline that is equal to or
25 greater than the level of proficiency

1 required by the standards for certifi-
2 cation; and

3 (II) a waiver of certain edu-
4 cational and training requirements;

5 (iii) whether and under what condi-
6 tions relevant personnel should be allowed
7 to perform an activity described in sub-
8 paragraph (A) or (B) of section 301(b)(1)
9 for a forensic science laboratory or covered
10 entity while the individual obtains the
11 training and education required for certifi-
12 cation under the standards developed
13 under this title; and

14 (iv) whether certification by recog-
15 nized and relevant medical boards, or other
16 recognized and relevant State professional
17 boards, should be sufficient for relevant
18 personnel to meet the standards developed
19 under this title.

20 (b) APPROVAL OR DENIAL OF RECOMMENDA-
21 TIONS.—The Board shall approve or deny any rec-
22 ommendation submitted by a Committee under subsection
23 (a) in accordance with section 103(f)(2).

24 (c) ESTABLISHMENT OF STANDARDS.—After the Di-
25 rector receives recommendations from the Board under

1 subsection (b), the Director shall, in accordance with sec-
2 tion 101(f)(3), establish standards for the certification of
3 relevant personnel.

4 (d) REVIEW OF STANDARDS.—

5 (1) IN GENERAL.—Not less frequently than
6 once every 5 years, a Committee shall—

7 (A) review the standards for certification
8 established under subsection (c) for each foren-
9 sic science discipline within the responsibility of
10 the Committee; and

11 (B) submit to the Board recommendations
12 regarding updates, if any, to the standards for
13 certification as necessary—

14 (i) to account for developments in rel-
15 evant scientific research, technological ad-
16 vances, or changes in the law; and

17 (ii) to ensure adherence to the stand-
18 ards and best practices established under
19 title V.

20 (2) BOARD REVIEW.—Not later than 180 days
21 after the date on which a Committee submits rec-
22 ommendations under paragraph (1)(B), the Board
23 shall, in accordance with section 103(f)(2)—

24 (A) consider the recommendations; and

1 (B) submit to the Director recommenda-
 2 tions of standards and best practices for each
 3 forensic science discipline.

4 (3) UPDATES.—After the Director receives rec-
 5 ommendations from the Board under paragraph (2),
 6 the Director shall, in accordance with section
 7 101(f)(3), update the standards for certification of
 8 relevant personnel.

9 (e) PUBLIC COMMENT.—The Director, in consulta-
 10 tion with the Board, shall establish procedures to ensure
 11 that the process for establishing, reviewing, and updating
 12 standards for certification of relevant personnel under this
 13 section—

14 (1) is open and transparent to the public; and

15 (2) includes an opportunity for the public to
 16 comment on proposed standards with sufficient prior
 17 notice.

18 **SEC. 304. ADMINISTRATION AND REVIEW OF CERTIFI-**
 19 **CATION PROGRAM.**

20 (a) IN GENERAL.—

21 (1) DETERMINATION.—The Director shall de-
 22 termine whether a forensic science laboratory or cov-
 23 ered entity is eligible to receive, directly or indi-
 24 rectly, Federal funds under section 302.

1 (2) PROCEDURES.—Not later than 1 year after
2 the date of enactment of this Act, the Director shall
3 establish policies and procedures to implement, ad-
4 minister, and coordinate enforcement of the certifi-
5 cation requirements established under this title, in-
6 cluding requiring the periodic recertification of rel-
7 evant personnel.

8 (b) ADMINISTRATION.—

9 (1) IN GENERAL.—After consultation with the
10 Board, the Director may identify 1 or more qualified
11 professional organizations with significant expertise
12 relevant to the certification of individuals in a par-
13 ticular forensic science discipline, the certification of
14 an individual by which shall constitute certification
15 for purposes of section 302.

16 (2) OVERSIGHT.—The Director shall periodi-
17 cally reevaluate whether certification by a qualified
18 professional organization identified under paragraph
19 (1) is adequate to ensure compliance with the stand-
20 ards established under this title.

21 (3) REPORTING.—The Director shall provide
22 regular reports to the Board regarding the certifi-
23 cation of relevant personnel by qualified professional
24 organizations identified under paragraph (1) and re-
25 evaluations of certification by qualified professional

1 organizations under paragraph (2), which shall be
2 published on the Web site of the Office.

3 (c) IMPLEMENTATION OF CERTIFICATION REQUIRE-
4 MENTS.—

5 (1) IN GENERAL.—After consultation with the
6 Board, the Director shall establish the date by which
7 forensic science laboratories and covered entities
8 shall be in compliance with the certification require-
9 ments of this title.

10 (2) GRADUAL IMPLEMENTATION.—The Director
11 shall, in consultation with the Board and the rel-
12 evant Committee, establish policies and procedures
13 to enable the gradual implementation of the certifi-
14 cation requirements that—

15 (A) include a reasonable schedule to allow
16 relevant personnel to obtain certifications;

17 (B) allow for partial compliance with the
18 requirements of section 302 for a reasonable
19 period of time after the date established under
20 paragraph (1); and

21 (C) allow for consideration of whether
22 funding has been appropriated pursuant to sec-
23 tion 305 and other relevant Federal grant pro-
24 grams to sufficiently assist and support forensic
25 science laboratories and covered entities in com-

1 plying with the certification requirements of
2 this title.

3 (d) REVIEW OF CERTIFICATION REQUIREMENTS.—

4 The Director shall establish policies and procedures for
5 the periodic review of the implementation, administration,
6 and enforcement of the certification requirements estab-
7 lished under this title.

8 **SEC. 305. SUPPORT AND TECHNICAL ASSISTANCE FOR**
9 **STATE AND LOCAL LABORATORIES.**

10 (a) IMPLEMENTATION PLAN.—Not later than 1 year
11 after the date of enactment of this Act, the Director of
12 the National Institute of Justice, in consultation with the
13 Director, shall develop a plan for assisting and supporting
14 forensic science laboratories and covered entities in obtain-
15 ing accreditation under title II and certifications for rel-
16 evant personnel under this title.

17 (b) AUTHORIZATION FOR USE OF COVERDELL AND
18 BYRNE JAG GRANTS.—The Attorney General, in con-
19 sultation with the Director and the Director of the Na-
20 tional Institute of Justice, and consistent with the imple-
21 mentation plan developed under subsection (a), may make
22 grants under part BB of the Omnibus Crime Control and
23 Safe Streets Act of 1968 (42 U.S.C. 3797j et seq.) and
24 subpart 1 of part E of such Act (42 U.S.C. 3750 et seq.),
25 and provide technical assistance to forensic science labora-

1 tories and covered entities, to ensure that forensic science
2 laboratories and covered entities are able to—

- 3 (1) obtain accreditation under title II;
- 4 (2) obtain certifications for relevant personnel
- 5 under this title; and
- 6 (3) effectively fulfill their responsibilities during
- 7 the process of obtaining accreditation under title II
- 8 and certifications for relevant personnel under this
- 9 title.

10 (c) TECHNICAL AND CONFORMING AMENDMENTS.—

11 (1) PAUL COVERDELL FORENSIC SCIENCES IM-
12 PROVEMENT GRANTS PROGRAM.—Section 2804(a) of
13 the Omnibus Crime Control and Safe Streets Act of
14 1968 (42 U.S.C. 3797m(a)) is amended by adding
15 at the end the following:

16 “(4) To assist forensic science laboratories and
17 covered entities, as those terms are defined in sec-
18 tions 2 and 301, respectively, of the Criminal Jus-
19 tice and Forensic Science Reform Act, in obtaining
20 accreditation under title II of such Act and certifi-
21 cations for relevant personnel under title III of such
22 Act, in accordance with section 305 of such Act.”.

23 (2) EDWARD BYRNE MEMORIAL JUSTICE AS-
24 SISTANCE GRANT PROGRAM.—Section 501(a)(1) of
25 the Omnibus Crime Control and Safe Streets Act of

1 1968 (42 U.S.C. 3751(a)(1)) is amended by adding
2 at the end the following:

3 “(H) Assistance to forensic science labora-
4 tories and covered entities, as those terms are
5 defined in sections 2 and 301, respectively, of
6 the Criminal Justice and Forensic Science Re-
7 form Act, in obtaining accreditation under title
8 II of such Act and certifications for relevant
9 personnel under title III of such Act, in accord-
10 ance with section 305 of such Act.”.

11 **TITLE IV—RESEARCH**

12 **SEC. 401. RESEARCH STRATEGY AND PRIORITIES.**

13 (a) COMPREHENSIVE RESEARCH STRATEGY AND
14 AGENDA.—

15 (1) RECOMMENDATION.—Not later than 18
16 months after the date of enactment of this Act, the
17 Board shall recommend to the Director a com-
18 prehensive strategy for fostering and improving
19 peer-reviewed scientific research relating to the fo-
20 rensic science disciplines, including research address-
21 ing issues of validity, reliability, and accuracy in the
22 forensic science disciplines.

23 (2) ESTABLISHMENT.—After the Director re-
24 ceives recommendations from the Board under para-
25 graph (1), the Director shall, in accordance with sec-

tion 101(f)(3), establish a comprehensive strategy for fostering and improving peer-reviewed scientific research relating to the forensic science disciplines.

(3) REVIEW.—

(A) BOARD REVIEW.—Not less frequently than once every 5 years, the Board shall—

(i) review the comprehensive strategy established under paragraph (2); and

(ii) recommend any necessary updates to the comprehensive strategy.

(B) UPDATES.—After the Director receives recommendations from the Board under subparagraph (A), the Director shall, in accordance with section 101(f)(3), update the comprehensive strategy as necessary and appropriate.

(b) RESEARCH FUNDING PRIORITIES.—

(1) RECOMMENDATION.—Not later than 18 months after the date of enactment of this Act, the Board shall recommend to the Director a list of priorities for forensic science research funding.

(2) ESTABLISHMENT.—After the Director receives the list from the Board under paragraph (1), the Director shall, in accordance with section 101(f)(3), establish a list of priorities for forensic science research funding.

1 (3) REVIEW.—Not less frequently than once
2 every 2 years, the Board shall—

3 (A) review—

4 (i) the list of priorities established
5 under paragraph (2); and

6 (ii) the findings of the relevant Com-
7 mittees made under subsection (c); and

8 (B) recommend any necessary updates to
9 the list of priorities, incorporating, as appro-
10 priate, the findings of the Committees under
11 subsection (c).

12 (4) UPDATES.—After the Director receives the
13 recommendations under paragraph (3), the Director
14 shall, in accordance with section 101(f)(3), update
15 as necessary the list of research funding priorities.

16 (c) EVALUATION OF RESEARCH NEEDS.—Not later
17 than 2 years after the date on which all members of a
18 Committee have been appointed under section 103, and
19 periodically thereafter, the Committee shall—

20 (1) examine and evaluate the scientific research
21 in each forensic science discipline within the respon-
22 sibility of the Committee;

23 (2) conduct comprehensive surveys of scientific
24 research relating to each forensic science discipline
25 within the responsibility of the Committee;

1 (3) examine the research needs in each forensic
2 science discipline within the responsibility of the
3 Committee and identify key areas in which further
4 scientific research is needed; and

5 (4) develop and submit to the Board a list of
6 research needs and priorities.

7 (d) CONSIDERATION.—In developing the initial re-
8 search strategy, research priorities, and surveys required
9 under this section, the Board and the Director shall con-
10 sider any findings, surveys, and analyses relating to re-
11 search in forensic science disciplines, including those made
12 by the Subcommittee on Forensic Science of the National
13 Science and Technology Council.

14 **SEC. 402. RESEARCH GRANTS.**

15 (a) COMPETITIVE GRANTS.—

16 (1) DEFINITION.—In this subsection, the term
17 “eligible entity” means—

18 (A) a nonprofit academic or research insti-
19 tution;

20 (B) an accredited forensic science labora-
21 tory; and

22 (C) any other entity designated by the Di-
23 rector of NIST.

24 (2) PEER-REVIEW RESEARCH GRANTS.—

1 (A) IN GENERAL.—Pursuant to the Memo-
2 randum of Understanding required under sec-
3 tion 101(d), the Director of NIST may, on a
4 competitive basis and using funds appropriated
5 to NIST for forensic science purposes, make
6 grants to eligible entities to conduct peer-re-
7 viewed scientific research.

8 (B) CONSIDERATION.—In making grants
9 under this paragraph, the Director of NIST
10 shall—

11 (i) ensure that the grants are made
12 for peer-reviewed scientific research in
13 areas that are consistent with the research
14 priorities established by the Director under
15 section 401(b);

16 (ii) take into consideration the re-
17 search needs identified by the Committees
18 under section 401(c);

19 (iii) if made before the identification
20 of research priorities under section 401(b)
21 and research needs under section 401(c),
22 consider any findings, surveys, and anal-
23 yses relating to research in forensic science
24 disciplines, including those made by the
25 Subcommittee on Forensic Science of the

1 National Science and Technology Council;

2 and

3 (iv) encourage and, if appropriate,
4 provide incentives for partnerships between
5 nonprofit academic or research institutions
6 and accredited forensic science labora-
7 tories.

8 (3) DEVELOPMENT OF NEW TECHNOLOGIES.—

9 Pursuant to the Memorandum of Understanding re-
10 quired under section 101(d), the Director of NIST
11 may, on a competitive basis, make grants to eligible
12 entities to conduct peer-reviewed scientific research
13 to develop new technologies and processes to in-
14 crease the efficiency, effectiveness, and accuracy of
15 forensic testing procedures.

16 (4) COORDINATION WITH DIRECTOR.—In mak-

17 ing grants under this subsection, the Director of
18 NIST shall coordinate with the Director to ensure
19 implementation of the plan established under section
20 404.

21 (5) COORDINATION WITH THE NATIONAL

22 SCIENCE FOUNDATION.—The Director of NIST shall
23 consult and coordinate with the National Science
24 Foundation to ensure—

1 (A) the integrity of the process for review-
2 ing funding proposals and awarding grants
3 under this subsection; and

4 (B) that the grant-making process is not
5 subject to any undue bias or influence.

6 (b) REPORT.—

7 (1) IN GENERAL.—

8 (A) SUBMISSION.—The Director of NIST
9 shall, on an annual basis, submit to the Board
10 and the Director a report that describes—

11 (i) the application process for grants
12 under this section;

13 (ii) each grant made under this sec-
14 tion in the fiscal year before the report is
15 submitted; and

16 (iii) as appropriate, the status and re-
17 sults of grants previously described in a re-
18 port submitted under this subsection.

19 (B) PUBLICATION.—The Director shall
20 publish the report submitted under subpara-
21 graph (A) on the Web site of the Office.

22 (2) EVALUATION.—The Board and the Director
23 shall evaluate each report submitted under para-
24 graph (1) and consider the information provided in

1 each report in reviewing the research strategy and
2 priorities established under section 401.

3 **SEC. 403. OVERSIGHT AND REVIEW.**

4 (a) REPORT.—Not later than 3 years after the date
5 on which the first grant is awarded under paragraph (2)
6 or (3) of section 402(a), and not later than 2 years after
7 the date on which the first report under section 402(b)
8 is submitted, the Inspector General of the Department of
9 Justice, in coordination with the Inspector General of the
10 Department of Commerce, shall submit to Congress a re-
11 port on the administration and effectiveness of the grant
12 programs described in section 402(a).

13 (b) REQUIREMENTS.—The report required under
14 subsection (a) shall evaluate—

15 (1) whether any undue biases or influences af-
16 fected the integrity of the solicitation, award, or ad-
17 ministration of research grants; and

18 (2) whether there was any unnecessary duplica-
19 tion, waste, fraud, or abuse in the grant-making
20 process.

21 **SEC. 404. PUBLIC-PRIVATE COLLABORATION.**

22 (a) RECOMMENDATION.—Not later than 2 years after
23 the date of enactment of this Act, the Board shall submit
24 to the Director a recommended plan for encouraging col-
25 laboration among universities, nonprofit research institu-

1 tions, State and local forensic science laboratories, private
2 forensic science laboratories, private corporations, and the
3 Federal Government to develop and perform cost-effective
4 and reliable research in the forensic sciences, consistent
5 with the research priorities established under section
6 401(b)(2).

7 (b) REQUIREMENTS.—The plan recommended under
8 subsection (a) shall include—

9 (1) incentives for nongovernmental entities to
10 invest significant resources into conducting nec-
11 essary research in the forensic sciences;

12 (2) procedures for ensuring the research de-
13 scribed in paragraph (1) will be conducted with suf-
14 ficient scientific rigor that the research can be relied
15 upon by—

16 (A) the Committees in developing stand-
17 ards under this Act; and

18 (B) forensic science personnel; and

19 (3) clearly defined requirements for disclosure
20 of the sources of funding by nongovernmental enti-
21 ties for forensic science research conducted in col-
22 laboration with governmental entities and safeguards
23 to prevent conflicts of interest or undue bias or in-
24 fluence.

15 **TITLE V—STANDARDS AND BEST**
16 **PRACTICES**

17 SEC. 501. DEVELOPMENT OF STANDARDS AND BEST PRACTICES.
18

(1) IN GENERAL.—Not later than 2 years after the date on which all members of a Committee have been appointed under section 103, the Committee shall develop and recommend to the Board standards and best practices for each forensic science discipline addressed by the Committee, including—

- 1 (A) validated protocols;
- 2 (B) quality assurance standards; and
- 3 (C) standards to be applied in reporting,
- 4 including reports of identifications, analyses, or
- 5 comparisons of forensic evidence that may be
- 6 used during a criminal investigation or criminal
- 7 court proceeding.

8 (2) REQUIREMENTS.—In developing the stand-
9 ards and best practices under paragraph (1), a Com-
10 mittee shall—

11 (A) as appropriate, consult with qualified
12 professional organizations;

13 (B) consider existing validated protocols
14 and best practices;

15 (C) develop standards and best practices
16 that are designed to ensure the quality and sci-
17 entific integrity of data, results, conclusions,
18 analyses, and reports that are generated for use
19 in the criminal justice system; and

20 (D) develop standards and best practices
21 that afford laboratories appropriate operational
22 flexibility, including appropriate flexibility as to
23 specific instruments, equipment, and methods.

24 (b) BOARD RECOMMENDATIONS.—Not later than
25 180 days after the date on which a Committee submits

1 recommended standards and best practices under sub-
2 section (a), the Board shall, in accordance with section
3 103(f)(2)—

4 (1) consider the recommendations; and

5 (2) submit to the Director recommendations of
6 standards and best practices.

7 **SEC. 502. ESTABLISHMENT AND DISSEMINATION OF STAND-**
8 **ARDS AND BEST PRACTICES.**

9 (a) IN GENERAL.—After the Board submits stand-
10 ards or best practices for a forensic science discipline
11 under section 501(b), the Director shall, in accordance
12 with section 101(f)(3), establish and disseminate stand-
13 ards and best practices for the forensic science discipline.

14 (b) PUBLICATION.—The Director shall publish the
15 standards and best practices established under subsection
16 (a) on the Web site of the Office.

17 **SEC. 503. REVIEW AND OVERSIGHT.**

18 (a) REVIEW BY COMMITTEES.—

19 (1) IN GENERAL.—Not less frequently than
20 once every 3 years, each Committee shall review and,
21 as necessary, recommend to the Board updates to
22 the standards and best practices established under
23 section 502 for each forensic science discipline with-
24 in the responsibility of the Committee.

1 (2) CONSIDERATIONS.—In reviewing, and devel-
2 oping recommended updates to, the standards and
3 best practices under paragraph (1), a Committee
4 shall consider—

5 (A) input from qualified professional orga-
6 nizations;

7 (B) research published after the date on
8 which the standards and best practices were es-
9 tablished, including research conducted under
10 title IV; and

11 (C) any changes to relevant law made after
12 the date on which the standards and best prac-
13 tices were established.

14 (b) BOARD RECOMMENDATIONS.—Not later than
15 180 days after the date on which a Committee submits
16 recommended updates to the standards and best practices
17 under subsection (a), the Board shall, in accordance with
18 section 103(f)(2)—

19 (1) consider the recommendations; and

20 (2) recommend to the Director any updates, as
21 necessary, to the standards and best practices estab-
22 lished under section 502.

23 (c) UPDATES.—After the Director receives rec-
24 ommended updates, if any, under subsection (b), the Di-
25 rector shall, in accordance with section 101(f)(3), update

1 and disseminate the standards and best practices for each
2 forensic science discipline as necessary.

3 (d) PROCEDURES.—The Director, in consultation
4 with the Board, shall establish procedures to ensure that
5 the process for developing, reviewing, and updating the
6 standards and best practices—

7 (1) is open and transparent to the public; and

8 (2) includes an opportunity for the public to
9 comment on proposed standards with sufficient prior
10 notice.

11 **TITLE VI—ADDITIONAL RESPON-**
12 **SIBILITIES OF THE OFFICE**
13 **OF FORENSIC SCIENCE AND**
14 **THE FORENSIC SCIENCE**
15 **BOARD**

16 **SEC. 601. FORENSIC SCIENCE TRAINING AND EDUCATION**
17 **FOR JUDGES, ATTORNEYS, AND LAW EN-**
18 **FORCEMENT PERSONNEL.**

19 (a) IN GENERAL.—

20 (1) RECOMMENDATION.—Not later than 2
21 years after the date of enactment of this Act, the
22 Board shall submit to the Director a recommended
23 plan for—

24 (A) supporting the education and training
25 of judges, attorneys, and law enforcement per-

1 sonnel in the forensic sciences and fundamental
2 scientific principles, which shall include edu-
3 cation on the competent use and evaluation of
4 forensic science evidence; and

5 (B) developing a standardized curriculum
6 for education and training described in sub-
7 paragraph (A).

8 (2) ESTABLISHMENT.—Upon receipt of the rec-
9 ommendation from the Board under paragraph (1),
10 the Director shall establish, in accordance with sec-
11 tion 101(f)(3), and implement a plan for—

12 (A) supporting the education and training
13 of judges, attorneys, and law enforcement per-
14 sonnel in the forensic sciences and fundamental
15 scientific principles, which shall include edu-
16 cation on the competent use and evaluation of
17 forensic science evidence; and

18 (B) developing a standardized curriculum
19 for education and training described in sub-
20 paragraph (A).

21 (3) OVERSIGHT.—The Director, in consultation
22 with the Board, shall periodically evaluate and, as
23 necessary, update the plan established under para-
24 graph (2).

1 (b) TECHNICAL ASSISTANCE, TRAINING, AND EDU-
2 CATION.—

3 (1) IN GENERAL.—The Director of the National
4 Institute of Justice may, in consultation with the Di-
5 rector—

6 (A) provide technical assistance directly or
7 indirectly to judges, attorneys, and law enforce-
8 ment personnel in the forensic sciences and fun-
9 damental scientific principles, including the
10 competent use and evaluation of forensic
11 science evidence; and

12 (B) make grants to States and units of
13 local government and nonprofit organizations or
14 institutions to provide training to judges, attor-
15 neys, and law enforcement personnel about the
16 forensic sciences and fundamental scientific
17 principles, including the competent use and
18 evaluation of forensic science evidence.

19 (2) REQUIREMENT.—On and after the date on
20 which the Director establishes the plan for sup-
21 porting the education and training of judges, attor-
22 neys, and law enforcement personnel in the forensic
23 sciences and fundamental scientific principles under
24 subsection (a)(2), the Director of the National Insti-
25 tute of Justice shall administer the grant program

1 described in paragraph (1) in accordance with the
2 plan.

3 **SEC. 602. EDUCATIONAL PROGRAMS IN THE FORENSIC**
4 **SCIENCES.**

5 (a) RECOMMENDATIONS.—Not later than 3 years
6 after the date of enactment of this Act, the Board shall
7 submit to the Director—

8 (1) a recommended plan for supporting the de-
9 velopment of undergraduate and graduate edu-
10 cational programs in the forensic science disciplines
11 and related fields; and

12 (2) recommendations as to whether the develop-
13 ment of standards or requirements for educational
14 programs in the forensic science disciplines and re-
15 lated fields is appropriate.

16 (b) ESTABLISHMENT AND IMPLEMENTATION.—Upon
17 receipt of the recommendation from the Board under sub-
18 section (a), the Director shall establish, in accordance with
19 section 101(f)(3), and implement—

20 (1) a plan for supporting the development of
21 undergraduate and graduate educational programs
22 in the forensic science disciplines and related fields;
23 and

24 (2) any standards or requirements for edu-
25 cation programs in the forensic science disciplines

1 and related fields determined by the Director to be
2 appropriate.

3 (c) EXISTING QUALIFIED PROFESSIONAL ORGANIZA-
4 TIONS.—In recommending, establishing, and imple-
5 menting the plan and standards described in subsections
6 (a) and (b), the Board and the Director shall consider the
7 role of qualified professional organizations that accredit
8 forensic science education programs, and any standards
9 developed by such qualified professional organizations.

10 (d) OVERSIGHT.—The Director, in consultation with
11 the Board, shall—

12 (1) oversee the implementation of any stand-
13 ards or requirements established under subsection
14 (b); and

15 (2) periodically evaluate and, as necessary, up-
16 date the plan, standards, or requirements estab-
17 lished under subsection (b).

18 **SEC. 603. MEDICOLEGAL DEATH INVESTIGATION.**

19 (a) RECOMMENDATIONS.—Not later than 2 years
20 after the date of enactment of this Act, the Board shall
21 submit to the Director—

22 (1) a recommended plan to encourage the Fed-
23 eral Government and State and local governments to
24 implement systems to ensure that qualified individ-
25 uals perform medicolegal death investigations and to

1 encourage qualified individuals to enter the field of
2 medicolegal death investigation; and

3 (2) recommendations on whether and how the
4 requirements, standards and regulations established
5 under this Act should apply to individuals who per-
6 form medicolegal death investigations.

7 (b) ESTABLISHMENT AND IMPLEMENTATION.—Upon
8 receipt of the recommendations from the Board under sub-
9 section (a), the Director shall establish, in accordance with
10 section 101(f)(3), and implement—

11 (1) a plan to encourage the Federal Govern-
12 ment and State and local governments to implement
13 systems to ensure that qualified individuals perform
14 medicolegal death investigations and to encourage
15 qualified individuals to enter the field of medicolegal
16 death investigation; and

17 (2) any specific or additional standards or re-
18 quirements for individuals who perform medicolegal
19 death investigations determined by the Director to
20 be appropriate.

21 (c) OVERSIGHT.—The Director, in consultation with
22 the Board, shall—

23 (1) oversee the implementation of any stand-
24 ards or requirements established under subsection

25 (b)(2); and

1 (2) periodically evaluate and, as necessary, up-
2 date the plan, standards, and requirements estab-
3 lished under subsection (b).

4 **SEC. 604. INTERGOVERNMENTAL COORDINATION.**

5 The Board and the Director shall regularly—

6 (1) coordinate with relevant Federal agencies,
7 including NIST, the National Science Foundation,
8 the Department of Defense, the Centers for Disease
9 Control and Prevention, and the National Institutes
10 of Health, as appropriate, to make efficient and ap-
11 propriate use of research expertise and funding;

12 (2) coordinate with the Department of Home-
13 land Security and other relevant Federal agencies to
14 determine ways in which the forensic science dis-
15 ciplines may assist in homeland security and emer-
16 gency preparedness; and

17 (3) coordinate with the United States intel-
18 ligence community to make efficient and appropriate
19 use of research and new technologies suitable for fo-
20 rensic science.

21 **SEC. 605. ANONYMOUS REPORTING.**

22 Not later than 3 years after the date of enactment
23 of this Act, the Director shall develop a system for any
24 individual to provide information relating to compliance,
25 or lack of compliance, with the requirements, standards,

1 and regulations established under this Act, which may in-
2 clude a hotline or Web site that has appropriate guaran-
3 tees of anonymity and confidentiality and protections for
4 whistleblowers.

5 **SEC. 606. INTEROPERABILITY OF DATABASES AND TECH-**
6 **NOLOGIES.**

7 (a) RECOMMENDATIONS.—Not later than 3 years
8 after the date of enactment of this Act, the Board shall
9 submit to the Director a recommended plan to require
10 interoperability among databases and technologies in each
11 of the forensic science disciplines among all levels of gov-
12 ernment, in all States, and where permitted by law, with
13 the private sector.

14 (b) ESTABLISHMENT AND IMPLEMENTATION.—Upon
15 receipt of the recommendation from the Board under sub-
16 section (a), the Director shall establish, in accordance with
17 section 101(f)(3), and implement a plan to encourage
18 interoperability among databases and technologies in each
19 of the forensic science disciplines among all levels of gov-
20 ernment, in all States, and where permitted by law, with
21 the private sector.

22 (c) OVERSIGHT.—The Director, in consultation with
23 the Board, shall evaluate and, as necessary, update the
24 plan established under subsection (b).

1 **SEC. 607. CODE OF ETHICS.**

2 (a) RECOMMENDATIONS.—

3 (1) IN GENERAL.—Not later than 2 years after
4 the date of enactment of this Act, the Board shall
5 submit to the Director a recommended code of ethics
6 for the forensic science disciplines.

7 (2) REQUIREMENTS.—In developing a rec-
8 ommended code of ethics under paragraph (1), the
9 Board shall—

10 (A) consult with relevant qualified profes-
11 sional organizations; and

12 (B) consider any recommendations relating
13 to a code of ethics or code of professional re-
14 sponsibility developed by the Subcommittee on
15 Forensic Science of the National Science and
16 Technology Council.

17 (b) ESTABLISHMENT AND INCORPORATION.—Upon
18 receipt of the recommendation from the Board under sub-
19 section (a), the Director shall—

20 (1) in accordance with section 101(f)(3), estab-
21 lish a code of ethics for the forensic science dis-
22 ciplines; and

23 (2) as appropriate, incorporate the code of eth-
24 ics into the standards for accreditation of forensic
25 science laboratories and certification of relevant per-
26 sonnel established under this Act.

1 (c) OVERSIGHT.—The Director, in consultation with
2 the Board, shall periodically evaluate and, as necessary,
3 update the code of ethics established under subsection (b).

4 **SEC. 608. NEEDS ASSESSMENT.**

5 (a) IN GENERAL.—Not later than 18 months after
6 the date of enactment of this Act, the Director shall con-
7 duct a needs assessment of State and local forensic service
8 providers, including law enforcement agencies and
9 medicolegal death examiners, in order to evaluate the ca-
10 pacity and resource needs of those providers. Such a needs
11 assessment shall address the technology, equipment, per-
12 sonnel, recruitment, training, education, and research
13 needs of those State and local forensic service providers.

14 (b) DEVELOPMENT OF NATIONAL STRATEGY.—Not
15 later than 2 years after the date of enactment of this Act,
16 the Director shall develop a national strategy for devel-
17 oping the capacity and resources of State and local foren-
18 sic science providers and for addressing the needs identi-
19 fied in the assessment conducted pursuant to subsection
20 (a).

21 (c) UPDATE OF ASSESSMENT AND NATIONAL STRAT-
22 EGY.—Not less frequently than once every 5 years, the
23 Director shall update the assessment conducted under

- 1 subsection (a) and the national strategy developed under
- 2 subsection (b).

○