

the Department of Defense (DoD) plan for complying with the Improper Payments Elimination and Recovery Act (IPERA) of 2010; to the Committee on Homeland Security and Governmental Affairs.

EC-6847. A communication from the Deputy Archivist, National Archives and Records Administration, transmitting, pursuant to law, the report of a rule entitled "The Interagency Security Classification Appeals Panel (ISCAP) Bylaws, Rules, and Appeal Procedures" (RIN3095-AB76) received in the Office of the President of the Senate on July 10, 2012; to the Committee on Homeland Security and Governmental Affairs.

EC-6848. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19-385, "Fiscal Year 2013 Budget Support Act of 2012"; to the Committee on Homeland Security and Governmental Affairs.

EC-6849. A communication from the General Counsel of the National Tropical Botanical Garden, transmitting, pursuant to law, a report relative to the Garden not being able to file its audit report within six months of the close of its fiscal year ending December 31, 2011; to the Committee on the Judiciary.

EC-6850. A communication from the Director, Administrative Office of the United States Courts, transmitting, pursuant to law, a report relative to applications for delayed-notice search warrants and extensions during fiscal year 2011; to the Committee on the Judiciary.

EC-6851. A communication from the Acting Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, pursuant to law, a report entitled "2011 Annual Report of the National Institute of Justice"; to the Committee on the Judiciary.

EC-6852. A communication from the Federal Register Liaison Officer, Alcohol and Tobacco Tax and Trade Bureau, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Implementation of Statutory Amendments Requiring the Qualification of Manufacturers and Importers of Processed Tobacco and Other Amendments Related to Permit Requirements, and the Expanded Definition of Roll-Your-Own Tobacco" (RIN1513-AB72) received during adjournment of the Senate in the Office of the President of the Senate on July 5, 2012; to the Committee on the Judiciary.

EC-6853. A communication from the Director, Administrative Office of the United States Courts, transmitting, pursuant to law, a report entitled "2011 Wiretap Report"; to the Committee on the Judiciary.

EC-6854. A communication from the Under Secretary and Director, Patent and Trademark Office, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Changes to Implement Miscellaneous Post Patent Provisions of the Leahy-Smith America Invents Act" (RIN0651-AC66) received in the Office of the President of the Senate on July 9, 2012; to the Committee on the Judiciary.

EC-6855. A communication from the Under Secretary and Director, Patent and Trademark Office, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Changes to Implement the Preissuance Submissions by Third Parties Provision of the Leahy-Smith America Invents Act" (RIN0651-AC67) received in the Office of the President of the Senate on July 9, 2012; to the Committee on the Judiciary.

EC-6856. A communication from the Director of the Regulation Policy and Management Office of the General Counsel, Veterans Health Administration, Department of Veterans Affairs, transmitting, pursuant to law, the report of a rule entitled "Dependency

and Indemnity Compensation Payable to a Surviving Spouse with One or More Children Under Age 18" (RIN2900-AO38) received in the Office of the President of the Senate on July 10, 2012; to the Committee on Veterans' Affairs.

EC-6857. A communication from the Director of the Regulation Policy and Management Office of the General Counsel, Veterans Health Administration, Department of Veterans Affairs, transmitting, pursuant to law, the report of a rule entitled "Dependency and Indemnity Compensation (DIC) Benefits for Survivors of Former Prisoners of War Rated Totally Disabled at Time of Death" (RIN2900-AO22) received in the Office of the President of the Senate on July 10, 2012; to the Committee on Veterans' Affairs.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. LIEBERMAN, from the Committee on Homeland Security and Governmental Affairs, without amendment:

S. 2218. A bill to reauthorize the United States Fire Administration, and for other purposes (Rept. No. 112-180).

By Mr. LIEBERMAN, from the Committee on Homeland Security and Governmental Affairs, with an amendment in the nature of a substitute:

S. 1409. A bill to intensify efforts to identify, prevent, and recover payment error, waste, fraud, and abuse within Federal spending (Rept. No. 112-181).

By Mr. LEAHY, from the Committee on the Judiciary:

Report to accompany S. 2554, a bill to amend title I of the Omnibus Crime Control and Safe Streets Act of 1968 to extend the authorization of the Bulletproof Vest Partnership Grant Program through fiscal year 2017 (Rept. No. 112-182).

By Mr. LIEBERMAN, from the Committee on Homeland Security and Governmental Affairs, without amendment:

H.R. 3902. A bill to amend the District of Columbia Home Rule Act to revise the timing of special elections for local office in the District of Columbia.

By Mr. LEAHY, from the Committee on the Judiciary, with an amendment in the nature of a substitute and an amendment to the title:

S. 1744. A bill to provide funding for State courts to assess and improve the handling of proceedings relating to adult guardianship and conservatorship, to authorize the Attorney General to carry out a pilot program for the conduct of background checks on individuals to be appointed as guardians or conservators, and to promote the widespread adoption of information technology to better monitor, report, and audit conservatorships of protected persons.

EXECUTIVE REPORTS OF COMMITTEE

The following executive reports of nominations were submitted:

By Mr. LEAHY for the Committee on the Judiciary.

Terrence G. Berg, of Michigan, to be United States District Judge for the Eastern District of Michigan.

Jesus G. Bernal, of California, to be United States District Judge for the Central District of California.

Lorna G. Schofield, of New York, to be United States District Judge for the Southern District of New York.

Danny Chappelle Williams, Sr., of Oklahoma, to be United States Attorney for the

Northern District of Oklahoma for the term of four years.

(Nominations without an asterisk were reported with the recommendation that they be confirmed.)

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. LIEBERMAN (for himself and Ms. SNOWE):

S. 3377. A bill to amend the Internal Revenue Code of 1986 to exempt private foundations from the tax on excess business holdings in the case of certain philanthropic enterprises which are independently supervised, and for other purposes; to the Committee on Finance.

By Mr. ROCKEFELLER:

S. 3378. A bill to establish scientific standards and protocols across forensic disciplines, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. ROBERTS (for himself and Mr. ENZI):

S. 3379. A bill to standardize the definition of the term "small business refiner" for purposes of laws administered by the Environmental Protection Agency; to the Committee on Environment and Public Works.

By Mr. BLUMENTHAL (for himself, Mr. BEGICH, Mr. ISAKSON, Ms. SNOWE, Mr. RUBIO, and Mr. TESTER):

S. 3380. A bill to provide for the issuance of a Victory for Veterans stamp, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. DURBIN (for himself, Mr. FRANKEN, Mr. HARKIN, Mr. WHITEHOUSE, and Mr. BROWN of Ohio):

S. 3381. A bill to amend title 11, United States Code, to improve protections for employees and retirees in business bankruptcies; to the Committee on the Judiciary.

By Mr. GRASSLEY (for himself, Mr. KYL, Mr. CORNYN, Mr. LEE, Mr. PAUL, and Mr. COBURN):

S. 3382. A bill to impose certain limitations on consent decrees and settlement agreements by agencies that require the agencies to take regulatory action in accordance with the terms thereof, and for other purposes; to the Committee on the Judiciary.

By Mr. VITTER (for himself and Mr. SESSIONS):

S. 3383. A bill to reject the final 5-year Outer Continental Shelf Oil and Gas Leasing Program for fiscal years 2012 through 2017 of the Administration and replace the plan with a 5-year plan that is more in line with the energy and economic needs of the United States; to the Committee on Energy and Natural Resources.

By Mr. BAUCUS (for himself, Mr. CONRAD, Mr. TESTER, and Mr. JOHNSON of South Dakota):

S. 3384. A bill to extend supplemental agricultural disaster assistance programs; to the Committee on Agriculture, Nutrition, and Forestry.

ADDITIONAL COSPONSORS

S. 434

At the request of Mr. COCHRAN, the name of the Senator from Maine (Ms. SNOWE) was added as a cosponsor of S. 434, a bill to improve and expand geographic literacy among kindergarten

through grade 12 students in the United States by improving professional development programs for kindergarten through grade 12 teachers offered through institutions of higher education.

S. 971

At the request of Mr. WYDEN, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 971, a bill to promote neutrality, simplicity, and fairness in the taxation of digital goods and digital services.

S. 1385

At the request of Mr. VITTER, the name of the Senator from Georgia (Mr. CHAMBLISS) was added as a cosponsor of S. 1385, a bill to terminate the \$1 presidential coin program.

S. 1744

At the request of Ms. KLOBUCHAR, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. 1744, a bill to provide funding for State courts to assess and improve the handling of proceedings relating to adult guardianship and conservatorship, to authorize the Attorney General to carry out a pilot program for the conduct of background checks on individuals to be appointed as guardians or conservators, and to promote the widespread adoption of information technology to better monitor, report, and audit conservatorships of protected persons.

S. 1832

At the request of Mr. ENZI, the names of the Senator from Michigan (Mr. LEVIN), the Senator from Hawaii (Mr. AKAKA), the Senator from Minnesota (Ms. KLOBUCHAR), the Senator from Minnesota (Mr. FRANKEN) and the Senator from Nebraska (Mr. NELSON) were added as cosponsors of S. 1832, a bill to restore States' sovereign rights to enforce State and local sales and use tax laws, and for other purposes.

S. 1935

At the request of Mrs. HAGAN, the name of the Senator from Vermont (Mr. LEAHY) was added as a cosponsor of S. 1935, a bill to require the Secretary of the Treasury to mint coins in recognition and celebration of the 75th anniversary of the establishment of the March of Dimes Foundation.

S. 2374

At the request of Mr. BINGAMAN, the name of the Senator from Arkansas (Mr. BOOZMAN) was added as a cosponsor of S. 2374, a bill to amend the Helium Act to ensure the expedient and responsible draw-down of the Federal Helium Reserve in a manner that protects the interests of private industry, the scientific, medical, and industrial communities, commercial users, and Federal agencies, and for other purposes.

S. 3204

At the request of Mr. JOHANNIS, the name of the Senator from Florida (Mr. NELSON) was added as a cosponsor of S. 3204, a bill to address fee disclosure requirements under the Electronic Fund Transfer Act, and for other purposes.

S. 3237

At the request of Mr. WHITEHOUSE, the names of the Senator from Connecticut (Mr. BLUMENTHAL) and the Senator from Maine (Ms. SNOWE) were added as cosponsors of S. 3237, a bill to provide for the establishment of a Commission to Accelerate the End of Breast Cancer.

S. 3252

At the request of Mr. PORTMAN, the names of the Senator from Pennsylvania (Mr. CASEY), the Senator from Illinois (Mr. DURBIN), the Senator from Wisconsin (Mr. KOHL) and the Senator from Connecticut (Mr. LIEBERMAN) were added as cosponsors of S. 3252, a bill to provide for the award of a gold medal on behalf of Congress to Jack Nicklaus, in recognition of his service to the Nation in promoting excellence, good sportsmanship, and philanthropy.

S. 3286

At the request of Mrs. MCCASKILL, the name of the Senator from West Virginia (Mr. MANCHIN) was added as a cosponsor of S. 3286, a bill to enhance security, increase accountability, and improve the contracting of the Federal Government for overseas contingency operations, and for other purposes.

S. 3319

At the request of Ms. KLOBUCHAR, the name of the Senator from Michigan (Mr. LEVIN) was added as a cosponsor of S. 3319, a bill to amend the National Trails System Act to revise the route of the North Country National Scenic Trail in northeastern Minnesota to include existing hiking trails along the north shore of Lake Superior, in the Superior National Forest, and in the Chippewa National Forest, and for other purposes.

S. 3323

At the request of Mr. ROCKEFELLER, the name of the Senator from Missouri (Mrs. MCCASKILL) was added as a cosponsor of S. 3323, a bill to amend the Servicemembers Civil Relief Act to improve the protections for servicemembers against mortgage foreclosures, and for other purposes.

S. 3326

At the request of Mr. MCCONNELL, the name of the Senator from Mississippi (Mr. COCHRAN) was added as a cosponsor of S. 3326, a bill to amend the African Growth and Opportunity Act to extend the third-country fabric program and to add South Sudan to the list of countries eligible for designation under that Act, to make technical corrections to the Harmonized Tariff Schedule of the United States relating to the textile and apparel rules of origin for the Dominican Republic-Central America-United States Free Trade Agreement, to approve the renewal of import restrictions contained in the Burmese Freedom and Democracy Act of 2003, and for other purposes.

S. 3372

At the request of Mr. WEBB, the name of the Senator from Alaska (Mr. BEGICH) was added as a cosponsor of S. 3372, a bill to amend section 704 of title 18, United States Code.

S.J. RES. 43

At the request of Mr. JOHANNIS, his name was added as a cosponsor of S.J. Res. 43, a joint resolution approving the renewal of import restrictions contained in the Burmese Freedom and Democracy Act of 2003, and for other purposes.

At the request of Mrs. FEINSTEIN, the name of the Senator from Iowa (Mr. HARKIN) was added as a cosponsor of S.J. Res. 43, supra.

S.J. RES. 45

At the request of Mrs. HUTCHISON, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor of S.J. Res. 45, a joint resolution amending title 36, United States Code, to designate June 19 as "Juneteenth Independence Day".

S. CON. RES. 48

At the request of Mr. LEAHY, the names of the Senator from New Jersey (Mr. MENENDEZ) and the Senator from Pennsylvania (Mr. TOOMEY) were added as cosponsors of S. Con. Res. 48, a concurrent resolution recognizing 375 years of service of the National Guard and affirming congressional support for a permanent Operational Reserve as a component of the Armed Forces.

S. CON. RES. 50

At the request of Mr. RUBIO, the names of the Senator from Utah (Mr. HATCH), the Senator from Texas (Mrs. HUTCHISON), the Senator from Kansas (Mr. ROBERTS) and the Senator from Mississippi (Mr. WICKER) were added as cosponsors of S. Con. Res. 50, a concurrent resolution expressing the sense of Congress regarding actions to preserve and advance the multistakeholder governance model under which the Internet has thrived.

AMENDMENT NO. 2492

At the request of Mrs. HUTCHISON, the names of the Senator from Arkansas (Mr. BOOZMAN), the Senator from Oklahoma (Mr. COBURN), the Senator from North Carolina (Mr. BURR) and the Senator from Ohio (Mr. PORTMAN) were added as cosponsors of amendment No. 2492 intended to be proposed to S. 2237, a bill to provide a temporary income tax credit for increased payroll and extend bonus depreciation for an additional year, and for other purposes.

AMENDMENT NO. 2493

At the request of Mrs. HUTCHISON, the name of the Senator from Texas (Mr. CORNYN) was added as a cosponsor of amendment No. 2493 intended to be proposed to S. 2237, a bill to provide a temporary income tax credit for increased payroll and extend bonus depreciation for an additional year, and for other purposes.

AMENDMENT NO. 2499

At the request of Mr. CRAPO, the name of the Senator from Arizona (Mr. KYL) was added as a cosponsor of amendment No. 2499 intended to be proposed to S. 2237, a bill to provide a temporary income tax credit for increased payroll and extend bonus depreciation for an additional year, and for other purposes.

AMENDMENT NO. 2514

At the request of Mr. THUNE, the name of the Senator from Arizona (Mr. KYL) was withdrawn as a cosponsor of amendment No. 2514 intended to be proposed to S. 2237, a bill to provide a temporary income tax credit for increased payroll and extend bonus depreciation for an additional year, and for other purposes.

AMENDMENT NO. 2516

At the request of Mr. FRANKEN, the name of the Senator from Maine (Ms. SNOWE) was added as a cosponsor of amendment No. 2516 intended to be proposed to S. 2237, a bill to provide a temporary income tax credit for increased payroll and extend bonus depreciation for an additional year, and for other purposes.

AMENDMENT NO. 2518

At the request of Mr. THUNE, the names of the Senator from Nebraska (Mr. JOHANNIS) and the Senator from Arizona (Mr. KYL) were added as cosponsors of amendment No. 2518 intended to be proposed to S. 2237, a bill to provide a temporary income tax credit for increased payroll and extend bonus depreciation for an additional year, and for other purposes.

AMENDMENT NO. 2521

At the request of Ms. LANDRIEU, the names of the Senator from Delaware (Mr. COONS) and the Senator from Oregon (Mr. MERKLEY) were added as cosponsors of amendment No. 2521 proposed to S. 2237, a bill to provide a temporary income tax credit for increased payroll and extend bonus depreciation for an additional year, and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. ROCKEFELLER:

S. 3378. A bill to establish scientific standards and protocols across forensic disciplines, and for other purposes; to the Committee on Commerce, Science, and Transportation.

Mr. ROCKEFELLER. Mr. President, the criminal justice system relies on forensic science to identify and prosecute criminals and exonerate the falsely accused. But in a pathbreaking 2009 report to Congress, the National Academy of Sciences found that the interpretation of forensic evidence is severely compromised by the lack of supporting science and standards. They concluded, "The bottom line is simple: In a number of forensic science disciplines, forensic science professionals have yet to establish either the validity of their approach or the accuracy of their conclusions, and the courts have been utterly ineffective in addressing this problem."

In a series of recent articles, the Washington Post reported on flawed forensic work that may be responsible for the wrongful convictions in thousands of criminal cases. An April Post editorial urged the Justice Department to conduct a full review of all cases

that ended in conviction, and a July 11 story reports that the Justice Department and the FBI have now launched such a review. The National Academy of Sciences, the Washington Post, the Innocence Project, and the National Association of Criminal Defense Lawyers, among others, have all called for strengthened forensic science and standards.

The Forensic Science and Standards Act of 2012 responds to this call by promoting research. The bill would establish a National Forensic Science Coordinating Office, housed at the National Science Foundation, NSF, to develop a research strategy and roadmap and to support the implementation of that roadmap across relevant Federal agencies.

NSF would establish a forensic science grant program to award funding in areas specifically identified by the research strategy. NSF would be directed to award two grants to create forensic science research centers to conduct research, build relationships with forensic practitioners, and educate students. All agencies with equities in forensic science would be encouraged to use prizes and challenges to stimulate innovative and creative solutions to satisfy the research needs and priorities identified in the research strategy.

The bill requires standard development. The National Institute of Standards and Technology, NIST, would be directed to develop forensic science standards, in consultation with standards development organizations and other stakeholders. NIST could establish and solicit advice from discipline-specific expert working groups to identify standards development priorities and opportunities.

The bill requires implementing uniform standards. To advise on the application of the new standards, a Forensic Science Advisory Committee chaired by the Director of NIST and the Attorney General would be established. The Advisory Committee, composed of research scientists, forensic science practitioners, and users from the legal and law enforcement communities, would make recommendations to the Attorney General on adoption of standards. The Attorney General would direct the standards' implementation in Federal forensic science laboratories and would encourage adoption in non-Federal laboratories as a condition of Federal funding or for inclusion in national databases.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 3378

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) **SHORT TITLE.**—This Act may be cited as the "Forensic Science and Standards Act of 2012".

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

- Sec. 1. Short title; table of contents.
- Sec. 2. Findings.
- Sec. 3. Definitions.
- Sec. 4. National forensic science research program.
- Sec. 5. Forensic science research grants program.
- Sec. 6. Forensic science research challenges.
- Sec. 7. Forensic science standards.
- Sec. 8. Forensic science advisory committee.
- Sec. 9. Adoption, accreditation, and certification.
- Sec. 10. National Institute of Standards and Technology functions.

SEC. 2. FINDINGS.

Congress finds that—

(1) at the direction of Congress, the National Academy of Sciences led a comprehensive review of the state of forensic science and issued its findings in a 2009 report, "Strengthening Forensic Science in the United States: A Path Forward";

(2) the report's findings indicate the need for independent scientific research to support the foundation of forensic disciplines;

(3) the report stresses the need for standards in methods, data interpretation, and reporting, and the importance of preventing cognitive bias and mitigating human factors; and

(4) according to the report, forensic science research is not financially well supported, and there is a need for a unified strategy for developing a forensic science research plan across Federal agencies.

SEC. 3. DEFINITIONS.

In this Act:

(1) **ADVISORY COMMITTEE.**—The term "Advisory Committee" means the Forensic Science Advisory Committee established under section 8.

(2) **COORDINATING OFFICE.**—The term "Coordinating Office" means the National Forensic Science Coordinating Office established under section 4.

(3) **FORENSIC SCIENCE.**—

(A) **IN GENERAL.**—The term "forensic science" means the basic and applied scientific research applicable to the collection, evaluation, and analysis of physical evidence, including digital evidence, for use in investigations and legal proceedings, including all tests, methods, measurements, and procedures.

(B) **APPLIED SCIENTIFIC RESEARCH.**—In subparagraph (A), the term "applied scientific research" means a systematic study to gain knowledge or understanding necessary to determine the means by which a recognized and specific need may be met.

(C) **BASIC SCIENTIFIC RESEARCH.**—In subparagraph (A), the term "basic scientific research" means a systematic study directed toward fuller knowledge or understanding of the fundamental aspects of phenomena and of observable facts without specific applications towards processes or products.

(4) **STANDARDS DEVELOPMENT ORGANIZATION.**—The term "standards development organization" means a domestic or an international organization that plans, develops, establishes, or coordinates voluntary consensus standards using procedures that incorporate openness, a balance of interests, consensus, due process, and an appeals process.

SEC. 4. NATIONAL FORENSIC SCIENCE RESEARCH PROGRAM.

(a) **ESTABLISHMENT.**—There shall be a national forensic science research program to improve, expand, and coordinate Federal research in the forensic sciences.

(b) **NATIONAL ACADEMY OF SCIENCES REPORT ON FORENSIC SCIENCE.**—The Director of the National Science Foundation shall contract