

(Mrs. McCASKILL) was added as a cosponsor of S. 1737, a bill to provide for an increase in the Federal minimum wage and to amend the Internal Revenue Code of 1986 to extend increased expensing limitations and the treatment of certain real property as section 179 property.

S. 1862

At the request of Mr. BLUNT, the name of the Senator from Alaska (Mr. BEGICH) was added as a cosponsor of S. 1862, a bill to grant the Congressional Gold Medal, collectively, to the Monuments Men, in recognition of their heroic role in the preservation, protection, and restitution of monuments, works of art, and artifacts of cultural importance during and following World War II.

S. 1925

At the request of Mr. HOEVEN, the name of the Senator from Nevada (Mr. HELLER) was added as a cosponsor of S. 1925, a bill to limit the retrieval of data from vehicle event data recorders.

S. 1998

At the request of Mr. SCHATZ, his name was added as a cosponsor of S. 1998, a bill to amend the Adult Education and Family Literacy Act to reserve funds for American Indian, Alaska Native, Native Hawaiian, and Tribal College or University adult education and literacy.

S. 2048

At the request of Ms. HIRONO, the name of the Senator from Idaho (Mr. RISCH) was added as a cosponsor of S. 2048, a bill to include New Zealand in the list of foreign states whose nationals are eligible for admission into the United States as E-1 and E-2 non-immigrants if United States nationals are treated similarly by the Government of New Zealand.

S. 2069

At the request of Mr. BEGICH, the names of the Senator from West Virginia (Mr. MANCHIN), the Senator from Maine (Mr. KING) and the Senator from New Mexico (Mr. UDALL) were added as cosponsors of S. 2069, a bill to amend the Internal Revenue Code of 1986 to expand and modify the credit for employee health insurance expenses of small employers.

S. 2075

At the request of Mr. WARNER, the name of the Senator from South Carolina (Mr. SCOTT) was added as a cosponsor of S. 2075, a bill to prohibit a reduction in funding for the defense commissary system in fiscal year 2015 pending the report of the Military Compensation and Retirement Modernization Commission.

S. 2091

At the request of Mr. HELLER, the name of the Senator from Maryland (Mr. CARDIN) was added as a cosponsor of S. 2091, a bill to amend title 38, United States Code, to improve the processing by the Department of Veterans Affairs of claims for benefits under laws administered by the Sec-

retary of Veterans Affairs, and for other purposes.

S. 2127

At the request of Mr. LEE, the name of the Senator from Oklahoma (Mr. COBURN) was added as a cosponsor of S. 2127, a bill to amend the Inspector General Act of 1978 relative to the powers of the Department of Justice Inspector General.

S. RES. 361

At the request of Mr. CARDIN, the name of the Senator from Texas (Mr. CORNYN) was added as a cosponsor of S. Res. 361, a resolution recognizing the threats to freedom of the press and expression in the People's Republic of China and urging the Government of the People's Republic of China to take meaningful steps to improve freedom of expression as fitting of a responsible international stakeholder.

S. RES. 364

At the request of Mr. INHOFE, the names of the Senator from Kansas (Mr. ROBERTS), the Senator from South Carolina (Mr. SCOTT) and the Senator from Texas (Mr. CRUZ) were added as cosponsors of S. Res. 364, a resolution expressing support for the internal rebuilding, resettlement, and reconciliation within Sri Lanka that are necessary to ensure a lasting peace.

S. RES. 369

At the request of Mr. MENENDEZ, the names of the Senator from Rhode Island (Mr. WHITEHOUSE) and the Senator from Maryland (Mr. CARDIN) were added as cosponsors of S. Res. 369, a resolution to designate May 22, 2014 as "United States Foreign Service Day" in recognition of the men and women who have served, or are presently serving, in the Foreign Service of the United States, and to honor those in the Foreign Service who have given their lives in the line of duty.

S. RES. 377

At the request of Mr. MENENDEZ, the name of the Senator from Idaho (Mr. RISCH) was added as a cosponsor of S. Res. 377, a resolution recognizing the 193rd anniversary of the independence of Greece and celebrating democracy in Greece and the United States.

#### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mrs. MURRAY (for herself, Ms. BALDWIN, Mrs. GILLIBRAND, Mr. CASEY, Mr. WYDEN, Mr. BLUMENTHAL, Mr. FRANKEN, and Mr. MERKLEY):

S. 2164. A bill to prevent harassment at institutions of higher education, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

Mrs. MURRAY. Mr. President, as many in this Chamber know, I am very proud of the many ways my home State of Washington is leading the way. Our State is an economic leader. We are home to the American aerospace industry, we have a thriving agricultural sector, and dozens of compa-

nies creating new products and new jobs with cutting-edge technology. We are a leader in protecting the environment and educating our children. Washington State is also the place that tens of thousands of servicemembers and veterans call home.

Last, but not least, I could not be more proud of our State's history of protecting the rights of all of our citizens, including members of the LGBT community. We know in Washington State that it is wrong to discriminate against people. We know that a person's race, religion, or gender have nothing to do with their worth as a human being, and we know that actual or perceived sexual orientation and gender identity don't either. We get that in my home State of Washington, but we can't stop working until the same is true in all 50 States, and that is why I have come to the Senate floor today.

I want to share with everyone a story about a young man by the name of Kris. Kris will be the first to tell you he has not led the easiest of lives. After turning 18 years old and aging out of the foster care system in Texas, Kris found himself homeless at 18 years old in Houston and sleeping on whatever park bench or apartment roof was available to him that evening.

As luck would have it, one night while Kris was searching for a public restroom to use, he stumbled on an admissions fair for the University of Houston's downtown campus. Kris had always had ambitions to go to college, but because of his very unstable childhood and minimal income, pursuing higher education was never a priority. Once he learned that night that tuition for the school was waived for foster system alumni, this dream seemed more like a reality so Kris decided to enroll.

He went to school, declared his major in social work, and settled into college life. He made friends and participated in extracurricular activities on campus.

In fact, Kris got so involved that one of his good friends, Isaac, invited him to be his running mate for the upcoming student government election. Kris was very excited about that idea and realized it was his opportunity to make a real difference for many of the students on campus who had been through some of the same trying experiences he had.

Kris and Isaac kicked off their campaign and pursued elective office. Then 1 day—in fact 1 year ago this month—Kris was called into the dean of students office. Kris sat down and the dean reached into his briefcase and pulled out a stack of fliers with Kris's photo on each and every one of them with a big X across his picture. In big, bold letters across the top of the flier, it read: "WANT AIDS?" Across the bottom of that flier it read: "Don't Support the Isaac and Kris Homosexual Agenda." On the back of the flier—unbelievably—was a copy of Kris's official

private medical record displaying in plain view that Kris was HIV positive. Stunning. I am sure every one of you are as stunned as I was.

The dean then informed Kris that these had been found all over the campus. As if the situation couldn't get any worse, the dean told Kris that there is nothing the university or the administration could do about it—nothing.

At one point Kris said the administration even accused him of being responsible for these acts. Kris was told the administration's sole responsibility was to simply inform him this was going on and nothing more. They just had to make sure he knew about it.

Kris was told that words such as homosexual or AIDS were proper terms, protected speech, and not grounds for punishment.

As you can imagine, Kris was devastated. He didn't attend class for weeks after that. His friends, family, and loved ones started to seriously worry about his well-being.

In the meantime, the word of this and Kris's status as HIV positive, as you can imagine, spread like wildfire across the campus. While Kris had been out to a small group of friends, there was no going back once the local paper picked up on the story which eventually circulated in the national media.

Thankfully, there is a happy ending to this heartbreaking story. In yet another example of how the younger generation in our country is swiftly helping to turn the tide against intolerance, Kris and Isaac won that election, and Kris served a term as the student body vice president. Kris has now moved on to serve in a different but somewhat similar capacity, and that is as a congressional intern here in my office in Washington, DC. I am proud to say that Kris is here with us on the floor today. And just like the fate he found that one night in search of a public restroom, Kris now has another chance to be part of a life-changing experience because today I have come to the floor to reintroduce the Tyler Clemente Higher Education Anti-Harassment Act of 2014.

As many of you may remember, this legislation is named after Tyler Clemente. He was an 18-year-old freshman at Rutgers University. Back in 2010, without his knowledge, Tyler's roommate streamed video footage on the Internet of Tyler in his dorm room being intimate with another male. After his roommate and another student invaded his privacy in such a serious way and continued to harass him over the Internet, Tyler leapt off the George Washington Bridge and sadly took his own life.

When I sat down and spoke with Kris about this recently, he told me how his story was very close to ending just like Tyler's story. He didn't have anyone on campus to turn to. Since the administration said they were unable to do anything about this hate crime, Kris felt he had no opportunity for closure.

Kris told me:

For most young people, when things like that happen, we have got to have people who are going to be proactive in helping them. And not someone telling them there's nothing we can do to help you.

Quite shockingly, despite statistics telling us that LGBT students are nearly twice as likely to experience harassment when compared to their heterosexual peers, there is no Federal requirement that colleges and universities have policies to protect their students from harassment.

That is why I feel so strongly about this legislation.

The legislation I am introducing will require colleges and universities that receive Federal aid to establish anti-harassment policies for students no matter who they are or what they identify with, and they will be required to have the language of those policies easily accessible. It will recognize cyber bullying of all kinds as serious means of harassment. Finally, the Tyler Clemente act authorizes competitive grants for schools to initiate or expand programs to prevent these kinds of things from happening, to provide counseling for victims of the accused, and to train everyone on campus about how to prevent this in the future.

When I was back home last week in Spokane, I told Kris's story, just as I did today, and talked about the desperate need for these kinds of protections. I am sure, as with many of those listening, most of my constituents were pretty surprised to learn these policies aren't already in place at all of our institutions of higher learning. I couldn't agree more. Why aren't colleges and universities across our country all being proactive in establishing these programs and points of contact for students such as Tyler or Kris who have experienced or could experience such a life-changing event?

While many schools currently have successful prevention and counseling programs in place, students shouldn't have to take their health and safety into account when they decide where they are going to study in this country.

Kris recounted for me how each day during this horrible experience he would awaken, and there were 5 or 6 seconds where he would feel normal again, as if nothing had happened. But then reality would set in, and it felt as though a ton of bricks had fallen on top of him. Fortunately for Kris, he was able to lean on the campus LGBT community for support during this very trying time. But he said:

If I hadn't reached out to the community, I probably wouldn't be here today. Every day going to school felt like a battlefield.

Unfortunately, there are others similar to Kris who don't have that point of contact on campus—a supportive parent or a tight-knit group of friends who help them get through these kinds of experiences.

I am very proud to be here today, with the support of my outstanding cosponsor, Senator BALDWIN, to take a major step to change this.

I would be remiss if I didn't take a moment to pay tribute to my friend Senator Frank Lautenberg and his staff for their tireless work to craft this original bill which serves as a tremendous honor to the life of Tyler Clemente. No student, whether they are gay or straight or Black or White or Christian or Muslim, should have to face discrimination and harassment in pursuit of their education. While I know it is impossible to eradicate all bad behavior from our society, we have to arm our campuses with the tools and resources necessary to not only efficiently and effectively support the victims but also to take action against those who have perpetrated such senseless crimes.

That is why I am here today. I am very proud to introduce this legislation.

I wish to thank Kris for his courage in speaking out and his ability to be here today to make sure no other student in our country ever has to go through what he did.

By Mr. LEAHY (for himself and Mr. CORNYN):

S. 2177. 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; to the Committee on the Judiciary.

Mr. LEAHY. Mr. President, from DNA to digital evidence, prosecutors, defense attorneys, and judges are becoming increasingly reliant on the collection and analysis of various forms of forensic evidence in a criminal investigation or prosecution. It is therefore all the more important that we strengthen our confidence in the criminal justice system, and the evidence it relies upon, by ensuring that forensic evidence and testimony is accurate, credible, and scientifically grounded.

I am proud to introduce today the Criminal Justice and Forensic Science Reform Act. This legislation represents a comprehensive and commonsense approach toward guaranteeing the effectiveness and scientific integrity of forensic evidence used in criminal cases, and in ensuring that Americans can have faith in their criminal justice system. The bill is also bipartisan, and I am pleased that Senator CORNYN has agreed to be a cosponsor of this legislation.

Over the course of the past 5 years, my staff and I have spent countless hours talking to prosecutors, defense attorneys, law enforcement officers, judges, forensic practitioners, academic experts, and many, many others to learn as much as we could about what is happening in the forensic sciences and what needs to be done. As this effort has progressed, I have been disturbed to learn about still more cases in which innocent people may have been convicted, and perhaps even executed, in part due to faulty forensic

evidence or the lack of valid forensic evidence. Since the first post-conviction DNA exoneration in the United States in 1989, there have been 314 DNA exonerations. These exonerees spent an average of 13.5 years in prison, amounting to an astounding total of 4,202 years. It is a double tragedy when an innocent person is convicted. An innocent person suffers, and a guilty person remains free, leaving us all less safe. We must do everything we can to avoid that untenable outcome.

It has also become abundantly clear through the course of this inquiry that the men and women who test and analyze forensic evidence do tremendous work that is vital to our criminal justice system. I remember their important contributions and hard work from my days as a prosecutor in Vermont, and the rapid development and expansion of the forensic science disciplines since that time has been extraordinary. So their work is even more important today, and we need to strengthen the field of forensics, and the justice system's confidence in it, so that their hard work can be consistently relied upon, as it should be.

Everyone recognizes the need for forensic evidence that is accurate and reliable. Prosecutors and law enforcement officers want evidence that can be relied upon to determine guilt and prove it beyond a reasonable doubt in a court of law. Defense attorneys want strong evidence that can be used to exclude innocent people from suspicion. Forensic science practitioners want their work to have as much certainty as possible and to be able to testify in court with confidence and integrity. All scientists and all attorneys who care about these issues want the scientific analysis that is admitted as evidence in the courtroom to meet the same rigorous testing and research standards found in the laboratory.

There is general agreement that the forensic sciences can be improved through strong and unassailable research to test and establish the validity of the forensic disciplines, as well as the application of consistent and established standards in the field. There is also a dire need for well managed and appropriately directed funding for research, development, training, and technical assistance. It is a good investment that will lead to fewer trials and appeals, and will reduce crime by ensuring that those who commit serious offenses are promptly captured and convicted. There is also broad consensus that all forensic laboratories should be required to meet rigorous accreditation standards and that forensic practitioners should be required to obtain meaningful certification.

Finally, there is wide acknowledgment about the need for comprehensive legislation to address all of these issues. I first introduced a version of this legislation in 2011, after an extensive process of consultation with experts and stakeholders that included three Judiciary Committee hearings,

dozens of meetings with individuals and organizations, and multiple drafts and revisions of legislative proposals. We have continued to refine this bill over the past 3 years, and the legislation Senator CORNYN and I introduce today is the product of that ongoing conversation.

I have been encouraged by the efforts of the Department of Justice and National Institute of Standards and Technology, NIST, to implement administratively some of the basic structural reforms contained in our bill, pursuant to a Memorandum of Understanding that led to the formation of the National Commission on Forensic Science. However, executive action is not enough. Congress must enact comprehensive forensic science reform legislation, and I look forward to working with the Department of Justice, NIST, the National Science Foundation, and others to make sure we implement the necessary reforms as expeditiously as possible.

This is not a partisan issue. Improving the reliability of forensic evidence does not advance the interests of just prosecutors or defendants, or of Democrats or Republicans. It is in the interest of justice. Senator CORNYN recognizes this, and I am proud to have him as a cosponsor of this important legislation. We will continue to work diligently with senators on both sides of the aisle, and I hope many other senators will join us to cosponsor this legislation, and work with me to ensure its passage.

I want to thank the forensic science practitioners, experts, advocates, law enforcement personnel, judges, and so many others whose input forms the basis for this legislation. Their passion for this issue and for getting it right gives me confidence that we will work together successfully to make much needed progress in implementing comprehensive forensic reform legislation.

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. 2177

*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 “Criminal Justice and Forensic Science Reform Act”.

(b) TABLE OF CONTENTS.—The table of contents for 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.

#### SEC. 2. DEFINITIONS.

In this Act:

(1) BOARD.—The term “Board” means the Forensic Science Board established under section 102(a).

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

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

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

(5) FORENSIC SCIENCE LABORATORY.—The term “forensic science laboratory” shall have the meaning given that term by the Director in accordance with section 201(c).

(6) NIST.—The term “NIST” means the National Institute of Standards and Technology.

(7) OFFICE.—The term “Office” means the Office of Forensic Science established under section 101(a).

(8) RELEVANT PERSONNEL.—The term “relevant personnel” shall have the meaning given that term by the Director in accordance with section 301(b).

#### SEC. 3. PURPOSE.

The purpose of this Act is to strengthen and promote confidence in the criminal justice system by promoting standards and best practices and ensuring scientific validity, reliability, and accuracy with respect to forensic testing, analysis, identification, and comparisons, the results of which may be interpreted, presented, or otherwise used during the course of a criminal investigation or criminal court proceeding.

#### TITLE I—STRUCTURE AND OVERSIGHT

##### SEC. 101. OFFICE OF FORENSIC SCIENCE.

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

## (b) OFFICERS AND STAFF.—

(1) IN GENERAL.—The Office shall include—  
 (A) a Director, who shall have a background in science and be appointed by the Attorney General; and

(B) such other officers and staff as the Deputy Attorney General and the Director determine appropriate.

(2) LEADERSHIP ROLE OF THE DIRECTOR.—The Director shall have primary responsibility for establishing and implementing national policy regarding forensic science as used in the criminal justice system.

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

(c) VACANCY.—In the event of a vacancy in the position of Director—

(1) the Attorney General shall designate an acting Director; and

(2) during any period of vacancy before designation of an acting Director, the Deputy Attorney General shall serve as acting Director.

(d) COLLABORATION AND COORDINATION WITH NIST.—

(1) IN GENERAL.—Not later than 180 days after the appointment of the Director, the Director and the Director of NIST shall establish a Memorandum of Understanding to ensure collaboration and coordination in the implementation of this Act.

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

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

(i) incorporate appropriately the priorities and expertise of law enforcement and forensic practitioners; and

(ii) establish structures designed to guarantee independent and objective scientific determinations; and

(B) agreements governing—

(i) selection of members of Committees and support by NIST of the Committees in accordance with section 103;

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

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

(iv) any other appropriate collaboration or coordination.

(e) LIAISON FROM THE NATIONAL SCIENCE FOUNDATION.—The Director of the National Science Foundation, in consultation with the Director, shall designate a liaison at the National Science Foundation to—

(1) facilitate communication and collaboration between the Office and the National Science Foundation; and

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

## (f) DUTIES AND AUTHORITY.—

(1) IN GENERAL.—The Office shall—

(A) assist the Board in carrying out all the functions of the Board under this Act and such other related functions as are necessary to perform the functions of the Board; and

(B) evaluate and act upon the recommendations of the Board in accordance with paragraph (3).

(2) SPECIFIC RESPONSIBILITIES.—The Director shall—

(A) establish, lead, and oversee implementation of accreditation and certification standards under titles II and III;

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

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

(D) define the term “forensic science discipline” for the purposes of this Act in accordance with section 102(h);

(E) establish and maintain a list of forensic science disciplines in accordance with section 102(h);

(F) establish Committees in accordance with section 103;

(G) define the term “forensic science laboratory” for the purposes of this Act in accordance with section 201(c);

(H) establish a code of ethics for the forensic science disciplines in accordance with section 607; and

(I) perform all other functions of the Office under this Act and such other related functions as are necessary to perform the functions of the Office described in this Act.

## (3) CONSIDERATION OF RECOMMENDATIONS.—

(A) IN GENERAL.—Upon receiving a recommendation from the Board, the Director shall—

(i) give substantial deference to the 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 modification should not be adopted under clause (ii), the Director shall, not later than 10 days after the date on which the Board makes the recommendation—

(I) provide notice and an explanation of the proposed modification to the Committee on the Judiciary and the Committee on Commerce, Science, and Transportation of the Senate and the Committee on the Judiciary and the Committee on Science, Space, and Technology of the House of Representatives; and

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

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

(i) provide notice and an explanation of the decision to reject the recommendation to the Committee on the Judiciary and the Committee on Commerce, Science, and Transportation of the Senate and the Committee on the Judiciary and the Committee on Science, Space, and Technology of the House of Representatives; and

(ii) begin, with regard to the recommendation, a rulemaking on the record after opportunity for an agency hearing.

(g) WEB SITE.—The Director shall—

(1) establish a Web site that is publicly accessible; and

(2) publish and maintain on the Web site—  
 (A) a central repository of recommendations of the Board and all standards, best practices, protocols, definitions, and other materials established, accepted, or amended, by the Director under this Act; and

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

(i) collected and catalogued in a manner that is easily accessible to the public; and

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

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

(a) IN GENERAL.—There is established a Forensic Science Board to serve as an advisory board regarding forensic science in order to strengthen and promote confidence in the criminal justice system by promoting standards and best practices and ensuring scientific validity, reliability, and accuracy with respect to forensic testing, analysis, identification, and comparisons, the results of which may be interpreted, presented, or otherwise used during the course of a criminal investigation or criminal court proceeding.

## (b) APPOINTMENT.—

(1) IN GENERAL.—The Board shall be composed of 17 members, who shall—

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

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

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

(A) consider the need for the Board to exercise independent and objective scientific judgment; and

(B) consider, among other factors, membership on the National Commission on Forensic Science and recommendations from leading scientific organizations and leading professional organizations in the field of forensic science and other relevant fields.

(3) REQUIREMENTS.—The Board shall include—

(A) 11 voting members;

(B) 6 nonvoting members; and

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

## (4) VOTING MEMBER REQUIREMENTS.—

(A) IN GENERAL.—Of the 11 voting members—

(i) each shall have comprehensive scientific backgrounds;

(ii) not fewer than 6 shall have extensive experience and background in scientific research;

(iii) not fewer than 6 shall have extensive and current practical experience and background in forensic science; and

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

(B) MULTIPLE REQUIREMENTS.—An individual voting member may meet more than 1 of the requirements described in clauses (ii) through (iv) of subparagraph (A).

(5) NONVOTING MEMBERS.—One nonvoting member shall come from each of the following categories:

(A) Judges.

(B) Prosecutors.

(C) State and local law enforcement officials.

(D) Criminal defense attorneys.

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

(F) State and local laboratory directors.

(6) FULFILLMENT OF MULTIPLE REQUIREMENTS.—An individual who fulfills the requirements described in paragraph (4) may serve as a voting member even if that individual also fulfills a requirement described in paragraph (5).

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

(8) APPOINTMENT OF BOARD CHAIRPERSON.—The President shall designate a voting member of the Board to serve as Chairperson of

the Board for the duration of that member's term.

(c) TERMS.—

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

(2) EXCEPTION.—Of the members first appointed to the Board—

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

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

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

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

(4) VACANCIES.—

(A) IN GENERAL.—In the event of a vacancy, the President may appoint a member to fill the remainder of the term.

(B) ADDITIONAL TERM.—A member appointed under subparagraph (A) may be reappointed for 1 additional term.

(5) HOLDOVERS.—If a successor has not been appointed at the conclusion of the term of a member of the Board, the member of the Board may continue to serve until—

(A) a successor is appointed; or

(B) the member of the Board is reappointed.

(d) RESPONSIBILITIES.—The Board shall—

(1) make recommendations to the Director relating to research priorities and needs, accreditation and certification standards, standards and protocols for forensic science disciplines, and any other issue consistent with this Act;

(2) monitor and evaluate—

(A) the administration of accreditation, certification, and research programs and procedures established under this Act; and

(B) the operation of the Committees;

(3) review and update, as appropriate, any recommendations made under paragraph (1);

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

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

(e) CONSULTATION.—The Board shall consult as appropriate with the Deputy Attorney General, the Director of NIST, the Director of the National Science Foundation, the Director of the National Institute of Justice, the Director of the Centers for Disease Control and Prevention, the Director of the National Institutes of Health, senior officials from other relevant Federal agencies including the Department of Defense, and relevant officials of State and local governments.

(f) MEETINGS.—

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

(2) REQUIREMENTS.—

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

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

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

(g) VOTES.—

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

(2) VOTING PROCEDURES.—

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

(B) REMOTE AND PROXY VOTING.—If necessary, a voting member of the Board may cast a vote—

(i) over the phone or through electronic mail or other electronic means if the vote is scheduled to take place during a time other than a full meeting of the Board; and

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

(h) DEFINITION OF FORENSIC SCIENCE DISCIPLINE.—

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

(A) develop a recommended definition of the term “forensic science discipline” for purposes of this Act, which shall encompass disciplines with a sufficient scientific basis that involve forensic testing, analysis, identification, or comparisons, the results of which may be interpreted, presented, or otherwise used during the course of a criminal investigation or criminal court proceeding;

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

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

(2) CONSIDERATION.—In developing a recommended list of forensic science disciplines under paragraph (1)(B), the Board shall—

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

(B) consult with relevant practitioners, experts, and professional organizations.

(3) EXCLUSION FROM LIST.—If the Board recommends that a field should not be included on the list submitted under paragraph (1) because the field has insufficient scientific basis on the date of the recommendation of the Board, the Board shall publish an explanation of the recommendation, which—

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

(B) may include a finding that a field could be recognized as a forensic science discipline for purposes of this Act, based on additional research.

(4) ESTABLISHMENT.—After the Director receives the recommendations of the Board under paragraph (1), the Director shall, in accordance with section 101(f)(3), establish a definition for the term “forensic science discipline”, and shall establish a list of forensic science disciplines.

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

(A) evaluate—

(i) whether any field should be added to the list of forensic science disciplines established under paragraph (4), including any field previously excluded; and

(ii) whether any field on the list of forensic science disciplines established under paragraph (4) should be modified or removed; and

(B) submit the evaluation conducted under subparagraph (A), including any recommendations, to the Director.

(i) STAFF.—

(1) IN GENERAL.—The Board may, without regard to the civil service laws and regulations, appoint and terminate a staff director and such other additional personnel as may be necessary to enable the Board to perform the duties of the Board.

(2) COMPENSATION.—The Board may fix the compensation of the staff director and other personnel appointed under paragraph (1) without regard to the provisions of chapter 51 and subchapter III of chapter 53 of title 5, United States Code, relating to classification of positions and General Schedule pay rates, except that the rate of pay for the executive director and other personnel may not exceed

the rate payable for level V of the Executive Schedule under section 5316 of such title.

(3) PERSONNEL AS FEDERAL EMPLOYEES.—

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

(B) MEMBERS OF THE BOARD.—Subparagraph (A) shall not be construed to apply to members of the Board.

(4) PROCUREMENT OF TEMPORARY AND INTERMITTENT SERVICES.—The Board may procure temporary and intermittent services under section 3109(b) of title 5, United States Code, at rates for individuals which do not exceed the daily equivalent of the annual rate of basic pay prescribed for level V of the Executive Schedule under section 5316 of such title.

(5) VOLUNTARY SERVICES.—Notwithstanding section 1342 of title 31, United States Code, the Board may accept and use voluntary and uncompensated services for the Board as the Board determines necessary.

(j) REPORTS TO CONGRESS.—Not later than 2 years after the date of enactment of this Act, and every 2 years thereafter, the Board shall submit to Congress a report describing the work of the Board and the work of each Committee, which shall include a description of any recommendations, decisions, and other significant materials generated during the 2-year period.

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

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

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

(3) COMPENSATION OF MEMBERS.—Members of the Board shall serve without compensation for services performed for the Board.

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

(5) DESIGNATED FEDERAL OFFICER.—In accordance with the Federal Advisory Committee Act (5 U.S.C. App.), the Director shall—

(A) serve as the designated Federal officer (as described in section 10(e) of such Act); and

(B) designate an Advisory Committee Management Officer (as described in section 8(b) of such Act) for the Board.

(l) TRANSFER AND CONSOLIDATION OF NATIONAL COMMISSION ON FORENSIC SCIENCE.—Not later than 30 days after the date on which the first meeting of the Board occurs, the Attorney General or the Director of NIST, as the case may be, shall transfer to the Office, control, supervision, and any unobligated balances available for the operation of the National Commission on Forensic Science or any national commission that has a similar scope or responsibility to the Office.

SEC. 103. COMMITTEES.

(a) ESTABLISHMENT AND MAINTENANCE OF COMMITTEES.—

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

(A) the number of Committees that shall be established to examine research needs, 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 discipline; 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 between the Committees and any scientific working group, scientific area committee, guidance group, or technical working group that has a similar scope of responsibility; and

(D) whether any Committee should consider any field not recognized as a forensic science discipline for the purpose of determining whether there is research that could be conducted and used to form the basis for establishing the field as a forensic science discipline.

(2) ESTABLISHMENT.—After the Director receives the recommendations of the Board under paragraph (1), the Director, in consultation with the Director of NIST shall—

(A) consider how to adapt and incorporate any scientific working group, scientific area committee, guidance group, or technical working group operating under the Department of Justice or NIST into a Committee;

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

(i) Committees to examine research needs, standards, best practices, and certification standards for the forensic science disciplines, which shall be not fewer than 1; and

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

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

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

(A) evaluate whether—

(i) any new Committees should be established;

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

(iii) any Committee should be discontinued; and

(B) submit any recommendations relating to the evaluation conducted under subparagraph (A) to the Director.

(4) UPDATES.—Upon receipt of any recommendations from the Board under paragraph (3), the Director shall, in accordance with section 101(f)(3), determine whether to establish, modify the scope of, or discontinue any Committee.

(5) TRANSFER AND CONSOLIDATION OF SCIENTIFIC AND TECHNICAL WORKING GROUPS.—Not later than 30 days after the date on which the first meeting of a Committee occurs, the Attorney General or the Director of NIST, as the case may be, shall transfer to the Office, control, supervision, and any unobligated balances available for the operation of any scientific working group, scientific area committee, guidance group, or technical working group that has a similar scope or responsibility to the Committee.

(b) MEMBERSHIP.—

(1) IN GENERAL.—Each Committee shall—

(A) consist of not more than 21 members—

(i) each of whom shall be a scientist with knowledge relevant to a forensic science discipline addressed by the Committee;

(ii) not less than 50 percent of whom shall have extensive experience and background in scientific research; and

(iii) not less than 50 percent of whom shall have extensive practical experience and background in the forensic sciences sufficient to ensure that the Committee has an adequate understanding of the factors and needs unique to the forensic sciences; and

(B) have a membership that represents a variety of scientific disciplines, including the forensic sciences.

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

(A) a statistician with a scientific background; and

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

(c) APPOINTMENT.—

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

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

(A) the importance of analysis from scientists with academic research backgrounds in both basic and applied sciences; and

(B) the importance of input from experienced and actively practicing forensic practitioners, including individuals who participated in scientific working groups, scientific area committees, guidance groups, or technical working groups.

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

(4) HOLDOVERS.—If a successor has not been appointed at the conclusion of the term of a member of the Committee, the member of the Committee may continue to serve until—

(A) a successor is appointed; or

(B) the member of the Committee is reappointed.

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

(e) SUPPORT AND OVERSIGHT.—

(1) IN GENERAL.—Pursuant to the Memorandum of Understanding required under section 101(d), the Director of NIST, in consultation with the Director, shall provide support and staff for each Committee as needed.

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

(A) perform periodic oversight of each Committee; and

(B) report any concerns about the performance or functioning of a Committee to the Board and the Director.

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

(f) DUTIES.—

(1) IN GENERAL.—A Committee shall have the duties and responsibilities set out in this Act, and shall perform any other functions determined appropriate by the Board.

(2) COMMITTEE DECISIONS AND RECOMMENDATIONS.—

(A) IN GENERAL.—A Committee shall submit recommendations and all recommended standards, protocols, or other materials developed by the Committee to the Board for evaluation.

(B) PROHIBITION OF MODIFICATION OF DECISIONS AND RECOMMENDATIONS.—Any recommendations of a Committee and any recommended standards, protocols, or other materials developed by a Committee may be approved or disapproved by the Board, but may not be modified by the Board.

(C) APPROVAL OF DECISIONS AND RECOMMENDATIONS.—If the Board approves a recommendation or recommended standard, protocol, or other material submitted by a Committee 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.

(2) REQUIREMENTS.—

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

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

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

(h) VOTES.—

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

(2) VOTING PROCEDURES.—

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

(B) REMOTE AND PROXY VOTING.—If necessary, a member of a Committee may cast a vote—

(i) over the phone or through electronic mail if the vote is scheduled to take place during a time other than a full meeting of the Committee; and

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

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

(1) IN GENERAL.—The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to a Committee.

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

(3) TRAVEL EXPENSES.—The members of a Committee shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for employees of agencies under subchapter I of chapter 57 of title 5, United States Code, while away from their homes or regular places of business in the performance of services for the Committee.

#### SEC. 104. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated, including from any unobligated funds appropriated to the Department of Justice and the National Institute of Standards and Technology for the operation of a scientific working group, scientific area committee, guidance group, or technical working group transferred under section 103(a)(5), and including any unobligated funds appropriated to strengthen and enhance the practice of forensic sciences under any other provision of law, \$8,000,000 for each of fiscal years 2015 through 2019 for the operation and staffing of the Office, Board, and Committees.



## TITLE II—ACCREDITATION OF FORENSIC SCIENCE LABORATORIES

### SEC. 201. ACCREDITATION OF FORENSIC SCIENCE LABORATORIES.

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

(b) PROCEDURES FOR ACCREDITATION.—

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

(A) a comprehensive strategy to enable forensic science laboratories to obtain and maintain accreditation;

(B) recommended procedures for the accreditation of forensic science laboratories that are consistent with the recommended standards developed by the Board under section 202;

(C) recommended procedures for the periodic review and updating of the accreditation status of forensic science laboratories;

(D) recommended procedures for the Director to verify that laboratories have been accredited in accordance with the standards and procedures established under this title, which shall include procedures to implement, administer, and coordinate enforcement of the program for the accreditation of forensic science laboratories; and

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

(i) begin the process of laboratory accreditation; and

(ii) obtain verification of laboratory accreditation to be eligible to receive Federal funds.

(2) ESTABLISHMENT.—After the Director receives the recommendations of the Board under paragraph (1), the Director shall, in accordance with section 101(f)(3), establish—

(A) procedures to implement a comprehensive strategy to enable forensic science laboratories to obtain and maintain accreditation;

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

(C) procedures for the Director to verify that laboratories have been accredited in accordance with the standards and procedures established under this title;

(D) the date by which a forensic science laboratory shall begin the process of accreditation; and

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

(3) CONSIDERATION OF APPROPRIATIONS.—In determining, recommending, and establishing the dates under paragraphs (1) and (2), the Board and Director shall consider whether funding has been appropriated pursuant to section 305 and other relevant Federal grant programs to sufficiently assist and support laboratories in obtaining accreditation under this Act.

(c) DEFINITION.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Board shall recommend to the Director a definition of the term “forensic science laboratory” for purposes of this Act, which shall include any laboratory that conducts forensic testing, analysis, identification, or comparisons, the results of which may be interpreted, presented, or otherwise used during the course of a criminal investigation or criminal court proceeding.

(2) ESTABLISHMENT.—After the Director receives the recommendation of the Board

under paragraph (1), the Director shall, in accordance with section 101(f)(3), establish a definition for the term “forensic science laboratory”.

(d) APPLICABILITY TO FEDERAL AGENCIES.—On and after the date established by the Director under subsection (b)(2)(E), a Federal agency may not use any forensic science laboratory, including any services, products, analysis, opinions, or conclusions provided by the forensic science laboratory, during the course of a criminal investigation or criminal court proceeding unless the forensic science laboratory meets the standards of accreditation and certification established by the Office under this Act.

### SEC. 202. STANDARDS FOR LABORATORY ACCREDITATION.

(a) STANDARDS.—

(1) RECOMMENDATIONS.—Not later than 18 months after the date of enactment of this Act, the Board shall, in consultation with qualified professional organizations, submit to the Director recommendations regarding standards for the accreditation of forensic science laboratories, including quality assurance and quality control standards, to ensure the quality, integrity, and accuracy of any testing, analysis, identification, or comparisons performed by a forensic science laboratory for use during the course of a criminal investigation or criminal court proceeding.

(2) ESTABLISHMENT.—After the Director receives the recommendations of the Board under paragraph (1), the Director shall, in accordance with section 101(f)(3), establish standards for the accreditation of forensic science laboratories.

(3) REQUIREMENTS.—In recommending or establishing standards under paragraph (1) or (2) the Board and the Director shall—

(A) consider—

(i) whether any relevant national or international accreditation standards that were in effect before the date of enactment of this Act would be sufficient for the accreditation of forensic science laboratories under this Act;

(ii) whether any relevant national or international accreditation standards that were in effect before the date of enactment of this Act would be sufficient for the accreditation of forensic science laboratories under this Act with supplemental standards; and

(iii) the incorporation of relevant national or international accreditation standards that were in effect before the date of enactment of this Act; and

(B) include—

(i) educational and training requirements for relevant laboratory personnel;

(ii) proficiency and competency testing requirements for relevant laboratory personnel; and

(iii) maintenance and auditing requirements for accredited forensic science laboratories.

(b) REVIEW OF STANDARDS.—

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

(A) the Board shall—

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

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

(I) account for developments in relevant scientific research, technological advances, and new forensic science disciplines;

(II) ensure adherence to the standards and best practices established under title V; and

(III) address any other issue identified during the course of the review conducted under clause (i); and

(B) the Director shall, as necessary and in accordance with section 101(f)(3), update the accreditation standards established under subsection (a).

(2) PROCEDURES FOR OPEN AND TRANSPARENT REVIEW OF STANDARDS.—The Director, in consultation with the Board, shall establish procedures to ensure that the process for developing, reviewing, and updating accreditation standards under this section—

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

(B) includes an opportunity for the public to comment on proposed standards with sufficient prior notice.

### SEC. 203. ADMINISTRATION AND ENFORCEMENT OF ACCREDITATION PROGRAM.

(a) ADMINISTRATION AND OVERSIGHT OF ACCREDITATION PROGRAM.—

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

(2) ADMINISTRATION.—

(A) IN GENERAL.—The Director shall, in consultation with the Board and as appropriate, identify 1 or more qualified accrediting bodies with significant expertise relevant to the accreditation of forensic science laboratories, the accreditation of a forensic science laboratory by which shall constitute accreditation for purposes of section 201(a).

(B) OVERSIGHT.—The Director shall periodically—

(i) reevaluate whether accreditation by a qualified accrediting body identified under subparagraph (A) is adequate to ensure compliance with the standards and procedures established under this title; and

(ii) recommend updates to the standards and procedures used by 1 or more qualified accrediting bodies, as necessary.

(C) REPORTING.—The Director shall provide to the Board, and publish on the Web site of the Office, regular reports regarding—

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

(ii) reevaluations of accreditation by qualified accrediting bodies under subparagraph (B).

(b) REVIEW OF ELIGIBILITY.—Not less frequently than once every 5 years, the Director shall evaluate whether a forensic science laboratory that has been determined to be eligible to receive Federal funds under section 201(a) remains eligible to receive Federal funds, including whether any accreditation of the forensic science laboratory by a qualified accrediting body identified under subparagraph (A) is still in effect.

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

(1) the forensic science laboratories that are eligible for Federal funds under section 201(a);

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

(3) the forensic science laboratories that are awaiting a determination regarding eligibility to receive Federal funds under section 201(a).

## TITLE III—CERTIFICATION OF FORENSIC SCIENCE PERSONNEL

### SEC. 301. DEFINITIONS.

(a) COVERED ENTITY.—In this title, the term “covered entity” means an entity that—

(1) is not a forensic science laboratory; and

(2) conducts forensic testing, analysis, investigation, identification, or comparisons, the results of which may be interpreted, presented, or otherwise used during the course of a criminal investigation or criminal court proceeding.

(b) RELEVANT PERSONNEL.—

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

(A) conduct forensic testing, analysis, investigation, identification, or comparisons, the results of which may be interpreted, presented, or otherwise used during the course of a criminal investigation or criminal court proceeding; or

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

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

#### SEC. 302. CERTIFICATION OF FORENSIC SCIENCE PERSONNEL.

Except as provided in section 304(c)(2), on and after the date established under section 304(c)(1), a forensic science laboratory or covered entity may not receive, directly or indirectly, any Federal funds, unless all relevant personnel of the forensic science laboratory or covered entity are certified under this title.

#### SEC. 303. STANDARDS FOR CERTIFICATION.

(a) RECOMMENDED STANDARDS.—

(1) IN GENERAL.—Not later than 2 years after the date on which all members of a Committee have been appointed, the Committee shall make recommendations to the Board relating to standards for the certification of relevant personnel in each forensic science discipline addressed by the Committee.

(2) REQUIREMENTS.—In developing recommended standards under paragraph (1), a Committee shall—

(A) consult with qualified professional organizations, including qualified professional organizations that accredit forensic science certification programs;

(B) consider relevant certification standards and best practices developed by qualified professional or scientific organizations;

(C) consider whether successful completion of a certification program accredited by a qualified professional organization would be sufficient to meet the certification requirements for relevant personnel under this Act;

(D) consider whether and under what circumstances internal certification programs by accredited laboratories would be sufficient to meet the certification requirements for relevant personnel under this Act;

(E) consider any standards or best practices established under title V; and

(F) consider—

(i) whether certain minimum standards should be established for the education and training of relevant personnel;

(ii) whether there should be an alternative process to enable relevant personnel who were hired before the date established under section 304(c)(1), to obtain certifications, including—

(I) testing that demonstrates proficiency in a specific forensic science discipline that is equal to or greater than the level of proficiency required by the standards for certification; and

(II) a waiver of certain educational and training requirements;

(iii) whether and under what conditions relevant personnel should be allowed to perform an activity described in subparagraph (A) or (B) of section 301(b)(1) for a forensic science laboratory or covered entity while the individual obtains the training and education required for certification under the standards developed under this title; and

(iv) whether certification by recognized and relevant medical boards, or other recognized and relevant State professional boards, should be sufficient for relevant personnel to meet the standards developed under this title.

(b) APPROVAL OR DENIAL OF RECOMMENDATIONS.—The Board shall approve or deny any recommendation submitted by a Committee under subsection (a) in accordance with section 103(f)(2).

(c) ESTABLISHMENT OF STANDARDS.—After the Director receives recommendations from the Board under subsection (b), the Director shall, in accordance with section 101(f)(3), establish standards for the certification of relevant personnel.

(d) REVIEW OF STANDARDS.—

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

(A) review the standards for certification established under subsection (c) for each forensic science discipline within the responsibility of the Committee; and

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

(i) to account for developments in relevant scientific research, technological advances, or changes in the law; and

(ii) to ensure adherence to the standards and best practices established under title V.

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

(A) consider the recommendations; and

(B) submit to the Director recommendations of standards and best practices for each forensic science discipline.

(3) UPDATES.—After the Director receives recommendations from the Board under paragraph (2), the Director shall, in accordance with section 101(f)(3), update the standards for certification of relevant personnel.

(e) PUBLIC COMMENT.—The Director, in consultation with the Board, shall establish procedures to ensure that the process for establishing, reviewing, and updating standards for certification of relevant personnel under this section—

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

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

#### SEC. 304. ADMINISTRATION AND REVIEW OF CERTIFICATION PROGRAM.

(a) IN GENERAL.—

(1) DETERMINATION.—The Director shall determine whether a forensic science laboratory or covered entity is eligible to receive, directly or indirectly, Federal funds under section 302.

(2) PROCEDURES.—Not later than 1 year after the date of enactment of this Act, the Director shall establish policies and procedures to implement, administer, and coordinate enforcement of the certification requirements established under this title, including requiring the periodic recertification of relevant personnel.

(b) ADMINISTRATION.—

(1) IN GENERAL.—After consultation with the Board, the Director may identify 1 or more qualified professional organizations with significant expertise relevant to the certification of individuals in a particular forensic science discipline, the certification of an individual by which shall constitute certification for purposes of section 302.

(2) OVERSIGHT.—The Director shall periodically reevaluate whether certification by a qualified professional organization identified under paragraph (1) is adequate to ensure compliance with the standards established under this title.

(3) REPORTING.—The Director shall provide regular reports to the Board regarding the certification of relevant personnel by qualified professional organizations identified under paragraph (1) and reevaluations of certification by qualified professional organizations under paragraph (2), which shall be published on the Web site of the Office.

#### (c) IMPLEMENTATION OF CERTIFICATION REQUIREMENTS.—

(1) IN GENERAL.—After consultation with the Board, the Director shall establish the date by which forensic science laboratories and covered entities shall be in compliance with the certification requirements of this title.

(2) GRADUAL IMPLEMENTATION.—The Director shall, in consultation with the Board and the relevant Committee, establish policies and procedures to enable the gradual implementation of the certification requirements that—

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

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

(C) allow for consideration of whether funding has been appropriated pursuant to section 305 and other relevant Federal grant programs to sufficiently assist and support forensic science laboratories and covered entities in complying with the certification requirements of this title.

(d) REVIEW OF CERTIFICATION REQUIREMENTS.—The Director shall establish policies and procedures for the periodic review of the implementation, administration, and enforcement of the certification requirements established under this title.

#### SEC. 305. SUPPORT AND TECHNICAL ASSISTANCE FOR STATE AND LOCAL LABORATORIES.

(a) IMPLEMENTATION PLAN.—Not later than 1 year after the date of enactment of this Act, the Director of the National Institute of Justice, in consultation with the Director, shall develop a plan for assisting and supporting forensic science laboratories and covered entities in obtaining accreditation under title II and certifications for relevant personnel under this title.

(b) AUTHORIZATION FOR USE OF COVERDELL AND BYRNE JAG GRANTS.—The Attorney General, in consultation with the Director and the Director of the National Institute of Justice, and consistent with the implementation plan developed under subsection (a), may make grants under part BB of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3797j et seq.) and subpart 1 of part E of such Act (42 U.S.C. 3750 et seq.), and provide technical assistance to forensic science laboratories and covered entities, to ensure that forensic science laboratories and covered entities are able to—

(1) obtain accreditation under title II;

(2) obtain certifications for relevant personnel under this title; and

(3) effectively fulfill their responsibilities during the process of obtaining accreditation under title II and certifications for relevant personnel under this title.

(c) TECHNICAL AND CONFORMING AMENDMENTS.—

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

“(4) To assist forensic science laboratories and covered entities, as those terms are defined in sections 2 and 301, respectively, of the Criminal Justice and Forensic Science Reform Act, in obtaining accreditation under title II of such Act and certifications



for relevant personnel under title III of such Act, in accordance with section 305 of such Act.”.

(2) EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT PROGRAM.—Section 501(a)(1) of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3751(a)(1)) is amended by adding at the end the following:

“(H) Assistance to forensic science laboratories and covered entities, as those terms are defined in sections 2 and 301, respectively, of the Criminal Justice and Forensic Science Reform Act, in obtaining accreditation under title II of such Act and certifications for relevant personnel under title III of such Act, in accordance with section 305 of such Act.”.

#### TITLE IV—RESEARCH

##### SEC. 401. RESEARCH STRATEGY AND PRIORITIES.

(a) COMPREHENSIVE RESEARCH STRATEGY AND AGENDA.—

(1) RECOMMENDATION.—Not later than 18 months after the date of enactment of this Act, the Board shall recommend to the Director a comprehensive strategy for fostering and improving peer-reviewed scientific research relating to the forensic science disciplines, including research addressing issues of validity, reliability, and accuracy in the forensic science disciplines.

(2) ESTABLISHMENT.—After the Director receives recommendations from the Board under paragraph (1), the Director shall, in accordance with section 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.

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

(A) review—

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

(ii) the findings of the relevant Committees made under subsection (c); and

(B) recommend any necessary updates to the list of priorities, incorporating, as appropriate, the findings of the Committees under subsection (c).

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

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

(1) examine and evaluate the scientific research in each forensic science discipline within the responsibility of the Committee;

(2) conduct comprehensive surveys of scientific research relating to each forensic

science discipline within the responsibility of the Committee;

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

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

(d) CONSIDERATION.—In developing the initial research strategy, research priorities, and surveys required under this section, the Board and the Director shall consider any findings, surveys, and analyses relating to research in forensic science disciplines, including those made by the Subcommittee on Forensic Science of the National Science and Technology Council.

##### SEC. 402. RESEARCH GRANTS.

(a) COMPETITIVE GRANTS.—

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

(A) a nonprofit academic or research institution;

(B) an accredited forensic science laboratory; and

(C) any other entity designated by the Director of NIST.

(2) PEER-REVIEW RESEARCH GRANTS.—

(A) IN GENERAL.—Pursuant to the Memorandum of Understanding required under section 101(d), the Director of NIST may, on a competitive basis and using funds appropriated to NIST for forensic science purposes, make grants to eligible entities to conduct peer-reviewed scientific research.

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

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

(ii) take into consideration the research needs identified by the Committees under section 401(c);

(iii) if made before the identification of research priorities under section 401(b) and research needs under section 401(c), consider any findings, surveys, and analyses relating to research in forensic science disciplines, including those made by the Subcommittee on Forensic Science of the National Science and Technology Council; and

(iv) encourage and, if appropriate, provide incentives for partnerships between nonprofit academic or research institutions and accredited forensic science laboratories.

(3) DEVELOPMENT OF NEW TECHNOLOGIES.—Pursuant to the Memorandum of Understanding required under section 101(d), the Director of NIST may, on a competitive basis, make grants to eligible entities to conduct peer-reviewed scientific research to develop new technologies and processes to increase the efficiency, effectiveness, and accuracy of forensic testing procedures.

(4) COORDINATION WITH DIRECTOR.—In making grants under this subsection, the Director of NIST shall coordinate with the Director to ensure implementation of the plan established under section 404.

(5) COORDINATION WITH THE NATIONAL SCIENCE FOUNDATION.—The Director of NIST shall consult and coordinate with the National Science Foundation to ensure—

(A) the integrity of the process for reviewing funding proposals and awarding grants under this subsection; and

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

(b) REPORT.—

(1) IN GENERAL.—

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

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

(ii) each grant made under this section in the fiscal year before the report is submitted; and

(iii) as appropriate, the status and results of grants previously described in a report submitted under this subsection.

(B) PUBLICATION.—The Director shall publish the report submitted under subparagraph (A) on the Web site of the Office.

(2) EVALUATION.—The Board and the Director shall evaluate each report submitted under paragraph (1) and consider the information provided in each report in reviewing the research strategy and priorities established under section 401.

##### SEC. 403. OVERSIGHT AND REVIEW.

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

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

(1) whether any undue biases or influences affected the integrity of the solicitation, award, or administration of research grants; and

(2) whether there was any unnecessary duplication, waste, fraud, or abuse in the grant-making process.

##### SEC. 404. PUBLIC-PRIVATE COLLABORATION.

(a) RECOMMENDATION.—Not later than 2 years after the date of enactment of this Act, the Board shall submit to the Director a recommended plan for encouraging collaboration among universities, nonprofit research institutions, State and local forensic science laboratories, private forensic science laboratories, private corporations, and the Federal Government to develop and perform cost-effective and reliable research in the forensic sciences, consistent with the research priorities established under section 401(b)(2).

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

(1) incentives for nongovernmental entities to invest significant resources into conducting necessary research in the forensic sciences;

(2) procedures for ensuring the research described in paragraph (1) will be conducted with sufficient scientific rigor that the research can be relied upon by—

(A) the Committees in developing standards under this Act; and

(B) forensic science personnel; and

(3) clearly defined requirements for disclosure of the sources of funding by nongovernmental entities for forensic science research conducted in collaboration with governmental entities and safeguards to prevent conflicts of interest or undue bias or influence.

(c) ESTABLISHMENT AND IMPLEMENTATION.—After receiving the recommended plan of the Board under subsection (a), the Director shall establish, in accordance with section 101(f)(3), and implement a plan for encouraging collaboration among universities, nonprofit research institutions, State and local forensic science laboratories, private forensic science laboratories, private corporations, and the Federal Government to develop and perform cost-effective and reliable research in the forensic sciences, consistent with the research priorities established under section 401(b)(2).

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

#### **TITLE V—STANDARDS AND BEST PRACTICES**

##### **SEC. 501. DEVELOPMENT OF STANDARDS AND BEST PRACTICES.**

(a) COMMITTEE RECOMMENDATIONS.—

(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—

(A) validated protocols;

(B) quality assurance standards; and

(C) standards to be applied in reporting, including reports of identifications, analyses, or comparisons of forensic evidence that may be used during a criminal investigation or criminal court proceeding.

(2) REQUIREMENTS.—In developing the standards and best practices under paragraph (1), a Committee shall—

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

(B) consider existing validated protocols and best practices;

(C) develop standards and best practices that are designed to ensure the quality and scientific integrity of data, results, conclusions, analyses, and reports that are generated for use in the criminal justice system; and

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

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

(1) consider the recommendations; and

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

##### **SEC. 502. ESTABLISHMENT AND DISSEMINATION OF STANDARDS AND BEST PRACTICES.**

(a) IN GENERAL.—After the Board submits standards or best practices for a forensic science discipline under section 501(b), the Director shall, in accordance with section 101(f)(3), establish and disseminate standards and best practices for the forensic science discipline.

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

##### **SEC. 503. REVIEW AND OVERSIGHT.**

(a) REVIEW BY COMMITTEES.—

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

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

(A) input from qualified professional organizations;

(B) research published after the date on which the standards and best practices were established, including research conducted under title IV; and

(C) any changes to relevant law made after the date on which the standards and best practices were established.

(b) BOARD RECOMMENDATIONS.—Not later than 180 days after the date on which a Com-

mittee submits recommended updates to the standards and best practices under subsection (a), the Board shall, in accordance with section 103(f)(2)—

(1) consider the recommendations; and

(2) recommend to the Director any updates, as necessary, to the standards and best practices established under section 502.

(c) UPDATES.—After the Director receives recommended updates, if any, under subsection (b), the Director shall, in accordance with section 101(f)(3), update and disseminate the standards and best practices for each forensic science discipline as necessary.

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

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

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

#### **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.**

(a) IN GENERAL.—

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

(A) supporting the education and training of judges, attorneys, and law enforcement personnel in the forensic sciences and fundamental scientific principles, which shall include education on the competent use and evaluation of forensic science evidence; and

(B) developing a standardized curriculum for education and training described in subparagraph (A).

(2) ESTABLISHMENT.—Upon receipt of the recommendation from the Board under paragraph (1), the Director shall establish, in accordance with section 101(f)(3), and implement a plan for—

(A) supporting the education and training of judges, attorneys, and law enforcement personnel in the forensic sciences and fundamental scientific principles, which shall include education on the competent use and evaluation of forensic science evidence; and

(B) developing a standardized curriculum for education and training described in subparagraph (A).

(3) OVERSIGHT.—The Director, in consultation with the Board, shall periodically evaluate and, as necessary, update the plan established under paragraph (2).

(b) TECHNICAL ASSISTANCE, TRAINING, AND EDUCATION.—

(1) IN GENERAL.—The Director of the National Institute of Justice may, in consultation with the Director—

(A) provide technical assistance directly or indirectly to judges, attorneys, and law enforcement personnel in the forensic sciences and fundamental scientific principles, including the competent use and evaluation of forensic science evidence; and

(B) make grants to States and units of local government and nonprofit organizations or institutions to provide training to judges, attorneys, and law enforcement personnel about the forensic sciences and fundamental scientific principles, including the competent use and evaluation of forensic science evidence.

(2) REQUIREMENT.—On and after the date on which the Director establishes the plan for supporting the education and training of judges, attorneys, and law enforcement per-

sonnel in the forensic sciences and fundamental scientific principles under subsection (a)(2), the Director of the National Institute of Justice shall administer the grant program described in paragraph (1) in accordance with the plan.

##### **SEC. 602. EDUCATIONAL PROGRAMS IN THE FORENSIC SCIENCES.**

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

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

(2) recommendations as to whether the development of standards or requirements for educational programs in the forensic science disciplines and related fields is appropriate.

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

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

(2) any standards or requirements for education programs in the forensic science disciplines and related fields determined by the Director to be appropriate.

(c) EXISTING QUALIFIED PROFESSIONAL ORGANIZATIONS.—In recommending, establishing, and implementing the plan and standards described in subsections (a) and (b), the Board and the Director shall consider the role of qualified professional organizations that accredit forensic science education programs, and any standards developed by such qualified professional organizations.

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

(1) oversee the implementation of any standards or requirements established under subsection (b); and

(2) periodically evaluate and, as necessary, update the plan, standards, or requirements established under subsection (b).

##### **SEC. 603. MEDICOLEGAL DEATH INVESTIGATION.**

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

(1) a recommended plan to encourage the Federal Government and State and local governments to implement systems to ensure that qualified individuals perform medicolegal death investigations and to encourage qualified individuals to enter the field of medicolegal death investigation; and

(2) recommendations on whether and how the requirements, standards and regulations established under this Act should apply to individuals who perform medicolegal death investigations.

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

(1) a plan to encourage the Federal Government and State and local governments to implement systems to ensure that qualified individuals perform medicolegal death investigations and to encourage qualified individuals to enter the field of medicolegal death investigation; and

(2) any specific or additional standards or requirements for individuals who perform medicolegal death investigations determined by the Director to be appropriate.

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

(1) oversee the implementation of any standards or requirements established under subsection (b)(2); and

(2) periodically evaluate and, as necessary, update the plan, standards, and requirements established under subsection (b).

#### SEC. 604. INTERGOVERNMENTAL COORDINATION.

The Board and the Director shall regularly—

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

(2) coordinate with the Department of Homeland Security and other relevant Federal agencies to determine ways in which the forensic science disciplines may assist in homeland security and emergency preparedness; and

(3) coordinate with the United States intelligence community to make efficient and appropriate use of research and new technologies suitable for forensic science.

#### SEC. 605. ANONYMOUS REPORTING.

Not later than 3 years after the date of enactment of this Act, the Director shall develop a system for any individual to provide information relating to compliance, or lack of compliance, with the requirements, standards, and regulations established under this Act, which may include a hotline or Web site that has appropriate guarantees of anonymity and confidentiality and protections for whistleblowers.

#### SEC. 606. INTEROPERABILITY OF DATABASES AND TECHNOLOGIES.

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

(b) ESTABLISHMENT AND IMPLEMENTATION.—Upon receipt of the recommendation from the Board under subsection (a), the Director shall establish, in accordance with section 101(f)(3), and implement a plan to encourage interoperability among databases and technologies in each of the forensic science disciplines among all levels of Government, in all States, and where permitted by law, with the private sector.

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

#### SEC. 607. CODE OF ETHICS.

(a) RECOMMENDATIONS.—

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

(2) REQUIREMENTS.—In developing a recommended code of ethics under paragraph (1), the Board shall—

(A) consult with relevant qualified professional organizations; and

(B) consider any recommendations relating to a code of ethics or code of professional responsibility developed by the Subcommittee on Forensic Science of the National Science and Technology Council.

(b) ESTABLISHMENT AND INCORPORATION.—Upon receipt of the recommendation from the Board under subsection (a), the Director shall—

(1) in accordance with section 101(f)(3), establish a code of ethics for the forensic science disciplines; and

(2) as appropriate, incorporate the code of ethics into the standards for accreditation of forensic science laboratories and certification of relevant personnel established under this Act.

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

#### SEC. 608. NEEDS ASSESSMENT.

(a) IN GENERAL.—Not later than 18 months after the date of enactment of this Act, the Director shall conduct a needs assessment of State and local forensic service providers, including law enforcement agencies and medicolegal death examiners, in order to evaluate the capacity and resource needs of those providers. Such a needs assessment shall address the technology, equipment, personnel, recruitment, training, education, and research needs of those State and local forensic service providers.

(b) DEVELOPMENT OF NATIONAL STRATEGY.—Not later than 2 years after the date of enactment of this Act, the Director shall develop a national strategy for developing the capacity and resources of State and local forensic science providers and for addressing the needs identified in the assessment conducted pursuant to subsection (a).

(c) UPDATE OF ASSESSMENT AND NATIONAL STRATEGY.—Not less frequently than once every 5 years, the Director shall update the assessment conducted under subsection (a) and the national strategy developed under subsection (b).

By Mr. MCCONNELL:

S. 2183. A bill entitled “United States International Programming to Ukraine and Neighboring Regions”; considered and passed.

Mr. MCCONNELL. 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. 2183

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

#### SECTION 1. FINDINGS AND DECLARATIONS.

(a) Congress finds and declares the following:

(1) The Russian Government has deliberately blocked the Ukrainian people's access to uncensored sources of information and has provided alternative news and information that is both inaccurate and inflammatory.

(2) United States international programming exists to advance the United States interests and values by presenting accurate and comprehensive news and information, which is the foundation for democratic governance.

(3) The opinions and views of the Ukrainian people, especially those people located in the eastern regions and Crimea, are not being accurately represented in Russian dominated mass media.

(4) Russian forces have seized more than five television stations in Crimea and taken over transmissions, switching to a 24/7 Russian propaganda format; this increase in programming augments the already robust pro-Russian programming to Ukraine.

(5) United States international programming has the potential to combat this anti-democratic propaganda.

(b) PROGRAMMING.—Radio Free Europe/Radio Liberty (RFE/RL), Incorporated, and the Voice of America service to Ukraine and neighboring regions shall—

(1) provide news and information that is accessible, credible, and accurate;

(2) emphasize investigative and analytical journalism to highlight inconsistencies and misinformation provided by Russian or pro-Russian media outlets;

(3) prioritize programming to areas where access to uncensored sources of information is limited or non-existent, especially populations serviced by Russian supported media outlets;

(4) increase the number of reporters and organizational presence in eastern Ukraine, especially in Crimea;

(5) promote democratic processes, respect for human rights, freedom of the press, and territorial sovereignty; and

(6) take necessary preparatory steps to continue and increase programming and content that promotes democracy and government transparency in Russia.

(c) PROGRAMMING SURGE.—RFE/RL, Incorporated, and Voice of America programming to Ukraine and neighboring regions shall—

(1) prioritize programming to eastern Ukraine, including Crimea, and Moldova, and to ethnic and linguistic Russian populations, as well as to Tatar minorities;

(2) prioritize news and information that directly contributes to the target audiences' understanding of political and economic developments in Ukraine and Moldova, including countering misinformation that may originate from other news outlets, especially Russian supported news outlets;

(3) provide programming content 24 hours a day, seven days a week to target populations, using all available and effective distribution outlets, including—

(A) at least 8 weekly hours of total original television and video content in Ukrainian, Russian, and Tatar languages, not inclusive of live video streaming coverage of breaking news, to be distributed on satellite, digital, and through regional television affiliates by the Voice of America; and

(B) at least 14 weekly hours the total audio content in Ukrainian, Russian, and Tatar languages to be distributed on satellite, digital, and through regional radio affiliates of RFE/RL, Incorporated;

(4) expand the use, audience, and audience engagement of mobile news and multimedia platforms by RFE/RL, Incorporated, and the Voice of America, including through Internet-based social networking platforms; and

(5) partner with private sector broadcasters and affiliates to seek and start co-production for new, original content, when possible, to increase distribution.

(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated for fiscal year 2014, in addition to funds otherwise made available for such purposes, up to \$10,000,000 to carry out programming in the Ukrainian, Balkan, Russian, and Tatar language services of RFE/RL, Incorporated, and the Voice of America, for the purpose of bolstering existing United States programming to the people of Ukraine and neighboring regions, and increasing programming capacity and jamming circumvention technology to overcome any disruptions to service.

(e) REPORT.—Not later than 15 days after the date of the enactment of this Act, the Broadcasting Board of Governors shall submit to the Committees on Foreign Affairs and Appropriations of the House of Representatives and the Committees on Foreign Relations and Appropriations of the Senate a detailed report on plans to increase broadcasts pursuant to subsections (a) and (b).

By Mr. MCCONNELL (for himself,

Mr. HATCH, and Mr. COATS):

S.J. Res. 35. A joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Internal Revenue Service of the Department of the Treasury relating to liability under section 5000A of the Internal Revenue Code of 1986 for the

shared responsibility payment for not maintaining minimum essential coverage; to the Committee on Finance.

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

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

S. J. RES. 35

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That Congress disapproves the rule submitted by the Internal Revenue Service of the Department of the Treasury relating to liability under section 5000A of the Internal Revenue Code of 1986 for the shared responsibility payment for not maintaining minimum essential coverage (published at 78 Fed. Reg. 53646 (August 30, 2013)), and such rule shall have no force or effect.*

## SUBMITTED RESOLUTIONS

SENATE RESOLUTION 400—RECOGNIZING THE 50TH ANNIVERSARY OF THE GREAT ALASKA EARTHQUAKE, WHICH STRUCK THE STATE OF ALASKA AT 5:36 P.M. ON GOOD FRIDAY, MARCH 27, 1964, HONORING THOSE WHO LOST THEIR LIVES IN THE GREAT ALASKA EARTHQUAKE AND ASSOCIATED TSUNAMIS, AND EXPRESSING CONTINUED SUPPORT FOR RESEARCH ON EARTHQUAKE AND TSUNAMI PREDICTION AND MITIGATION STRATEGIES

Ms. MURKOWSKI (for herself, Mrs. FEINSTEIN, Ms. HIRONO, Mr. BEGICH, Mr. SCHATZ, and Mr. WYDEN) submitted the following resolution; which was considered and agreed to:

S. RES. 400

Whereas on Good Friday, March 27, 1964, the Great Alaska Earthquake struck the State of Alaska;

Whereas the Great Alaska Earthquake measured 9.2 on the moment magnitude scale, making it the largest recorded earthquake in United States history and the second-largest earthquake ever recorded using modern instruments;

Whereas the Great Alaska Earthquake was felt as far away as Seattle and was registered by water-level recorders in 47 States;

Whereas the Great Alaska Earthquake spawned tsunamis that devastated communities in Alaska and impacted the States of Washington, Oregon, California, and Hawaii, as well as Canada and Japan;

Whereas the Great Alaska Earthquake and associated tsunamis resulted in 131 fatalities, including 4 fatalities in Oregon and 12 fatalities in California, and an estimated \$3,750,000,000 in property losses in today's dollars;

Whereas the wealth of data collected during the Great Alaska Earthquake led to major breakthroughs in the scientific understanding of subduction zone earthquakes and earthquake hazards, resulting in improved earthquake mitigation strategies;

Whereas the study of the tsunamis associated with the Great Alaska Earthquake resulted in improved tsunami prediction and warning capabilities; and

Whereas the Great Alaska Earthquake spurred the United States Geological Survey, in cooperation with earthquake-impacted States, to install extensive earthquake monitoring networks across the United States and establish the National Center for Earthquake Research: Now, therefore, be it

*Resolved, That the Senate—*

(1) mourns the lives lost due to the Great Alaska Earthquake and associated tsunamis that occurred on Good Friday, March 27, 1964;

(2) recognizes the improved understanding of earthquakes and tsunamis and the scientific and technological advancements that resulted from the study of data collected during the Great Alaska Earthquake;

(3) commends the efforts of scientists and engineers from the United States Geological Survey, as well as those in Alaska, California, and other earthquake-impacted States, to improve earthquake and tsunami prediction and hazard mitigation strategies and protect the well-being of United States citizens threatened by these hazards;

(4) supports continued research, education, and outreach about earthquakes and other natural hazards; and

(5) encourages participation in the Great Alaska ShakeOut earthquake drill scheduled to occur on March 27, 2014.

SENATE RESOLUTION 401—RECOGNIZING EASY COMPANY, 2ND BATTALION OF THE 506TH PARACHUTE INFANTRY REGIMENT OF THE 101ST AIRBORNE DIVISION

Mr. TOOMEY (for himself and Mr. CASEY) submitted the following resolution; which was referred to the Committee on Armed Services:

S. RES. 401

Whereas Easy Company, 2nd Battalion comprised part of the 506th Parachute Infantry Regiment of the 101st Airborne Division of the United States Army;

Whereas Easy Company was immortalized by the heroic actions of its soldiers during World War II;

Whereas the book and miniseries, “Band of Brothers”, introduces a new generation of people of the United States to the valorous deeds of Easy Company;

Whereas Easy Company engaged in critical combat missions during World War II, including the Battle of Normandy, Operation Market Garden, the Battle of Bastogne, and the Allied capture of Hitler's Eagles Nest;

Whereas Easy Company was originally comprised of 140 soldiers, 12 of whom were natives of the State of Pennsylvania;

Whereas the Pennsylvania heroes who helped to form Easy Company were Richard D. “Dick” Winters, Thomas Meehan III, Harry F. Welsh, Jack Edward Foley, Joseph D. Toye, William J. Guarnere, Forrest L. Guth, Edward James Heffron, Albert Blithe, Carl L. Fenstermaker, Roderick G. Strohl, and Joseph A. Lesniewski;

Whereas Easy Company lost 49 soldiers, including Thomas Meehan III, who paid the ultimate price for freedom during World War II; and

Whereas with the passing of William J. Guarnere, also known as “Wild Bill”, on March 8, 2014, all of the Pennsylvania natives who served in Easy Company, except for Roderick G. Strohl, have passed away: Now, therefore, be it

*Resolved, That the Senate recognizes—*

(1) the impact of Easy Company and the bravery of all of the heroes who have served in the company; and

(2) the brave Pennsylvania natives who served in Easy Company.

SENATE RESOLUTION 402—EXPRESSING THE REGRET OF THE SENATE FOR THE PASSAGE OF SECTION 3 OF THE EXPATRIATION ACT OF 1907 (34 STAT. 1228) THAT REVOKED THE UNITED STATES CITIZENSHIP OF WOMEN WHO MARRIED FOREIGN NATIONALS

Mr. FRANKEN (for himself and Mr. JOHNSON of Wisconsin) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 402

Whereas throughout the history of the United States, women have made and continue to make invaluable contributions to society that strengthen the political, social, and economic fabric of the Nation and improve the lives of countless individuals;

Whereas women in the United States have been and continue to be leaders in promoting justice and equality during times of great difficulty for the Nation;

Whereas women in the United States have played a pivotal role in ensuring freedom and security in the United States;

Whereas section 3 of the Expatriation Act of 1907 (34 Stat. 1228) left thousands of women born in the United States, such as Elsie Knutson Moren from Minnesota and Theresa Rosella Schwan from Wisconsin, stateless and without a nationality after marrying a foreign national;

Whereas section 3 of the Expatriation Act of 1907 caused thousands of United States women, such as Lorella Martorana from Pennsylvania who lost her citizenship and was not able to vouch for her husband during his naturalization proceedings, and Lena Weide Demke from South Dakota who lost her citizenship and was almost deported during World War I, to have their loyalties questioned, face harassment, and be subject to deportation for various legal infractions;

Whereas section 3 of the Expatriation Act of 1907 affected numerous women, such as Florence Bain Gual, a New York City school teacher whose tenure was stripped after 15 years of teaching because she married a foreign national, causing them to face difficulties providing for their families because they lost, or were not able to gain, public employment after marrying a foreign national;

Whereas section 3 of the Expatriation Act of 1907 prevented women in the United States, such as Ethel MacKenzie from California who was unable to register to vote because she married a foreign national, from participating in the political process and casting ballots in various elections;

Whereas section 3 of the Expatriation Act of 1907 is similar to discriminatory State laws that criminalized or nullified marriages between individuals of different races;

Whereas the revocation of citizenship restricted the ability of numerous women in the United States to own houses and real estate;

Whereas an acknowledgment of the actions of the Senate that have contributed to discrimination against women will not erase the past, but will highlight the injustices of the national experience and help build a better, stronger, and more equal Nation; and

Whereas the Senate recognizes the importance of addressing the error of section 3 of the Expatriation Act of 1907 in order to educate the public and future generations regarding the impact of this law on women and to prevent a similar law from being enacted in the future: Now, therefore, be it

*Resolved, That the Senate—*