

**[STAFF WORKING DRAFT]**

APRIL 4, 2014

AMENDMENT NO. \_\_\_\_\_ Calendar No. \_\_\_\_\_

Purpose: In the nature of a substitute.

**IN THE SENATE OF THE UNITED STATES—113th Cong., 2d Sess.**

**S. 2022**

To establish scientific standards and protocols across forensic disciplines, and for other purposes.

Referred to the Committee on \_\_\_\_\_ and ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT IN THE NATURE OF A SUBSTITUTE intended to be proposed by \_\_\_\_\_

Viz:

1 Strike all after the enacting clause and insert the following:  
2

3 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

4 (a) **SHORT TITLE.**—This Act may be cited as the  
5 “Forensic Science and Standards Act of 2014”.

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

- Sec. 1. Short title; table of contents.
- Sec. 2. Findings.
- Sec. 3. Definitions.
- Sec. 4. National forensic science research initiative.
- Sec. 5. Implementation of forensic science research recommendations.
- Sec. 6. Forensic science research challenges.

- Sec. 7. Forensic science standards.
- Sec. 8. National Commission on Forensic Science.
- Sec. 9. Adoption, accreditation, and certification.
- Sec. 10. National Institute of Standards and Technology functions.
- Sec. 11. Effect on other laws.

1 **SEC. 2. FINDINGS.**

2 Congress finds that—

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

8 (2) the report states that research is needed to  
9 address issues of accuracy, reliability, and validity in  
10 the forensic disciplines;

11 (3) the report stresses the need for standards  
12 in methods, data interpretation, and reporting, and  
13 the importance of preventing cognitive bias and miti-  
14 gating human factors; and

15 (4) according to the report, forensic science re-  
16 search is not financially well supported, and there is  
17 a need for a unified strategy for developing a foren-  
18 sic science research plan across Federal agencies.

19 **SEC. 3. DEFINITIONS.**

20 In this Act:

21 (1) APPROPRIATE COMMITTEES OF CON-  
22 GRESS.—The term “appropriate committees of Con-  
23 gress” means the Committee on Commerce, Science,

1 and Transportation and the Committee on the Judi-  
2 ciary of the Senate and the Committee on Science  
3 and the Committee on the Judiciary of the House of  
4 Representatives.

5 (2) COMMISSION.—The term “Commission”  
6 means the National Commission on Forensic  
7 Science, a Federal advisory committee established  
8 under section 8.

9 (3) COORDINATING OFFICE.—The term “Co-  
10 ordinating Office” means the National Forensic  
11 Science Coordinating Office established under sec-  
12 tion 4.

13 (4) FORENSIC SCIENCE.—

14 (A) IN GENERAL.—The term “forensic  
15 science” means the basic and applied scientific  
16 research and its application to the collection,  
17 evaluation, and analysis of physical evidence, in-  
18 cluding digital evidence, for use in investiga-  
19 tions and legal proceedings, including all tests,  
20 methods, measurements, and procedures.

21 (B) APPLIED SCIENTIFIC RESEARCH.—In  
22 subparagraph (A), the term “applied scientific  
23 research” means a systematic study to gain  
24 knowledge or understanding necessary to deter-

1           mine the means by which a recognized and spe-  
2           cific need may be met.

3           (C) BASIC SCIENTIFIC RESEARCH.—In  
4           subparagraph (A), the term “basic scientific re-  
5           search” means a systematic study directed to-  
6           ward fuller knowledge or understanding of the  
7           fundamental aspects of phenomena and of ob-  
8           servable facts without specific applications to-  
9           wards processes or products in mind.

10          (5) INTERAGENCY COMMITTEE.—The term  
11          “Interagency Committee” means the interagency fo-  
12          rensic science committee established under section 4.

13          (6) STANDARDS DEVELOPMENT ORGANIZA-  
14          TION.—The term “standards development organiza-  
15          tion” means a domestic or an international organiza-  
16          tion that plans, develops, establishes, or coordinates  
17          voluntary consensus standards using procedures that  
18          incorporate openness, a balance of interests, con-  
19          sensus, due process, and an appeals process.

20   **SEC. 4. NATIONAL FORENSIC SCIENCE RESEARCH INITIA-**  
21                                   **TIVE.**

22          (a) ESTABLISHMENT.—There shall be a National Fo-  
23          rensic Science Research Initiative to improve, expand, and  
24          coordinate Federal research in the forensic sciences. Fed-  
25          eral participation shall include the National Science Foun-

1 dation, the National Institute of Standards and Tech-  
2 nology, the Department of Justice, and other Federal de-  
3 partments, agencies, and offices contributing to research  
4 in forensic science.

5 (b) NATIONAL FORENSIC SCIENCE COORDINATING  
6 OFFICE.—

7 (1) ESTABLISHMENT.—There is established a  
8 National Forensic Science Coordinating Office, with  
9 a full-time director and additional staff, as needed,  
10 to be located at the Office of Science and Tech-  
11 nology Policy.

12 (2) DIRECTOR.—The Director of the Coordi-  
13 nating Office shall be a senior Federal agency man-  
14 ager detailed to the Office of Science and Tech-  
15 nology Policy for a period of 3 years. Responsibility  
16 for providing a director shall rotate among the Fed-  
17 eral departments, agencies, or offices participating  
18 in the National Forensic Science Research Initiative.

19 (3) DUTIES OF THE DIRECTOR.—The Director  
20 shall be responsible for carrying out the provisions  
21 of this section, including coordinating the develop-  
22 ment of a unified Federal research strategy under  
23 subsection (e), working with the Federal depart-  
24 ments, agencies, and offices to execute the research  
25 strategy, coordinating the interagency forensic

1 science committee established in subsection (c), and  
2 overseeing periodic reviews of the initiative.

3 (4) FUNDING.—Responsibility to fund the Co-  
4 ordinating Office shall be shared by the Federal de-  
5 partments, agencies, and offices participating in the  
6 National Forensic Science Research Initiative. The  
7 Federal departments, agencies, and offices partici-  
8 pating in the National Forensic Science Research  
9 Initiative may dedicate additional full- or part-time  
10 staff to the Coordinating Office, as appropriate, to  
11 sustain ongoing activities, facilitate special studies,  
12 and provide additional support.

13 (c) INTERAGENCY FORENSIC SCIENCE COM-  
14 MITTEE.—There is established an interagency forensic  
15 science committee. The Interagency Committee shall be  
16 co-chaired by the Director of the Coordinating Office and  
17 a senior Federal agency scientist from a Federal depart-  
18 ment, agency, or office participating in the National Fo-  
19 rensic Science Research Initiative. Committee members  
20 shall include representatives from the National Science  
21 Foundation, the National Institute of Standards and  
22 Technology, the Department of Justice, the Department  
23 of Homeland Security, the Department of Defense, and  
24 other Federal departments, agencies, and offices contrib-  
25 uting to research in forensic science.

1 (d) REPORT ON FORENSIC SCIENCE.—Not later than  
2 180 days after the date of enactment of this Act—

3 (1) the Director of the National Science Foun-  
4 dation, in consultation with the Director of the Co-  
5 ordinating Office, shall contract with the National  
6 Academy of Sciences, or a similar external, inde-  
7 pendent science entity, to develop a report that—

8 (A) identifies the most critical forensic  
9 science disciplines that require further research  
10 to strengthen the scientific foundation in those  
11 disciplines;

12 (B) makes recommendations regarding re-  
13 search that will help strengthen the scientific  
14 foundation in the forensic science disciplines  
15 identified under subparagraph (A) and mecha-  
16 nisms to accomplish that research;

17 (C) takes into account previous studies and  
18 reports; and

19 (D) takes into account the expertise and  
20 needs of Federal, State, and local forensic  
21 science practitioners, law enforcement, the legal  
22 community, victim advocate organizations, and  
23 organizations that defend the wrongfully con-  
24 victed; and

1           (2) the entity contracted under paragraph (1)  
2 shall submit the report under that paragraph to the  
3 Director of the National Science Foundation, the Di-  
4 rector of the Coordinating Office, the Attorney Gen-  
5 eral, and the appropriate committees of Congress.

6           (e) UNIFIED FEDERAL RESEARCH STRATEGY.—The  
7 Director of the Coordinating Office, in coordination with  
8 the Interagency Committee, shall oversee—

9           (1) the development of a unified Federal re-  
10 search strategy that—

11           (A) specifies and prioritizes the research  
12 necessary to enhance the validity and reliability  
13 of the forensic science disciplines;

14           (B) is consistent with the recommendations  
15 in the report on forensic science under sub-  
16 section (d); and

17           (C) takes into account practical applica-  
18 tions and implementation of the research;

19           (2) the development of a 5-year roadmap, up-  
20 dated triennially thereafter, for the implementation  
21 of the unified Federal research strategy under para-  
22 graph (1) that includes a description of—

23           (A) which Federal department, agency, or  
24 office will carry out each specific element of the  
25 unified Federal research strategy;



1           (B) short-term and long-term priorities  
2           and objectives; and

3           (C) common metrics and other evaluation  
4           criteria that will be used to assess progress to-  
5           ward achieving the priorities and objectives  
6           under subparagraph (B); and

7           (3) the development of any necessary programs,  
8           policies, and budgets to support the implementation  
9           of the roadmap under paragraph (2), including  
10          mechanisms for joint-agency review of research pro-  
11          posals, for interagency co-funding of research activi-  
12          ties, and for information sharing across agencies.

13          (f) EVALUATION.—The Director of the Coordinating  
14          Office, in coordination with the Interagency Committee,  
15          shall—

16               (1) evaluate biennially the National Forensic  
17               Science Research Initiative to ensure that all activi-  
18               ties under this section, including research conducted  
19               under external grant activities, and through multi-  
20               disciplinary research centers or centers of excellence,  
21               meet the goals established by the unified Federal re-  
22               search strategy and implementation of the 5-year  
23               roadmap; and

24               (2) report biennially to the appropriate commit-  
25               tees of Congress the findings under paragraph (1).

1 (g) DEADLINES.—The Director of the Coordinating  
2 Office shall submit to the appropriate committees of Con-  
3 gress—

4 (1) not later than 180 days after the date of re-  
5 ceipt of the report on forensic science under sub-  
6 section (d), the unified Federal research strategy  
7 under subsection (e)(1);

8 (2) not later than 180 days after the date of re-  
9 ceipt of the report on forensic science under sub-  
10 section (d), the initial 5-year roadmap under sub-  
11 section (e)(2); and

12 (3) not later than 1 month after the date it is  
13 updated, each updated 5-year roadmap under sub-  
14 section (e)(2).

15 **SEC. 5. IMPLEMENTATION OF FORENSIC SCIENCE RE-**  
16 **SEARCH RECOMMENDATIONS.**

17 (a) ESTABLISHMENT.—Federal departments, agen-  
18 cies, and offices participating in the National Forensic  
19 Science Research Initiative, including the National Science  
20 Foundation, the National Institute of Standards and  
21 Technology, and the Department of Justice, in partner-  
22 ship with the Director of the Coordinating Office, shall  
23 improve the foundation and practice of forensic science in  
24 the United States by—

1 (1) conducting or supporting research con-  
2 sistent with the unified Federal research strategy  
3 under section 4;

4 (2) building relationships between forensic  
5 science practitioners and members of the research  
6 community;

7 (3) encouraging and promoting the education  
8 and training of a diverse group of people to be lead-  
9 ers in the interdisciplinary field of forensic science;  
10 and

11 (4) broadly disseminating the results of the re-  
12 search under paragraph (1).

13 (b) EXTERNAL GRANT ACTIVITIES.—All external fo-  
14 rensic science research grants awarded by the Federal de-  
15 partments, agencies, or offices under this section shall be  
16 consistent with the merit review criteria as approved by  
17 the National Science Board and described in the National  
18 Science Foundation Proposal and Award Policies and Pro-  
19 cedures Guide, including—

20 (1) the ability of each proposed research activ-  
21 ity to advance knowledge and understanding relevant  
22 to the forensic sciences and to benefit society or ad-  
23 vance desired societal outcomes;

24 (2) the potential for the research activity to ex-  
25 plore creative, original, or transformative concepts;

1           (3) the qualifications of the individual, team, or  
2           organization proposing the research activity and the  
3           adequacy of the research plan; and

4           (4) the adequacy of the resources available to  
5           the individual, team, or organization proposing the  
6           research activity.

7           (c) PUBLICATION.—All research conducted from  
8           grants awarded under this section by the Federal depart-  
9           ments, agencies, or offices shall take into consideration the  
10          requirements of peer-reviewed scientific journals, and en-  
11          courage the communication and open exchange of data  
12          and results to other agencies, policymakers, and the pub-  
13          lic.

14          (d) GRANT ACTIVITIES.—The National Science  
15          Foundation shall award grants to improve the foundation  
16          of forensic science in the United States. Additional mecha-  
17          nisms for implementation may include interagency solici-  
18          tations, workshops, interagency details and memoranda of  
19          understanding, cooperative research centers, pilot pro-  
20          grams, and demonstration projects.

21          (e) FORENSIC SCIENCE RESEARCH CENTERS.—

22                  (1) MULTIDISCIPLINARY RESEARCH CEN-  
23                  TERS.—

24                          (A) IN GENERAL.—As part of the National  
25                  Forensic Science Research Initiative, taking

1 into account the unified Federal research strat-  
2 egy under section 4(e), as informed by the re-  
3 port on forensic science required under section  
4 4(d), the Director of the National Science  
5 Foundation, in collaboration with other Federal  
6 departments, agencies, and offices contributing  
7 to research in forensic science, shall establish 1  
8 or more multidisciplinary research centers led  
9 by public-private partnerships between univer-  
10 sities, industry, State or local entities, and Fed-  
11 eral agencies. Each multidisciplinary research  
12 center shall be created with the following objec-  
13 tives:

14 (i) Conducting basic and translational  
15 research relevant for forensic science.

16 (ii) Encouraging the application of the  
17 research under clause (i) to practical uses.

18 (iii) Educating undergraduate and  
19 graduate students and developing a work-  
20 force in fields relevant to forensic science.

21 (B) EVALUATION.—The Director of the  
22 National Science Foundation shall conduct a  
23 comprehensive evaluation of the forensic science  
24 research grants awarded by the National

1 Science Foundation and multidisciplinary re-  
2 search centers every 4 years—

3 (i) to determine whether the National  
4 Science Foundation is achieving the objec-  
5 tives of improving the foundation of foren-  
6 sic science in the United States; and

7 (ii) to evaluate the extent to which the  
8 National Science Foundation is contrib-  
9 uting toward the priorities and objectives  
10 described in the roadmap under section  
11 4(e).

12 (C) REPORTING REQUIREMENT.—The Di-  
13 rector of the National Science Foundation shall  
14 report to the appropriate committees of Con-  
15 gress and the Director of the Coordinating Of-  
16 fice the results of each comprehensive evalua-  
17 tion under subparagraph (B).

18 (2) CENTER OF EXCELLENCE.—

19 (A) IN GENERAL.—The Director of the  
20 National Institute of Standards and Technology  
21 shall establish and operate a competitively se-  
22 lected Center of Excellence focusing on meas-  
23 urement sciences, technology, and standards in  
24 forensic science with the following objectives:

1 (i) To improve the standards of prac-  
2 tice in the forensic sciences in the United  
3 States.

4 (ii) To produce research collaborations  
5 between the National Institute of Stand-  
6 ards and Technology, academia, forensic  
7 science practitioners, and industry focused  
8 on accelerating innovations and new tech-  
9 nology development in the forensic  
10 sciences.

11 (iii) To fund the development of new  
12 forensics techniques, including automated  
13 testing methodologies, and to help transi-  
14 tion these techniques to industry and prac-  
15 titioners.

16 (iv) To fund the evaluation of new  
17 and existing forensic techniques in terms  
18 of reliability, cost effectiveness, and other  
19 metrics, as appropriate, and to help transi-  
20 tion these techniques to industry and prac-  
21 titioners.

22 (v) To provide training opportunities  
23 for undergraduate, graduate, and post-doc-  
24 toral students in measurement science, as  
25 is relevant to the forensic disciplines.

1 (vi) To encourage interdisciplinary re-  
2 search in the forensic sciences by  
3 leveraging access to unique National Insti-  
4 tute of Standards and Technology facilities  
5 and expertise, as appropriate.

6 (vii) To broadly disseminate the re-  
7 sults of the National Institute of Stand-  
8 ards and Technology forensic science re-  
9 search.

10 (B) EVALUATION.—The Director of the  
11 National Institute of Standards and Technology  
12 shall conduct a comprehensive evaluation of the  
13 Center of Excellence every 4 years—

14 (i) to determine whether the Center of  
15 Excellence is achieving the objectives out-  
16 lined in subparagraph (A);

17 (ii) to evaluate the extent to which the  
18 Center of Excellence is contributing toward  
19 the priorities and objectives described in  
20 the roadmap under section 4(e).

21 (C) REPORT REQUIREMENT.—The Direc-  
22 tor of the National Institute of Standards and  
23 Technology shall report to the appropriate com-  
24 mittees of Congress and the Director of the Co-



1           ordinating Office the results of each comprehen-  
2           sive evaluation under subparagraph (B).

3 **SEC. 6. FORENSIC SCIENCE RESEARCH CHALLENGES.**

4       (a) PRIZES AND CHALLENGES.—

5           (1) IN GENERAL.—A Federal department, agen-  
6           cy, or office may assist in satisfying the research  
7           needs and priorities identified in the unified Federal  
8           research strategy under section 4 by using prizes  
9           and challenges under the America COMPETES Re-  
10          authorization Act (124 Stat. 3982) or under any  
11          other provision of law, as appropriate.

12          (2) PURPOSES.—The purpose of a prize or  
13          challenge under this section, among other possible  
14          purposes, may be—

15                (A) to determine or develop the best data  
16                collection practices or analytical methods to  
17                evaluate a specific type of forensic data;

18                (B) to quantify or improve the efficiency,  
19                reliability, or accuracy of an analytical method;

20                (C) to design new methodologies to inte-  
21                grate evidence collection, documentation, and  
22                analysis at crime scenes; or

23                (D) to address other topics as proposed by  
24                the forensic science community.

1 (b) FORENSIC DATA SETS.—The National Institute  
2 of Standards and Technology or the Department of Jus-  
3 tice shall provide or contract with a non-Federal party to  
4 prepare, when necessary, for each prize carried out under  
5 this section, a sufficient set of data or samples, including  
6 associated digital data that could be shared without limita-  
7 tion and physical specimens that could be shared with  
8 qualified parties, for purposes of a prize or challenge.

9 **SEC. 7. FORENSIC SCIENCE STANDARDS.**

10 (a) ESTABLISHMENT.—

11 (1) IN GENERAL.—To enhance the validity and  
12 reliability of forensic science activities, the National  
13 Institute of Standards and Technology shall—

14 (A) identify and coordinate the develop-  
15 ment of voluntary consensus forensic science  
16 standards, including—

17 (i) methods, standards, and technical  
18 guidance, including protocols and best  
19 practices, for analysis and interpretation;

20 (ii) technical standards useful in the  
21 development of products employed by fo-  
22 rensic science practitioners;

23 (iii) standard content, terminology,  
24 and parameters to be used in reporting the  
25 results and interpretation of forensic

1 science measurements, tests, and proce-  
2 dures; and

3 (iv) standards for the interoperability  
4 of forensic science-related technology and  
5 databases;

6 (B) develop forensic science measurement  
7 standards, standard reference materials, and  
8 other reference materials to support forensic  
9 science disciplines and associated measure-  
10 ments;

11 (C) test and validate existing forensics  
12 science standards, as appropriate; and

13 (D) provide independent validation of fo-  
14 rensic science measurements and methods.

15 (2) CONSULTATION.—

16 (A) IN GENERAL.—In carrying out its re-  
17 sponsibilities under paragraph (1), the National  
18 Institute of Standards and Technology shall  
19 consult with, and in carrying out its responsibil-  
20 ities under paragraph (1)(A) may partner or  
21 contract with—

22 (i) standards development organiza-  
23 tions and other stakeholders, including the  
24 Department of Justice and other relevant

1 Federal departments, agencies, and offices;  
2 and  
3 (ii) testing laboratories, State and  
4 local forensic science practitioners, and  
5 certification and accreditation bodies, as  
6 appropriate.

7 (3) PRIORITIZATION.—When prioritizing its re-  
8 sponsibilities under paragraph (1), the National In-  
9 stitute of Standards and Technology shall con-  
10 sider—

11 (A) the unified Federal research strategy  
12 and roadmap under section 4; and

13 (B) the recommendations of the scientific  
14 area committees under subsection (b).

15 (4) REPORT TO CONGRESS.—The Director of  
16 the National Institute of Standards and Technology  
17 shall report biennially to the appropriate committees  
18 of Congress on the progress in carrying out the Na-  
19 tional Institute of Standards and Technology’s re-  
20 sponsibilities under paragraph (1).

21 (b) SCIENTIFIC AREA COMMITTEES.—

22 (1) IN GENERAL.—The Director of the National  
23 Institute of Standards and Technology and the At-  
24 torney General shall establish scientific area commit-  
25 tees to identify gaps in and opportunities for stand-

1       ards development in the forensic sciences. The sci-  
2       entific area committees shall report to and be ad-  
3       ministered by the Director of the National Institute  
4       of Standards and Technology.

5           (2) DUTIES.—The scientific area committees  
6       shall be the primary mechanism for identifying and  
7       coordinating the development of voluntary consensus  
8       forensic science standards as described in subsection  
9       (a). The scientific area committees shall submit, for  
10      consideration by forensic science stakeholders and by  
11      the Commission established in section 8, guidance on  
12      these forensic science standards. In accomplishing  
13      this objective, the scientific area committees shall—

14           (A) encourage information exchange within  
15           the forensic science community, to include re-  
16           searchers, practitioners, law enforcement, and  
17           legal professionals;

18           (B) ensure that standards development is  
19           appropriate to the needs of the forensic science  
20           community and relevant to practical applica-  
21           tions;

22           (C) take into account existing studies and  
23           reports; and

24           (D) by holding public meetings and dis-  
25           seminating work products for public review and

1 comment to the extent practicable, support pub-  
2 lic participation in the standards development  
3 process and the broad adoption of forensic  
4 science standards.

5 (3) MEMBERS.—The scientific area committees  
6 shall have significant representation from forensic  
7 science practitioners, academic researchers, and stat-  
8 isticians to balance scientific rigor with practical and  
9 regulatory constraints. Each member of a scientific  
10 area committee shall have significant academic, re-  
11 search, or practical expertise in a discipline of foren-  
12 sic science or in another area relevant to the purpose  
13 of the scientific area committee.

14 (4) FEDERAL ADVISORY COMMITTEE ACT.—A  
15 scientific area committee established under this sub-  
16 section shall not be subject to the Federal Advisory  
17 Committee Act (5 U.S.C. App.).

18 (c) AUTHORIZATION OF APPROPRIATIONS.—There  
19 are authorized to be appropriated out of otherwise avail-  
20 able appropriations to the National Institute of Standards  
21 and Technology to carry out this section—

- 22 (1) \$8,000,000 for fiscal year 2014;
- 23 (2) \$12,000,000 for fiscal year 2015; and
- 24 (3) \$16,000,000 for fiscal year 2016.

1 **SEC. 8. NATIONAL COMMISSION ON FORENSIC SCIENCE.**

2 (a) ESTABLISHMENT.—The Director of the National  
3 Institute of Standards and Technology and the Attorney  
4 General, in consultation with the Director of the National  
5 Science Foundation, shall establish a National Commis-  
6 sion on Forensic Science.

7 (b) DUTIES.—The Commission shall—

8 (1) provide advice to the Federal departments,  
9 agencies, and offices implementing the unified Fed-  
10 eral research strategy under section 4;

11 (2) provide advice to the National Institute of  
12 Standards and Technology, including recommenda-  
13 tions regarding the National Institute of Standards  
14 and Technology's responsibilities under section 7;

15 (3) receive and review guidance on standards  
16 setting from the scientific area committees estab-  
17 lished under section 7 and, based on this guidance,  
18 advise the Department of Justice on the promotion  
19 of forensic science standards; and

20 (4) provide advice to the Department of Jus-  
21 tice, including recommendations regarding the devel-  
22 opment of a forensic science uniform code of profes-  
23 sional responsibility and the Department of Justice's  
24 responsibilities under section 9.

25 (c) SUBCOMMITTEES.—The Commission may form  
26 subcommittees related to specific disciplines in forensic

1 science or as necessary to further its duties under sub-  
2 section (b). A subcommittee may include an individual who  
3 is not a member of the Commission.

4 (d) CHAIRS.—The Director of the National Institute  
5 of Standards and Technology and the Attorney General,  
6 or their designees, shall co-chair the Commission.

7 (e) MEMBERSHIP.—The Director of the National In-  
8 stitute of Standards and Technology and the Attorney  
9 General, in consultation with the Director of the National  
10 Science Foundation, shall appoint each member of the  
11 Commission. The Commission shall include balanced rep-  
12 resentation between forensic science disciplines (including  
13 academic scientists, statisticians, social scientists, engi-  
14 neers, and representatives of other related scientific dis-  
15 ciplines) and relevant forensic science applications (includ-  
16 ing Federal, State, and local representatives of the foren-  
17 sic science community, the legal community, victim advo-  
18 cate organizations, and law enforcement).

19 (f) ADMINISTRATION.—The Attorney General shall  
20 provide administrative support to the Commission.

21 (g) FEDERAL ADVISORY COMMITTEE ACT.—The  
22 Commission established under this section shall not be  
23 subject to section 14 of the Federal Advisory Committee  
24 Act (5 U.S.C. App.).



1 **SEC. 9. ADOPTION, ACCREDITATION, AND CERTIFICATION.**

2 The Attorney General shall promote the adoption of  
3 forensic science standards developed under section 7, in-  
4 cluding—

5 (1) by requiring, as appropriate, each labora-  
6 tory under the Department of Justice to adopt the  
7 forensic science standards;

8 (2) by encouraging other Federal forensic lab-  
9 oratories to adopt the forensic science standards;

10 (3) by promoting accreditation and certification  
11 requirements based on the forensic science stand-  
12 ards; and

13 (4) by promoting any recommendations made  
14 by the Commission for adoption and implementation  
15 of forensic science standards.

16 **SEC. 10. NATIONAL INSTITUTE OF STANDARDS AND TECH-**  
17 **NOLOGY FUNCTIONS.**

18 Section 2(b) of the National Institute of Standards  
19 and Technology Act (15 U.S.C. 272(b)) is amended—

20 (1) in paragraph (12), by striking “and” after  
21 the semicolon;

22 (2) in paragraph (13), by striking the period at  
23 the end and inserting “; and”; and

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

25 “(14) to identify and coordinate the develop-  
26 ment of voluntary consensus forensic science stand-

1           ards to enhance the validity and reliability of foren-  
2           sic science activities.”.

3 **SEC. 11. EFFECT ON OTHER LAWS.**

4           Nothing in this Act shall be construed to affect or  
5 alter the support and technical assistance for State and  
6 local laboratories under part BB of title I of the Omnibus  
7 Crime Control and Safe Streets Act of 1968 (42 U.S.C.  
8 3797j et seq.).