



*American Academy of Forensic Sciences
American Society of Crime Laboratory Directors
International Association for Identification
National Association of Medical Examiners
Society of Forensic Toxicologists/ American Board of Forensic Toxicology*

September 1, 2022

Honorable Gina M. Raimondo
Secretary of Commerce
U.S. Department of Commerce
1401 Constitution Ave. NW
Washington, DC 20230

Dear Madam Secretary,

On behalf of the Consortium of Forensic Science Organizations, representing 21,000 forensic science and forensic medical practitioners, we want to express our strong support for the grant created in the recent CHIPS and Science Act of 2022. As you are aware, this bill was signed into law by the President on August 9, 2022, directing NIST “to establish a competitive program of grants for nongovernmental standards development organizations” (SDOs). We urge your support for funding this grant in the FY23 appropriations bill in addition to your continued support in the ensuing budget years.

Congress has authorized and the President has signed the CHIPS and Science Act (PL 116-283) creating a NIST competitive grant for federal assistance to non-governmental SDOs for the purposes of developing, approving, disseminating, maintaining, and reviewing forensic science voluntary consensus standards and best practices. The standards created by SDOs are the last and necessary step in the process to make national standards. While NIST’s Organization of Scientific Area Committees (OSAC) provides draft documents to be considered for national standards, without this last step, the OSAC proposed standards remain mere drafts in most instances that cannot be systematically recognized, adopted, and implemented by forensic science and forensic medicine service providers.

Concurrently, it is our understanding that the Senate Appropriations Subcommittee on Commerce, Justice, Science, and Related Agencies’ draft FY23 appropriations bill has requested the Department of Commerce “. . . to report to the Committee whether Federal support is necessary for Standards Development Organizations in order to further advance the use of forensic standards.” We believe that it is imperative that SDOs receive Federal support to ensure the development of voluntary consensus standards proposed by the OSAC and other entities.

Because OSAC is not an SDO, documents produced by the OSAC must go through further vetting to become a standard. By going through an SDO, they become a “voluntary consensus standard” suitable for adoption by forensic science providers. SDOs have a process for the public and the stakeholder community to propose comments that must be adjudicated with the response recorded as the standard is developed. The standard is considered for technical merit, fitness for purpose, and other important considerations such as practicability of implementation.

The final SDO standards developed from the OSAC proposed standards are vital to increasing the reliability and validity of forensic science testing, testimony, and uniformity throughout our judicial system. The SDO standards assist the court and its officers in determining conformance with Federal Rule of Evidence 702 and state rules for the admissibility of scientific evidence.

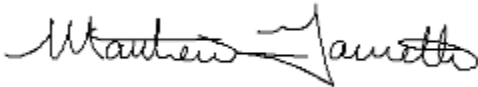
The prominence of consensus standards in forensic science was established in the 2009 seminal National Research Council (NRC) Report, *Strengthening Forensic Science in the United States: A Path*

Forward. That report stated, “. . . Standards and best practices create a professional environment that allows organizations and professions to create quality systems, policies, and procedures and maintain autonomy from vested interest groups. Standards ensure desirable characteristics of services and techniques such as quality, reliability, efficiency, and consistency among practitioners.”

In concert with that esteemed report, we urge you to respond affirmatively to the Appropriations Subcommittee’s request and support funding for the NIST SDO competitive grant program.

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Sincerely,



Matthew Gamette M.S., C.P.M.
CFSO Chair,
On behalf of the CFSO Board

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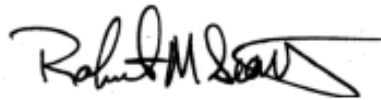
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Cc: Laurie Locascio, NIST Director