



*CONSORTIUM OF FORENSIC SCIENCE
ORGANIZATIONS (CFSO)*

BUDGET BRIEF

APRIL 2024

The mission of the CFSO is to speak with a single forensic science voice on behalf of its member organizations of matters of mutual interest regarding forensic science, to influence public policy at the national level, and to make a compelling case for greater federal funding for public crime laboratories and medical examiner and coroner offices. The primary focus of the CFSO is national, state, and local policymakers, as well as the United States Congress.

FEDERAL FY24 BUDGET

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The FY24 budgets for forensics have been completed and signed into law by the President. As much of the media has been reporting the budgets which address funding for forensics took the biggest hit in the lengthy process this year. Of note the CDC’s budget has not passed yet. We will update this chart when it is complete. While this report is lengthy it is important to read the accompanying language as it provides direction to the agencies from Congress as to how to spend the funding. Of note the Congress is requesting another Forensics Needs Assessment. If you should have any questions please do not hesitate to contact the CFSO and we will be able to assist in any questions you should have.

DOJ	FY23 Actual	FY24 Request	Final FY24
Program			
Byrne Memorial Justice Assistance Grant			
National Missing and Unidentified Persons System (NamUs)	\$3.5m	\$5m	\$3m
Missing Persons and Identified Remains Act	\$8.0m	\$7.0m	\$5m
Forensics Ballistic Program in Higher Education	\$1.5m	0	\$1.5m
National Center of Forensics	0	\$4.0m	N/A
Forensic Science Research and Development Program (new program)	0	\$15m	\$8m
DNA Programs	\$170.0m	\$147.0m	\$153m
DNA Analysis and Capacity Enhancement Program-Debbie Smith	\$130.0m	\$112.0m	\$120m
Other Federal, State, and Local Forensic Activities	\$20.0m	\$19.0m	\$15m
Kirk Bloodsworth Post Conviction DNA Testing Program	\$15.0m	\$12.0m	\$14m
Sexual Assault Forensic Exam Program Guide	\$5.0m	\$4.0m	\$4.0m
Community Teams to Reduce the Sexual Assault Kit (SAK) Backlog	\$55m	\$100m	\$51.5m
Regional Sexual Assault Investigative Training Academies	0	\$20m	\$20m
Paul Coverdell Forensic Science Grants	\$35m	\$34m	\$34m
Forensic Support for Opioid and Synthetic Drug Investigations	\$17.0m	\$17m	No carve out
Medical Examiners			
Forensics Training and Technical Assistance (new program)	0	\$5m	0
CARA (Comprehensive Opioid Use Reduction Activities) Forensic Support for opioid and synthetic drug investigations	0	0	0
FBI 2 nd DNA Laboratory	0	0	\$30m
Commerce: NIST			
Forensic Science Research	\$22.0m	N/A	\$22m
OSAC	\$3.5m	N/A	\$3.5m
Technical Merit Evaluations	\$1.5m	N.A	\$1.5m
SDO Grant	\$1.5m	0	\$1.5m
HHS: CDC			
Opioid Overdose Prevention and Surveillance	\$505.579m	\$713.369m	N/A
National Violent Death Reporting System (NVDRS)	\$24.5m	\$34.5m	N/
Sexual Assault Nurse Examiners Program			

N/A=not available

LANGUAGE

DEPARTMENT OF JUSTICE

HOUSE	SENATE	FINAL
	<p><i>Analysis of Digital Evidence.</i>—The Department’s law enforcement components increasingly rely on the analysis of digital evidence in the course of their investigations. The Department is directed to provide a report, within 1 year of the date of the enactment of this act, on the conclusions and recommendations of the litigation Steering Committee. The report should address opportunities and challenges the components are facing with respect to processing backlogs; training requirements for digital forensic examiners and agents that use digital evidence in criminal investigations; technical and legal impediments to secure transmission and sharing with law enforcement and governmental partners; methods for secure and centralized storage; reliance on the use of removable media; and any resource challenges or gaps with respect to digital evidence.</p>	<p><i>Analysis of Digital Evidence.</i>-The agreement adopts the directive under this heading in the Senate report, and further directs the Department to brief the Committees, no later than 90 days after the enactment of this act, regarding the use of evidence from digital devices in the course of its investigations.</p>
<p><i>Savanna’s Act.</i>—The Committee appreciates the steps taken by the Department to implement Savanna’s Act (Public Law 116-206). The Committee believes improved data collection is critical to better addressing the crisis of murdered and missing Indigenous women. The Committee seeks the Department’s recommendations on how data collection on missing or murdered Indigenous people can be improved, consistent with Public Law 116-206. The Committee directs the Department to update the Committee on its progress in implementing this legislation.</p>		<p><i>Savanna’s Act.</i>-The agreement directs the Department to provide recommendations on how data collection on missing or murdered Indigenous people can be improved, consistent with Savana’s Act (Public Law 116-165), and, within 90 days of enactment of this act, directs the Department to brief the Committees on its progress in implementing this legislation</p>

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		<p><i>DOJ Grants Oversight.</i> -The agreement directs the Department to provide, in the fiscal year 2024 spend plan submitted pursuant to section 528 of this act, a clear explanation of how each solicitation for funds reserved under section 506(b)(1) of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10157) satisfies the requirement that such funds be us "to combat, address, or otherwise respond to precipitous or extraordinary increases in crime, or in a type or types of crime."</p>
	<p><i>Law Enforcement Advanced Analytics.</i>— DOJ's law enforcement components, including the Bureau of Alcohol, Tobacco, Firearms and Explosives [ATF], DEA, and the FBI, increasingly rely on the analysis of huge volumes of information, including open source information, in the conduct of investigations and the execution of their public safety missions. Within the funding recommendations for each agency, the Committee directs ATF, DEA, and the FBI to implement software using advanced analytics to correlate open source, commercial, and native agency data. Advanced analytics and data correlation can act as a force multiplier for each agency, supplementing and providing investigative leads and increasing velocity of investigations.</p>	
	<p><i>Law Enforcement in the United States Antarctic Program [USAP].</i>—Law enforcement responsibilities at the Antarctic re- search sites of the National Science Foundation [NSF] are vested in the McMurdo Station Manager. Pursuant to a 1992 memorandum from the Deputy Attorney General, the U.S. Marshals Service appoints the Station Manager as a Special Deputy U.S. Marshal. The Committee is aware of concerns regarding the sufficiency of this arrangement, particularly with respect to the prevention of and response to sexual assault and stalking. The Department is directed to submit a report, in coordination with NSF and the NSF Office of Inspector General, assessing law enforcement in the USAP.</p>	

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	The report shall assess the sufficiency of the existing law enforcement program and consider alternative approaches, and shall be submitted within 180 days of the enactment of this act.	
FBI		
	<p><i>National Bioforensic Analysis Center—</i> The Committee recognizes the need to maintain operations at the National Bioforensic Analysis Center [NBFAC]. The Committee supports the bioforensic analysis and investigations performed at NBFAC and appreciates that the NBFAC currently operates under a cost-sharing memorandum with the DHS, for the FBI to maintain ongoing operations at this facility. The Committee provides \$21,840,000 for the FBI’s role at the NBFAC.</p>	
<p><i>Targeting fentanyl.—</i>The Committee directs the FBI to allocate the maximum amount of available resources, as practicable, to support a comprehensive, multi-pronged criminal enterprise strategy to target fentanyl and opioid trafficking on Darknet and Clearnet, enhance intelligence activities and money laundering, and support investigations that focus on identifying, targeting, disrupting, degrading, and dismantling transnational criminal organizations (TCOs).</p>		<p><i>Targeting Fentanyl.-</i>The agreement directs the FBI, within funds provided, to allocate the maximum amount of available resources, as practicable, to support a comprehensive, multi-pronged criminal enterprise strategy to target fentanyl and opioid trafficking on Darknet and Clearnet, enhance intelligence and anti-money laundering activities, and support investigations that focus on identifying, targeting, disrupting, degrading, and dismantling transnational criminal organizations (TCOs). <i>TCOs and Counternarcotics Investigations.-</i>The agreement urges the FBI to continue its efforts to address TCOs and counter narcotics investigations in Central America.</p>
<p><i>Department of Homeland Security-related DNA collections.—</i>The Committee notes that, in April 2020, the Department amended the DNA Fingerprint Act of 2005’s implementing rule, halting the Department of Homeland Security’s practice of waiving DNA collections with respect to non-United States persons detained</p>	<p>CONSTRUCTION-For necessary expenses, to include the cost of equipment, furniture, and information technology requirements, related to construction or acquisition of buildings, facilities, and sites by purchase, or as otherwise authorized by law; conversion, modification, and extension of federally owned buildings; preliminary planning and design of projects; and operation and maintenance of secure work</p>	<p>The agreement includes \$30,000,000 for FBI construction.</p>

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<p>under the authority of the United States. As a result of the DHS DNA collection expansion, the FBI Laboratory began receiving for processing an average of 92,000 DNA samples per month (over 10 times the historical sample volume). The Committee understands that prior to the ending of the Title 42 emergency health authority policy at the border, a backlog of approximately 650,000 samples had developed. With the end of Title 42, the FBI anticipates it will be receiving an additional 50,000 samples per month due to increased DHS detentions, despite struggling to meet its existing demand. The Committee agrees with the FBI that investment in additional DNA laboratory processing capabilities and technology is critical to maintaining and enhancing the FBI's ability to address emerging threats and help mission critical information reach partners and investigators in an expeditious manner. To address the substantial capacity and storage challenges incurred by the FBI, and to increase border security, the recommendation includes \$30,000,000 for construction of additional DNA lab capacity outside the National Capital Region.</p>	<p>environment facilities and secure networking capabilities; \$30,000,000, to remain available until expended: <i>Provided</i>, That such amount shall be used for a second DNA laboratory: <i>Provided further</i>, That, notwithstanding any other provision of law, unobligated balances from prior year appropriations made available under Federal Bureau of Investigation, Construction, for a new headquarters,</p>	
<p><i>Targeting fentanyl.</i>—The Committee directs the FBI to allocate the maximum amount of available resources, as practicable, to support a comprehensive, multi-pronged criminal</p>		

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<p>enterprise strategy to target fentanyl and opioid trafficking on Darknet and Clearnet, enhance intelligence activities and money laundering, and support investigations that focus on identifying, targeting, disrupting, degrading, and dismantling transnational criminal organizations (TCOs).</p>		
DEA		
	<p><i>Fentanyl Analogues.</i>—Given the worsening opioid epidemic, Congress encourages DEA to continue its efforts to test and schedule fentanyl-related substances to advance the scientific and medical research of these dangerous substances. The DEA shall report, and make available for public comment, the scientific and medical evaluation provided by the Secretary of Health and Human Services as part of any proposed rule in the Federal Register relating to the scheduling of a fentanyl-related substance. The DEA shall include all pharmacological data that it considered, as well as information related to the identification and testing of the substance that is the subject of the proposed rule. The Department shall report to the Committees on Appropriations and the Judiciary, within 90 days of enactment of this act, the status of studies and scheduling recommendations for all fentanyl analogues it has identified.</p>	
	<p><i>Fentanyl Trafficking.</i>—The Committee directs the DEA to use the provided funding to develop a comprehensive fentanyl tracking system, which includes documentation of seizure location, chemical composition, probable or known manufacturing location, and probable or known point of entry into the U.S., if applicable. The DEA shall report back to the Committee on these efforts within 90 days of the enactment of this act.</p>	
	<p><i>Hemp Testing Technology.</i>—The Agriculture Improvement Act of 2018 (Public Law 115-334) removed hemp</p>	

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	<p>and its derivatives from the Controlled Substances Act (Public Law 91–513, as amended), and authorized the production, consumption, and sale of hemp and hemp-derived products in the United States. The act requires random testing to ensure hemp meets the definition under the law of having a delta-9 tetrahydrocannabinol [THC] concentration of less than 0.3 percent. The Committee is aware that DEA has developed field-testing kits that can distinguish between hemp and marijuana on the spot. The Committee directs the DEA to continue to work to ensure State and local law enforcement have access to this field test technology so they can more efficiently conduct their drug interdiction efforts at the local level. The Committee further directs the DEA to report to the Committee not later than 180 days after enactment of this act, and not less than every 6 months thereafter, until such time as testing kits are deployed to State and local law enforcement in the field.</p>	
<p><i>Digital evidence.</i>—The Committee recognizes the critical role of digital evidence collected from mobile devices in investigations by the DEA, drug task forces, and State and local partners. The Committee understands that better analytical tools for digital evidence can disrupt criminal syndicates that traffic narcotics and precursor chemicals across our borders to distribute within the United States. The Committee directs the DEA to report to the Committee on the cost of establishing and formalizing a tiered digital evidence program encompassing the entire digital evidence workflow, from the collection and review to the analysis conducted by field agents and laboratory forensic</p>	<p><i>Digital Evidence to Combat the Fentanyl Crisis.</i>—Digital evidence technology enables adherence to standardized, secure operating procedures required to legally collect, forensically review, and efficiently analyze digital evidence with similar rigor and consistency to wiretaps, DNA, and fingerprint evidence. The Committee urges DEA to establish and formalize a tiered digital evidence enterprise program. Such a program should encompass the entire digital evidence workflow, including collection, review, and analysis by agents, analysts, and forensic examiners. DEA program personnel should uniformly deploy digital evidence technical capabilities and training across all DEA Divisions. With access to digital intelligence technology and training, DEA personnel can leverage capabilities like automation, machine learning, and optical character recognition to enable sharing and analysis of collected digital evidence both internally for deconfliction and externally with other</p>	<p><i>Digital Evidence to Combat the Fentanyl Crisis.</i>—The agreement urges DEA to establish and formalize a tiered digital evidence enterprise program. The agreement directs DEA to report to the Committees on the cost of establishing and formalizing a tiered digital evidence program encompassing the entire digital evidence workflow in which DEA personnel would uniformly deploy digital evidence technical capabilities and training across all 23 DEA divisions. The agreement further directs DEA to report to the Committees on its strategic plan on the utilization of established internationally and nationally recognized training programs and policy and procedures development utilizing already established national best practices. Finally, the agreement directs the DEA to report its strategic plan on its current state and future state partnerships with state and local digital laboratories and to develop a</p>

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<p>examiners, in which DEA personnel would uniformly deploy digital evidence technical capabilities and training across all 23 DEA divisions.</p>	<p>Federal agencies and State and local partners.</p>	<p>collaborative and comprehensive best practices document</p>
ATF		
<p><i>National Integrated Ballistic Information Network.</i>—The Committee continues to support expansion of NIBIN, including the increase of regional NIBIN entry stations housed within ATF’s field offices, to allow for more participation from law enforcement partners. The Committee continues to support ATF’s efforts to ensure that law enforcement agencies have access to NIBIN’s correlation services—in particular, through the expansion of the NIBIN National Correlation and Training Center (NNCTC). The Committee encourages ATF to continue to build on these investments. In addition, the Committee notes that Byrne Justice Assistance Grants (JAG) funding may be used to acquire, or obtain access to, ballistic identification technology that will enable agencies to participate in NIBIN, including technologies that enhance the efficiency and accuracy of ballistics imaging triage, reduce turnaround times for analysis of ballistics evidence, and improve the sharing of information and data among law enforcement agencies.</p> <p>Further, the Committee recognizes the ongoing work</p>	<p><i>NIBIN Expansion.</i>—The Committee supports efforts to expand the use of NIBIN and to ensure all law enforcement agencies have access to NIBIN’s correlation services, including through the NIBIN National Correlation and Training Center [NNCTC]. The Committee appreciates the investments being made by State and local partners to collect and share ballistics evidence across geographically separated law enforcement jurisdictions and encourages ATF to continue to build on these investments and consider additional service models to offer departments, including Tribal law enforcement agencies, access to NIBIN. The Committee further directs that ATF examine ways to expand access to NIBIN to State and local agencies in the New England and southwest border regions.</p>	<p><i>National Integrated Ballistic Information Network (NIBIN).</i>—The agreement directs the continued expansion of NIBIN, including additional entry stations, additional law enforcement coordination, expanded training and technology investments to Tribal law enforcement, within funds provided. The agreement directs that ATF examine ways to expand access to NIBIN to state and local agencies in the New England and southwest border regions.</p>

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<p>ATF has underway in an effort to expand NIBIN training and technology to Tribal law enforcement and encourages ATF to continue these efforts to ensure Tribal jurisdictions have access to NIBIN correlation services. The Committee supports efforts to include both cartridge casings and bullets, where feasible, in the NIBIN program and encourages the Department to promote NIBIN as a critical forensic science tool and to identify opportunities to build partnerships with institutions of higher education to use NIBIN as part of their criminal justice training programs. The Committee recognizes the nationwide need for additional firearms examiners and technicians, and notes that prior year funding under State and Local Law Enforcement Assistance for the Forensics Ballistics Programs in Higher Education Program aids in this effort, as it exposes and educates students on the importance of firearm ballistics through the utilization of NIBIN.</p>		
	<p><i>Training Law Enforcement Partners.—</i> The Committee expects ATF to continue to provide training to local and State law enforcement agencies on submitting trace requests of firearms recovered in criminal investigations to ATF. Firearm tracing provides critical information to assist law enforcement agencies investigate and solve firearms crimes. The Committee supports the ongoing efforts of Federal, State, and local law enforcement agencies to solve violent crimes and urges ATF to pr</p>	
<p><i>Enhancing capacity of ballistic matches.—</i> Within funds provided, the</p>		<p><i>Enhancing Capacity of Ballistic Matches.—</i> Within the funds provided, the agreement encourages ATF to</p>

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<p>Committee encourages the ATF to prioritize the development and implementation of technologies that enhance the efficiency and accuracy of ballistics imaging triage, reduce turnaround times for analysis of ballistics evidence, and improve the sharing of information and data among law enforcement agencies. The Committee encourages the ATF to ensure such efforts support the ATF’s National Integrated Ballistic Information Network (NIBIN) and Crime Gun Intelligence Center (CGIC) initiatives to fight gun violence. The Committee further encourages the ATF to coordinate with State and local law enforcement agencies on adoption of technology that aligns with their needs. The Committee directs the ATF to re- port to the Committee, no later than one year after the date of the enactment of this Act, on the availability and viability of such technology, including by assessing its effectiveness in providing real- time forensic-based intelligence to law enforcement and any challenges associated with its adoption, and including recommendations for improvements.</p>		<p>prioritize the development and implementation of technologies that enhance the efficiency and accuracy of ballistics imaging triage, reduce turnaround times for analysis of ballistics evidence, and improve the sharing of information and data among law enforcement agencies. ATF is further encouraged to prioritize the implementation of currently available technologies that enhance the efficiency and accuracy of bullet imaging comparisons. The agreement encourages ATF to ensure such efforts support NIBIN and Crime Gun Intelligence Center (CGIC) initiatives to address gun violence. The agreement further encourages ATF to coordinate with state and local law enforcement agencies on the adoption of technology that aligns with their needs. Finally, the agreement directs ATF to report to the Committees, no later than one year after the date of the enactment of this act, on the availability and viability of such technology, including by assessing its effectiveness in providing real-time forensic-based intelligence to law enforcement and any challenges associated with its adoption, and any recommendations for improvements.</p>
<p><i>Unauthorized release of trace data.</i>—Federal law restricts the release of firearm trace data. Although the ATF advises the Committee it understands the critical importance of safeguarding firearms trace data to protect ongoing law enforcement investigations, the ATF is not demonstrating</p>		

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<p>that it takes seriously violations of trace data restrictions. The Committee notes that the National Tracing Center is authorized to trace a firearm that has been used, or is suspected of being used, in a crime for a law enforcement agency only in the course of a bona fide criminal investigation. Trace data, which is both critical and sensitive information, can be used lawfully by law enforcement entities for agency licensing proceedings and for criminal investigative purposes. The Committee further notes that the circumstances under which trace data may be shared are clearly delineated in Federal law, and sharing trace data for purposes other than those defined by law with unauthorized individuals or groups is a violation of Federal law and could jeopardize criminal investigations, agency proceedings, and put the safety of Federal, State, and local law enforcement officers and Federal firearms licensees at risk.</p> <p>The Committee directs the ATF to update agency guidance to reaffirm Federal law concerning the public release of firearm trace data, make such guidance available in prominent locations on the ATF website, require acknowledgement of dissemination restrictions on all forms both electronic and paper related to trace requests, investigate violations of this law, and consider deeming violators</p>		

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ineligible for the receipt of trace data in the future.		
OJP		
		<p><i>Edward Byrne Memorial Justice Assistance Grant Program.-The Department is directed to continue following the directives in House Report 117-97 adopted by Public Law 117-103 on "Byrne Memorial Justice Assistance Grant (Byrne JAG) Formula program", and in the joint explanatory statement accompanying Public Law 117-103 on "Uses of Byrne-JAG Funds." The agreement reinforces that Byrne JAG funds may be used by state, local, and Tribal law enforcement to combat and prevent hate crimes, to hire and train cybercrime personnel, and to train law enforcement and emergency dispatch personnel in cybercrime and encourages the use of these funds to support canine programs. The agreement urges the Department to release Byrne JAG funds as expeditiously as possible and clarifies that Byrne JAG funding may not be made available for luxury items, real estate, or construction projects</i></p>
<p><i>Grant programs crosswalks.—The Committee directs the Department to provide the Committees on Appropriations, no later than 60 days after the enactment of this Act, a crosswalk of the Office on Violence Against Women (OVW), Office of Justice Programs (OJP), and Community Oriented Policing Services Office (COPS) grant program solicitations. The Committee directs the Department to include in such crosswalks the same level of information and detail as was provided to the Committee with respect to the solicitations of the Department’s grant program offices in fiscal year 2023.</i></p>		<p><i>Grant Programs Crosswalks.-The Department is directed to provide the Committees, as part of the spend plan submitted pursuant to section 528 of this act, a crosswalk of the Office on Violence Against Women (OVW), Office of Justice Programs (OJP), and Community Oriented Policing Services Office (COPS) grant program solicitations, which includes the same level of information and detail as was provided to the Committee with respect to the solicitations of the Department's grant program offices in fiscal year 2023.</i></p>

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	<p><i>Spending Plans.</i>—The Department shall submit to the Committee, as part of its spending plan for State and Local Law Enforcement Activities, a plan for the use of all funding administered by the National Institute of Justice [NIJ] and the Bureau of Justice Statistics [BJS], respectively, for approval by the Committee prior to the obligation of any such funds.</p>	
<p><i>Improving grant reporting.</i>—The Committee takes notice of the recent GAO report entitled, “Grants Management: Actions Needed to Improve Agency Reporting of Expired Grants,” and highlights the recommendation that the Department “should resume reporting on undisbursed balances from expired grants in its annual Agency Financial Report or Performance and Accountability Report and annual performance plan,” as required by section 524 of this Act. The Committee expects the Department to fulfill this recommendation and to resume reporting this information.</p>		<p><i>Improving Grant Reporting.</i>-The agreement notes the recent GAO report entitled, "Grants Management: Actions Needed to Improve Agency Reporting of Expired Grants," and highlights the recommendation that the Department "should resume reporting on undisbursed balances from expired grants in its annual Agency Financial Report or Performance and Accountability Report and annual performance plan," as required by section 524 of this act. The Department is expected to fulfill this recommendation and to resume reporting this information.</p>
	<p><i>Assessment of NIJ and BJS.</i>—Directives under the Foundations for Evidence-Based Policymaking Act of 2018 (Public Law 115-435) (Evidence Act) and other congressionally-requested initiatives have given NIJ and BJS additional responsibilities and obligations. The Committee directs OJP to conduct a full assessment of the impact of these dynamics on NIJ and BJS’s ability to keep pace with cutting-edge scientific practices and emerging policy needs. OJP is further directed to develop a forward-looking vision for strengthening these agencies’ ability to respond nimbly to and anticipate future</p>	

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	<p>needs and scientific developments over the next decade and identify the resources needed to achieve this vision. These activities should be integrated, where possible, into OJP's implementation of the Evidence Act. OJP shall provide an update to the Committee on its progress within 180 days from the enactment of this act.</p>	
	<p><i>BJS.</i>—The Committee's recommendation provides \$42,500,000 for the BJS. The recommendation is \$500,000 above the fiscal year 2023 level and \$35,500,000 below the budget request</p>	
	<p><i>NIJ.</i>—The Committee's recommendation provides \$35,500,000 for the NIJ, in addition to \$2,500,000 transferred from the OVW for research and evaluation on violence against women and Indian women.</p>	
<p><i>Forensic science operational needs assessment.</i>—The Committee instructs the Department to study the projected workload, backlog, personnel, workforce, resources, and equipment needs of forensic science providers and forensic medical service providers and report its findings, no later than 180 days after the enactment of this Act, both to the Committee and publicly. The Committee encourages the Department to conduct the study in conjunction with the Forensic Laboratory Needs Technology Working Group and the Federal Interagency Medicolegal Death Investigation Working Group. In creating the report, the Committee directs the Department to consider the most recent Bureau of Justice Statistics census reports on publicly funded forensic science service providers, digital forensic science service providers, and medical examiner and</p>	<p><i>Report on Forensic Laboratory Resource Requirements.</i>—NIJ shall submit a report to the Committee, within 1 year of the date of the enactment of this act, evaluating the projected workload, backlog, personnel, workforce, resource, and equipment needs of forensic science providers and forensic medical service providers. The study should be conducted in conjunction with the Forensic Laboratory Needs Technology Working Group and the Federal Interagency Medicolegal Death Investigation Working Group. The report should review all relevant reports and recommendations, as well as the practical and applied implications of any other scientific reports on forensic science with relevance to the operational, quality management, and practical needs of the forensic science community.</p>	<p><i>Forensic Science Operational Needs Assessment.</i>-NIJ shall provide a report to the Committees on the projected workload, backlog, personnel, workforce, resources, necessary turnaround times for law enforcement officers and officers of the court, and equipment needs of forensic science providers and forensic medical service providers, no later than 180 days after the enactment of this act. The report should be conducted in conjunction with the Forensic Laboratory Needs Technology Working Group and the Federal Interagency Medicolegal Death Investigation Working Group. Further, the Department shall consider in its reporting the most recent BJS census reports on publicly funded forensic science service providers, digital forensic science service providers, and medical examiner and coroner offices; the NIJ report entitled, "Report to Congress: Needs Assessment of Forensic Laboratories and Medical Examiner/Coroner Offices" and other relevant studies; and the practical and applied implications of any other scientific reports on forensic science with relevance to the operational, quality management, and practical</p>

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<p>coroner offices; the National Institute of Justice report entitled, “Report to Congress: Needs Assessment of Forensic Laboratories and Medical Examiner/Coroner Offices”; any other relevant studies; and the practical and applied implications of any other scientific reports on forensic science with relevance to the operational, quality management, and practical needs of the forensic science community.</p>		<p>needs of the forensic science community.</p>
	<p><i>Forensic Ballistics and Higher Education.</i>—Subject to approval from ATF, educational institutions can join NIBIN in collaboration with local law enforcement agencies. Through the use of ballistics identification equipment, these NIBIN initiatives can provide students with hands-on training in the processing of firearms evidence used to generate actionable crime gun intelligence. The Committee provides \$2,500,000 for a competitive grant program for universities and technical colleges, to acquire ballistics identification equipment and support forensic ballistics programs.</p>	
	<p><i>Paul Coverdell Forensic Science.</i>—The recommendation provides a total of \$35,000,000, of which \$17,000,000 is to target specifically the challenges the opioid crisis</p>	
	<p><i>DNA Backlog and Crime Lab Improvements.</i>—The Committee continues its strong support for DNA backlog and crime lab improvements by recommending \$170,000,000 to strengthen and improve Federal and State DNA collection and analysis systems that can be used to accelerate the prosecution of the guilty while simultaneously protecting the innocent from wrongful prosecution. Within the funds provided, \$130,000,000 is for Debbie Smith DNA Back- log Reduction grants, \$15,000,000 is for Kirk Bloodsworth Post- Conviction DNA Testing grants, \$5,000,000 is for Sexual Assault Forensic Exam Program grants,</p>	

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	<p>and \$20,000,000 is for other State and local forensic activities. An additional \$20,000,000 is provided for Access to Sexual Assault Nurse Examinations grants under the Violence Against Women Prevention and Prosecution Programs.</p> <p>The Committee expects that the OJP will make funding for DNA analysis and capacity enhancement a priority in order to meet the purposes of the Debbie Smith DNA Backlog Grant Program. The Committee directs the Department to submit, as part of its fiscal year 2024 spending plan, a detailed description of the DNA-related and forensic programs, including a description of the alignment of appropriated funds with the authorized purposes of the Debbie Smith DNA Backlog Grant Program.</p> <p>The Committee appreciates the Department’s publication of data and metrics on the effectiveness of this program. For example, more than half of all matches made on the Combined DNA Index System [CODIS] are attributable to cases and offender samples processed through this Federal grant program. The Committee encourages the Department to continue to track and annually report such metrics related to how this program contributes to the number of cases and offender samples submitted to CODIS, as well as to the related number of CODIS matches.</p>	
<p><i>DNA backlog and crime lab improvements.</i>—The Committee supports prioritizing funding for DNA analysis and capacity enhancement in order to meet the purposes of the Debbie Smith DNA Backlog Grant Program. The Committee instructs the Department to submit to the Committee, as part of its fiscal year 2024 spending plan for State and Local Law</p>	<p><i>DNA-related and Forensics Programs.</i>—The Committee continues to direct the Department to allocate funds for DNA-related and forensics programs in compliance with all relevant requirements, including the Justice for All Reauthorization Act of 2016 (Public Law 114–235), the Justice Served Act of 2018 (Public Law 115– 257), and appropriations directives.</p>	

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<p>Enforcement Activities, a plan with respect to funds appropriated for DNA-related and forensic programs, including the alignment of appropriated funds with the authorized purposes of the Debbie Smith DNA Backlog Grant Program. The Committee notes that metrics historically reported by the Department regarding the success of the Debbie Smith DNA Backlog grant help the Committee evaluate the effectiveness of the funding. The Committee encourages the Department to continue to track, and annually report, the number offender samples submitted to Combined DNA Index System (CODIS) as a result of this program, as well as to the corresponding number of CODIS hits.</p>		
<p><i>Forensic genetic genealogical DNA analysis.</i>—The Committee understands that, although forensic genetic genealogy (FGG) is often associated with cold case investigations in which DNA samples submitted to CODIS did not produce a hit, increasingly, contemporary cases are being solved using this tool. The Committee recognizes local law enforcement agencies’ interest in this technology and acknowledges that resource challenges often impede the use of FGG to solve cold cases and prevent future crimes. Within the amount included for the Sexual Assault Kit Initiative (SAKI), the Committee directs the Department to allocate no less than \$5,000,000 for grants in</p>		<p><i>Forensic Genetic Genealogical (FGG) DNA Analysis.</i>-Within amounts provided for the Office of Justice Programs, the agreement directs the Department to support efforts to use FGG to investigate unsolved violent crimes, without regard to the status of an applicant agency’s sexual assault kit inventory. The Department is directed to track and report regularly on the number of FGG samples analyzed, the types of DNA technology deployed, and the number of perpetrators or human remains identified as a result. Further, the Department is encouraged to fund additional grants for the use of FGG technology under other appropriate programs including, but not limited to, the National Missing and Unidentified Persons System (NamUs) program</p>

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<p>support of efforts to use FGG to investigate unsolved violent crimes, without regard to the status of an applicant agency’s sexual assault kit inventory. The Committee directs the Department to track and report on the number of FGG samples analyzed, the types of DNA technology deployed, and the number of perpetrators or human remains identified as a result. Further, the Committee encourages the Department to fund additional grants for the use of FGG technology under other appropriate programs including, but not limited to, the National Missing and Unidentified Persons System (NamUs) program.</p>		
<p><i>Sexual Assault Kit Initiative.</i>—The Committee encourages the Department to maximize the results of investments in sexual assault kit (SAK) testing by identifying best practices for addressing issues that arise following suspect identification, such as victim notification, investigation, prosecution, documentation, forensic advancements, inter-jurisdiction sharing, and tracking. The Committee also supports the Department’s efforts to assist cross-jurisdictional and cross-platform data sharing to identify and pursue repeat offenders operating in multiple jurisdictions. Further, the Committee supports efforts to estimate cost savings that result from the prevention of future offenses due to SAK testing. The Committee instructs the Bureau of</p>	<p><i>Sexual Assault Kit Initiative.</i>—The Committee’s recommendation includes \$55,000,000 to continue a competitive grant program started in fiscal year 2015 as part of the initiative to reduce the backlog of rape kits at law enforcement agencies. OJP shall provide competitively awarded grants with a comprehensive community-based approach to addressing the resolution of cases in the backlog.</p> <p>The Committee believes it is important for the Department to maximize the results of investments in sexual assault kit [SAK] testing through continued research to identify best practices for State, local, and Tribal jurisdictions in handling the myriad issues that arise from perpetrator identification—such as victim notification, investigation, prosecution, documentation, forensic advancements, inter-jurisdiction sharing, and tracking. The Committee further believes it is critically important to fund efforts to support cross-jurisdiction and cross-site data sharing to identify and pursue repeat offenders operating in multiple jurisdictions.</p>	

HOUSE	SENATE	FINAL
<p>Justice Assistance (BJA) to provide an update on the number of partially tested kits, and any backlog on testing.</p>	<p>Finally, the Committee believes that further work to validate the extensive cost savings that result from the prevention of future offenses as a result of SAK testing is needed. The Committee directs the Department to support efforts that advance these objectives; and further directs BJA to issue a report within 1 year of the enactment of this act on the number of partially tested kits.</p>	
<p><i>Sexual assault nurse examiner training.</i>—The Committee recommends \$20,000,000 for grants to support access to sexual assault nurse examinations and for regional sexual assault investigative training academies.</p>		<p><i>Access to Sexual Assault Nurse Exams.</i>- The agreement includes \$10,000,000 for grants for regional sexual assault nurse examiner (SANE) training, salaries for SANEs and sexual assault forensic examiners (SAFEs), and technical assistance and resources to increase access to SANEs and SAFEs, as authorized by the Violence Against Women Act of 2022 (division W of Public Law 117-103). OVW is further directed to follow the directives described in the Senate report under the same heading.</p>
	<p><i>Sexual Assault Survivors' Bill of Rights.</i>—The Committee again provides \$10,000,000 as part of the STOP grants for the recently enacted Sexual Assault Survivors' Bill of Rights, a new and consequential grant program that incentivizes States to codify and standardize survivor rights. OVW did not request funding for this new program in fiscal year 2024, and the Committee is concerned about this gap in funding and apparent lack of urgency from OVW to implement this new program. The Committee directs the Department to submit a report to the Committee, within 120 days of enactment of this act, detailing any applicants deemed by OVW as ineligible for this funding, reasons for the ineligibility, and any recommended technical fixes to help the program achieve its intended goals.</p>	<p><i>Sexual Assault Survivors' Bill of Rights.</i>- The agreement again provides \$10,000,000 as part of the STOP grants for the recently enacted Sexual Assault Survivors' Bill of Rights, a new and consequential grant program that incentivizes states to codify and standardize survivor rights. OVW did not request funding for this new program in fiscal year 2024, and the agreement notes this gap in funding and OVW's reported challenges in implementing this new program. The agreement directs the Department to submit a report to the Committee, within 120 days of enactment of this act, detailing any applicants deemed by OVW as ineligible for this funding the reasons for the ineligibility.</p>
	<p><i>Access to Sexual Assault Nurse Exams.</i>—The Committee's recommendation includes \$20,000,000 for grants for regional sexual assault nurse examiner [SANE] training, salaries for SANEs and sexual assault forensic examiners [SAFEs], and technical assistance and</p>	<p><i>Access to Sexual Assault Nurse Exams.</i>- The agreement includes \$10,000,000 for grants for regional sexual assault nurse examiner (SANE) training, salaries for SANEs and sexual assault forensic examiners (SAFEs), and technical assistance and resources to</p>

HOUSE	SENATE	FINAL
	<p>resources to increase access to SANEs and SAFEs, as authorized by the Violence Against Women Act of 2022 (division W of Public Law 117-103). The Committee encourages the Department to prioritize areas where nationwide gaps exist in the availability and quality of post-sexual assault medical forensic care, including rural, Tribal, underserved communities, and urban areas. The Committee directs the OVW to collaborate with the Office for Victims of Crime to implement this program in coordination with other funding opportunities designed to enhance the quality and availability of post-sexual assault medical forensic care, to include multidisciplinary settings responding to the abuse of both children and adolescents.</p>	<p>increase access to SANEs and SAFEs, as authorized by the Violence Against Women Act of 2022 (division W of Public Law 117-103). OVW is further directed to follow the directives described in the Senate report under the same heading.</p>
	<p><i>Science Advisory Board</i>-The Committee recognizes the contributions of OJPs Science Advisory Board and encourages the re-establishment of the Board. The Board worked to provide extra-agency review of, and recommendations for, OJPs research, statistics, and grants program. The re-established Board should be comprised of scholars and practitioners in criminology, statistics, and sociology, as well as practitioners in the criminal and juvenile justice fields, and should be tasked with ensuring the programs and activities of OJP are scientifically sound and pertinent to policymakers and practitioners.</p>	
<p><i>Novel psychoactive substances research.</i>—The Committee encourages the Department to use research and testing to help combat the influx of novel psychoactive substances, such as new forms of synthetic opioids.</p>		
<p><i>Support for cybercrime grants in the Edward Byrne Memorial Justice Assistance Grant program.</i>—The Committee supports the use of Byrne Justice Assistance Grant (JAG) program funds to hire and retain cybercrime personnel in fiscal year</p>		

HOUSE	SENATE	FINAL
<p>2024, including cybercrime analysts and investigators. The Committee also supports the use of Byrne JAG funds for the training of law enforcement and emergency dispatch personnel in the area of cybercrime.</p>		
<p><i>Forensic support for opioid and synthetic drug investigations.</i>— The Committee recommends \$190,000,000 for the Comprehensive Opioid, Stimulant & Substance Use Disorder Program. Of these funds, the recommendation includes \$17,000,000 for grants to assist State and local crime labs’ and medical examiner and coroner offices’ efforts to analyze evidence related to opioid and synthetic drug poisonings, among other purposes.</p>		
<p><i>Rapid DNA at booking stations.</i>—The Committee recognizes that implementing Rapid DNA systems at booking stations allows law enforcement to quickly analyze DNA samples and upload qualifying arrestee samples, per State law, to the national database system for near-immediate searches against the index of unsolved crimes while the offender is still in custody. With the enactment of Public Law 115–50, Congress authorized the FBI to establish a Rapid DNA index in the national DNA database to better facilitate quick and accurate identification of repeat violent offenders.</p>		<p><i>Rapid DNA at Booking Stations.</i>-The agreement recognizes that the implementation of booking station Rapid DNA programs are an eligible use of Byrne JAG and SAKI funds and strongly supports the allocation of funds for this purpose within the funds provided and at a level not less than fiscal year 2023. The agreement directs the Department to assist with the initial costs associated with updating criminal history systems, integration with booking station systems, and purchasing new technologies associated with Rapid DNA.</p>

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<p>Currently, DNA samples collected under State statutory authority for inclusion in the national DNA database must be sent to a State crime lab, where backlogs can stretch for weeks or months. The Committee is excited about the potential for this technology to re- move violent offenders from the streets. However, the Committee is concerned with the slow uptake of these systems. Since the FBI published its guidance entitled, “Standards for the Operation of Rapid DNA Booking Systems by Law Enforcement Booking Agencies” in 2020, only two States have received approval for participation. The Committee understands that despite interest, many States are struggling to make updates to centralized State criminal information systems that would enable local access to the Rapid DNA index. Additionally, once such systems are developed, agencies face additional start-up hurdles in purchasing equipment and establishing appropriate network connections. To encourage greater use of rapid DNA booking station systems and assist with initial costs associated with updating criminal history systems, integration with booking station systems, and purchasing new technology, the Committee directs the Department to allocate \$5,000,000 of the amount included for DNA-related and forensic programs and activities for grants for the</p>		

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implementation of booking station Rapid DNA programs.		
<p><i>Wrongful Conviction Review program.</i>—The Committee recognizes the need for legal representation and investigation services for individuals with post-conviction claims of innocence. Given the urgent need to identify and remediate wrongful convictions, the recommendation instructs the Department to award Wrongful Conviction Review program grants to applicants that provide high quality and efficient post-conviction representation for defendants with post-conviction claims of innocence. The Committee notes that Wrongful Conviction Review grantees may be nonprofit organizations, institutions of higher education, or State or local public defender offices with in-house post-conviction representation programs with demonstrable experience and competence in litigating post-conviction claims of innocence. The Committee further notes that funds may support the following activities: grantee provision of post-conviction legal representation of innocence claims, the evaluation, review, and management of cases, expert review and testimony, potentially exonerative forensic testing, and investigation services related to supporting these post-conviction innocence claims.</p>		
<p><i>Marijuana impairment.</i>—The Committee continues to support the development of</p>		

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<p>an objective standard to measure marijuana impairment and a related objective field sobriety test to improve highway safety. Section 25026 of Public Law 117-58 requires the Secretary of Transportation, in consultation with the Attorney General and Secretary of Health and Human Services, to issue a report and recommendations for improving access to samples and strains of marijuana for scientific research on marijuana-impaired driving. The Committee emphasizes the need for research that encompasses the diversity, quality, and potency of products commonly available to patients or consumers in States on a retail basis. Consistent with the directive contained under this heading in House Report 117-395 as adopted by Public Law 117-328, the Committee directs the Department to update the Committee on the progress toward expanded researcher access. The Committee expects the Department to provide the briefing no later than 60 days after the enactment of this Act, and in advance of the publication of the report and recommendations required by Public Law 117-58.</p>		

DEPARTMENT OF COMMERCE

HOUSE	SENATE
	<p><i>Forensic Sciences.</i>—The Committee provides no less than the fiscal year 2023 enacted level for forensic science research, including level funding to support the Organization of Scientific Area Committees and technical merit evaluations.</p>

HEALTH AND HUMAN SERVICES

HOUSE	SENATE
	<p><i>Sexual Assault Nurse Examiners Program.</i>—The Committee provides \$15,000,000 to support training and certification of Registered Nurses, Advanced Practice Registered Nurses, and Forensic Nurses to practice as sexual assault nurse examiners.</p>
	<p><i>Opioid or Other Drug Use and Overdose Prevention.</i>—The Committee continues to encourage CDC to ensure that funding for opioid and stimulant use and overdose prevention, as well as other emerging substances and threats, reaches local communities to advance local understanding of the opioid overdose epidemic and to scale-up prevention and response activities. Additionally, CDC is directed to continue expansion of case-level syndromic surveillance data, improvements of interventions that monitor prescribing and dispensing practices, better timeliness and quality of morbidity and mortality data, as well as the enhancement of efforts with medical examiners and coroner offices.</p>
	<p><i>Barriers to Research.</i>—The Committee is concerned that restrictions associated with Schedule I of the Controlled Substances Act effectively limits the amount and type of research that can be conducted on certain Schedule I drugs, especially opioids, psychedelics, marijuana or its component chemicals, and new synthetic drugs and analogs. At a time when we need as much information as possible about these drugs and antidotes for their harmful effects, we should be addressing regulatory and other barriers to conducting this research. The Committee appreciates NIDA's completion of a report on the barriers to research that result from the classification of drugs and compounds as Schedule I substances including the challenges researchers face as a result of limited access to sources of marijuana, including dispensary products.</p>
	<p><i>Overdose Analogs.</i>—Recognizing the increasing severity of the National opioid crisis and the need to better our options for responding to, treating, and preventing overdoses, the Committee encourages NIDA to prioritize research to expedite</p>

HOUSE	SENATE
	treatments for and prevention of overdose from fentanyl and related analogs. Grant recipients should be able to develop and advance additional treatment and overdose prevention options such as a human IgG1 monoclonal antibody specific for fentanyl and structurally related fentanyl analogs to be delivered by intravenous, subcutaneous, and/ or intramuscular (i.e., auto-injection) routes of administration.

AGENCY BUDGET SUBMITTAL LANGUAGE

DEPARTMENT OF JUSTICE (referencing forensics)

Forensic Science Research and Development Program (\$15.0 million): The FY 2024 Budget requests \$15.0 million as a carve-out under the Byrne Justice Assistance Grants (JAG) program to establish a dedicated program to support forensic science research designed to promote criminal justice system efficiencies and cost-effectiveness and ensure the fair and impartial administration of justice. The program will fund both intramural and extramural research and support collaborative partnerships with academic, governmental, and private entities across the criminal justice and research communities. NIJ will also leverage this program to support graduate research fellowships in science, technology, engineering, and mathematics (STEM) fields to increase the number of research-oriented practitioners, who are critical to serving the needs of the field.

In FY 2024, the President’s Budget requests \$15.0 million to establish a dedicated program to support forensic science research and development. NIJ will use the program to implement Department priorities through mission-driven research in the physical and social sciences to evaluate field implementation and measure the impact of innovative forensic technologies and practices. Expected outcomes include new technologies, tools, and evidence-based practices that improve the strength and efficiency of forensic science. The resulting improvements to forensic science will promote criminal justice system efficiencies and cost-effectiveness, and the fair and impartial administration of justice.

The Forensic Science Research and Development Program will fund both intramural and extramural research and support collaborative partnerships with academic, governmental, and private entities across the criminal justice and research communities. NIJ would also leverage this program to support graduate research fellowships in science, technology, engineering, and mathematics (STEM) fields to increase the number of research-oriented practitioners, who are critical to serving the needs of the field. Accordingly, NIJ seeks to: 1) create and sustain this necessary program; 2) expand forensic research into digital evidence, forensic genetic genealogy, and the application of artificial intelligence, including machine learning; and 3) couple forensic science innovations with social science evaluations of field implementation and impact, thus promoting the adoption of evidence-based technologies and practices nationwide.

Justification: The request will allow OJP to continue to provide strong federal leadership in forensic science. It aligns with the Administration’s priorities of providing research to enhance the criminal justice system and implementing state-of-the-art tools for fighting crime and improving the reliability of forensic analysis to enable examiners to report results with increased specificity and certainty. Forensic science research provides law enforcement and crime laboratories with novel techniques and tools to analyze evidence in a court of law. As a result, forensic science research enhances the criminal justice system by providing more efficient, higher-quality technologies which can expedite and inform investigations and prosecutions, such as improving the quality and application of impression and pattern evidence, as well as developing drug-analyzing tools to combat the opiate crisis and drug-impaired driving.

Funding forensic science research is widely supported by criminal justice organizations and the scientific community. For example, the Innocence Project "supports increasing funding for research at science-based agencies and institutions" while recognizing that past NIJ forensic science research investments have advanced and improved the validity of forensic science. The high demand for forensic science research outstrips the capacity of the current program. In FY 2021, NIJ was only able to fund 30 of 165 highly rated peer review proposals under the Research and Development in Forensic Science for Criminal Justice Purposes solicitation.

Impact on Performance: This request supports DOJ Strategic Objective 3.3: *Reform and Strengthen the Criminal and Juvenile Justice Systems to Ensure Fair and Just Treatment* by strengthening science-based systems and technologies used to exonerate the innocent or prosecute the guilty. Forensic research ensures that robust, objective, and modern tools can be used responsibly and reliably in crime laboratories, medical examiner and coroner offices, and law enforcement agencies. Expected outcomes include innovative technologies and tools that improve the efficiency and quality of science across the criminal justice system.

NIJ tracks the following measures for its research and development activities.

- Number of citations of NIJ products in peer reviewed journals
- Number of technologies fielded as a result (in whole or in part) of work funded under the NIJ award
- Number of scholarly products that resulted in whole or in part from work funded under the NIJ award.

“Federal policy makers should ensure the ability of the NIJ to advance forensic science research and development through dedicated, adequate, and stable appropriations coupled with funding flexibility to help support both short- and long-term research strategies. In order to ensure funding stability from year to year, policy makers should designate a dedicated funding stream for research and development that is of sufficient magnitude to address the challenges facing forensic science.”³⁶

³⁴ <https://innocenceproject.org/forensic-science-problems-and-solutions/>

³⁵ <https://innocenceproject.org/lasting-impact-of-2009-nas-report/>

³⁶ National Institute of Justice, *Support for Forensic Science Research: Improving the Scientific Role of the National Institute of Justice*, Washington, DC: U.S. Department of Justice, 2015.
<https://nij.ojp.gov/library/publications/support-forensic-science-research-improving-scientific-role-national-institute>

National Center on Forensics (\$4.0 million): \$4.0 million (as a carveout from the Byrne Justice Assistance Grants program) to provide. The FY 2024 President’s Budget requests dedicated funding for the National Center on Forensics program. First funded in FY 2020, this program is focused on developing and providing learning opportunities in the forensic sciences for medical students, prosecutors, judges, and law enforcement. The program goals include developing opportunities and partnerships to benefit current and future practitioners in the field, improve the forensic science workforce expertise through knowledge transfer and professional development, and enhance medicolegal death investigation practices, particularly in underserved rural areas.

Description of Item In FY 2024, the President’s Budget requests \$4.0 million (as a carveout from the Byrne Justice Assistance Grants program) to reestablish the National Center on Forensics program. This program, which was first funded in FY 2020, will develop and provide learning opportunities in the forensic sciences for medical students, prosecutors, judges, and law enforcement. The program goals include developing opportunities and partnerships to benefit current and future practitioners in the

field, improve the forensic science workforce expertise through knowledge transfer and professional development, and enhance medicolegal death investigation practices, particularly in underserved rural areas.

Justification The National Center on Forensics will provide OJP the opportunity to incorporate lessons learned and developed outputs from the FY2020 and FY2021 programs into a single 5-year award that aims to support forensic science by advancing a highly skilled workforce. As identified in *NIJ's 2019 Needs Assessment of Forensic Laboratories and Medical Examiner/Coroner Offices*, there is a national need to improve the forensic science personnel pipeline through education and nontraditional academic programs, particularly with respect to medicolegal death investigation and the legal community. When well trained in the forensic sciences, medical examiners, judges, law enforcement, and prosecutors can help administer fair and impartial justice, thus supporting efforts to combat violent crime and gun violence.

Impact on Performance This program supports the Department's Strategic Plan Objective 2.3: *Combat Violent Crime and Gun Violence*. This initiative will support the continuation of the National Center on Forensics grant program, which is designed to enhance the workforce pipeline associated with forensic science and the medicolegal death investigation systems. Expected outcomes include knowledge transfer activities that improve the forensic science subject matter expertise of medical examiners, coroners, prosecutors, and judges across the criminal justice system.

NIJ tracks the following measures for its training and technical activities.

- Number of training curricula
- Number of trainings (In-Person, Web-based, Workshop, Peer-Peer, Other)
- Number of individuals who attended, completed, and evaluated the training

DNA Related and Forensic Programs and Activities (-\$23,000): The reduction will fund these programs at the same level as in FY 2022; most of the impact of this reduction will be focused on backlog reduction efforts. Purpose: Maximize the use of DNA and other forensic technology in the criminal justice system to ensure accuracy and fairness.

Description: Grants to states to purchase equipment, conduct analysis and review of data, and upload data into national databases. DNA and forensic science can speed the prosecution of the guilty, protect the innocent from wrongful prosecution, and exonerate those wrongfully convicted of a crime.

In FY 2024, the President's Budget requests \$147 million for DNA Related and Forensic Programs and Activities, which is a decrease of \$23 million below the FY 2023 Enacted level. This reduction will fund these programs at the same level as in FY 2022; most of the impact of this reduction will be focused on backlog reduction efforts.

DNA-Related and Forensic Programs and Activities supports a variety of programs including:

- The Capacity Enhancement for Backlog Reduction Program, which provides grants to state and local crime labs to support DNA evidence analysis and backlog reduction efforts;
- Other Federal, State, and Local Forensic Activities, which supports a variety of forensic research and training and technical assistance programs;
- The Kirk Bloodsworth Post-Conviction DNA Testing program, which supports review of cases and additional DNA evidence testing in cases where a wrongful conviction is suspected; and
- The Sexual Assault Nurse Examiners program, which supports training for sexual assault nurse examiners (SANEs) and the development of SANE programs to improve the investigation and prosecution of sexual assault cases.

Justification

The FY 2024 budget request will specifically reduce funding for the Capacity Enhancement for Backlog Reduction (CEBR) Program by \$18 million compared to FY 2023 Enacted levels. This reduction in funding will affect accredited crime laboratories that process forensic DNA samples for entry into the Federal Bureau of Investigation's (FBI's) Combined DNA Index System (CODIS). Because awards are distributed to the approximately 130 eligible laboratories in the U.S., the impact of this reduction in funding to individual laboratories to process samples for CODIS will be relatively small. Additionally, because CEBR awards are made annually and span a 24-month period of performance (POP), grantees are not expected to have any major interruptions in funding availability due to the overlapping POP of these awards. For laboratories that are concerned about the reduction of CEBR funding, they will be made aware of other programs available to support laboratory activities such as the Sexual Assault Kit Initiative (SAKI) program and Paul Coverdell Forensic Science Improvement Grant program, which both support similar activities funded under the CEBR program. The combination of the small reductions to individual awards, the 24-month POP, and the alternative funding options noted above will minimize the effects of this reduction on individual crime labs.

The FY 2024 budget request includes minor funding reductions for the other programs supported by the DNA-Related and Forensic Programs and activities that will not result in any significant effects on these programs. These reductions include:

- Other Federal, State, and Local Forensic Activities (-\$1 million);
- Kirk Bloodsworth Post-Conviction DNA Testing (-\$3 million); and
- Sexual Assault Nurse Examiners (-\$1 million).

Impact on Performance DNA Related and Forensic Programs and Activities support the Department's Strategic Plan Objectives 2.3: *Combat Violent Crime and Gun Violence*, 3.3: *Reform and Strengthen the Criminal and Juvenile Justice Systems to Ensure Fair and Just Treatment*, and 2.6: *Protect Vulnerable Communities*. This decrease will primarily impact accredited forensic science laboratories and likely result in a slight decrease in forensic DNA cases processed for CODIS. Given this and the well-documented increases in DNA cases requested for testing from law enforcement agencies year after year, an increase in national DNA backlogs is expected.

Forensics Training and Technical Assistance +\$5,000,000: In FY 2024, the President's Budget requests \$5.0 million to establish a national Forensics Training and Technical Assistance (TTA) program to support and enhance the capacity and program outcomes of active and existing BJA site-based forensic grantees through a range of TTA services. The program will also highlight real-time success for BJA program dollars across its forensic science portfolio. Funding under this program would provide states, localities, and tribes with resources and tools to improve the quality of their forensic science services to meet the challenges of crime and justice and improve overall public safety.

Grantees receiving funding under several forensic science programs would receive TTA under this program, which were transitioned from NIJ to BJA in FY 2020: (1) DNA Capacity Enhancement for Backlog Reduction CEBR/Debbie Smith Act grants (formula); (2) Paul Coverdell Forensic Science Improvement Program (formula); (3) Paul Coverdell Forensic Science Improvement Program (competitive); (4) Prosecuting Cold Cases using DNA (competitive); (5) Post-conviction DNA Testing Assistance (competitive); (6) Sexual Assault Forensic Evidence-Inventory, Tracking, and Reporting (competitive); and (7) Strengthening the Medical Examiner-Coroner System Program (competitive).

Justification

The Justice Department makes significant investments in forensics programs, yet there is currently no mechanism or resource to provide direct training or technical resources in support of these investments. Training and technical assistance are vital for ensuring that grantees have the necessary direction and support during implementation of grant funded activities and the success of grantees, both individually and as a group, is important to crime victims and communities seeking justice. The new TTA Program will provide critical support for infrastructure, training, staffing, and operationalizing new technologies into practice on a national

scale, including validations. There are over 500 active awards under various OJP forensic science programs; these grantees would benefit from the proposed Forensics TTA program.

The TTA provider will initially focus on the following four priority deliverables: (1) Recruit/Maintain/Use of a Cadre of Subject Matter Experts, (2) Advisory Board Development, (3) Website Development, and (4) Convening of Annual Grantee's Meeting. The TTA provider will also develop a detailed plan to address additional deliverables under the program, and as supplemental funding resources potentially become available that may include:

- Assigning technical assistance coaches to support the seven BJA forensic science programs, and future programs;
- Delivering a wide range of ongoing, direct, and targeted TTA services to BJA forensic science grantees (both remote and onsite), throughout the duration of the grant awards;
- Convening virtual Working Groups comprised of grantee members from the individual BJA forensic science grant programs;
- Hosting webinars related to forensic site-based grant programs, including orientation webinars for each grant program to onboard new grantees;
- Engaging proactively with grantees to monitor progress toward achieving their programmatic goals and identify lessons learned;
- Communicating regularly with BJA to assess the impact of TTA services on program goals and individual sites' progress; and
- Partnering with organizations as needed whose expertise and experience can best meet grant recipients' needs when subject matter expertise is not present within the primary TTA provider's organization.

Impact on Performance : This program supports the Department's Strategic Plan Objective 2.3: *Combat Violent Crime and Gun Violence*. The TTA provider will implement a range of resources and services that will improve the quality and practice of forensic science through innovative solutions that support development, technology, information exchange, and training/best practices resources for the criminal justice community. Currently the Forensics TTA Program is being funded through the state and local forensics activities budget line item (~\$15-20M annually) that is shared annually between both BJA and NIJ, for various forensic science activities. However, the establishment of a separate and distinct funding source would enhance the overall capacity of the Forensics TTA Program to better meet the growing needs of grantees and the field.

Regional Sexual Assault Investigative Training Academies (\$20 million): This new program will provide cutting-edge, evidence-based and trauma-informed training on investigating and prosecuting sexual assault for law enforcement, prosecutors, and victims' advocates across the United States.

In FY 2024, the President's Budget requests \$20.0 million for the Regional Sexual Assault Investigative Training Academies Program. This new program will provide cutting-edge, evidence-based, and trauma-informed training on investigating and prosecuting sexual assault for law enforcement, prosecutors, and victims' advocates across the United States.

Justification

In the United States, an estimated one in three women and one in six men are survivors of sexual violence, with a sexual offense occurring every 73 seconds. Three out of every four sexual assaults go unreported to the police, and even when they are reported, some are not prosecuted due to investigative and/or prosecutorial deficiencies. This not only discourages victims from reporting sexual assault, but also allows persons to go unpunished and to commit further crimes.

There are approximately 18,000 law enforcement agencies in the United States. Most of these agencies, along with prosecutor offices, lack adequate training required to successfully investigate and prosecute sexually-

motivated crimes. While BJA's Sexual Assault Kit Initiative (SAKI) offers a robust training and technical assistance program, it is primarily focused on cold cases and serving SAKI grantees and does not have the capacity to address the needs of every police agency and prosecutors' office across the country. This request will expand access to investigative training for law enforcement and prosecutors in units dedicated to sex crimes.

Impact on Performance

The request will allow BJA to support more criminal justice professionals across the country and improve investigations and prosecutions of sexual assault crimes. This funding will provide access to information on the neurobiology of trauma as well as cutting edge investigative strategies to move cases through the system to conviction and resolution in a victim-centered, trauma-informed manner.

National Sexual Assault Kit Initiative (SAKI): Purpose: Address a common gap in response to rape and sexual assault at the state, local, and tribal levels by promoting timely resolution of cases associated with sexual assault kits (SAKs) that have never been submitted or are backlogged at crime labs for forensic DNA testing.

Description: This program supports community efforts to identify critical needs in the areas of sexual assault prevention, investigation, prosecution, and victims' services and to implement strategies to address these needs. These strategies typically include plans for expediting the analysis of untested evidence kits. This program also provides training and technical assistance designed to improve the justice system's response to rape and sexual assault cases throughout the Nation.

In FY 2024, the President's Budget requests \$100.0 million for the Sexual Assault Kit Initiative (SAKI), an increase of \$45.0 million over the FY 2023 Enacted level. This program assists state, local, and tribal jurisdictions in ensuring just resolution to sexual assault cases associated with sexual assault kits (SAKs) in law enforcement custody that have never been submitted to a crime laboratory for Combined DNA Index System (CODIS)-eligible DNA testing. Funding for this program also supports the SAKI Training and Technical Assistance Program, which provides direct assistance to support law enforcement with the investigation of future, new, active, and inactive cases in order to solve and reduce violent crimes.

The requested funding will:

- Increase awards to jurisdictions to address high volumes of SAKs and subsequent investigations and prosecutions.
- Support a holistic approach that encourages jurisdictions to implement sustainable changes in procedures and policies to ensure that unsubmitted kits do not accumulate in the future and that the overall response to sexually motivated crimes is enhanced to ensure timeliness and a victim-centered focus.
- Provide funding to support investigative and prosecutorial efforts that will allow jurisdictions to address the rape kit backlog, identify and link individuals who commit non-preferential violent serial offenses in an effort to combat and prevent future sexual assaults, solve additional violent crimes, and leverage the SAKI model to improve overall public safety.
- Expand the reach of the existing training and technical assistance program, which will assist additional criminal justice professionals as well as research, evaluate and promote best practices for all aspects of the criminal justice process for current and future sexual assault cases.

Justification

Since its launch in 2015, SAKI has helped improve the justice system's response to sexual assault. SAKI-funded programs have assisted in identifying and apprehending individuals who commit violent offenses and in reducing the number of unsubmitted sexual assault kits. More than 80 grantees have received SAKI funding over the last eight years. To date, more than 183,139 sexual assault kits have been inventoried, over 90,243 kits have been sent for testing, and more than 80,325 kits have been tested to completion.

The impact of SAKI is demonstrated at the community level both in terms of getting dangerous individuals off the street and empowering victims to come forward. Approximately 50 percent of all DNA profiles uploaded from SAKI cases are resulting in CODIS hits, helping agencies prosecute these offenses. To date, there have been over 15,784 CODIS hits, with 2,252 CODIS hits to persons committing serial sex offenses and 8,298 CODIS hits to persons committing other serial violent offenses.

The FY 2024 President's Budget proposes to build on the program's current achievements, continuing to support the program's six (6) purpose areas, with a holistic approach designed to hold individuals who commit violent offenses accountable, while championing the healing of survivors in a trauma-informed manner.

Impact on Performance

This increase will allow for broader impact to the field, increasing community safety with greater identification and accountability of individuals who commit violent offenses, along with justice for victims. Further, the increase will allow BJA to assist more jurisdictions in reforming the manner in which they address violent sexual offenses, while also providing the freedom to move beyond kit testing to support sustained criminal investigations and prosecutions of the nation's most violent individuals.

DEPARTMENT OF COMMERCE/NIST

KEY EXCERPTS FROM THE BUDGET:

Forensic Science is housed in the Standards Coordination and Special Programs Office. "The primary goal of the Standards Coordination and Special Programs is to provide for NIST functions in both the management of cross-cutting laboratory research programs, and NIST's engagement in standards policy, and documentary standards development."

"Base Program Standards Coordination and Special Programs house cross-cutting NIST activities managed by the Associate Director for Laboratory Programs (ADLP) that deal with select R&D programs, documentary standards coordination, and policy development.

1. The Special Programs Office (SPO) plans and manages high-profile programs that span the mission and expertise of multiple NIST laboratories to address critical national needs. To meet these needs, SPO works with and forges partnerships among government, private industry, academia, and professional organizations to provide world-class leadership in advanced measurement science, science-based standards, and data-driven technology innovations. SPO actively fosters communication and collaboration between NIST and external stakeholder communities, as well as agile collaboration across organizational boundaries at NIST. SPO's portfolio of programs includes the Greenhouse Gas (GHG) Measurements Program, the Forensic Science Program, the Open Data Program, and other programs designated by the ADLP."

- "The NIST Forensic Science Program is working to strengthen forensic practice through research and improved standards, conducting research in several forensic disciplines, including digital evidence, forensic genetics, biometrics, firearms and toolmarks, drugs and toxins, statistics, trace analysis, forensic algorithms and data, and quality assurance (which includes interlaboratory studies and proficiency testing). NIST provides physical reference standards and data that help forensic laboratories validate their analytical methods and ensure accurate test results. The program also supports the Center for Statistics and Applications in Forensic Evidence (CSAFE), one of three *NIST Center of Excellence*, which is working to develop new statistical methods for use in pattern and digital evidence examination."

2. The Standards Coordination Office (SCO) advises NIST leadership on policy and strategy as they relate to NIST's statutory role and responsibilities in standardization and serves as a normative standards and conformity assessment related multi-functional resource for NIST and U.S. government staff. The primary work areas of the SCO are highlighted below.

- **Standards Coordination:** Standards effectively expedite trade and stimulate economic growth when they are developed, maintained, and applied in accordance with national policy, processes, and procedures. NIST provides guidance, training, information, and assistance so that companies, government agencies, standards bodies, and others can successfully work together on essential standardization and conformity assessment activities.
- **Standards Policy:** The U.S. government’s role in the development and use of standards and conformity assessment is guided by the National Technology Transfer and Advancement Act of 1995 (P.L. 104-113), OMB Circular A-119, and other Federal laws, regulations, and international agreements.
- **Standards and Trade and Regulation:** NIST provides a range of resources and activities to help users navigate the complex U.S. and international standards landscape. NIST coordinates with the World Trade Organization, Technical Barriers to Trade Related Inquiry Point and Notification Authority, and Standards Information Center -- providing unique standards, conformity assessment and technical regulations related information to NIST staff, U.S. government employees, U.S. exporters, and foreign trading partners.

Conformity Assessment and Laboratory Accreditation: Standards expedite trade across borders only when agreed-upon standards are followed consistently. NIST fosters compliance by evaluating conformity assessment accreditation bodies and ensuring adherence to standards specified in international agreements. NIST operates the National Voluntary Laboratory Accreditation Program (NVLAP) for the U.S. by providing accreditation to testing and calibration laboratories based on evaluation of their technical qualifications and competence to perform certain types of tests in specified fields using internationally accepted guides and standards. NIST also designs and implements procedures for accrediting laboratories for their capability to provide calibrations traceable to national standards. NIST also designs and implements procedures for accrediting laboratories for their capability to provide calibrations traceable to national standards.”

Examples of Accomplishments

Through its work in this activity and sub activity, NIST has delivered significant impact to stakeholders in the Federal Government and industry. Programs managed by the SPO, and SCO have yielded significant impacts.

- The NIST [Forensic Science Research Program](#) facilitated the development of a [DNA Analysis Process Map](#) and a [Footwear and Tire Analysis Process Map](#) through collaborations with OSAC’s [Human Forensic Biology Subcommittee](#) and [Footwear & Tire Subcommittee](#). The process mapping team worked together to capture and document the diverse practices of multiple laboratories. The maps, released in May and June 2022, benefit the forensic science community by providing a behind-the-scenes perspective into the various components and complexities involved in the examination process. These maps can also be used to identify best practices, reduce errors, assist in training new examiners, and highlight areas where further research or standardization would be beneficial to analyze forensic evidence.
- The NIST Forensic Science Research Program reviewed the scientific foundations of bitemark analysis, a forensic technique in which marks on the skin of a biting victim are compared with the teeth of a suspected biter, and published findings in a draft report, *Bitemark Analysis: A NIST Scientific Foundation Review*. The report fills a need identified in a [landmark 2009 study](#) by the National Academies of Sciences, Engineering, and Medicine, which called for research to address issues of accuracy, reliability and validity in many forensic science disciplines, including bitemark analysis.

Statement of Operating Objectives

Special Programs Office - NIST’s SPO plans and manages high-profile programs that span the mission and expertise of multiple NIST laboratories to address critical national needs. To meet these needs, SPO works with and forges partnerships among government, private industry, academia, and professional organizations to provide world-class leadership in advanced measurement science, science-based standards, and data-driven technology innovations. SPO actively fosters communication and collaboration between NIST and external stakeholder communities, as well as agile collaboration across organizational boundaries at NIST.

In Forensic Science, NIST is focused on:

- Advanced Forensic Science Research – NIST researchers work both on technologies for forensic analysis and the mathematical and statistical tools that help quantify confidence in the results of a forensics test. To disseminate this work into the forensic science community, NIST develops measurement protocols, calibration systems, Standard Reference Materials and Data, authoritative guidelines, and works with standards-developing organizations to formalize many of these as consensus standards.
- Science-based Standards Development – Since 2014, NIST has administered the Organization of Scientific Area Committees (OSAC) for Forensic Science Program which brings together over 500 members representing forensic science stakeholders from academia, Federal, state, and local government, and the private sector to facilitate the development of scientifically sound forensic science standards and encourage their adoption across the country. OSAC has over 90 standards listed on its OSAC Registry and has received declarations from over 80 forensic science service providers that have implemented standards listed on the OSAC Registry.
- Scientific Foundation Studies – NIST conducts in-depth reviews to identify priorities for future research, help laboratories identify appropriate limitations on the use of forensic methods, and suggest steps for moving the field forward. NIST recently published two of several scientific foundation reviews on [DNA mixture interpretation](#).
- Operation of the NIST Center of Excellence in Forensics – CSAFE was established in 2015 and renewed in 2020 to help build a statistically sound and scientifically solid foundation for the analysis and interpretation of pattern impression and digital evidence. This multi-university *NIST Center of Excellence* is working to address the issues of accuracy, reliability, and validity of analyses in the examination of pattern and digital evidence.
- NIST plans to expand its Forensic Science Program in four major areas of computational forensic science, forensic science data, forensic science quality assurance, and forensic science education for the legal community.

Material Measurement Laboratory (MML): The Material Measurement Laboratory is the national reference laboratory for measurements in the chemical, biological, and material sciences. MML conducts research on the composition, structure, and properties of industrial, biological, and environmental materials and processes. MML develops tools such as reference measurement procedures, certified reference materials, and critically evaluated data and best-practice guides used by U.S. industry to assure measurement quality and improve process efficiency. This work improves U.S. competitiveness in an increasingly challenging global environment. MML enables measurements in areas of national importance, including:

- Safety, Security, and Forensics – Providing tools to help forensic crime laboratories validate their analytical methods and ensure accuracy in their results for DNA and biological evidence, fingerprint and pattern evidence, illicit drugs, digital evidence, ballistics, and trace evidence, developing metrologies for threat detection and protective materials.

HEALTH AND HUMAN SERVICES: CDC

Opioid Overdose Prevention and Surveillance (+207.8 million)

In FY 2024, CDC's request for Opioid Overdose Prevention and Surveillance is \$207.8 million above the FY 2023 enacted level. Efforts will support integration of state and local prevention and response efforts, provide support for providers and health systems prevention (including use of prescription drug monitoring programs as a clinical decision support tool), enhance partnerships with public safety and first responders, establish and improve linkages to medications for opioid use disorder and other supportive services through harm reduction activities, and empower individuals to make informed choices. These activities support multiple initiatives included in ONDCP Policy Priorities and the National Drug Control Strategy.

Firearm Injury and Mortality Research (+\$22.5 million)

In FY 2024, CDC requests an increase of \$22.5 million above the FY 2023 enacted level. CDC will continue to fund research to identify the most effective ways to prevent firearm related injuries and deaths. This will include additional funding opportunities to support R01 research grants to improve understanding of firearm injury, inform the development of innovative and promising prevention strategies, and rigorously evaluate the effectiveness of strategies to keep individuals, families, schools, and communities safe from firearm-related injuries, deaths, and crime. CDC will fund additional research grants to support new investigators and will focus on improving collection and dissemination of timely data on firearm-related deaths, data on nonfatal firearm injuries, and data on behavioral issues related to firearms such as safe storage. This will include the expansion of the Firearm Injury Surveillance Through Emergency Rooms (FASTER) program to as many states as possible.

National Violent Death Reporting System (+\$10.0 million)

In FY 2024, CDC requests an increase of \$10.0 million over the FY 2023 enacted level for the National Violent Death Reporting System (NVDRS). CDC will enhance support to NVDRS recipients to implement and maintain the system, monitor and report data, and use these data to inform prevention efforts to save lives. CDC will continue to increase the use of NVDRS data by characterizing manner of death and identifying key populations for study (e.g., ethnic, racial, rural, sexual and gender minorities, military).
