

CONSORTIUM OF FORENSIC SCIENCE ORGANIZATIONS (CFSO)

FLASH BRIEF

AUGUST 2022

The mission of the CFSO is to speak with a single forensic science voice in matters of mutual interest to its member organizations, 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 offices. The primary focus of the CFSO is national, state, and local policymakers, as well as the United States Congress.

CFSO Board of Directors

Matthew Gamette, MS Chair Representing ASCLD matthew.gamette@thecfso.org

Timothy P. Rohrig, PhD Vice-Chair Representing SOFT/ABFT timothy.rohrig@thecfso.org

Ken Melson, JD Secretary Representing AAFS kenneth.melson@thecfso.org

Ken Martin, MS Treasurer Representing IAI kenneth.martin@thecfso.org

James Gill, MD Representing NAME james.gill@thecfso.org

Beth Lavach, Legislative Liaison beth.lavach@thecfso.org

Zebulon Penland Research and Legislative Assistant

New Standards Development Organization Grant

On Tuesday, August 9th, 2022, President Biden signed into law the CHIPS and Science Act (PL 116-283). While the bill was specifically designed for funding to boost the US domestic semiconductor industry and make the US competitive with China, it also provided a vehicle for language to create a forensic science standards development organization (SDO) grant, since Title II of this bill reauthorized NIST. The CFSO has worked with Congress for several years to expand the OSAC program at NIST, including research funding and a grant for forensic science SDOs. The passage of this law will now support a \$2M competitive grant program for forensic science nongovernmental standards development organizations. Specifically, section 10248 of this bill directs NIST to implement a grant program for qualifying forensic science SDOs to develop, approve, disseminate, maintain, and review forensic science voluntary consensus standards and best practices that shall be available to the public free of charge. CFSO is working to secure funding in FY23 for this grant, but the appropriations process is not yet complete. It is expected that this process will be complete after the November election (see below budget information).

National Institute on Drug Abuse Challenge

NIDA IS OFFERING \$25,000 FOR IDEAS TO ADDRESS THE OPIOID EPIDEMIC. The National Institute on Drug Abuse (NIDA) is asking forensic practitioners to submit an idea to the Cause of Death Elucidated (CODE) in the Drug Overdose Challenge. This is a prize challenge program being run by NIDA, one of the components of the National Institutes of Health (NIH) offering \$25,000 to 4 winning teams/individuals who are able to submit ideas for novel postmortem toxicology screening tools that would be used to inform and streamline suspected drug overdose, death investigations, and to improve drug specification in overdose death counts. Cause of Death Elucidated

(CODE) in Drug Overdose Challenge CFSO worked with NIDA to help develop this challenge to provide some funding for ideas to address this issue.

National Forensic Science Week

CFSO is a title sponsor of National Forensic Science Week (NFSW). NFSW is September 18-24, 2022! CFSO formed an ad hoc committee to address raising the level of prominence of NFSW with the community. The CFSO Board has provided language to Congress to recognize this week again and we expect that to be passed immediately prior to the week. CFSO is working closely with the NFSW CFSO ad hoc committee this year to provide more tools to educators, institutions, and other stakeholders regarding how they can become more involved in the week. We have been working with strategic partners on games, community events, public presentations, tours, and other things to increase the visibility of all the good activities in the forensic science community. Please visit our new CFSO National Forensic Science Week web page (https://thecfso.org/national-forensic-science-week/) that lists the resources and information about opportunities to participate in the events of the week and send information on events you are hosting to matthew.gamette@thecfso.org for posting on the CFSO NFSW website. The ad hoc committee has added hundreds of resources to help everyone prepare for the week. We will continue to grow this event at CFSO over the next few years with our working group and would love to hear your ideas. CFSO hopes that you will take time to praise, honor, and reward forensic science professionals, host public events, and invite stakeholders to engage in constructive dialog on forensic science advancement.

CFSO Policy and Information Papers

Last year the CFSO began to publish white papers and position statements on various forensic science topics. The most recent topic is firearms workforce needs specific to NIBIN and Firearm/Toolmark analysis in forensic science laboratories. The <u>paper</u> discusses the national problems and the suggested actions that need to be taken to ensure the workforce and training needs are addressed. Eight other "white papers" on topics from NamUs to SDOs are available on our <u>website</u>. These "white papers" are tied to our strategic plan goals for the year as an organization.

CFSO Strategic Plan

CFSO has published on our website an overall <u>strategy document</u> to communicate the core mission of the organization. It contains our mission, purpose, objectives, and strategy. While these are general in nature, we also have posted our calendar year <u>2022 action plan</u>. The <u>annual report from 2021</u>, also posted on our website, details accomplishments CFSO was able to achieve for the membership last year. We are finalizing the CY23 legislative plan after hosting listening sessions with our member organization boards.

New Missing and Unidentified Human Remains Grant

CFSO worked with Congress and Senator Cornyn to fund laboratories and medical examiners offices with dedicated funding to perform work on unidentified human remains cases. Upon the success of obtaining a dedicated appropriation for this grant, the CFSO is extremely pleased to see this grant program announced for the first time with applications <u>due on August 26</u> in Grants.gov and <u>August 29th</u> in JustGrants. The BJA website states, "Administered by the Bureau of Justice Assistance, the <u>Missing and Unidentified Human Remains (MUHR) Program provides funding to eligible applicants for services focused on reporting</u>

and identifying missing persons and unidentified human remains cases in the United States. The MUHR Program augments the existing services available through the National Institute of Justice's National Missing and Unidentified Persons System Program, which is a national centralized repository and resource center for locating and identifying missing persons, unidentified human remains, and repatriating unclaimed persons." This grant will provide \$4,476,252.00 to forensic practitioners this year.

Blood Tube and Supply Chain Issues

CFSO is very aware of supply chain issues and became heavily involved in addressing a critical shortage of blood tubes used to collect blood alcohol and blood toxicology samples. CFSO represents forensic laboratories, medical examiner and coroner offices, and toxicology laboratories. CFSO worked directly with individuals in government and private organizations to address this tube shortage. CFSO was able to determine the forensic providers with the most critical needs through surveys and other communications. CFSO then worked with the major tube manufacturers, most notably Becton Dickinson, to resolve this crisis. CFSO lobbied for expedited shipping of existing stock, increased production runs of these BD tubes, and helped the manufacturer and distributors to address the most critical needs. Hundreds of communications were made with forensic providers, forensic science vendors, and other parties to ensure that forensic practitioners could meet the needs of the law enforcement and legal communities. In some cases, CFSO identified labs that could help other labs with supplies to get through the crisis, and other times CFSO was able to work with BD on drop shipments to get tubes to forensic providers running out of supply within hours. This was a new way that CFSO is providing value to the community and our members. CFSO will continue to visit with the White House and Congress about supply chain issues and how they impact forensic science providers, the criminal justice system, and our stakeholders.

Strengthening the Medical Examiner-Coroner System Grant

CFSO supports the Strengthening the Medical Examiner-Coroner System Grant. This <u>grant</u> provides over 2 million dollars of support for forensic pathology fellowships and Medical Examiner/Coroner accreditation. While this grant recently closed for the FY22 solicitation, we encourage entities to start to prepare for the FY23 solicitation. CFSO is working to codify these grants into a permanent program. Stay tuned for more information about this legislation coming this fall.

Forensic Science State Commissions and Oversight Bodies

A new report from NIJ's Forensic Technology Center of Excellence provides an update on state forensic science commissions and oversight bodies. The abstract states, "In 2016, the National Institute of Justice's Forensic Technology Center of Excellence (FTCoE) published a report, the State Forensic Science Commissions, to compile a review of the current state of oversight bodies that promote communication and collaboration among laboratories and stakeholders, assist with allocation of resources, seek laboratory improvements, promulgate accreditation, certification, and standards implementation, and investigate misconduct or professional negligence in crime laboratories, and other implementation and oversight issues. This report updates the prior FTCoE report to review structure and existence of forensic science oversight bodies, roles, mission and vision, staffing, legislation and coordination and provides a general synopsis of considerations in planning for and developing a state-level forensic science commission."

Challenges in Identifying Novel Psychoactive Substanced and a Stronger Path Forward

With support from NIJ, the Center for Forensic Science Research and Education (CSFRE) demonstrated that the development workflows allowing for non-targeted testing protocols, including novel sample-mining and data mining, are valuable tools for the early identification and discovery of novel psychoactive substances and emerging drug trends. From the press release, "To keep pace with an ever-evolving drug market, forensic laboratories should consider developing workflows that allow for non-targeted testing protocols, including data processing and interpretation strategies, such as data mining and sample mining. While these workflows require an investment of resources to implement, they've been shown to better position laboratories to not only find specific drugs believed to be present in a sample, but to also identify accompanying novel psychoactive substances (NPS) that may be unexpected. These forward-looking and retrospective workflows can help laboratories identify new drugs and share information on the substances, which is a critical component to support public health and safety."

NIJ Forensic Science Strategic Research Plan

NIJ's Office of Investigative and Forensic Sciences has released its latest Strategic Research Plan, focused on advancing the quality and practice of forensic science through innovative solutions that support research and development, testing and evaluation, technology, and information exchange. From the document introduction it states, "NIJ developed this Forensic Science Strategic Research Plan to communicate its research agenda and advance its forensic science research mission. The strategic priorities and objectives outlined in this plan closely parallel the opportunities and challenges faced by the forensic science community. This document should be of interest to crime laboratory and medicolegal death investigation professionals; researchers and technology developers (academia, government, and industry); the legal community (defense, prosecution, and judiciary); federal, state, local, tribal, and international partners; policymakers; and other stakeholders." NIJ identified five strategic research priorities for the agency:

- I. Advance Applied Research and Development in Forensic Science.
- II. Support Foundational Research in Forensic Science.
- III. Maximize the Impact of Forensic Science Research and Development.
- IV. Cultivate a Diverse, Highly Skilled Forensic Science Workforce.
- V. Coordinate Across the Community of Practice.

BJA DNA CEBR Grant Solicitation Proposed Changes

BJA has announced that they are planning changes to the FY23 (Spring 2023) solicitation for the DNA Capacity Enhancement and Backlog Reduction (CEBR) granting program. BJA briefed the Scientific Working Group on DNA Analysis Methods (SWGDAM) and held a general community briefing on August 11th. Several more briefings are planned by BJA in the coming months, including one at the CODIS Conference. CFSO encourages our members to attend the briefings, think about the proposals, and share any comments or concerns with their organization's CFSO representative. CFSO is monitoring the topic and will be soliciting feedback from our member organizations.

FY23 BUDGET BRIEF-UPDATED AUGUST 2022

Please find below a summary of the House and Senate budget releases. The House has reported the draft budget out of committee, but the Senate has simply released a "draft". Congress is in recess until September 20th so the current messaging is that the budget will not be reconciled until after the election. The numbers and language may change in the final budget and the CFSO will work to ensure the forensics community has a positive outcome.

FUNDING SUMMARY

Department of Justice	Final FY22	FY23 Proposed	House Draft	Senate Draft	Final TBD
Byrne JAG	\$674,500,000	\$533,500,000	\$716,939,000	\$815,000,000	
NamUs	\$2,400,000	\$5,000,000	\$5,000,000	\$5,000,000	
Missing	\$5,000	0	\$5,500,000	\$7,500,000	
Persons and					
Unidentified					
Remains Act					
Forensics	\$1,500	0	\$3,000,000	\$3,000,000	
Ballistics					
Program in					
Higher					
Education					
John R Justice	\$4,000,000	\$2,000,000	\$5,000,000	\$5,000,000	
Student Loan					
Repayment					
National	N/A	\$4,000,000	0	0	
Center on					
Forensics					
Paul Coverdell	\$33,000,000	\$35,000,000	\$40,000,000	\$35,000,000	
Grants					
DNA Initiative	\$151,000,000	\$147,000,000	\$168,000,000	\$173,000,000	
Debbie Smith	\$120,000,000	\$112,000,000	\$128,000,000	\$132,000,000	
DNA Grants					
State, Local	\$15,000,000	\$19,000,000	\$20,000,000	\$20,000,000	
and Federal					
Forensic					
Activities					
Kirk	\$12,000,0000	\$12,000,000	\$14,000,000	\$15,000,000	
Bloodsworth					
Post					
Conviction					
DNA					
Sexual Assault	\$4,000,000	\$4,000,000	\$ 6,000,000	\$6,000,000	
Forensic					
Exam					
Program					
Community Teams to	\$50,000,000	\$100,000,000	\$90,000,000	\$75,000,000	
Reduce the Sexual					
Assault Kit Backlog					
(SAKI)					

NIJ Research,	\$30,000,000	\$43,000,000	\$43,000,000	\$43,000,000
Development and Evaluation				
Criminal Justice		\$45,000,000	\$45,000,000	\$45,000,000
Statistics Program				
Regional Sexual	0	\$20,000,000	\$20,000,000	0
Assault investigative				
training academies				
ATF National		\$21,200,000	\$21,008,000	
Integrated Ballistics				
Information Network				
and Crime Gun				
Intelligence				
Department of				
Commerce				
Forensic Science	\$20,500,000	N/A *see note	\$23,000,000	\$25,000,000
Research				
OSAC	\$3,300,000		\$3,500,000	\$3,300,000
Technical Merit	\$1,200,000		\$1,500,000	\$2,000,000
Evaluations				
Department of Health				
(CDC)				
National Violent	\$24,500,000	\$34,500,000 (52	\$34,500,000	\$34,500,000
Death Reporting		recipients)		
System				
Opioid Overdose	\$490,579,900	\$713,500,000	\$515,579,000	\$601,579,000
Prevention and				
Surveillance				

LANGUAGE HIGHLIGHTS

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Congress has become increasingly concerned with the use of Byrne grants and both bodies have directed DOJ to comply with legislated purpose areas for the funds to include forensics. Congress further states "OJP is further directed to develop a forward-looking vision for strengthening these agencies' ability to respond nimbly to and anticipate future needs and scientific developments over the next decade and identify the resources needed to achieve this vision". Again, CFSO will work to ensure our needs and requirements are part of such an endeavor.

The Senate Committee discusses SAKII grants and the need for best practices. It "directs BJA to issue a report within 1 year of the enactment of this act on the number of partially tested kits".

The Committee provides \$3,000,000 for a competitive grant program for universities and technical colleges, to acquire ballistics identification equipment and support forensic ballistics programs.

COMMERCE

Although a grant has been codified into law for SDOs at a level of \$2m a year the Committee directed NIST "to report to the Committee whether Federal support is necessary for Standards Development Organizations in order to further advance the use of forensic standards". While it is very likely the Committee was unaware of the developments of the grant, the CFSO is working to ensure the

Committee and NIST understand the importance of appropriating this grant beginning in FY23.

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Research, Development and Evaluation- The 2023 Budget proposes a total of \$43 million for the National Institute of Justice (NIJ) to support high-quality research, development, and evaluation in the forensic, social, and physical sciences.		Research, Development and Evaluation-Funding in this account provides assistance in the areas of research, evaluation, statistics, hate crimes, DNA and forensics, criminal background checks, and gun safety technology, among others.
Criminal Justice Statistics	Bureau of Justice Statistics	
Program The 2023 Budget proposes \$45 million for the Bureau of Justice Statistics (BJS) to carryout national statistical collections supporting data-driven approaches to reduce and prevent crime and to assist state, local and tribal governments in enhancing their statistical capabilities, including improving criminal history records and information systems. Current programs provide statistics on: victimization, corrections, law enforcement, Federal justice systems, prosecution and adjudication (courts), criminal histories and recidivism, and tribal communities.	(BJS).—The Committee recognizes the importance of the timely release of data on crime, criminal of- fenders, victims of crime, and the operation of justice systems at all levels of government. The data produced by BJS is an indispensable resource for policymakers and researchers in understanding and advancing equality in the justice system. The Committee's recommendation provides \$45,000,000 for BJS, an increase of \$5,000,000 above fiscal year 2022.	
	Byrne Memorial Justice	Edward Byrne Memorial Justice
	Assistance Grant (Byrne JAG) Formula program.—In addition to the carveouts mentioned in the table above, the recommendation includes \$417,326,000 for the Byrne JAG Formula grant program, \$35,433,000 above the	Assistance Grant Program.— The Committee recommends \$815,000,000 for Byrne-JAG. Funding is not available for luxury items, real estate, or construction projects. The Department should expect State,

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	fiscal year 2022 enacted level.	local, and Tribal governments to
	Funding under this formula	target funding to programs and
	program is authorized for law	activities that conform to
	enforcement programs including	evidence-based strategic plans
	those that promote data	developed through broad
	interoperability between	stakeholder involvement. The
	disparate law enforcement	Committee directs the
	entities; prosecution and court	Department to make technical
	programs; prevention and	assistance available to State,
	education programs; corrections	local, and Tribal governments for
	programs; drug treatment and	the development or update of
	enforcement programs; planning,	such plans. Funding is
	evaluation, and technology	authorized for law enforcement
	improvement programs; and	programs including those that
	crime victim and witness	promote data interoperability
	programs, other than	among disparate law
	compensation. Use of this funding	enforcement entities;
	is broad and flexible to address	prosecution and court programs;
	com- munity needs and fill gaps	prevention and education
	within State and local criminal	programs; corrections programs;
	justice systems such as strategic	drug treatment and enforcement
	planning, research, testing,	programs; planning, evaluation,
	training, equipment, technical	and technology improvement
	assistance, prevention programs,	programs; and crime victim and
	innovation programs, and	witness programs, other than
	community partnerships. The	compensation.
	Department is urged to release	Head of Dumne IAC Funds The
	funding as expeditiously as	Uses of Byrne-JAG Funds.—The Committee continues to
	possible. Recipients are urged to provide meaningful language	recognize that novel equipment
	access to their programs and	and technologies can improve
	services to individuals with	public safety and public trust in
	limited English proficiency.	criminal justice institutions. OJP
	innited English proficiency.	is urged to promote awareness,
	The Committee would like to	through statements on the OJP
	reiterate the following allowable	website, in "FAQs" and seminars,
	uses of Byrne JAG formula grant	and in solicitation documents,
	funding: body-worn cameras; gun-	that Byrne-JAG funds may be
	shot detection technology; law	used for managed access
	enforcement training including	systems and other cell phone
	immersive training; newer, more	mitigation technologies; fentanyl
	efficient forensics testing tools;	and meth- amphetamine
	immersive, reality-based training	detection equipment, including
	programs that utilize role-playing	handheld instruments; opioid
	and live-action scenarios for law	overdose reversal agents; virtual
	enforcement officers; radio	reality de-escalation training;

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	communications to provide secure communications systems; supporting expungement and record clearing initiatives; human trafficking prevention initiatives; accreditation assistance; computer-aided dispatch equipment; gun storage safety initiatives; and cloud-native, multi-tenant records management systems.	humane remote restraint devices that enable law enforcement to restrain an uncooperative subject without requiring the infliction of pain; drug detection canines; and hiring and training of cybercrime analysts and investigators.
	The Committee acknowledges the need for law enforcement to have lifesaving equipment to better protect officers in the field and the people they serve. This includes enhanced video surveillance capabilities such as cameras and license plate readers to better identify and respond to various planned and unplanned events; radio communications to provide a secure communications system; and items on the Controlled Equipment List to protect officers on the front lines of large-scale incidents such as riot batons, riot shields, and riot helmets. The Committee notes that lifesaving equipment to better protect officers in the field is an allowable expense under Byrne JAG.	
	The Committee recognizes the importance of virtual reality deescalation training and the use of humane remote restraint devices that enable law enforcement to restrain an uncooperative subject	
	without requiring the infliction of pain. Providing such training and equipment can significantly improve the ability of law enforcement to de-escalate confrontations with non-	

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	compliant subjects and avoid	
	potential lethal use of force,	
	particularly with respect to	
	individuals with mental health	
	conditions. The Committee notes	
	that Byrne JAG funding may be	
	used for such research, procurement, and training and	
	encourages the Department to	
	award funds for these purposes.	
	award funds for these purposes.	
	The Committee understands the	
	critical importance of immersive,	
	real-life, scenario-based police	
	training in ensuring the safety of	
	both police officers and the	
	communities they serve. The	
	Committee recommends that the	
	Department prioritize support for	
	the implementation of new	
	training systems that enable	
	customizable scenario-based	
	training, particularly those that	
	utilize Virtual Reality, Augmented Reality, and Artificial Intelligence,	
	to equip police officers to safely	
	and appropriately respond to the	
	full range of situations they may	
	encounter in the line of duty.	
	Particular focus should be placed	
	on de-escalation techniques.	
	Training scenarios should include	
	interactions with all members of	
	the com- munity, including youth;	
	LGBTQ individuals; individuals	
	with limited English proficiency;	
	individuals with disabilities;	
	multicultural communities;	
	individuals with an impairment,	
	such as a mental health condition	
	or being under the influence of	
	drugs or alcohol; and individuals	
	experiencing homelessness.	
	The Committee is concerned by	
	the impact on law enforcement of	

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	the growing epidemic of opioid and synthetic drug use, and notes that funds within this account may be utilized for the implementation of medication-assisted treatment to maintain abstinence from drugs.	
	Finally, the Committee provides \$7,000,000 for a new cybercrime enforcement program as authorized by Sections 1401 and 1402 of Title XIV of Public Law 117–103. The Department is directed to brief the Committee on its implementation plan for these funds prior to the submission of its fiscal year 2023 spend plan. The Committee reminds the Department of direction in House Report 117– 97 on "Cybercrime as an Area of Emphasis" and encourages the Department to incorporate those priorities as part of its implementation of these funds.	
		Assessment of NIJ and BJS.— 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 needs and

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DOJ LANGUAGE SUBMISSION	Sexual Assault Kit Initiative. — The Committee recognizes that the demand for forensic science services, including those related to sexual assault cases, remains exceptionally high, as outlined in the Department's needs assessment dated December 20, 2019. Accordingly, the Committee provides \$90,000,000 for this	scientific developments over the next decade and identify the resources needed to achieve this vision. These activities should, where possible, be integrated 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. Paul Coverdell Forensic Science.—The recommendation provides a total of \$35,000,000, of which \$17,000,000 is to specifically target the challenges the opioid and synthetic drug epidemic has brought to the forensics community as described in Senate Report 116–127 and adopted by Public Law 116–93 Sexual Assault Kit Initiative.—The Committee's recommendation includes \$60,000,000 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
	2019. Accordingly, the Committee	enforcement agencies. OJP shall
	The Committee notes that unsubmitted kits, including partially tested kits, are being addressed under SAKI. Further, CODIS-eligible testing of previously "partially tested rape kits" is also allowable under the Capacity Enhancement for Backlog Reduction (CEBR) program.	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

DOJ LANGUAGE	HOUSE	SENATE
DOJ LANGUAGE SUBMISSION	Research has provided DNA testing improvements and best practices, especially as they relate to sexual assault processing, and the Committee notes that research and development continues to be necessary in order to maximize crime laboratories' decision-making protocols on the selection of sexual assault kit DNA evidence and to develop research-based guidelines on how many and which swabs should have completed DNA analysis.	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. 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. Sexual Assault Nurse Examiner [SANE] Training Program Grants.—The Committee encourages the Department to prioritize rural, Tribal, underserved communities, and urban areas without full-time coverage for this program. Within the amount provided for SANE Training Program Grants, \$2,000,000 shall be to establish regional SANE training programs. Regional SANE training programs. Regional SANE training programs are identified as establishing a level of excellence in forensic nursing and are qualified to prepare current and future sexual assault nurse examiners to be profession-ready and meet the applicable

DOJ LANGUAGE SUBMISSION	HOUSE	SENATE
SUDMISSION		State certification and licensure requirements. These programs shall provide training and supervision to nurses with the purpose of increasing sexual assault forensic nurse capacity in rural areas, and in support of population- specific programs and hospitals including, but not limited to, underserved or historically underfunded communities. Entities receiving these funds shall promote best practices in forensic nursing throughout a region, while continuing to research and develop the highest standards of care.
	DNA Initiative.—The Committee recommends \$168,000,000 for DNA backlog and crime lab improvements to strengthen and im- prove 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. The Committee expects that 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. Within funds provided, \$128,000,000 is for Debbie Smith DNA Backlog Reduction grants, \$14,000,000 is for Kirk Bloodsworth Post-Conviction DNA Testing grants, \$20,000,000 is for State and Local Forensic Activities, and \$6,000,000 is for Sexual Assault Forensic Exam Program grants, of	DNA Backlog and Crime Lab Improvements.—The Committee continues its strong support for DNA backlog and crime lab improvements by recommending \$173,000,000 to strengthen and im- prove 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. With- in the funds provided, \$132,000,000 is for Debbie Smith DNA Back- log Reduction grants, \$15,000,000 is for Kirk Bloodsworth Post-Conviction DNA Testing grants, \$6,000,000 is for Sexual Assault Forensic Exam Program grants, and \$20,000,000 is for other State and local forensic activities. The Committee expects that the OJP will make funding for DNA

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SUBMISSION	which up to \$2,000,000 shall be expended to establish regional Supporting Access to Nurse Exams (SANE) training pro- grams. Regional SANE training programs are identified as establishing a level of excellence in forensic nursing and are qualified to prepare current and future sexual assault nurse examiners/forensic nurse examiners to be profession-ready and meet the applicable State certification and licensure requirements. The Committee understands that forensic genetic genealogical (FGG) DNA analysis is a powerful tool for human identification from forensic evidence where Combined DNA Index System (CODIS) has failed to lead to an identification. However, this type of advanced testing is cost prohibitive to many small or under- resourced law enforcement agencies. The Committee notes that FGG DNA activities are an eligible expense under several existing grant programs, including Byrne JAG, SAKI, and Shepard-Byrd Hate Crime Prevention Act grants. The Committee directs the Department to ensure these activities are highlighted in opportunity announcements. Further, the Committee urges that within the funds made available for "Local, State and Federal Forensic Activities", grants for FGG DNA are also eligible. Rapid DNA.—The Committee understands that under certain conditions, Rapid DNA technology can help law enforcement	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 to the Committee as part of its spending plan for State and Local Law 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.

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	agencies quickly compare DNA	
	samples against profiles in the	
	Combined DNA Index System	
	(CODIS) and determine possible	
	connections between a suspect	
	and known criminal activity or facilitate exoneration of innocent	
	suspects. The Committee	
	recognizes the local law	
	enforcement community's interest	
	in these uses as well as the	
	technology's potential for	
	generating investigative leads	
	from crime scene samples and	
	uses in the aftermath of disasters.	
	In 2017, Congress enacted the	
	Rapid DNA Act (Public Law 115–	
	50) with broad bipartisan	
	support. Working with	
	stakeholders, the FBI has	
	developed a process for states to	
	use Rapid DNA to analyze and	
	upload qualifying arrestee DNA	
	samples, per State law, to the	
	national DNA database for near-	
	immediate searches against the	
	index of unsolved crimes. The	
	Committee recognizes that while	
	the FBI has not yet cleared the	
	way for the direct upload of crime	
	scene samples from Rapid DNA to	
	the national database, it has	
	published guidance for best	
	practices for non-CODIS uses. The	
	Committee appreciates the FBI's support of local law enforcement	
	in this manner. By decentralizing	
	DNA testing, some of the burden	
	can be removed from crime	
	laboratories that are experiencing	
	significant backlogs. Therefore, in	
	the interest of public safety, the	
	Committee encourages the	
	Department to work to expand the	
	availability of grant funding for	

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SUBMISSION	Rapid DNA use in non-CODIS	
	environments.	DNA-related and Forensics
		Programs. —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
	N. C. L.	appropriations directives.
	National Instant Criminal Background Check System	
	(NICS).— The Committee	
	continues direction, as specified in	
	the Explanatory Statement	
	accompanying the fiscal year 2022 Department of Jus- tice	
	Appropriations Act, Public Law	
	117-103, including with regard to	
	NICS notifications to State and	
	local authorities, and publication of monthly data on the Justice	
	Department website by State and	
	prohibition category.	
	DNA Immigrant Detainee Sample Collection Processing	
	and Backlog.—The Committee	
	understands that the collection,	
	use, and retention of immigration	
	detainee DNA, pursuant to the rule change "DNA Sample	
	Collection from Immigration	
	Detainees" (March 9, 2020),	
	resulted in significant increases in	
	legally-owed submissions to the FBI laboratories for testing. That	
	increase, combined with	
	pandemic-related supply chain	
	issues, has led to a growing	
	backlog in processing samples awaiting processing, and in some	

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SUBMISSION	cases has adversely affected the ability of Federal law enforcement to follow investigative leads, and accomplish other law enforcement missions that depend on timely production of DNA analysis. The Committee urges the Department to ensure it identifies the funding needed to ensure the FBI labs can reduce or eliminate the processing backlog, and include such requirements in future budget requests, or in forthcoming reprogramming requests as appropriate. Digital Evidence.—The Department is directed to brief the House and Senate Committees on Appropriations not later than 90 days after the date of enactment of this Act, regarding the use of evidence from digital devices in the course of investigations conducted by DOJ and its agencies. The report shall address opportunities and challenges the bureau is currently facing within the following areas: digital evidence processing backlogs; training requirements for digital forensic examiners and agents that use digital evidence in criminal investigations; any technical, legal or other barriers or impediments to sharing digital evidence between agencies or between Federal, State and local partners; and resource requirements.	
	Marijuana impairment. —The Committee supports the development of an objective standard to measure marijuana impairment to ensure highway	

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SUBMISSION	safety. Essential to that	
	development are high- quality	
	scientific studies using marijuana	
	and products containing	
	marijuana lawfully available to	
	patients or consumers in a State	
	on a retail basis. The Committee	
	understands that the majority of	
	Federal research on marijuana has	
	been limited to a single strain of	
	marijuana that is not fully	
	representative of varieties used or	
	commercially available across the	
	country. Section 25026 of the	
	Infrastructure Investment and	
	Jobs Act (IIJA, 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 increasing	
	and improving access to samples	
	and strains by scientific	
	researchers studying impairment	
	while driving under the influence	
	of marijuana. The Committee	
	emphasizes the need for research	
	that encompasses the diversity,	
	quality, and potency of products	
	commonly available to patients or	
	consumers in a State on a retail	
	basis. The Department shall	
	provide a briefing to the	
	Committee no later than 60 days	
	after the date of enactment of this	
	Act regarding interim progress toward expanded researcher	
	_	
	access in advance of publication of the report required by the IIJA.	
	ATF National Tracing Center	
	(NTC) Modernization.—The	
	Committee includes full funding	
	for the NTC Modernization effort	
	to support technology upgrades	
	that will permit more expeditious	
	mat will permit more expeditious	

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SUBMISSION		
	firearms tracing as well as increased staffing to support the increased volume of work trending at a seven percent annual growth. The Committee recognizes these investments help increase ATF's ability to identify gun traffickers, potential suspects, and patterns of violent gun crime to help law enforcement agencies solve criminal cases. The Committee notes the investment in the e-Trace Program will not only enhance data sharing capabilities, but reduce out-year operations and maintenance costs, improve accuracy, and significantly reduce trace completion times. The Committee directs ATF to produce a report, no later than one year after the enactment of this Act and annually thereafter, to the Committee providing an overview of the e-Trace workload and operational costs in the fiscal year to best understand the workload and ensure the program is adequately resourced. The report should include the number of personnel allocated to assist with the tracing of firearms and all associated NTC	SENATE
	significantly reduce trace completion times. The Committee directs ATF to produce a report, no later than one year after the enactment of this Act and annually thereafter, to the Committee providing an overview of the e-Trace workload and operational costs in the fiscal year to best understand the workload and ensure the program is adequately resourced. The report should include the number of personnel	
	of firearms and all associated NTC operations and maintenance costs, the total number of trace requests in the fiscal year and a comparison to the prior fiscal year, the number of successfully processed requests and trace completion times, the number of unsuccessful traces with a summary of the reasons for the trace not being completed, and a summary of any resource or funding challenges to the program.	

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SUBMISSION	National Integrated Ballistic	
	Information Network (NIBIN).—	
	The Committee recommendation	
	includes \$21,208,000 in support	
	of National Integrated Ballistic	
	Information Network (NIBIN) and	
	Crime Gun Intelligence (CGI) and	
	supports the expansion of NIBIN	
	and increasing field support for	
	the remainder of ATF Field	
	Divisions to allow for more	
	participation from law	
	enforcement partners. This	
	initiative will integrate CGI and	
	NIBIN principals for intelligence-	
	led policing to reduce violent	
	crime and protect communities.	
	The Committee is encouraged by	
	the promise of improved CGI and	
	information sharing, and expects	
	funding provided in this bill will	
	aid in interdicting crime guns and	
	preventing gun trafficking.	
	The Committee continues to	
	support efforts to expand the use	
	of NIBIN and to ensure all law	
	enforcement agencies have access	
	to NIBIN's correlation services, in	
	particular the expansion of the NIBIN National Correlation and	
	Training Center (NNCTC). The	
	Committee appreciates the	
	investments being made by State	
	and local law enforcement	
	partners to collect and share	
	ballistics evidence across	
	geographically separated law	
	enforcement jurisdictions and	
	encourages ATF to continue to	
	build on these investments.	
	Further, the Committee	
	recognizes the ongoing work ATF	
	has underway in an effort to	
	expand NIBIN training and	
	technology to Tribal law	

DOJ LANGUAGE	HOUSE	SENATE
SUBMISSION	enforcement and engages ATT	
	enforcement and encourages ATF to continue these efforts to ensure	
	Tribal jurisdictions have access to	
	NIBIN correlation services.	
	Wibiiv 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 notes that funding	
	under State and Local Law	
	Enforcement Assistance for the	
	Forensics Ballistics Programs in	
	Higher Education Program aids in	
	this effort, as it ex- poses and	
	educates students on the	
	importance of firearm ballistics	
	through the utilization of NIBIN.	
	The initiative allows universities	
	to develop programs to provide	
	students with hands-on training in	
	the processing of firearms	
	evidence used to generate	
	actionable crime gun intelligence.	
	The Committee is aware of efforts	
	by ATF to increase the presence of	
	NIBIN on the Southwest border,	
	including an increase to Crime	
	Gun Intelligence Centers allotted	
	to Southwest border field offices.	
	The Committee supports and	
	encourages ATF to continue these	
	efforts. Further, the Committee is	
	aware that the ATF's Fire- arms	
	Trafficking Task Forces are	
	working to combat the illegal flow	
	of firearms into Mexico and	
	encourages ATF, within the	

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	amounts provided, to continue its work with intergovernmental partners, including DHS, toward these efforts, and encourages colocation with law enforcement partners where feasible. ATF is directed to report to the Committee on progress in this regard within 60 days of the enactment of this Act.	Forensic Ballistics and Higher Education.—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 \$3,000,000 for a competitive grant program for universities and technical colleges, to acquire ballistics identification equipment and support forensic ballistics programs.
		Survivors' Bill of Rights in the States.—The Committee provides \$5,000,000 for a grant program to incentivize States to develop and enact laws that guarantee certain rights to survivors of sexual as- sault, as defined in 18 U.S.C. 3772, including the right to receive medical forensic examinations, the preservation of evidence collection kit, and access to information resulting from such kits, prior notification of any

DOJ LANGUAGE SUBMISSION	HOUSE	SENATE
		destruction or disposal of evidence collection kits, and the right to request further preservation of any such kit. The Committee directs the Department to consult with STOP grant stakeholders to solicit their feedback on increasing formula grants authorized under 34 U.S.C. 10441 et. seq. as part of this incentivization program for States that have a law in place regarding rights to survivors of sexual assault. The Department is directed to submit its plan for administering this program, including the grant solicitation process, as part of the fiscal year 2023 spend plan. Within 1 year of the date of enactment of this act, DOJ shall provide a report to the Committee on any logistical challenges to administering this program, the number of States that have ap-plied for grants, the number of awards made and the respective award amounts, and the level of unmet demand for this program.
		Internet of Things Capabilities Database.—The growing use of Internet of Things devices requires understanding of existing capabilities of such devices for training on options and best practices for handling of evidence to meet judicial standards and privacy concerns. To meet this need, \$2,000,000 shall be dedicated for a separate competitive grant program in order to provide four awards of not less than \$500,000 each for

DOJ LANGUAGE SUBMISSION	HOUSE	SENATE
		institutions of higher learning that provide training in computer forensics and digital investigation to develop a database on Internet of Things device capabilities and to build and execute training modules for law enforcement.

DEPARTMENT OF COMMERCE NIST LANGUAGE

NIST LANGUAGE SUBMISSION	House	Senate
Safety, Security, and Forensics-	Forensic Sciences.—The	Forensic Sciences.—The
Providingtoolstohelpforensiccri	Committee provides \$23,000,000	Committee provides \$2,000,000
melaboratoriesvalidatetheiranaly	for forensic science research, an	above the fiscal year 2022
ticalmethodsandensureaccuracyi	increase of \$2,500,000 above the	enacted level for forensic science
n their results for DNA and	fiscal year 2022 enacted level.	research, including \$3,300,000 to
biological evidence, fingerprint	Within these funds, the	support the Organization of
and pattern evidence, illicit	Committee pro- vides no less	Scientific Area Committees and
drugs, digital evidence, ballistics,	than \$3,500,000 to support the	\$2,000,000 to support technical
and trace evidence, developing	Organization of Scientific Area	merit evaluations. In addition,
metrologies for threat detection	Committees and no less than	NIST is directed to report to the
and protective materials.	\$1,500,000 to support technical	Committee whether Federal
	merit evaluations previously	support is necessary for
Statement of Operating	funded by transfer from the	Standards Development
Objectives	Department of Justice.	Organizations in order to further
		advance the use of forensic
Special Programs Office - The		standards.
SPO will continue to foster		
communication and collaboration		
between NIST and external		
communities focused on critical		
national needs. To meet those		
needs, SPO works closely with		
and forges partnerships among		
government, military, academia,		
professional organizations, and		
private industry to provide		
world-class leadership in		
standards and technology		
innovation. In FY 2023 the SPO		
will continue its efforts focusing		

on Forensic Science and GHG Measurements.

In Forensic Science NIST is focused on 4 main areas:

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 OSAC
Program which brings together
over 550 members representing
forensic science stakeholders
from academia, Federal, state,
and local government, and the
private sector to develop
scientifically sound forensic
science standards and encourage
their adoption across the
country.

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 the first of several scientific foundation reviews on

DNA mixture interpretation.	
Reviews of firearm examination,	
digital evidence and bitemark	
analysis are currently underway.	
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 evidence.	
This multi-university NIST Center	
of Excellence is working to	
address the issues of accuracy,	
reliability, and validity of forensic	
evidence analyses. NIST is	
planning to expand the work of	
the COE in the areas of	
computational forensic science,	
forensic science data, forensic	
science quality assurance, and	
forensic science education for the	

HEALTH AND HUMAN SERVICES/CENTER FOR DISEASE CONTROL LANGUAGE

legal community.

CDC LANGUAGE SUBMISSION	SENATE LANGUAGE
National Violent Death Reporting System (+\$10.0 million) The FY 2023 request for the National Violent Death Reporting System (NVDRS) includes an increase of \$10.0 million above the FY 2022 Annualized CR. In FY 2023, CDC will support 52 recipients to collect NVDRS data. CDC will use the additional funding requested for NVDRS to collect data on gender identity and sexual orientation. These data will increase our understanding of violent deaths among disproportionately affected groups and inform efforts towards decreasing the number of deaths across groups.	National Violent Death Reporting System [NVDRS].—The Committee includes a \$10,000,000 increase in recognition of the importance of the NVDRS. The Committee directs CDC to use this additional funding to collect data on underrepresented populations, including collecting data on gender identity and sexual orientation.
Suicide and Other Intentional Injury Prevention (+\$70.0 million) The FY 2023 CDC request includes \$10.0 million above the FY 2022 Annualized CR to implement a multi-	Suicide Prevention.—The Committee is concerned about data that show suicide rates were 30 percent higher in 2020 than in 2000, and that in 2020, suicide was the second leading cause of death for people aged 10–14 and 25–34. The Committee provides an

pronged strategy on suicide prevention that includes a focus on prevention and early intervention to address the adolescent mental health consequences of the COVID-19 pandemic.

The request also includes proposed increases in intentional injury prevention, including supporting state and local health departments to prevent rape, sexual and intimate partner violence. This includes support for rape prevention and education; development of a strategy to estimate intimate partner violence among older adults and prevent dating violence amount youth with disabilities; and expand the reach of the Domestic Violence Prevention Enhancement and Leadership through Alliances Program.

increase of \$10,000,000 and directs CDC to expand its Comprehensive Suicide Prevention program to additional States and develop a plan for integrating its Emergency Department Surveil- lance of Nonfatal Suicide Related Outcomes pilot to collect real- time data on non-fatal suicide-related outcomes and self-harm behavior into the program. Effective and faster data collection is imperative to suicide prevention efforts so that risk factors can be evaluated, high-risk populations can be identified and prioritized, and new and more efficient prevention strategies can be implemented.

Opioid Overdose Prevention and Surveillance (+\$237.8 million)

The FY 2023 request for opioid overdose prevention and surveillance is a \$237.8 million increase above the FY 2022 Annualized CR. CDC will continue local investments and innovation to reach communities heavily impacted by the overdose crisis, while continuing to support all states, territories, and local jurisdictions to track and prevent overdose deaths. CDC will prioritize support to collect and report real-time, robust overdose mortality data and to move from data to action, building upon the work of the Overdose Data to Action (OD2A) program. To do so, CDC will partner with funded jurisdictions to implement surveillance strategies that include contextual information alongside data, as well as increase surveillance capabilities for polysubstance use and emerging substance threats such as stimulants.

Opioid or Other Drug Use and Overdose

Prevention.—The Committee includes an increase of \$111,000,000 to enhance activities, and encourages CDC to ensure that funding for opioid and stimulant abuse and overdose prevention reaches local communities to advance local understanding of the opioid overdose epidemic and to scale-up prevention and response activities. The Committee encourages CDC to include community member naloxone education as a strategy for local community overdose prevention funds. The Committee continues to support rigorous monitoring, evaluation, and improvements in data quality and monitoring at a national level, including data collection and analysis on overdose deaths. Further, CDC is directed to continue expansion of case-level syndromic surveillance data, improvements of interventions that monitor pre-scribing 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. The Committee urges CDC to continue to maximize the use of State-based Prescription Drug Monitoring Programs [PDMPs] as a public health tool to as-sist in clinical decision-making and in conducting surveillance. CDC is directed to improve utilization of State-based PDMPs to as- sist in clinical decisionmaking and surveillance. CDC is further directed to continue to expand an innovative model to coordinate care for high-risk patients receiving opioid treatment and encouraged to work with the Office of the National Coordinator for Health Information Technology to enhance integration of PDMPs and electronic health records.

HOUSE COMMUNITY PROJECTS

BYRNE DISCRETIONARY COMMUNITY PROJECT GRANTS

Recipient Project Amount

Agency	Project	Amount
Beaver County District Attorney's Office	Ten-County SW PA Rapid DNA Law Enforcement Initiative	\$577,000
Cambria County District Attorney's Office	Multi-County Rapid DNA Law Enforcement Database Initiative	\$577,000
Chester County District Attorney's Office	Chester County District Attorney's Office Rapid DNA Program	\$325,000
Elko County Sheriff's Office	Rapid DNA Technology	\$486,000
Maricopa County Sheriff's Office	Rapid DNA Technology	\$600,000
Mississippi Forensics Laboratory	Unidentified and Missing Persons Digital and Skeletal Remains Repository	\$500,000
New Mexico Department of Public Safety	The Forensic Laboratory Gas Chromatograph—Infrared Detector (GC IRD) Instrument Project.	\$411,000
Riverside County Sheriff's Department	Forensic Rapid DNA Technology	\$515,000
Thurston County Sheriff's Office	Rapid DNA Forensic Technology for Investigations	\$448,000
Utah Department of Public Safety, State Bureau of Investigation	Utah Forensic Genetic Genealogy DNA Testing Initiative	\$300,000

SENATE COMMUNITY PROJECTS

BYRNE DISCRETIONARY COMMUNITY PROJECT GRANTS

Recipient Project Amount

Agency	Project	Amount
City of Thornton	Rapid DNA Instrument	171,000
All Faiths Children's Advocacy Center.	Children's Safehouse Forensic Interview Program	250,000

Delaware Division of Forensic Science	Division of Forensic Science Equipment	670,000
Hawai'i Department of the Attorney General.	Sexual Assault Nurses and Forensic Examiners	200,000
Marshall University	Forensic Science Training and Services	1,500,000
Oklahoma State University Center for Health Sciences.	Forensic DNA Laboratory	500,000
University of Alaska	Forensic Training Program for Healthcare Providers and Advocates	500,000

COPS Funding

Agency	Project	Amount
City of Bridgeport	City of Bridgeport Forensic Technology	500,000
City of Reno	Reno Police Department—Forensics Software & Equipment	1,500,000
Whitfield County	Whitfield County - Forensic Equipment Purchase	75,000
Elko Sheriff's Department	Rapid DNA Instrument	486,000
Jacksonville Police Department	Implementation of a Rapid DNA Regional System	405,000