



FY23 BUDGET BRIEF-DECEMBER 2022

The FY23 budget for forensic science has several increases, some significant, in funding as well as substantial language from Congress providing guidance on how those funds are to be spent. You will find below a table showing the final funding for FY23 to include how it compares to FY22 and the FY23 request from the agency. This includes the DOJ, NIST, and CDC. There is also a full listing of the language below for your review as discussed in the following summary.

DOJ

Byrne JAG increased \$96,305,000 over FY22 to \$770.8m. Much of this increase is for “community projects” that are directed toward certain entities for specific projects. (See list below). Within Byrne JAG there is funding for **NamUs**. (Note some of the NamUs funding is in Byrne JAG and some is in the State, Local and Federal Forensic Activities under DNA Initiative funds), the **Missing Persons and Unidentified Remains Act** and the **Forensics Ballistics Program in Higher Education**. **LANGUAGE:** Congress emphasizes that Byrne JAG can also be used for forensics.

DNA Initiative funding increased \$19m from FY22 to \$170m. Within those funds, **Debbie Smith** grants received \$130m, **State, Local and Federal Forensic Activities** \$20m, **Kirk Bloodworth** \$15m, and **SAFE** \$5m (\$2 to create Regional SANE nurse training centers). **LANGUAGE:** Congress continues to be very concerned with BJA’s spending in this category of funds. Language is included that DOJ is directed to submit a spending plan to Congress detailing “funds appropriated for DNA related and forensic programs, including the alignment of appropriated funds with the authorized purposes of Debbie Smith DNA Backlog Grants”.

SAKI grants increased \$5m from FY22 to \$55m. **LANGUAGE:** emphasizes DOJ must spend as authorizing language directs and requests a report of the number of partially tested kits within 1 year of this act.

R&D (NIJ) received funding of \$35m, an increase of \$5m from FY22. **LANGUAGE:** emphasizes purposes of funding and includes forensics.

ATF received \$75m to construct a new forensic lab which is new funding. **LANGUAGE:** several places in the bill emphasize the need for ATF to work with State and Local law enforcement and to provide “all possible training opportunities”.

NIST

Forensic Science Research includes \$22m for FY23 an increase above FY22 by \$1.5m. Of these funds, it is directed that no less than \$3.5m be for **OSAC** and \$1.5m for **technical merit grants**. A grant for **SDOs** was authorized in the CHIPS Act earlier in the year directing that NIST “**shall** establish a competitive program of grants for nongovernmental standards development organizations.” Prior to the passage of the grant, CFSO asked Congress to fund the SDO grant. The Senate stated the following: “NIST is directed to report to the Committees whether Federal support is necessary for Standards Development Organizations in order to further advance the use of forensic standards.” NIST did not respond to that direction and the language was

reiterated in the final report. CFSO is currently working to resolve this matter.

CDC

\$24.5m was included for **NVDRS** in FY23, which is the same as FY22 and includes **SUDORS**. The **Opioid Overdose Prevention and Surveillance Program**, which includes **OD2A** funding, is funded at \$505.58m which is an increase above FY22. **LANGUAGE:** There is language that states 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.”

FUNDING SUMMARY

Department of Justice	Final FY22 Budget	FY23 Proposed	Final FY23 Budget
Byrne JAG	\$674,500,000	\$533,500,000	\$770,805,000
NamUs	\$2,400,000	\$5,000,000	\$3,500,000
Missing Persons and Unidentified Remains Act	\$5,000,000	0	\$6,000,000
Forensics Ballistics Program in Higher Education	\$1,500,000	0	\$1,500,000
John R Justice Student Loan Repayment	\$4,000,000	\$2,000,000	\$5,000,000
National Center on Forensics	N/A	\$4,000,000	0
Paul Coverdell Grants	\$33,000,000	\$35,000,000	\$35,000,000
DNA Initiative	\$151,000,000	\$147,000,000	\$170,000,000
Debbie Smith DNA Grants	\$120,000,000	\$112,000,000	\$130,000,000
State, Local and Federal Forensic Activities	\$15,000,000	\$19,000,000	\$20,000,000 ¹
Kirk Bloodsworth Post Conviction DNA	\$12,000,000	\$12,000,000	\$15,000,000
Sexual Assault Forensic Exam Program	\$4,000,000	\$4,000,000	\$5,000,000
Community Teams to Reduce the Sexual Assault Kit Backlog (SAKI)	\$50,000,000	\$100,000,000	\$55,000,000
NIJ Research, Development and Evaluation	\$30,000,000	\$43,000,000	\$35,000,000
Criminal Justice Statistics Program		\$45,000,000	\$42,000,000
Regional Sexual Assault investigative training academies	0	\$20,000,000	0 (see SAFE language)
ATF National Integrated Ballistics Information Network and Crime Gun Intelligence		\$21,200,000	See language for construction funding
Department of Commerce (NIST)			
Forensic Science Research	\$20,500,000	N/A *see note	\$22,000,000

¹ Note: this line funds the ME programs, additional NamUs programs and other such items

OSAC	\$3,300,000		\$3,500,000
Technical Merit Evaluations	\$1,200,000)		\$1,500,000
Department of Health (CDC)			
National Violent Death Reporting System	\$24,500,000	\$34,500,000 (52 recipients)	\$24,500,000
Opioid Overdose Prevention and Surveillance	\$490,579,900	\$713,500,000	\$505,579,000
SANE Nurses	\$13,000,000		\$15,000,000

FY23 LANGUAGE

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<p>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.</p>		<p>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.</p>	
<p>Criminal 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.</p>	<p>Bureau of Justice Statistics (BJS). —The Committee recognizes the importance of the timely release of data on crime, criminal offenders, 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.</p>		

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	<p><i>Byrne Memorial Justice Assistance Grant (Byrne JAG) Formula program.</i> — 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 fiscal year 2022 enacted level. Funding under this formula program is authorized for law enforcement programs including those that promote data interoperability between disparate law enforcement entities; prosecution and court programs; prevention and education programs; corrections programs; drug treatment and enforcement programs; planning, evaluation, and technology improvement programs; and crime victim and witness programs, other than compensation. Use of this funding is broad and flexible to address community needs and fill gaps within State and local criminal justice systems such as strategic planning, research, testing, training, equipment, technical assistance, prevention programs, innovation programs, and community partnerships. The Department is urged to release funding as expeditiously as possible. Recipients are urged to provide meaningful language access to their programs and services to</p>	<p><i>Edward Byrne Memorial Justice Assistance Grant Program.</i> —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, local, and Tribal governments to target funding to programs and activities that conform to evidence-based strategic plans developed through broad stakeholder involvement. The Committee directs the Department to make technical assistance available to State, local, and Tribal governments for the development or update of such plans. Funding is authorized for law enforcement programs including those that promote data interoperability among disparate law enforcement entities; prosecution and court programs; prevention and education programs; corrections programs; drug treatment and enforcement programs; planning, evaluation, and technology improvement programs; and crime victim and witness programs, other than compensation.</p> <p><i>Uses of Byrne-JAG Funds.</i> — The Committee continues to recognize that novel equipment and technologies can improve public safety and public trust in criminal justice</p>	<p><i>Byrne Discretionary Community Project Grants/Byrne Discretionary Grants ("project").</i>—The agreement provides \$229,551,000 for projects to prevent crime, improve the criminal justice system, provide victim services, and for other related activities. The accompanying table details funding for project activities, which are incorporated by reference in this Act: (see community projects below)</p>

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	<p>individuals with limited English proficiency.</p> <p>The Committee would like to reiterate the following allowable uses of Byrne JAG formula grant funding: body-worn cameras; gunshot detection technology; law enforcement training including immersive training; newer, more efficient forensics testing tools; immersive, reality-based training programs that utilize role-playing and live-action scenarios for law enforcement officers; radio 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.</p> <p>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</p>	<p>institutions. OJP is urged to promote awareness, through statements on the OJP website, in “FAQs” and seminars, and in solicitation documents, that Byrne-JAG funds may be used for managed access systems and other cell phone mitigation technologies; fentanyl and methamphetamine detection equipment, including handheld instruments; opioid overdose reversal agents; virtual reality de-escalation training; 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.</p>	

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	<p>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.</p> <p>The Committee recognizes the importance of virtual reality de-escalation 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-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.</p> <p>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</p>		

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	<p>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 community, 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.</p> <p>The Committee is concerned by the impact on law enforcement of 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.</p> <p>Finally, the Committee provides \$7,000,000 for a new cybercrime</p>		

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	<p>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.</p>		
		<p>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 scientific developments over the next decade and identify the resources needed to achieve this vision. These</p>	<p>Assessment of ‘National Institute of Justice (NIJ) and Bureau of Justice Statistics (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 agreement directs OJP to conduct a full assessment of the impact on NIJ and BJS regarding the Evidence Act and other congressionally-requested initiatives, including their 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’ abilities to respond nimbly to and</p>

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		<p>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.</p>	<p>anticipate future needs and 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 Committees on its progress within 180 days of the date of enactment of this act.</p>
		<p>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</p>	
	<p>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 initiative, an increase of \$40,000,000 above fiscal year 2022.</p> <p>The Committee notes that unsubmitted kits, including partially tested kits, are</p>	<p>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 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</p>	<p>Sexual Assault Kit Initiative. -The Department should 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 Department should also fund efforts to support cross-jurisdiction</p>

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	<p>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.</p> <p>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.</p>	<p>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. 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>and cross-site data sharing to identify and pursue repeat offenders operating in multiple jurisdictions. Finally, the Department should work further to validate the extensive cost savings that result from the prevention of future offenses as a result of SAK testing. The Department is directed to support efforts that advance these objectives and BJA is directed to issue a report within one year of the date of enactment of this act on the number of partially tested kits.</p>
	<p><i>See below language imbedded regarding SANE grants.</i></p>	<p><i>Sexual Assault Nurse Examiner [SANE] Training Program Grants.</i> —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</p>	<p><i>Sexual Assault Nurse Examiner (SANE) Training Program Grants.</i> -The Department is encouraged to prioritize rural, Tribal, underserved communities, and urban areas without full-time coverage for this program. Within the amount provided for Sexual Assault Forensic Exam</p>

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		<p>Program Grants, \$2,000,000 shall be to establish 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/forensic nurse examiners to be profession-ready and meet the applicable 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.</p>	<p>Program, \$2,000,000 shall be to establish regional SANE training programs, which 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. 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.</p>
	<p>DNA Initiative. —The Committee recommends \$168,000,000 for DNA backlog and crime lab improvements 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. The Committee expects that OJP</p>	<p>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 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</p>	

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	<p>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 which up to \$2,000,000 shall be expended to establish regional Supporting Access to Nurse Exams (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/forensic nurse examiners to be profession-ready and meet the applicable State certification and licensure requirements.</p> <p>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</p>	<p>from wrongful prosecution. With- in the funds provided, \$132,000,000 is for Debbie Smith DNA Backlog 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.</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 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.</p>	

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	<p>small or underresourced 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.</p>		
	<p>Rapid DNA. —The Committee understands that under certain conditions, Rapid DNA technology can help law enforcement 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.</p> <p>In 2017, Congress enacted the Rapid DNA Act (Public Law 115– 50) with broad</p>		<p>The agreement adopts and reinforces language in House Report 117-395 under the heading ‘Rapid DNA.’</p>

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	<p>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 Rapid DNA use in non-CODIS environments.</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</p>	

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		(Public Law 115– 257), and appropriations directives.	
	<p><i>National Instant Criminal Background Check System (NICS).</i> — The Committee continues direction, as specified in the Explanatory Statement accompanying the fiscal year 2022 Department of Justice 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.</p>		
	<p><i>DNA Immigrant Detainee Sample Collection Processing and Backlog.</i> — 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 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</p>		

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	<p>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.</p>		
	<p>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.</p>		<p>Analysis of Digital Evidence.—DOJ shall brief the Committees not later than 90 days after the date of the enactment of this act on the use and management of evidence from digital devices used in criminal investigations. The briefing should address processing backlogs, training requirements for the use of digital evidence, technical and legal impediments to secure transmission and sharing with law enforcement and governmental partners, methods for secure and centralized storage, reliance on removable media, and resource challenges or gaps.</p>
	<p>Marijuana impairment. — The Committee supports the development of an objective standard to measure marijuana impairment to ensure highway safety. Essential to that development are high-</p>		

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	<p>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</p>		

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	the report required by the IJA.		
	<p>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 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</p>		<p>Construction-The agreement includes \$75,000,000 for the construction of an ATF forensics laboratory, at the location cited in the ATF report to the Committees entitled "ATF Laboratory Facilities Assessment and Alignment with Partnerships," which provides a mutually beneficial academic setting in which knowledge and skills related to forensic science and ATF's crime gun intelligence programs are passed on to students and faculty.</p>

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	<p>of personnel allocated to assist with the tracing 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.</p>		
	<p>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</p>		<p>National Integrated Ballistic Information Network (NIBIN) Expansion. - The ATF is directed to examine ways to expand access to NIBIN to State and local agencies in the New England region.</p>

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	<p>guns and preventing gun trafficking.</p> <p>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 enforcement and encourages ATF to continue these efforts to ensure Tribal jurisdictions have access to NIBIN correlation services.</p> <p>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</p>		

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	<p>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 exposes 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.</p> <p>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 amounts provided, to continue its work with intergovernmental partners, including DHS, toward these efforts, and encourages collocation with law enforcement partners</p>		

DOJ LANGUAGE SUBMISSION	HOUSE	SENATE	FINAL
	<p>where feasible. ATF is directed to report to the Committee on progress in this regard within 60 days of the enactment of this Act.</p>		
		<p>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.</p>	
			<p>Training law Enforcement Partners. -ATF is expected to continue to provide training to local and State law enforcement agencies on submitting trace requests of firearms recovered in criminal investigations to ATF. The agreement supports the ongoing efforts of Federal, State, and local law enforcement agencies to solve violent crimes and urges ATF to provide all possible training</p>

DOJ LANGUAGE SUBMISSION	HOUSE	SENATE	FINAL
			opportunities in support of these efforts.
		<p><i>Survivors' Bill of Rights in the States.</i>—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 assault, 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 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</p>	<p><i>Sexual Assault Survivor's Bill/Rights.</i>-The agreement provides \$10,000,000 as part of the STOP grants for a new program authorized by section 5903 of the James M. Inhofe National Defense Authorization Act for Fiscal Year 2023, including the right to receive medical forensic examinations, the preservation of evidence collection kits, and access to information resulting from such kits, prior notification of any destruction or disposal of evidence collection kits, and the right to request further preservation of any such kit. The Department is further directed to submit its plan for administering this program, including the grant solicitation process, as part of the fiscal year 2023 spend plan. Within one year of the date of enactment of this act, DOJ shall provide a report to the Committees on the number of States that have applied for grants, the number of awards made and the respective award amounts, and the level of unmet demand for this program.</p>

DOJ LANGUAGE SUBMISSION	HOUSE	SENATE	FINAL
		have applied 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 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.	Internet of things Capabilities Database.- The agreement provides \$2,000,000 for a separate competitive grant program in order to provide four awards of not less than \$500,000 each for 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	FINAL
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	Forensic Sciences. —The Committee provides \$23,000,000 for forensic science research, an increase of \$2,500,000 above the fiscal year 2022 enacted level. Within these funds, the Committee provides no less than	Forensic Sciences. —The Committee provides \$2,000,000 above the fiscal year 2022 enacted level for forensic science research, including \$3,300,000 to support the Organization of Scientific Area Committees and \$2,000,000 to support	Forensic Sciences.- The agreement provides \$22,000,000, an increase of \$1,500,000 above the fiscal year 2022 enacted level, for forensic science research. This includes no less than \$3,500,000 to support the Organization of Scientific

<p>evidence, illicit drugs, digital evidence, ballistics, and trace evidence, developing metrologies for threat detection and protective materials.</p> <p>Statement of Operating Objectives Special Programs Office - The 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.</p> <p>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</p>	<p>\$3,500,000 to support the Organization of Scientific Area Committees and no less than \$1,500,000 to support technical merit evaluations previously funded by transfer from the Department of Justice.</p>	<p>technical merit evaluations. In addition, NIST is directed to report to the Committee whether Federal support is necessary for Standards Development Organizations in order to further advance the use of forensic standards.</p>	<p>Area Committees and no less than \$1,500,000 to support technical merit evaluations. In addition, NIST is directed to report to the Committees whether Federal support is necessary for Standards Development Organizations in order to further advance the use of forensic standards.</p>
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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

<p>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 legal community.</p>			
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HEALTH AND HUMAN SERVICES/CENTER FOR DISEASE CONTROL LANGUAGE

CDC LANGUAGE SUBMISSION	SENATE LANGUAGE	HOUSE LANGUAGE	FINAL LANGUAGE
<p>National Violent Death Reporting System (+\$10.0 million)</p> <p>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.</p>	<p>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.</p>		

<p>Suicide and Other Intentional Injury Prevention (+\$70.0 million)</p> <p>The FY 2023 CDC request includes \$10.0 million above the FY 2022 Annualized CR to implement a multi-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.</p> <p>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.</p>	<p><i>Suicide Prevention.</i>—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 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 Surveillance 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.</p>	<p><i>Suicide Prevention.</i>- The agreement includes an increase and in addition to the direction included in House Report 117-403, the agreement directs CDC to expand its comprehensive suicide prevention program to additional States and develop a plan for integrating its Emergency Department Surveillance 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.</p>	
<p>Opioid Overdose Prevention and Surveillance (+\$237.8 million)</p>	<p><i>Opioid or Other Drug Use and Overdose Prevention.</i>—The Committee includes an increase of \$111,000,000</p>	<p><i>Opioid Other Drug Use and Overdose Prevention.</i>- The agreement includes an increase to enhance</p>	<p><i>Opioid or Other Drug Use and Overdose Prevention.</i>- The agreement includes an increase to enhance</p>

<p>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.</p>	<p>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</p>	<p>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. In addition to the activities included in House Report 117-403, the agreement encourages CDC to include community member naloxone education as a strategy for local community overdose prevention funds. The agreement 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. 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. The agreement urges CDC to continue to maximize the use of</p>	<p>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. In addition to the activities included in House Report 117-403, the agreement encourages CDC to include community member naloxone education as a strategy for local community overdose prevention funds. The agreement 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. 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. The agreement urges CDC to continue to maximize the use of</p>
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	<p>Programs [PDMPs] as a public health tool to assist in clinical decision-making and in conducting surveillance. CDC is directed to improve utilization of State-based PDMPs to assist in clinical decision-making 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.</p>	<p>State-based Prescription Drug Monitoring Programs (PDMPs) as a public health tool to assist in clinical decision-making 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.</p>	<p>State-based Prescription Drug Monitoring Programs (PDMPs) as a public health tool to assist in clinical decision-making 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.</p>
		<p><i>Sexual Assault Nurse Examiners Program.</i>-The agreement includes \$15,000,000, an increase of \$2,000,000 above the fiscal year 2022 enacted level.</p>	

COMMUNITY PROJECTS

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
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
Madera County Sherriffs office	Rapid DNA System Project	\$703,000
Merced Country Sherriffss Officece	Rapid DNA System	\$457,000
Orange County Sherriff's Office	Identification of Unidentified Murder Victims Using Genetic Genealogy	\$49,000
Bucks County Sherriffs Office	Rapid DNA	\$750,000
Snohomish County Sheriff's Office	Rapid DNA System	\$448,000

Grant Parish Sheriff's Office	Rapid DNA technology	\$462,000
Quachita Parish Sheriff's Office	Rapid DNA Technology	\$706,000
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
Jacksonville Police Department	Implementation of a Rapid DNA Regional System	\$405,000
Snohomish County Sheriff's Office	Rapid DNA System	\$448,000

OTHER

Agency	Project	Amount
Harris Country	Institute of Forensic Sciens Design and Renovation	\$12,164,000