

CONSORTIUM OF FORENSIC SCIENCE ORGANIZATIONS

JANUARY 2013

113th Congress 1st Session

LEGISLATIVE UPDATE

CFSO BOARD MEMBERS

Pete Marone, Chair,
ASCLD/LAB Representative
pete.marone@thecfso.org

Kim Collins, MD
NAME Representative
kimcollinsmd@gmail.com

Kenneth F. Martin, Treasurer, IAI
Representative
kenneth.martin@thecfso.org

Jill Spriggs, Secretary,
ASCLD Representative
jill.spriggs@thecfso.org

Robert E. Barsley, DDS, JD,
AAFS Representative
bob.barsley@thecfso.org

Laurel Farrell,
SOFT/ABFT Representative
laurel.farrell@thecfso.org

Beth Lavach,
Legislative Liaison
bethlavach@elsandassociates.com

Yale Caplan,
ABFT
fortox@aol.com



A Look Back at 2012

Working in Washington this year has been much like trying to move a very large mountain by hand. It just wasn't going to happen. No one was willing to blink with the election looming over everyone's head. And then shock for some and elation for others when they returned after the election but by all appearances both sides were still ready to do battle and not budge from what they believe got them elected. So where does that leave forensics? Did anything at all get accomplished in the last session of Congress? What's next with Congress? And....will we ever see a budget?

The Budget

At the beginning of the year, Congress was very much on track to pass a budget. The House passed 8 out of 12 appropriations bills (Justice passed the House on May 10) and the Senate reported 11 out of 12 appropriations bills out of Committee (Justice passed April 19). Unfortunately, everything came to a halt when they had to bring the budget to the floor of the Senate and we ended the year with a Continuing Resolution, which expires on March 27, 2013. That resolution allows the government to continue spending at 2012 rates. What will happen on March 28, 2013 is up for debate. Some believe there will be a year long Continuing Resolution and others believe they will put all of the appropriations bills together in one large Omnibus Spending Bill. Only time will tell but something to consider is that while Congress has resolved the matter of the Bush Tax Cuts it did not resolve the, sequester or the debt limit. So there will be a trifecta of budget issues to resolve in February and March and currently most believe that we will have a year long continuing resolution as the Congress will likely not be able to tackle all three issues AND begin debate on the FY14 budget which is expected to be delivered to Congress almost a month late.

Justice For All Act

This legislation was reported out of the Committee, but did not pass the House or Senate. This authorization has expired so we fully expect it to become an agenda item for the 113th Congress as well.

SAFER

Both the Senate and House were active in a flurry of activity at the end of the year to pass the SAFER Act.

In fact, they were extremely receptive to the feedback from the community and the bill that passed both the House and Senate were modified greatly so as to avoid all of the technical difficulties that were pointed out by the CFSO. The final bill would in fact: raise the mandated level of DNA Backlog funding to 75% for capacity building and backlog reduction, provide grants to law enforcement agencies to conduct an audit of backlogged rape kits but not permit more than 7% of the funding to be used for this and provided guidance on how to report the audit results. However, the House and Senate were not able to agree on a provision regarding standards for DNA collection and the bill died. In the end, however, a great deal of discussion and compromise was accomplished on this bill and we fully expect an agreement to be reached and for the SAFER Act to be passed in the 113th Congress.

Forensic Advancement

Neither Senator Leahy's legislation nor Senator Rockefeller's legislation have passed the Committees or moved toward Senate activity. This does not, however, represent a lack of support for the legislation. Both Committees' are continuing to take comments on the draft bills and you can expect to see them re-introduced with new edits in the upcoming weeks.