

# CONSORTIUM OF FORENSIC SCIENCE ORGANIZATIONS

NOVEMBER, 2012

Have a relaxing  
Thanksgiving Weekend

## LEGISLATIVE UPDATE

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### And we begin again...

The campaigning is over – sigh of relief on all sides, and the country prepares to move on. The question on many minds is, “Move on to what?” The same looming issues that were debated and argued for the past months and weeks still remain largely unresolved. Among them are the debt, the deficit, entitlements, taxes, spending and budget cuts. Prospects for a major change in philosophy appear slim; however, the White House and the Congress have begun to meet on the matter of the “fiscal cliff”. Until the new Members occupy their seats, we are still faced with the looming “fiscal cliff” and the issue of sequestration in a deeply divided Congress. The ball is in President Obama’s court. To use a football analogy, a very likely scenario is to punt the ball downfield and play for a tie and overtime.

### Outcome

Not unexpectedly, most incumbents won re-election and the few surprises and upsets resulted in essentially the same on Capitol Hill. The balance of power in Congress remained relatively unchanged after the votes were counted. The Democrats strengthened their control of the Senate, adding two seats and the Republicans held the House. Although, almost 40 House seats changed hands to the opposite party (both R and D), the final numbers were only slightly different. Bottom line – Sen. Reid leads the Senate and Rep. Boehner remains as House Speaker. Given the overall results of the election, the edge goes to the President and his agenda.

### So what does that mean for Forensics?

Not much! Since the election was essentially a status quo we can assume that the key Members of Congress will remain the same when the 113<sup>th</sup> Congress convenes on January 3, 2013. However, there will be some new faces on the Judiciary Committees and the Appropriations subcommittees due to retirements and a loss or two. Specifically, The House Judiciary Committee lost 5 Republicans and 1 Democrat, the Senate Judiciary Committee lost 1 Democrat and 1 Republican, while the House Commerce, Justice, and Science Appropriations Subcommittees each lost 1 Republican, and the Senate lost 2 Democrats and 1 Republican (the Ranking Member). However, there may be more changes than just filling these seats, as some Members may wish to change Committees. This scenario is unlikely but not impossible.

## **How does a Committee choose its Members?**

- 1) Member Request: At the beginning of the new Congress a Member requests an assignment to a specific committee. Incumbent Members typically stay on their existing committee as they gain seniority.
- 2) Party approval: Each party has a committee in charge of recommending assignments to committees and matches the request to the slots available on the committee.
3. Approval: Each committee has members from each political party assigned to it and the numerical make-up is determined by the election results (i.e. the Majority gets the Chairmanship and the largest number of Members).

## **So what do the tea leaves say for the Judiciary Committees?**

In the House the current Chairman can no longer hold the position of Chairman due to House Republican caucus term limit rules. Most believe the new Chairman will be Congressman Goodlatte of Virginia. In the Senate, Senator Leahy will remain the Chairman and Senator Grassley is expected to also remain as Ranking Member and Senator Kay Bailey Hutchison who has been the Ranking Member of the Commerce, Justice and Science Subcommittee is retiring.

## **Legislative Agendas**

With the Congress remaining in a status quo you can expect legislative initiatives to remain status quo. However, there is a great deal of energy to pass these bills prior to the next election in 2014 when the House will run again and many Senators are up for re-election. Each of these bills will need to be re-introduced when Congress comes back into session. So, what's left?

Justice For All Reauthorization Act

Violence Against Women Reauthorization Act

SAFER, Sexual Assault Forensic Evidence Registry Act

S. 132, Criminal Justice and Forensic Science Reform Act

S. 3378, Forensic Science and Standards Act

## **CFSO**

The CFSO has been actively meeting with Members on all of the legislation mentioned and is pleased that the new drafts are expected to have many of our concerns addressed. To that end, stay tuned for what the text will actually say and some thoughts on how you can help to move this legislation to the President's desk for signature.