

**SUPPORTING STATEMENT**  
**U.S. Department of Commerce**  
**National Institute of Standards and Technology (NIST)**  
**Nomination Applications for Participation in a Forensics Organization**  
**of Scientific Area Committees**  
**OMB Control No. 0693-XXXX**

**A. JUSTIFICATION**

This is a request for expedited review of a new information collection. NIST has requested approval by **March 31, 2014**.

In response to the Memorandum of Understanding (MOU) between the Department of Justice (DOJ) and NIST that was signed in February 2013, NIST took on the task of transitioning existing Forensic Scientific Working Groups to a new transparent and accessible process for standards development and consistency within the forensic science community. The key next step for NIST is a broad national call for participants to staff the Organization of Scientific Area Committees (OSAC), such that the organization can be staffed by May 2014 and to host the inaugural OSAC meeting by the end of Fiscal Year 2014.

**1. Explain the circumstances that make the collection of information necessary.**

NIST is establishing an OSAC to enable a coordinated U.S. approach to Standards for the Forensic Science Disciplines that will include broad participation from forensic science practitioners, researchers, metrologists, accreditation bodies, defense, and prosecution. To inaugurate this process, NIST plans to work with professional forensic societies, science societies, and those who applied for the National Commission on Forensic Science (NCFS) but were not selected. NIST will work with these societies to inform their members of the OSAC application (self-nomination) in order to identify those interested and qualified to contribute.

The information will assist NIST to determine who wants to serve on the OSAC, which of the thirty organizational components of the OSAC they are interested in working on, the experience that they bring to the OSAC so those selected for the OSAC will reflect a balance of perspectives. Once this call has been conducted, NIST will work with the DOJ to place appropriate participants into the different roles within the top two tiers of OSAC (structure chart included with this request). An earlier request by NIST was not possible, due to the delay in defining a structure for OSAC and developing applicant requirements.

It is important to note that the OSAC addresses key aspects of a Forensic Science Standards Program that have not previously existed in the United States, including:

- Five Scientific Area Committees (SACs) with an underlying structure of Subcommittees that will develop and identify appropriate standards, provide common web access to standards and best practices, and monitor for duplication and inactivity within the organization;
- Three Support Committees that will provide advice and intellectual resources to the SACs, composed of Legal Resources, Quality Infrastructure, and Human Factors Committees; and
- A Forensic Science Standards Board to resolve overarching issues and to address expectations that span all SACs.

The forensic science community has been anticipating a NIST response in this area since the signing of the MOU with DOJ in February 2013. Due to unavoidable delays both in setting up the National Commission on Forensic Science (National Commission), a Federal Advisory Committee for the Attorney General, and in posting and collecting responses to a Notice of Inquiry informing NIST on issues critical to OSAC's success, public anticipation is extremely high. With the inaugural meeting of the National Commission in February 2014, and the announcement of the OSAC structure, there is heightened interest in the community in launching the organization and making advances to strengthen the scientific credibility of forensic science in the U.S. NIST is committed to hosting the first OSAC meeting in FY2014. NIST must also be able to identify all OSAC participants, over 500 individuals, no later than May 2014.

Because of the high visibility of the shortcomings of the current forensic science disciplines in the U.S., the long delayed Federal response to the National Academies of Science (NAS) report of 2009 "Strengthening Forensic Science in the United States: A Path Forward," (copy included in this request) and the interest in Congress and in the White House's Office of Science and Technology Policy (OSTP), NIST is requesting OMB's expedited review of this request. This will allow OSAC participants to be identified by May, which will allow sufficient time to train the members on their responsibilities and guideline development, and to host the inaugural OSAC meeting by the end of FY 2014.

**2. Explain how, by whom, how frequently, and for what purpose the information will be used. If the information collected will be disseminated to the public or used to support information that will be disseminated to the public, then explain how the collection complies with all applicable Information Quality Guidelines.**

This information collection envisioned to be a one-time request. Self-nominations will provide the OSAC with the information needed to identify interested and qualified respondents with the ability to participate. Once the initial participants are identified, the OSAC will be empowered to fill any vacancies through directed requests to meet specific balance requirements caused by resignation or rotation of appointees. Future calls are expected to be focused on specific components of OSAC, and not require the broad recruiting tool that is presented in the current request. NIST does not intend to disseminate the information that is collected.

**3. Describe whether, and to what extent, the collection of information involves the use of automated, electronic, mechanical, or other technological techniques or other forms of information technology.**

The collection will rely on a web-based application for interested participants to include pull down responses options, name/phone/address responses, and six narratives of 200 words or less. The application will be posted for 30 days on the existing NIST web site:  
<http://www.nist.gov/forensics/>

**4. Describe efforts to identify duplication.**

The only information of comparable content that NIST is aware of was gathered in a response to a Request for Information from DOJ in 2013. That request was made prior to the definition of the OSAC structure, and did not allow respondents to identify their interests within OSAC nor to apply for membership or participation.

**5. If the collection of information involves small businesses or other small entities, describe the methods used to minimize burden.**

While this collection is not focused on small entities, we expect individuals who are part of small entities to respond. By conducting the collection via a web based tool, focusing the questions on specific interests in order to fill the positions available on the OSAC, and by limiting the length of any narrative response request, we have minimized burden on the respondents.

**6. Describe the consequences to the Federal program or policy activities if the collection is not conducted or is conducted less frequently.**

Without this collection, NIST will not be able to assure the public that a balanced composition has been obtained in the formation of OSAC. The need for balance in an organization such as OSAC was a major conclusion of the National Academy of Science inquiry into forensic science in the United States. Without assurance that the OSAC has realized balance, the Federal government will not be able to make a credible response to these concerns. Furthermore, qualified applicants who are interested in membership will be denied access without the collection being conducted.

NIST has been working with OSTP and the Department of Justice to advance the state of forensic science in the U.S. With the February 3 inaugural meeting of the National Commission on Forensic Science, the next key step is the establishment and operation of the OSAC. The OSTP interest in Forensics, combined with the keen interest from two senate committees (Leahy – Chairman of the Senate Judiciary Committee and Rockefeller – Chairman of the Commerce,

Science and Transportation Committee) highlights the critical need to move forward with OSAC.

**7. Explain any special circumstances that require the collection to be conducted in a manner inconsistent with OMB guidelines.**

No special circumstances are needed.

**8. Provide information of the PRA Federal Register Notice that solicited public comments on the information collection prior to this submission. Summarize the public comments received in response to that notice and describe the actions taken by the agency in response to those comments. Describe the efforts to consult with persons outside the agency to obtain their views on the availability of data, frequency of collection, the clarity of instructions and recordkeeping, disclosure, or reporting format (if any), and on the data elements to be recorded, disclosed, or reported.**

A Federal Register Notice soliciting public comments will be published to coincide with submission of this request. A copy has been included as part of this submission.

NIST presented a draft description of the type of information that we intended to collect at the February 2014 Annual meeting of the American Academy of Forensic Sciences. Recommendations received, were considered during the development of the collection instrument.

**9. Explain any decisions to provide payments or gifts to respondents, other than remuneration of contractors or grantees.**

There will be no payments or gifts associated with this questionnaire.

**10. Describe any assurance of confidentiality provided to respondents and the basis for assurance in statute, regulation, or agency policy.**

No assurance of confidentiality will be provided.

**11. Provide additional justification for any questions of a sensitive nature, such as sexual behavior and attitudes, religious beliefs, and other matters that are commonly considered private.**

No questions of a sensitive nature will be included.

**12. Provide an estimate in hours of the burden of the collection of information.**

NIST is estimating that 2,500 respondents may participate. The application takes approximately 30 minutes per response for an estimated total of 1,250 Burden Hours.

2,500 Respondents x 30 minutes per response = **1,250 Burden Hours.**

**13. Provide an estimate of the total annual cost burden to the respondents or record-keepers resulting from the collection (excluding the value of the burden hours in Question 12 above).**

Not applicable.

**14. Provide estimates of annualized cost to the Federal government.**

The one-time annualized cost, including establishing the web tool and analyzing the responses, is projected to be approximately \$50,000.

**15. Explain the reasons for any program changes or adjustments.**

This is a new collection of information.

**16. For collections whose results will be published, outline the plans for tabulation and publication.**

Not applicable.

**17. If seeking approval to not display the expiration date for OMB approval of the information collection, explain the reasons why display would be inappropriate.**

Not applicable.

**18. Explain each exception to the certification statement.**

Not applicable.

## **B. COLLECTIONS OF INFORMATION EMPLOYING STATISTICAL METHODS**

No statistical methods are employed.