

***NATIONAL WEATHER SERVICE POLICY DIRECTIVE 10-20
AUGUST 2, 2021***

***Operations & Services
FORENSIC SERVICES***

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OPR: W/AFS24 (B. Entwistle)
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Certified by: W/AFSO (A. Stern)

SUMMARY OF REVISIONS: This directive supersedes NWS Policy Directive 10-20 “*Forensic Services*,” dated June 18, 2019. This update includes:

- In Sections 1, 3.2.b, and 3.2.e, added appropriate terminology to more appropriately reflect the nature of NWS involvement in accidents and litigation to stay within our statutory authority.
- Updated Section 3.2.g to further clarify AFSSO responsibilities specific to records retention.
- Updated Section 3.3 to include all NWS office responsibility to provide assistance with investigation and litigation support when necessary.
- Updated Appendix A Title to be more accurate of contents.
- Added hyperlinks to procedural directives listed in Appendix A.
- Added NWSI 10-1603 to Appendix A as supporting policy.

1 This policy directive governs National Weather Service (NWS) Forensic Services supporting accident and incident investigations and litigation in which weather may be a probable cause or contributing factor. Weather is a factor in a substantial number of accidents and incidents. These are routinely investigated by government agencies having legal responsibility to determine probable cause and make safety recommendations. NWS Forensic Services will provide effective and timely meteorological services support to government agencies and offices involved in accident investigation and litigation. The NWS may become a party in litigation arising from transportation accidents and incidents.

2 Forensic Services will also provide dependable and timely weather documentation services in response to mission information requests.

3 This directive establishes the following authorities and responsibilities:

3.1 NWS Forensic Services will ensure the program is consistent with the NWS mission and Department of Commerce (DOC) and the National Oceanic and Atmospheric Administration (NOAA) policy.

3.2 The Analyze, Forecast, and Support Office (AFSSO) is responsible for the overall management of Forensic Services. This includes:

- a. Preparation and issuance of procedural instructions implementing this policy directive as determined by AFSSO.
- b. Maintaining an awareness of all investigative and legal activity concerning potentially weather-related accidents and incidents that involve the NWS. Examples of accidents include, but are not limited to, transportation accidents (e.g., aviation, marine, rail, and highway) and pipeline explosions. Examples of incidents include, but are not limited to, post-wildfire activities or hazardous materials activities.
- c. Maintaining an efficient and timely accident notification process within the NWS.
- d. Assisting and participating in accident and incident investigations conducted by other government agencies and offices such as the National Transportation Safety Board (NTSB), the Federal Aviation Administration (FAA), United States Coast Guard (USCG), in addition to state, tribal, and local agencies, as appropriate.
- e. Providing assistance and technical advice for government attorneys in legal cases arising from accidents or incidents in which weather may be a probable cause or contributing factor.
- f. Assisting in the preparation of NWS employees subpoenaed to testify at legal proceedings such as public hearings, depositions, or trials, convened by federal agencies, including, but not limited to the NTSB, FAA, and the USCG.
- g. Working with the appropriate NOAA offices to ensure the maintenance and execution of a weather records retention system which meets the needs of the investigative agencies and legal community. This includes but is not limited to:
 - The Service Level Agreement (SLA) between AFSSO/OBS and the National Centers for Environmental Information (NCEI) which contains the Service Record Retention System (SRRS) and
 - The Forensic Requests Database maintained by NWS Forensic Services personnel.
- h. Responding to legal production, Freedom of Information Act (FOIA), and mission information requests for weather records requested by government attorneys and accident investigation offices, by private attorneys, consultants, and the general public arising from accidents and incidents.

3.3 All NWS offices, as appropriate, will provide the required assistance, cooperation, and resources to effectively discharge the investigation and litigation support responsibilities as detailed in section 3.2.

4 Procedural directives will be issued to implement this policy as needed and determined by the Director, AFSSO.

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Date

Appendix A

SUPPORTING INFORMATION

Forensic Services *Procedural Directives*

[10-2003 Records Retention](#)

[10-2005 Handling and Releasing Accident-Related Weather Information](#)

[10-2006 The Accident Investigation/Litigation Process](#)

Additional Procedural Directives supporting Forensic Services

[10-1603 Operational Readiness and Significant Event Reporting](#)