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**SUMMARY OF REVISIONS:** This directive supersedes NWS Policy Directive 10-20 “Forensic Services,” dated August 16, 2016. This update includes changes that reflect a change in office responsibility from the Office of the Chief Operating Officer (OCOO)/Performance and Evaluation Branch (PEB) to Analyze, Forecast and Support Office (AFSO)/Aviation and Space Weather Services Branch (AFS24).

1. This policy directive governs National Weather Service (NWS) Forensic Services supporting weather-related accident and incident investigations and litigation. 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 (AFSO) 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 AFSO.
b. Maintaining an awareness of all investigative and legal activity concerning 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 weather-related accidents or incidents.

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 of a weather records retention system which meets the needs of the investigative agencies and legal community.

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 NWS Regional Headquarters offices 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, AFSO.

Signed 6/4/2019
Louis W. Uccellini Date
Assistant Administrator for Weather Services
Attachment 1

GLOSSARY OF REFERENCES AND SUPPORTING INFORMATION

Procedural Directives
10-2003 Records Retention
10-2005 Handling and Releasing Accident-Related Weather Information
10-2006 The Accident Investigation/Litigation Process