

United States Senate

March 26, 2010

The Honorable Daniel K. Inouye
Chairman
Committee on Appropriations
S-128
Washington, D.C. 20510

The Honorable Thad Cochran
Ranking Member
Committee on Appropriations
S-146A
Washington, D.C. 20510

The Honorable Barbara Mikulski
Chairwoman
Subcommittee on Commerce,
Justice, and Science
SD-142
Washington, D.C. 20510

The Honorable Richard Shelby
Ranking Member
Subcommittee on Commerce,
Justice, and Science
SH-125
Washington, D.C. 20510

Dear Chairs and Ranking Members:

As the Appropriations Committee begins to mark up the fiscal year 2011 appropriations bill for Commerce, Justice, and Science (CJS), I respectfully request your attention to the following projects. The need for comprehensive crime prevention programs remains high in New Mexico, and as a result of New Mexico's vast geography and high poverty rates, many communities lack sufficient resources to adequately fight crime and address substance abuse. Maintaining sufficient funding for science initiatives is also essential for the economic development of the State and our Nation's competitiveness.

In addition, pursuant to Senate Rules, I certify that neither I nor my immediate family has a pecuniary interest in any of the congressionally directed spending items that I have requested, consistent with the requirements of paragraph 9 of Rule XLIV of the Standing Rules of the Senate. I further certify that I have posted a description of the items requested on my official website, along with the accompanying justification.

DEPARTMENT OF JUSTICE

Big Brothers Big Sisters New Mexico Consortium: (\$250,000) The Big Brothers Big Sisters Consortium, which is based in Albuquerque, New Mexico, fosters one-to-one mentoring between positive role models and at-risk children throughout the State. The organization has a proven record of improving children's ability to avoid drugs, alcohol, and violence, as well as increase graduation success rates and enhance social relationships. Funding would be used to serve 200 at-risk children in Albuquerque, Santa Fe, Alamogordo, Farmington, San Juan County, Las

Cruces, Roswell, and other underserved areas of low-income, rural, and Native American communities. In 2009, over 3,000 children had Big Brothers Big Sisters mentors, but it is estimated that there are 72,000 children in need of this assistance in the State. Taxpayers would benefit by ensuring that at-risk children receive the help they need, graduate high school, and are able to provide a positive contribution to their respective communities. Performance would be measured by closely tracking match numbers, closure rates, and strength of matches.

Funding would be used as follows:

Salaries (Eight Professionals)	<u>\$250,000</u>
Total	\$250,000

Border Area Mental Health Services (BAMHS), Jail Diversion Program: (\$200,000)

BAMHS, a non-profit based in Silver City, New Mexico, is the largest provider of behavioral health services in southwest New Mexico. With offices in Silver City, Deming, Lordsburg, and Reserve, the agency provides counseling and substance abuse and mental health services. Funding would be used to keep those with mental illness and/or substance abuse issues out of jails by connecting them to services they need. The program is designed to prevent recidivism rates of offenders by providing them with therapy, regulating medications appropriately, and assisting them with job preparedness and other support. The program, which receives routine referrals from district and magistrate judges, has an 80 percent success rate. Performance standards are tracked daily, compiled monthly, and reported on a quarterly basis. Continuing this initiative would save taxpayer money by using effective treatment methods rather than merely relying on expensive incarceration, and would increase community safety by addressing the underlying factors driving offenders' criminal behavior.

Funding would be used as follows:

Personnel/Benefits	\$170,000
Administrative	25,000
Travel	2,500
Supplies	<u>2,500</u>
Total	\$200,000

Chavez County, Juvenile Justice Comprehensive Strategy Board (CSB): (\$335,000)

Chaves County, New Mexico, serves as the fiscal agent for Juvenile Justice Comprehensive Strategy Board, a collaborative effort to address juvenile delinquency through programs that provide alternatives to detention. The group is comprised of a variety of organizations (the City of Roswell, Chavez County, District Attorney's Office, Mental Health Services, CYFD, Roswell Independent School District, Law Enforcement, CASA, Big Brothers Big Sisters, Girls Circle, ASPEN, First Offenders, Intensive Youth Advocacy, WINGS for L.I.F.E., Teen Court, Restorative Justice, Adult Basic Education, Assurance Home, and the Juvenile Drug Court) that

work together to provide cost-effective services for at-risk youth and those referred by the Juvenile Probation and Parole Office (JPPO) and the Children’s Court. The Board is able to assist youth in a comprehensive manner, decreasing crime in the community and reducing juvenile recidivism rates. Taxpayers save money due to the fact that the successful, evidence-based programs are able to address juvenile delinquency in a much less expensive and more effective manner than merely relying on incarceration. Performance is measured by tracking youth participation and the reduction in crime rates.

Funding would be used as follows:

Chaves County (Program Coordinator)	\$30,000
Girls Circle (Program Materials, Salaries)	30,000
JPPO (Program Materials, Salaries)	30,000
ASPEN (Program Materials, Salaries)	30,000
First Offenders (Program Materials, Salaries)	30,000
Intensive Youth Advocacy (Supplies, Salaries)	30,000
WINGS for L.I.F.E. (Supplies, Salaries)	30,000
Teen Court (Program Materials, Salaries)	30,000
Restorative Justice (Supplies, Salaries)	30,000
Adult Basic Education Program (Supplies, Salaries)	30,000
Juvenile Drug Court (Program Materials, Salaries)	30,000
Training (Strategic Planning)	<u>5,000</u>
Total	\$335,000

City of Farmington, Police Communication Equipment: (\$345,000) Funding would be used by the City of Farmington, New Mexico, to enhance emergency communication capabilities within the Four Corners region. The City is currently in the process of upgrading its radio communication system and this funding would provide for the replacement of 80 mobile radios and existing analog systems that allow communication between field officers. The existing system limits the ability of police and firefighters to communicate with other regional agencies. Addressing this problem would improve community safety and increase emergency response capabilities.

Funding would be used as follows:

System Equipment/Radios	<u>\$345,000</u>
Total	\$345,000

City of Las Cruces, Dispatch Center Communication Equipment: (\$1 million) The City of Las Cruces, New Mexico, would use the funding to purchase necessary equipment to establish a public safety and traffic command center. The existing dispatch center is located in a flood zone

and lacks sufficient space and technological capabilities. The initiative would improve community safety by ensuring the ability of public safety officials to respond to emergencies and handle traffic flows.

Funding would be used as follows:

Nortel 911 telephone system	\$850,000
Site antennas/microwaves	75,000
Fiber access	<u>75,000</u>
Total	\$1,000,000

Criminal Information Sharing Alliance, Inc. (CISA), Criminal Sharing Network: (\$875,000) CISA, a non-profit based in Folsom, California, manages a 10-state information network that allows law enforcement agencies located in Arizona, Alabama, California, Georgia, Idaho, Louisiana, Mississippi, New Mexico, Oklahoma, and Texas to easily obtain information from criminal and intelligence databases. Funding would be used by the New Mexico Department of Public Safety to continue and expand this important initiative, which is a cost-effective and collaborative mechanism for law enforcement to share information and solve crimes. Success would be measured by the ability of law enforcement users to use the system in a manner that allows them to “connect the dots” in a timely and efficient manner.

Funding would be used as follows:

Development of Search and Fusion Engine (SaFE)	\$665,000
Hardware/Software	160,000
Training	<u>50,000</u>
Total	\$875,000

Los Lunas Police Department, Police Car Laptops: (\$200,000) The Los Lunas, New Mexico police department requires new computers for patrol cars to enhance mobile capacity. The upgrades would allow the department to better facilitate information and data sharing within the agency and with other criminal justice agencies, which would improve response capabilities and community safety.

Funding would be used as follows:

Computers	\$157,000
Docking Stations	27,000
Mounting Kits	1,300
Installation	<u>5,000</u>
Total	\$200,000

Men Engaged In Nonviolence (MEN), Crime Prevention Initiative: (\$300,000) MEN, a non-profit organization based in Taos, New Mexico, would use the funding to implement prevention and support services to empower individuals to lead lives of nonviolence. The initiative would have three primary areas: (1) promoting responsible fatherhood (\$135,000); (2) engaging at-risk youth through a mentoring camp (\$70,000); and (3) providing ex-offender re-entry services (\$95,000). The project, which will be evaluated by the UNM School of Medicine's Prevention Research Center, would save taxpayer money by reducing incarceration costs and reliance on government entitlement programs.

Funding would be used as follows:

Salaries/Benefits (Eleven Positions)	\$195,000
Contract Services	59,000
Training	10,000
Performance Evaluation/Research	16,000
Transportation	5,000
Media Campaign	5,000
Program Materials	5,000
Activities Fees	<u>5,000</u>
Total	\$300,000

New Mexico Administrative Office of the Courts (AOC), Drug Court Program: (\$400,000) Funding would be used by the AOC, which is based in Santa Fe, New Mexico, to expand court programs throughout the state and complete performance evaluations of ongoing programs. New Mexico's drug courts have increased to 46 programs, and continue to report excellent performance outcomes in treating offenders and breaking the cycle of criminal activity. In 2008, the average recidivism rate was 9.6% for program graduates two years after graduation. When that success rate is coupled with the low cost of drug court programs (\$24.75 per-client-per-day vs. \$85.59 cost-per-day of incarceration), the cost-benefit to taxpayers of expanding drug court programs becomes clear. The tracking of recidivism rates, number of graduates, graduation rates, and program cost-benefits will quantify the success of each aspect of this project.

Funding would be used as follows:

State-wide Evaluation (Travel/Research Fees)	\$200,000
Expansion of Drug Court Programs	140,000
State-wide Training of Court Personnel	50,000
Technical Assistance	<u>10,000</u>
Total	\$400,000

New Mexico Attorney General (NMAG), Prescription Drug Disposal Project: (\$350,000) The NMAG, which is based in Santa Fe, New Mexico, would use the funding to raise awareness

among families and the elderly of the dangers of storing unused and expired prescription drugs that could fall into the hands of teens who may use them unlawfully and participate in so-called “pharm parties.” By ensuring that prescription drugs are stored and disposed of in a proper manner, the initiative will reduce drug abuse by young people and address the environmental consequences of disposing these medications in a manner that contaminates the watershed. As part of the initiative, the NMAG will organize “take-back” programs aimed at collecting unused and expired drugs in communities throughout the State. Success of the program will be measured by the amount of prescription drugs that are collected.

Funding would be used as follows:

Personnel	\$223,000
Disposal Costs	97,000
Educational Materials	10,000
Travel	10,000
Supplies and Equipment	5,000
Community Events	<u>5,000</u>
Total	\$350,000

New Mexico Corrections Department (NMCD), Prisoner Reentry Initiative: (\$500,000)

Funding would be used by NMCD, which is based in Santa Fe, New Mexico, to expand ongoing prisoner reentry initiatives aimed at rehabilitating prisoners and decreasing recidivism rates. This program would increase public safety by reducing crime and save taxpayers money in terms of criminal justice expenses. This is achieved by ensuring that people incarcerated in NMCD facilities are given every opportunity to receive programming and services commensurate with their assessed risk and need. It also includes a seamless transition from the prison to the community in the form of NMCD community supervision and a subsequent release to a home-based community support system. Funds would be used for staff training and professional development, risk and needs assessments, and the building of a sustainable intensive case management structure in the department’s prisons. Project success will be measured by reductions in 12, 24, and 36-month recidivism rates; increases in employment rates for parolees; increases in the number of parolees engaged in substance use and mental health disorder treatment; and increases in the number of parolees receiving assessment-informed case planning prior to release, in combination with comprehensive community support services post-release.

Funding would be used as follows:

Salaries and Benefits (Five New Specialists)	\$350,000
Training and Program Development	50,000
Risk and Needs Assessment	50,000
Computer Equipment	15,000
Project Evaluation	<u>35,000</u>
Total	\$500,000

New Mexico Department of Public Safety (DPS), Auto Theft Prevention Initiative: (\$800,000) Funding would be used by DPS, which is based in Santa Fe, New Mexico, to develop and manage an auto-theft task force to address the high rate of stolen vehicles in the State. In 2008, the City of Albuquerque ranked eighth in the nation for auto theft rates. The overall rate of vehicle thefts is high in border states in part because of their proximity to the Mexican border and the ability to smuggle vehicles out of the country. The funding would be used to establish an Auto Theft Authority responsible for implementing initiatives to combat these crimes, including training, public education, and law enforcement operations. These efforts would help reduce the car insurance costs that taxpayers incur and alleviate the economic impact of stolen vehicles. Success would be measured by the demonstrated reduction in auto thefts.

Funding would be used as follows:

Personnel	\$300,000
Operations, Training, Education	<u>500,000</u>
Total	\$800,000

New Mexico Department of Public Safety (DPS), Rural Meth Enforcement Activities: (\$1 million) Funding would be used by DPS, which is based in Santa Fe, New Mexico, to continue its efforts to reduce the supply of meth in New Mexico. DPS will utilize information sharing initiatives through the HIDTA Intelligence Support Centers to coordinate intelligence-driven enforcement efforts with federal, state, and local law enforcement entities. The funding will enhance the State's law enforcement abilities, allowing it to conduct proactive undercover operations in order to reduce the supply and/or quality of methamphetamine and other illicit drugs in New Mexico's rural areas. The State will also utilize funding to conduct "Impact Operations," which target repeat offenders who victimize communities through continued criminal behavior. These efforts have proven successful in providing relief to communities and a reduction in violent crime.

Funding would be used as follows:

Specialized Equipment	\$472,000
Personnel Salary/Benefits	120,000
Training	100,000
Forensic Expenses	75,000
Medical Evaluations for Meth Teams	30,000
Drug Awareness in Schools	<u>3,000</u>
Total	\$1,000,000

New Mexico Sheriff and Police Athletic League (NMSPAL), Gang Prevention-Intervention Program: (\$300,000) Funding would be used by NMSPAL, which is located in Albuquerque,

New Mexico, to further implement a state-wide Gang Prevention-Intervention Program. The Program will address gang participation by identifying children and youth who are at-risk for gang recruitment and seek to reduce the attractiveness of gang membership. NMSPAL will work closely with law enforcement agencies, school systems, and communities to develop strategies to reduce gang activity and promote positive and healthy communities. Performance standards are measured through pre- and post-surveys, on-site interviews, school attendance, school report cards, and program attendance.

Funding would be used as follows:

Salaries and Benefits	\$144,000
Tournament and Travel	20,000
Equipment	130,000
Books/Pamphlets	4,000
Speakers	<u>2,000</u>
Total	\$500,000

New Mexico State University (NMSU), Anti-Methamphetamine Campaign: (\$400,000)

NMSU, which is based in Las Cruces, New Mexico, proposes to develop an anti-meth campaign that would be implemented through the University's Cooperative Extension Service (which has a presence in each of the State's 33 counties). The initiative would target an estimated 66,000 individuals and provide training and education regarding the negative consequences of meth use. Effectiveness of the program would be measured through follow-up interviews with participants. Addressing meth use through preventative steps saves taxpayer money by reducing criminal activity and eliminating other harmful impacts to communities.

Funding would be used as follows:

Salaries	\$125,000
Services	175,000
Supplies	65,000
Travel	35,000
Total	\$400,000

Sandoval County, Restorative Justice Program: (\$165,000)

Sandoval County, New Mexico, would use the funding to continue the Restorative Justice Program, an initiative aimed at addressing victim restoration, offender accountability, and community restoration in underserved areas (such as Cuba, Pena Blanca, and seven Native American pueblos). Currently, the program is run by volunteers and more permanent staff and resources are needed. The program would benefit taxpayers by providing an effective alternative to expensive incarceration methods, holding offenders accountable, and by compensating victims.

Funding would be used as follows:

Mediation Services	\$138,000
Equipment	13,000
Supplies/Administrative	<u>14,000</u>
Total	\$167,000

Sandoval County, New Mexico Statewide Juvenile Justice Continuum Initiative:

(\$500,000) Sandoval County, New Mexico, is requesting the funding on behalf of 15 counties and cities throughout the State to provide early intervention and graduated sanctions to at-risk youth and those referred to the juvenile justice system. The Juvenile Justice Continuum brings together a variety of agencies, including children's court, protective services, local governments, district attorneys, public defenders, schools, health agencies, and substance and mental health service providers, to address juvenile delinquency in a coordinated and comprehensive manner. More than 2,500 youth were served through this initiative last year, helping to ensure children stay in school and reduce community crime. Success would be measured by decreases in juvenile delinquency rates.

Funding would be used as follows:

Salaries of Service Providers	\$425,000
Operating Expenses	<u>75,000</u>
Total	\$500,000

I would also like to express my support for the following funding levels for these existing national programs:

Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF), Project Gunrunner:

(\$60 million) The Administration's FY11 budget contains \$11.8 million to annualize the funding included in the American Recovery and Reinvestment Act to increase the number of ATF Project Gunrunner Teams along the southwest border. While this funding level is important in continuing these efforts, more needs to be done to stop the flow of illegal weapons that are being trafficked into Mexico to be used by violent drug cartels. Supporting the initiative at \$60 million would allow ATF to significantly expand the number of Gunrunner Teams without having to take special agents from assignments in other parts of the country. The ongoing violence in Mexico poses a security threat to the United States and eliminating weapons trafficking is an essential part of our strategy to address this issue.

Southwest Border Prosecution Initiative (SWBPI): (\$31 million) The SWBPI is an important program that reimburses state, county, tribal, or municipal governments for costs associated with the prosecution of criminal cases declined by local United States Attorney offices. With a significant level of drug trafficking along the southwest border, it is critical that border states have the resources required to bring cases against individuals that would otherwise fall through the cracks when the Federal government decides against pursuing a case. The Administration's FY11 budget does not include funding for SWBPI. The requested \$31 million would fund the program at the same level as FY10.

State Alien Criminal Assistance Program (SCAAP): (\$330 million) SCAAP funding reimburses state and local governments for the costs they incur in incarcerating certain criminal offenders who are undocumented immigrants. Since controlling our border is a Federal responsibility, it is appropriate for the Federal government to assist with these costs. The Administration's FY 11 budget includes \$330 million for SCAAP, the same level as FY10.

NASA/SCIENCE

Eastern New Mexico University (ENMU-R), Flight Research Training Center: (\$4 million) ENMU-R) would use the funding for the Flight Research Training Center, located in Roswell, New Mexico, for a program to detect, mitigate and recover from loss of control accidents in aircraft. The Center is a partnership between ENMU-R, the City of Roswell, the New Mexico Department of Transportation, CUBRC and Calspan focused on advanced maneuver and upset recovery training for pilots using in-flight simulation. The data collected thus far by the project suggests that pilots, even military pilots who are the best trained in the world, are unable to reliably recover from the type of extreme upset events that can lead to a loss-of-control accident without this type of specialized training. Continued funding will support the development of aviation jobs in southeastern New Mexico and the transition to a robust and economically viable program based in Roswell, New Mexico that will one day make airline flight safer for the traveling public.

Funding would be used as follows:

Labor	\$1,800,000
Aircraft Operations	1,200,000
Materials and Fuel	<u>1,000,000</u>
Total	\$4,000,000

New Mexico State University (NMSU), Science, Engineering, Mathematics, and Aerospace Academy (SEMMAA): (\$200,000) Funding would be used for SEMMAA to continue to engage historically underrepresented youth in activities in the fields of science, technology, engineering, and mathematics. The U.S. needs 400,000 new graduates in the STEM fields by 2015 and only 15% of all U.S. college graduates choose the STEM fields, which impacts American

competitiveness. The goal of the course is to increase student participation and achievement in the STEM fields through academic enrichment, after-school programs, career awareness programs, professional development for teachers, and partnerships with parents that consist of building strategies for communicating and enhancing their child’s education. Over a six-year period, the program has served over 15,000 students and 250 educators. Performance will be measured through evaluations by students, parents, teachers, and volunteers; interviews; tracking standardized test scores.

Funding would be used as follows:

Personnel (Four Positions)	\$112,000
Stipends (Instructors)	51,000
Supplies	21,300
National SEMAA	14,000
Travel	<u>1,700</u>
Total	\$200,000

State of New Mexico, Spaceport Telecommunications Infrastructure Development: (\$1 million) The State of New Mexico is currently developing a commercial spaceport, “Spaceport America,” in rural Sierra County in the southern part of the state. This effort is being led by the New Mexico Economic Development Department. Because of the spaceport’s isolated location (a fact necessitated by safety considerations), there is only the most basic telecommunications infrastructure in the area. This request will support development of modern telecommunications infrastructure, including high-speed Internet access within the spaceport boundaries and in the surrounding area. The spaceport will create a regional economic engine that drives high-wage job creation, economic expansion, and improved quality of life during a time of recession. Additionally, the spaceport – a public entity - will serve as a critical ingredient of a renewed national space launch infrastructure and enhance American global technical competitiveness through the provision of lower cost launch alternatives and more flexible launch schedules than can currently be offered by federally-owned launch installations. The site will also foster and promote space-related research and development, improve STEM educational opportunities, and increase tourism in the local economic activity.

Funding would be used as follows:

Fiber-Optic Cable and Infrastructure	\$500,000
Control and Data Access Telecom System	250,000
Rail Connection Design	<u>250,000</u>
Total	\$1,000,000

New Mexico NASA Space Alliance Technology Outreach Program (SATOP): (\$540,000)
 The New Mexico SATOP, which is located in Santa Fe, New Mexico and administered by the

non-profit Regional Development Corporation, offers free services designed to provide engineering assistance to speed the transfer of space technology to the private sector. The SATOP New Mexico Center has furnished vital technical expertise to over 350 New Mexico small businesses at no charge. SATOP has addressed more than 2,100 requests for technical assistance, infused more than \$570 million into the national economy, and created or retained over 1,300 jobs. Furthermore, \$4 million is requested overall for the national SATOP (the program is authorized at \$4 million in the NASA Authorization Act of 2008 (P.L. 110-422)). The New Mexico SATOP is one of four regional partners funded under this NASA program.

Funding would be used as follows:

Personnel/Alliance Partners	\$400,000
Indirect Costs	53,000
Office/Administrative	46,000
Travel	22,000
Equipment	9,600
Conference/Workshops	<u>9,400</u>
Total	\$540,000

I would also like to express my support for the following funding levels for these existing national programs:

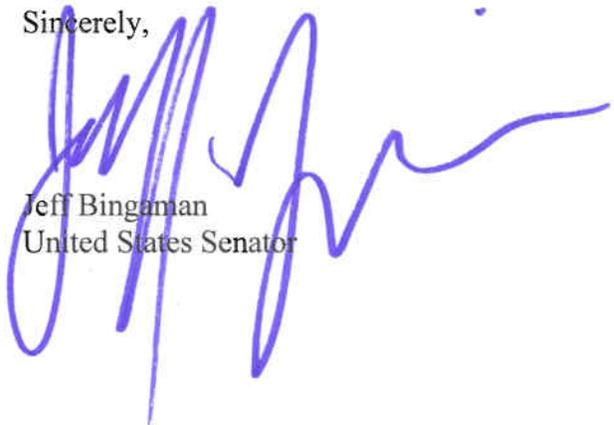
NASA National Space Grant College and Fellowship Program: (\$45.6 million; report language) This successful national program was developed as a way to attract and retain students in science, technology, engineering, and mathematics (STEM) careers. The Administration’s FY11 budget includes \$27.7 million for this program (\$46.6 million was allocated in FY10). New Mexico State University (NMSU), which is located in Las Cruces, New Mexico, is one of the many institutions that benefits from this program and requires these funds to maintain the Space Grant Consortium. The NMSGC requests a core grant of \$900,000 from the national funding stream. Since 1990, the Consortium has engaged in important research, education, and public service initiatives with over \$1.8 million in scholarships going to New Mexico undergraduate and graduate students. The program provides hands-on educational opportunities for students and faculty from kindergarten through graduate school. In addition to NMSU, partners include NM Tech, UNM, Doña Ana Branch College, San Juan College, PSL, White Sands Test Facility, White Sands Complex, X Prize Foundation, and the New Mexico Spaceport Authority. The program is authorized under the NASA Authorization Act of 1988 (P.L. 100-147). In particular, the following report language is requested:

“For this program, the conference agreement provides \$45,600,000 to fund 42 states or jurisdictions at \$900,000 each and 10 states or jurisdictions at \$700,000 each. This amount includes a small Administration fee of approximately \$800,000 for NASA.”

NASA Experimental Program to Stimulate Competitive Research (EPSCoR): (\$25 million) EPSCoR strengthens the research capabilities of jurisdictions that have not participated equably in competitive aerospace and aerospace-related research activities. The Administration's FY11 budget includes \$9.3 million for the program (\$24.9 was allocated in FY10). EPSCoR provides eligible jurisdictions with funding to develop a more competitive research base within their jurisdiction and member academic institutions. NMSU, UNM, and New Mexico Tech receive funding under New Mexico EPSCoR. The program is important in preparing a high-tech workforce and expanding the capacity of educational institutions. NMSU normally receives \$125,000 under the national funding level.

Thank you for your consideration of these initiatives; they are important to the people of New Mexico. I recognize that the CJS Subcommittee has many funding requests to consider and I appreciate the attention that the Subcommittee has given to my appropriation requests in previous years. I look forward to working with you and your staff again this year.

Sincerely,



Jeff Bingaman
United States Senator

JB/ss