

## United States Senate

May 8, 2009

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 2010 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

**Albuquerque Police Department (APD), Comprehensive Information Project:** (\$2 million)  
Funding would be used by APD to design, implement, and support a state-of-the-art information system. APD will improve access to data by installing "hot spot" corridors throughout the city. The corridors will allow more efficient use of officer time, providing access to investigative

databases and the electronic transfer and approval of police reports. This process will further streamline the flow of documents and information to the courts, the public, and the law enforcement community. As this project progresses, APD will meet or exceed industry technology standards for wireless communication.

Funding would be used as follows:

Design, Installation of Hardware and Software	<u>\$2,000,000</u>
<b>Total</b>	<b>\$2,000,000</b>

**City of Bloomfield, Interoperable Communications Equipment:** (\$270,000) The City of Bloomfield, which is located in San Juan Country, New Mexico, would use the funding to purchase 110 portable radios. Portable radios currently being used by the Police and Fire Departments are reaching the end of “life expectancy” and parts will not be available for repairs after October 2009. The proposed radios allow interoperable communications, emergency man-down distress, and in-field front panel frequency programming. The City will use the radios in conjunction with the San Juan County Communications Authority, which handles communications for all EMS, fire, and law enforcement agencies within the County. This project would ensure the Bloomfield Police and Fire Departments are equipped to respond to emergencies throughout the County and help save lives in the community.

Funding would be used as follows:

Equipment	<u>\$275,000</u>
<b>Total</b>	<b>\$275,000</b>

**City of Las Cruces, At-Risk Youth Program:** (\$1 million) The City of Las Cruces, which is located in Dona Ana County, New Mexico, would use the funding to enhance and expand existing programs targeted at assisting at-risk youth. The focus of this project is preventing delinquency and promoting a gang-free environment by providing afterschool, weekend and summer programs. Activities include tutoring, employment skills training, alcohol and other drug abuse prevention services, leadership development, and vocational and entrepreneurial training. All activities will be conducted outside of the school day and are designed to provide lasting community impact.

Funding would be used as follows:

Tutoring and Counseling	\$300,000
Training	300,000
Operating	<u>400,000</u>

**Total**

**\$1,000,000**

**Fiore Industries, Inc., Vehicle Stopper Technology:** (\$400,000) Funding would be used by Fiore, a high-tech small business located in Albuquerque, New Mexico, to support the development of a non-lethal approach for law enforcement to stop vehicles during high speed chases. The car stopper utilizes a vehicle-mounted high power microwave source which is capable of gently stopping a fugitive vehicle in a police pursuit, without compromising the ability of the officer to operate his vehicle. Fiore has successfully tested the technology on different vehicles and has produced a vehicle mounted prototype, but additional funding is needed to allow for the development of the first production system. The funds would initially prevent the loss of four positions, and once the production is finalized, create an estimated 85 manufacturing positions. The performance standards for the project will be the number of vehicles tested in the laboratory environment and the design of a production model by the end of the period of performance.

Funding would be used as follows:

Salaries	\$340,000
Equipment	<u>60,000</u>
<b>Total</b>	<b>\$400,000</b>

**Juvenile Assessment and Reporting Center (JARC), Prevention and Intervention Program:** (\$265,000) The JARC, a non-profit organization located in Las Cruces, New Mexico, serves as a central point of entry into the juvenile justice system. Currently juveniles who have committed a misdemeanor or non-violent felony are brought by law enforcement and released to JARC staff (clients can also be referred by schools, social service agencies or parents prior to an offense). The JARC provides an assessment to determine the needs of the juvenile and makes a referral to a community program designed to address the specific needs of the juvenile and his/her family. By reducing recidivism rates of juvenile offenders and addressing the underlying causes of their delinquency, the JARC program saves taxpayers money with respect to criminal justice costs and reduces overall crime rates. Performance standards will include the number of clients served, quality of assessments and the number of referrals processed. In addition, an end of the year evaluation will be conducted that includes input from various stakeholders such as law enforcement, juvenile programs, referrals sources and families.

Funding would be used as follows:

Professional Services	\$215,000
Administrative Expenses	35,000
Liability Insurance	7,000
Training	4,000
Outreach	2,000

Strategic Planning	<u>2,000</u>
<b>Total</b>	<b>\$265,000</b>

**National Association of Indian Legal Services (NAILS), Legal Services Programs:** (\$3 million) Funding would be used by NAILS, a consortium of 24 non-profit Indian legal aid organizations operating in 23 states, to provide training and technical assistance and civil and criminal legal assistance to Indian tribes, tribal courts and individual representation in tribal courts under the Indian Tribal Justice Technical and Legal Assistance Act (P.L. 106-559). NAILS is based in Boulder, Colorado; however, one of its member organizations, New Mexico Legal Aid, is located in Bernalillo, New Mexico. This project would enable the member organizations to provide both civil and criminal legal representation to Native American clients who meet federal poverty guidelines in tribal courts, including representation of juveniles. Funding is requested from the Edward Byrne Memorial Justice Assistance Discretionary Grant Program, and performance standards would be consistent with the program's requirements.

Funding would be used as follows:

Programmatic Expenses	\$1,500,000
Staff	1,470,000
Equipment	<u>30,000</u>
<b>Total</b>	<b>\$3,000,000</b>

**New Mexico Administrative Office of the Courts (AOC), Drug Court Program:** (\$700,000)

Funding would be used by the AOC, which is based in Santa Fe, New Mexico, to expand court programs throughout the state and to standardize drug court databases and performance evaluations. New Mexico's drug courts have increased over the last five years from 20 to 41 programs, and continue to report excellent performance outcomes. 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. Funding will allow expanded access to treatment services, while improving overall services through additional administrative and surveillance staff, increased drug testing, and use of electronic monitoring. 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:

Expanding Drug Court Treatment Contracts	\$450,000
Database Programmer, Technical Assistance, Management Analysts	250,000
Travel	<u>30,000</u>

**Total**

**\$750,000**

**New Mexico Attorney General (NMAG), Anti-Meth and Teen Safety Awareness Campaign:** (\$1 million) Funding would be used by the New Mexico Attorney General's Office, which is based in Albuquerque, New Mexico, to continue its Methamphetamine Awareness Project and expand the program to include underage drinking and other illicit drug use. The objective of the program is to educate mid through high-school aged students about the correlation between drugs, alcohol and violence and the devastating consequences of these behavioral issues on their lives, with an educational component for parents, teachers and community leaders. Outreach efforts will include public education, media messaging, community involvement as well as government and law enforcement participation. Performance standards will be determined through a survey to assess the pre-initiative presentation with a follow-up survey to analyze the ongoing impact of the program on the attendees. New Mexico has one of the nation's highest rates of drug related deaths, and according to a recent study by the Department of Health, the state ranks number one in terms of the percentage of children who admitted to alcohol and drug use prior to the age of 13. This funding would help prevent children from becoming addicted to drugs and alcohol, and save taxpayers money in terms of health care costs, criminal justice expenses, and social services disbursements.

Funding would be used as follows:

Salaries and Benefits	\$243,000
Outreach Travel	106,500
Equipment and Supplies	150,000
Media Campaign	300,000
Survey Development & Analysis, Training Materials & Attendee Distributions	<u>200,500</u>
<b>Total</b>	<b>\$1,000,000</b>

**New Mexico Attorney General (NMAG), Environmental Crimes Unit (ECU) Outreach and Training Program:** (\$220,000) The ECU, which is based in Santa Fe, New Mexico, investigates and prosecutes environmental crimes throughout the state and requires resources to educate government agencies and the general public about environmental crime. Funding would be used to conduct live trainings of law enforcement and land management personnel, and do public outreach through the media to create awareness of environmental crimes to deter criminal behavior and increase the reporting of suspected criminal environmental activity. Environmental crime is widespread in New Mexico and must be combated in order to protect New Mexicans' health and natural resources. Performance would be measured by the number of referrals or tips of suspect activity received by ECU; the percentage increase in investigations initiated by ECU; and the number of persons receiving training.

Funding would be used as follows:

Public Outreach	\$125,000
Training	29,000
Salaries and Benefits	<u>66,000</u>
<b>Total</b>	<b>\$220,000</b>

**New Mexico Attorney General (NMAG), Human Trafficking Task Force:** (\$240,000)

Funding would be used by the NMAG, which is based in Albuquerque, New Mexico, to raise awareness about human trafficking. In 2008, the State of New Mexico passed a law aimed at combating human trafficking. Specifically, the legislation criminalizes the use of force, fraud, or coercion to subject a person to labor or commercial sexual activity, and establishes a Task Force chaired by the Attorney General to address issues surrounding the enforcement of this law. Requested funding would be used to support efforts of the Task Force, which include the training of law enforcement, a community media campaign to raise awareness of the issue, and the education of health and social service providers in indentifying trafficking victims. In addition, the funding would be used to support victim services. Performance measures include assessing the number of inquiries of human trafficking as a result of the media campaign and the collaborative relationships developed in various communities as a result of outreach campaign.

Funding would be used as follows:

Education and Outreach	\$140,000
Outdoor Media Advertising	<u>100,000</u>
<b>Total</b>	<b>\$240,000</b>

**New Mexico Children, Youth, and Families Department (CYFD), Juvenile Justice Services**

**Pilot Project:** (\$2.5 million) CYFD, which is located in Santa Fe, New Mexico, would use the funding to develop and implement national standards for the delivery of juvenile justice services for probationary, paroled and committed youth. Funding would also be used to improve health and behavioral health services, educational services, and to decrease the recidivism rate of youth offenders. Performance would be measured by services provided, standards developed, and the impact on recidivism rates.

Funding would be used as follows:

Information Technology Enhancements	\$600,000
Statewide Standards Development Workgroup (Including Participants' Travel)	225,000
Transitional Living Services	600,000
Behavioral Health and Medical Services	600,000
Training and Curriculum Development to	

Public Outreach	\$125,000
Training	29,000
Salaries and Benefits	<u>66,000</u>
<b>Total</b>	<b>\$220,000</b>

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Funding would be used as follows:

Information Technology Enhancements	\$600,000
Statewide Standards Development Workgroup (Including Participants' Travel)	225,000
Transitional Living Services	600,000
Behavioral Health and Medical Services	600,000
Training and Curriculum Development to	

Support Standards Implementation	238,000
Training and Technical Support	150,000
Project Coordinator	<u>87,000</u>
<b>Total</b>	<b>\$2,500,000</b>

**New Mexico Coalition Against Domestic Violence (NMCADV), Hispanic Community**

**Outreach:** (\$500,000) Funding would be used by NMCADV, which is located in Albuquerque, New Mexico, to expand its outreach efforts to Hispanics across the state through a comprehensive, multi-media public education campaign to raise awareness and prevent domestic violence. In 2007, law enforcement responded to more than 22,000 incidents of domestic violence, and of the 178 homicides in the state, approximately 18% were domestic violence related. Domestic violence is often underreported in the Hispanic community where language barriers and cultural issues make it more difficult to reach victims and families in crisis. Funding would be used to create and conduct a Spanish-language Hispanic domestic violence public awareness and prevention media campaign. Media will include radio, television and print messaging, and provide residents with information about where to seek help in their communities. Funding would also be used to strengthen and expand NMCADV's existing domestic violence services. Evaluations will be made to determine whether the campaign is successful in reaching its target audience, increasing awareness and changing attitudes about domestic violence, and informing residents where to seek help.

Funding would be used as follows:

Educational Media and Outreach	\$325,000
Salaries	225,000
Research and Evaluation	50,000
Telecommunications and Infrastructure	25,000
Design	<u>25,000</u>
<b>Total</b>	<b>\$500,000</b>

**New Mexico Corrections Department (NMCD), Prisoner Reentry Initiative:** (\$1 million)

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, the evolution of the department's current risk and needs assessment pilot project, 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 (nine new specialists)	\$585,000
Training and Program Development	300,000
Risk and Needs Assessment	<u>115,000</u>
<b>Total</b>	<b>\$1,000,000</b>

**New Mexico Department of Public Safety (DPS), 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 also will 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:

Personnel, Training, Education	\$500,000
Administrative	100,000
Undercover Operations	175,000
Equipment	<u>225,000</u>
<b>Total</b>	<b>\$1,000,000</b>

**New Mexico Sheriff and Police Athletic League (NMSPAL), Gang Prevention-Intervention Program:** (\$500,000) Funding would be used by NMSPAL, which is located in Albuquerque, New Mexico, to further implement a state-wide Gang Prevention-Intervention Program. The Gang Prevention-Intervention Program will address gang violence, drive-by shootings and drug-related murders. The program will identify children and youth who are at-risk for gang recruitment and seek to reduce the attractiveness of gang membership and its lifestyle. 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	\$190,000
Tournament and Travel	35,000
Equipment	165,000
Office and Training Materials	25,000
Administrative	<u>85,000</u>
<b>Total</b>	<b>\$500,000</b>

**New Mexico State University (NMSU), Meth Awareness Program:** (\$375,000) Funding would be used by NMSU, which is located in Las Cruces, New Mexico, to design and implement a meth awareness education program targeting urban, rural, Native American and socially disadvantaged adults and youth in the state. The University has developed strong partnerships with local, state and federal agencies and private industry. These partnerships would be leveraged to deliver research based education and outreach programs on meth awareness and prevention targeting a diverse audience of 60,000 in the state. Master trainers would be developed in each county who will establish a team of respected community leaders and agencies to deliver in person training to their communities. The team will conduct a follow up interview with participants chosen at random to determine the effectiveness of the training program.

Funding would be used as follows:

Salaries	\$100,000
Services	200,000
Supplies	65,000
Travel	<u>10,000</u>
<b>Total</b>	<b>\$375,000</b>

**Torrance County Sheriff's Department, Anti-Meth Initiative:** (\$400,000) Torrance County, New Mexico is an area that faces significant challenges is combating meth labs, violent crime, and drug trafficking. The Department is currently understaffed and lacks the resources necessary to address criminal activity in the County. Funding would be used to purchase communications equipment, enhance investigative efforts, and conduct under-cover work.

Funding would be used as follows:

Equipment	\$315,000
Investigator Position	60,000
Undercover Operations	<u>25,000</u>
<b>Total:</b>	<b>\$400,000</b>

**Youth Advocate Programs (YAP), Gang Prevention Program:** (\$350,000) San Juan County Advocate Program, which is located in Farmington, New Mexico, focuses on providing alternatives to detention services to juvenile offenders. Funding would be used to assist youth who are currently involved with the San Juan County Juvenile Probation Department and to expand gang prevention efforts to an additional 75 youth and their families. According to the San Juan County Juvenile Probation Department there are 40 identified gangs in Farmington which are responsible for 75% of the juvenile crime in the city. Youth Advocate Programs utilizes a recognized juvenile justice alternative to detention model that has greatly reduced the recidivism rate for young offenders and has helped communities address youth crime at a small fraction of the cost of incarceration. About 72% of participants successfully completed the program last year, which includes GED courses, training, tutoring, alternative school enrollment, employment, and supervision. YAP performs pre-enrollment and in program assessments of participants with the reduction of recidivism rates being the primary focus. Participant outcome measures include staying arrest and drug free, completing court mandated community service, reenrollment in school, and retention in home environment instead of institutionalization.

Funding would be used as follows:

Salaries and Benefits	\$229,692
Travel	33,950
Direct Assistance	23,715
Equipment and Administrative Expenses	<u>62,643</u>
<b>Total</b>	<b>\$350,000</b>

## SCIENCE

**Eastern New Mexico University (ENMU-R), Flight Research Training Center:** (\$4,000,000) 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>
<b>Total</b>	<b>\$4,000,000</b>

**New Mexico State University (NMSU), Science, Engineering, Mathematics, and Aerospace Academy:** (\$200,000) Funding would be used for SEMAA 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:

After School Instructors	\$80,000
Work-study and Graduate Students	20,000
Curriculum Materials	55,000
Parent Teaching/Partnership	8,000
Busses	8,000
Instructor Professional Development	3,000
Science Summer Camp	<u>26,000</u>
<b>Total</b>	<b>\$200,000</b>

**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:

Service Provider Pathway	\$432,000
Control Systems, Monitors, Consoles	209,000
Antenna Farm & Tower	204,000
PA / Paging	69,000
Administrative	<u>86,000</u>
<b>Total</b>	<b>\$1,000,000</b>

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

**NASA Experimental Program to Stimulate Competitive Research (EPSCoR):** (\$35 million) EPSCoR strengthens the research capabilities of jurisdictions that have not participated equably in competitive aerospace and aerospace-related research activities. EPSCoR provides eligible jurisdictions with funding to develop a more competitive research base within their jurisdiction and member academic institutions. NMSU, UNM, and the New Mexico Institute of Mining receive funding under New Mexico EPSCoR. The program is important in preparing a high-tech workforce and expanding the capacity of educational institutions.

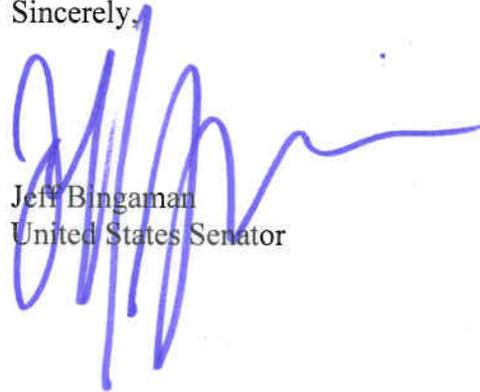
**NASA National Space Grant College and Fellowship Program:** (\$44.8 million) This successful program was developed as a way to attract and retain students in science, technology, engineering, and mathematics (STEM) careers. New Mexico State University (NMSU), which is located in Las Cruces, New Mexico, requires these funds to maintain the Space Grant Consortium. 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 NMIMT, 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)

**NASA Space Alliance Technology Outreach Program (SATOP):** (\$4 million) SATOP is a free service 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. SATOP was authorized at \$4 million in the NASA Authorization Act of 2008 (P.L. 110-422).

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Thank you for your consideration of these projects; 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,

A handwritten signature in blue ink, appearing to be "Jeff Bingaman", written over the printed name.

Jeff Bingaman  
United States Senator

JB/ss