

United States Senate

March 29, 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 Robert C. Byrd
Chairman
Subcommittee on Homeland Security
SD-135
Washington, D.C. 20510

The Honorable George Voinovich
Ranking Member
Subcommittee on Homeland Security
SH-125
Washington, D.C. 20510

Dear Chairman and Ranking Members:

As the Appropriations Committee begins to mark up the fiscal year 2011 appropriations bill for Homeland Security, I respectfully request your attention to the following initiatives. I strongly support efforts to improve border security and disrupt the operations of transnational drug trafficking organizations. I also believe it is important to ensure adequate resources are dedicated to facilitating trade and enabling lawful crossings by residents living in communities throughout the border region.

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.

CUSTOMS AND BORDER PROTECTION

Santa Teresa Port of Entry Improvements: (Report Language) Economic development in the New Mexico-Chihuahua region has increased commercial and passenger vehicle traffic at the Santa Teresa Port of Entry in New Mexico. This activity has been spurred by new industrial operations in Chihuahua and a new road from Juarez to the Santa Teresa-San Jeronimo border crossing that reduces the travel time from one hour to approximately 15 minutes, allowing individuals to bypass the busy El Paso corridor. As a result of this increased traffic, passenger vehicle peak wait times have reached 185 minutes. To facilitate cross-border traffic and enhance economic development on both sides of the border, I respectfully request that the Committee include the following report language urging Customs and Border Protection to provide funding to build two additional passenger vehicle lanes and inspection booths at the port. The new lanes and booths would cost an estimated \$3 million. *Suggested Account: CBP Construction and Facilities*

Suggested report language:

“The Committee recognizes that the current infrastructure at the Santa Teresa Port of Entry in New Mexico is insufficient to handle increased port traffic and urges CBP to construct two new passenger vehicle lanes and related inspection booths at the port.”

Economic Impact Analysis of Border Wait Times and Projections of Future Traffic Flows: (Report Language) Currently, CBP does not regularly calculate the economic impact of entry delays at POEs on trade or commerce. Such delays have a deleterious effect on economic growth and jobs throughout the country and it would be beneficial for CBP and policy makers to have a clear understanding of their economic impact. In addition, CBP also does not adequately analyze how new developments and infrastructure improvements in Mexico will impact future traffic flows at U.S. POEs. This analysis is necessary in order for CBP to take steps to improve port infrastructure and allocate sufficient staff and resources in a proactive rather than reactive manner. I respectfully request that the Committee include report language urging CBP to conduct these studies in conjunction with relevant federal, state, and local agencies and stakeholders. *Suggested Account: CBP Headquarters Management & Administration*

Suggested report language:

“The Committee urges CBP, working in concert with the Department of Commerce, Department of Transportation, private sector stakeholders, and state and local governments, to conduct regular studies of the economic impact of delays at land Ports of Entry. CBP is also encouraged to enhance its analysis of current and anticipated traffic flows at POEs in order to better proactively staff and operate POEs to minimize delays as well as properly plan future infrastructure improvements.”

Impact of Enforcement Activities on Border Residents: (Report Language) While CBP has made great strides in securing our borders, the unintended consequences of increased

enforcement are increasingly impacting residents in the border region. This is particularly the case with regard to unimproved private and government-owned roads which are degraded by frequent CBP use. I respectfully request that the Committee urge CBP, through its Comprehensive Tactical Infrastructure Maintenance and Repair project, to include repair work on all such impacted roads, not only those directly adjacent to the international border. Where appropriate, the project should also address related infrastructure needs that facilitate Border Patrol interdiction activities and protect private property, such as the installation of cattle guards and related barriers. *Suggested Account: Border Security Fencing, Infrastructure, and Technology*

Suggested report language:

“The Committee urges CBP to ensure that it adequately maintains and repairs roads that are heavily used by Border Patrol and to reimburse, where appropriate, border residents for any damages to their property that occurs as a result of enforcement activities.”

Internal Affairs: In recent testimony before the Senate Homeland Security and Governmental Affairs Committee, James F. Tomsheck, Assistant Commissioner of CBP’s Office of Internal Affairs, indicated that corruption of CBP officers is a growing threat, particularly given the drug trade between Mexico and the United States. I respectfully request that the Committee provide adequate resources for CBP to address this challenge. *Suggested Account: Headquarters Management & Administration (Office of Internal Affairs).*

OUTBOUND SMUGGLING

Southbound Weapons and Currency Smuggling: (Report Language) Criminal organizations operating along the border smuggle illegal narcotics into the United States and traffic weapons and drug proceeds back into Mexico. In order to reduce drug-related violence and disrupt the drug trade, it is essential that we aggressively work to prevent cartels from obtaining the weapons they use to violently maintain control over their operations and the revenue they use to finance their criminal enterprises. I strongly support the Administration’s recent efforts to increase outbound inspections at ports of entry and enhance investigative capabilities, and I urge the Committee to support funding for these initiatives. However, we also must ensure there is adequate infrastructure and staffing at the ports of entry to prevent outbound smuggling efforts from hampering lawful cross-border traffic and international trade. In addition, the effectiveness of these strategies depends in part on the development and deployment of appropriate technologies. I ask the Committee to urge DHS to seek a comprehensive technical evaluation of various methods for detecting and interdicting the southbound movement of smuggled contraband. The evaluation should provide recommendations regarding the most effective strategies and technological assets that can be deployed in a manner that does not hamper the legitimate cross-border traffic. *Suggested Account: DHS Science and Technology*

Suggested report language:

"The Committee supports CBP and ICE initiatives to increase resources dedicated to interdicting the southbound flow of weapons and bulk cash being smuggled out of the United States into Mexico. These efforts are critical in stemming the escalating violence in Mexico and in hampering the ability of drug cartels to move illegal narcotics into our country. The effectiveness of these strategies depends in part on the development and deployment of appropriate technologies. The Committee urges DHS to seek a comprehensive technical evaluation of the various methods for detecting and interdicting the southbound movement of smuggled contraband. The evaluation should provide recommendations regarding the most effective strategies and technological assets that can be deployed in a manner that does not hamper legitimate cross-border traffic."

FLETC

Federal Law Enforcement Training Center (FLETC): (\$333 million) FLETC provides the facilities, equipment, and support services necessary for the training of federal law enforcement personnel. The FLETC facility in Artesia, New Mexico, provides crucial advanced and specialized training for the U.S. Border Patrol, the Bureau of Indian Affairs (BIA), and the Transportation Security Administration (TSA). To continue these important activities at FLETC-Artesia as well as the other facilities, additional support is required for programming and construction. The Administration's FY11 Budget Request proposes \$278 million for overall FLETC funding. I urge the Committee to boost FLETC funding and fully support FLETC-Artesia.

NATIONAL PROTECTION AND PROGRAMS DIRECTORATE

National Infrastructure Simulation and Analysis Center (NISAC): (\$35 million) The National Infrastructure Simulation and Analysis Center (NISAC) is the national center of expertise on critical infrastructure interdependency modeling, simulation, and analysis. The Center is comprised of DHS management personnel in Washington, D.C., and scientists, engineers, and economists at Los Alamos National Laboratories and Sandia National Laboratories in New Mexico. NISAC's primary mission is to improve the understanding of the Nation's critical infrastructure by supporting DHS planning, protection, deterrence, response, and mitigation efforts for natural disasters and terrorism. This program has been so successful at developing useful analytical tools that it is increasingly used to support frequent exercises and real-world events, such that the ability to develop additional needed capabilities has been reduced. It is important for the NISAC budget, which has been flat, to grow to support capability development for increasingly sophisticated and longer-term analysis, which could also be extended to key international settings where infrastructure can be destroyed as the result of natural or man-made disasters. I thus urge the Committee to increase funding for NISAC to \$35 million, \$19 million more than the President's budget request and \$15 million more than its FY10 appropriation. *Suggested Account: National Protection and Programs Directorate, Infrastructure Protection and Information Security*

National Domestic Preparedness Consortium (NDPC), New Mexico Institute of Mining and Technology, WMD First Responder Training Program: (\$30 million). Support for this initiative will be used to continue and expand successful training programs for all 50 states and territories as part of the National Domestic Preparedness Consortium. So far, over 1,500,000 first responders have been trained by NDPC; New Mexico Tech itself has trained over 300,000. The need for training to respond to Weapons of Mass Destruction was first highlighted by the Oklahoma City bombing and, given patterns of global terrorism, has since only increased in importance since that event. Building on its current program (federally funded at \$23 million in FY10), New Mexico Tech proposes to increase the capability to support WMD response training by (1) expanding its existing technical operations and awareness level training programs to better meet the needs of responder agencies; (2) developing additional programs to address unmet training needs associated with building effective and safe response capabilities to explosive incendiary terrorist incidents; and (3) expanding the scope of its training program to meet the needs of a wider audience of first responder, management and elected official personnel. This funding is for programmatic expenses. Funding would be used as follows: Salaries and Wages (\$10 million); Materials and Supplies (\$4 million); Other Direct Costs (\$8 million); Contract Support (\$8 million). *Suggested Account: National Protection and Programs Directorate, Infrastructure Protection and Information Security*

SCIENCE AND TECHNOLOGY DIRECTORATE

Bi-National Sustainability Laboratory: (\$3 million) The Bi-National Sustainability Laboratory (BNSL) is a non-profit institution whose core mission is to bring about sustainable economic transformation by fostering technology-based innovation in the U.S.-Mexico border region. The guiding strategic objective for BNSL is to create new jobs and wealth by generating opportunities founded on innovative technology-based businesses and industries. Specifically, the lab's Border Security and Technology Commercialization Center will identify specific technologies and provide third party, independent testing of technologies in the actual environment in which they will be used. Successful technologies will improve efficiencies and production in moving goods and services across the international borders as well as stimulate new, high-paying jobs in an economically challenged region. Funding would be used as follows: Facility Development (\$940,000); Engineering and Labor (\$800,000); Project Costs (\$1,180,000); Travel and Materials (\$80,000). *Suggested Account: Science and Technology Directorate, Research, Development, Acquisition and Operations.*

EMERGENCY OPERATIONS CENTERS

City of Hobbs, Emergency Operations Center: (\$5,000,000). A Regional Emergency Response and Communications Center is urgently needed to centralize and coordinate dispatch, emergency operations, emergency response and communications both in the City of Hobbs and Lea County, New Mexico. The new communications and emergency response center will contain an Incident Command Center and related Training Facilities. The Center will also contain a Fire

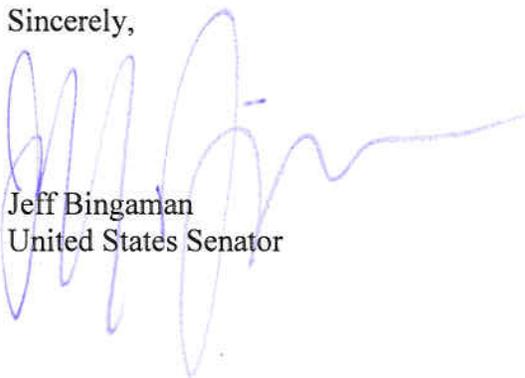
Station and Ambulance Station with emergency medical technical personnel and serve the rapidly growing and developing industrial area of southeast New Mexico. The project will improve safety as it will lessen hazardous conditions resulting in property damage, business closures, and public safety dangers to the public from inferior and un-coordinated communication and response teams. Funding would be used as follows: Facility Development and Construction (\$5,000,000). *Suggested Account: State and Local Programs, Emergency Operations Centers (FEMA).*

City of Las Cruces, East Mesa Substation (\$300,000). This project would involve furnishing, equipping and outfitting an existing city facility in an under-served area of this rapidly growing metropolitan area. Residents have expressed concerns over limited access to services since the mid-1980s when this area was annexed. The issue of citizen access and availability to law enforcement is not only one faced by residents of Las Cruces, but also by Dona Ana County residents in this area. To address this joint need and responsibilities, the City and Dona Ana County are currently in discussions to jointly staff and fund the East Mesa Substation. Funding would be used as follows: Framing/Remodeling (\$100,000); HVAC (\$25,000); Furnishings (\$75,000); Equipment (\$100,000). *Suggested Account: State and Local Programs, Emergency Operations Centers (FEMA)*

Sandoval County, Emergency Operations Center (EOC): (\$549,200) Currently, there is no EOC facility in this region of New Mexico which can fully support the needs of the various agencies in the event of a large incident. The unique capabilities planned for this facility would serve all local, tribal, State and Federal entities with available technology and space to handle a regional response. The purpose of the EOC will be to support multi-agency emergency efforts making it cost effective since other agencies will not duplicate effort or expense. This facility will support the upward flow of information to state and federal homeland security agencies, allowing for rapid and efficient assessment and response to incidents. Funding would be used as follows: Equipment (telecommunications, computers, software, security systems, generators, and related systems) (\$549,200). *Suggested Account: State and Local Programs, Emergency Operations Centers (FEMA).*

I recognize that the Homeland Security Subcommittee has many requests to consider and I appreciate your consideration of these initiatives. If you need any additional information please do not hesitate to contact me or my staff.

Sincerely,



Jeff Bingaman
United States Senator

JB/ss