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November 10, 2008

The Honorable John Conyers
Chairman
House Committee on the Judiciary
2138 Rayburn House Office Building
Washington, D.C. 20515

The Honorable Bobby Scott
Chairman
House Subcommittee on Crime, Terrorism,
and Homeland Security
B-370B Rayburn House Office Building
Washington, D.C. 20515

Dear Chairman Conyers and Chairman Scott,

I want to thank you for your strong support of "The Debbie Smith Reauthorization Act" in the 110th Congress and for your efforts to shepherd the legislation through the Judiciary Committee.

I am writing to you about my strong concerns with recent reports in the media about the manner in which funding appropriated for the Debbie Smith DNA Backlog Elimination Program is being spent by state and local crime labs.

As you know, I first sponsored "The Debbie Smith Act" in 2001, and this legislation was signed into law in October 2004. Last month the president signed into law the reauthorization of this valuable DNA backlog elimination program. Under the law, \$151,000,000 may be appropriated each fiscal year for the purpose of eliminating the backlog of DNA evidence nationwide and to ensure that the testing of DNA evidence is conducted in a timely manner.

However, a recent article by *The New York Times* ("Progress is Minimal in Clearing DNA Cases," October 25, 2008) raises serious questions about the effectiveness of the funding disbursed by the Department of Justice for the purposes of this program by the grantees. According to the article, some state and local labs and local law enforcement agencies are not meeting spending goals or reducing their backlogs of unprocessed DNA evidence. Because these labs and agencies are not using all the money disbursed to them, according to *The New York Times*, DoJ is then cutting or keeping the level of funding constant in subsequent years.

I know we share the goal of processing DNA evidence so that criminals are put in prison and victims receive the justice they deserve. Therefore, I respectfully request that you consider holding hearings about all the programs administered by the Department of Justice related to processing DNA evidence, including the Debbie Smith DNA Backlog Elimination Program, early in the 111th Congress. We must ensure that Congress's intent is carried out in the

administration of these programs.

Thank you for attention to this matter.

Sincerely,

A handwritten signature in black ink, reading "Carolyn B. Maloney". The signature is written in a cursive style with a large, looping initial 'C'.

CAROLYN B. MALONEY
Member of Congress