



## CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

October 16, 2003

### **H.R. 3214** **Advancing Justice Through DNA Technology Act of 2003**

*As ordered reported by the House Committee on the Judiciary on October 8, 2003*

#### **SUMMARY**

H.R. 3214 would authorize the appropriation of \$1.85 billion over the 2005-2009 period to expand the use of DNA analysis in the criminal justice system. The bill would establish six new grant programs and extend two current grant programs that provide funding for states to improve forensic analysis of crime scene evidence, collect DNA samples from offenders, and train law enforcement personnel. The bill also would authorize appropriations for the Federal Bureau of Investigation to carry out its DNA programs, including the Combined DNA Index System (CODIS), and would require the collection of DNA samples from persons convicted of felonies.

Assuming appropriation of the necessary amounts, CBO estimates that implementing H.R. 3214 would cost about \$1.1 billion over the 2005-2008 period (with additional amounts spent after 2008). This legislation could affect direct spending, but CBO estimates that any such effects would not be significant.

H.R. 3214 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act (UMRA) and would benefit state, local, and tribal governments.

#### **ESTIMATED COST TO THE FEDERAL GOVERNMENT**

The estimated budgetary impact of H.R. 3214 is shown in the following table. The cost of this legislation falls within budget function 750 (administration of justice).

---

By Fiscal Year, in Millions of Dollars

	2003	2004	2005	2006	2007	2008
--	------	------	------	------	------	------

---

**SPENDING SUBJECT TO APPROPRIATION<sup>a</sup>**

Spending Under Current Law for the  
Programs That Would Be Authorized  
By H.R. 3214

Budget Authority/Authorization Level <sup>b</sup>	82	153	57	42	0	0
Estimated Outlays	78	113	92	74	27	11

Proposed Changes

Estimated Authorization Level	0	10	360	360	380	380
Estimated Outlays	0	9	106	234	349	372

Spending Under H.R. 3214

Estimated Authorization Level	82	163	417	402	380	380
Estimated Outlays	78	122	198	308	376	383

---

a. In addition to the discretionary costs, enacting H.R. 3214 could affect direct spending, but CBO estimates that any such effects would be less than \$500,000 annually.

b. The 2003 level is the total amount appropriated for that year for the programs that would be authorized by H.R. 3214. The 2004 through 2006 levels are the total amounts authorized in current law for those programs. (A full-year appropriation for fiscal year 2004 for those programs has not yet been enacted.)

---

## **BASIS OF ESTIMATE**

Assuming appropriation of the necessary amounts, CBO estimates that implementing H.R. 3214 would cost \$1.1 billion over the 2005-2008 period. This legislation could affect direct spending, but CBO estimates that any such effects would not be significant.

### **Spending Subject to Appropriation**

H.R. 3214 would authorize the appropriation of \$358 million for 2005 and for 2006, and \$378 million for each of 2007, 2008, and 2009. For this estimate, CBO assumes that the authorized amounts will be appropriated near the start of each fiscal year and that outlays will follow the historical spending rates for these or similar activities.

In addition, implementing H.R. 3214 would require the federal government to collect DNA samples from each person in federal custody or on federally supervised release who has been convicted of a felony. Currently, the government collects DNA samples only from persons convicted of certain violent crimes. Based on information from the Bureau of Prisons, the Administrative Office of the United States Courts, and the Department of Defense, CBO

estimates that implementing H.R. 3214 would require the collection of roughly 160,000 additional samples in 2004 and about 40,000 samples in each subsequent year. We expect that it would cost about \$60 to take each DNA sample, so collection costs would total \$10 million in fiscal year 2004 and nearly \$3 million a year for the 2005-2008 period, assuming appropriation of the necessary amounts.

### **Direct Spending**

Enacting H.R. 3214 could increase direct spending by raising the maximum compensation from \$5,000 to \$50,000 per year of imprisonment that could be paid to certain persons wrongly convicted of crimes by the federal government. Any such payments would be made from the U.S. Treasury's Judgment Fund and would be considered direct spending. CBO does not expect the number of such cases or any increase in payments for this purpose to be significant.

### **INTERGOVERNMENTAL AND PRIVATE-SECTOR IMPACT**

H.R. 3214 contains no intergovernmental or private-sector mandates as defined in UMRA and would benefit state, local, and tribal governments by authorizing the appropriation of over \$1.5 billion in grants to those governments over fiscal years 2005-2009. It would create six new grant programs and reauthorize and expand two existing grants under the DNA Analysis Backlog Elimination Act of 2000. Any costs to grant recipients would be incurred voluntarily as conditions of receiving federal aid.

### **ESTIMATE PREPARED BY:**

Federal Costs: Mark Grabowicz  
Impact on State, Local, and Tribal Governments: Melissa Merrell  
Impact on the Private Sector: Paige Piper/Bach

### **ESTIMATE APPROVED BY:**

Peter H. Fontaine  
Deputy Assistant Director for Budget Analysis