



## CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

March 5, 2007

### **S. 398** **Indian Child Protection and Family Violence Prevention Act** **Amendments of 2007**

*As ordered reported by the Senate Committee on Indian Affairs on February 8, 2007*

#### **SUMMARY**

S. 398 would authorize appropriations to operate Bureau of Indian Affairs (BIA) and Indian Health Service (IHS) programs aimed at preventing abuse of Indian children. CBO estimates that implementing S. 398 would cost about \$140 million over the 2008-2012 period, assuming appropriation of the necessary amounts. Enacting the bill would not affect direct spending or revenues.

S. 398 would limit the authority of states to release names or other information about abused children under certain circumstances, and it would preempt state laws governing background checks conducted by tribes. Those provisions would be intergovernmental mandates as defined in the Unfunded Mandates Reform Act (UMRA), but they would impose no costs on state, local, or tribal governments. Thus, the threshold established in UMRA (\$66 million in 2007, adjusted annually for inflation) would not be exceeded.

The bill would impose two private-sector mandates as defined in UMRA. S. 398 would allow local law enforcement and local child protective services to perform forensic examinations of children without parental consent and thus deny parents that right. Additionally, the bill would require certain individuals to report abuse or suspected abuse to local authorities. CBO estimates that any direct cost of these mandates would be minimal.

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

The estimated budgetary impact of S. 398 is shown in the following table. The cost of this legislation falls within budget functions 450 (community and regional development) and 550 (health).

	By Fiscal Year, In Millions of Dollars				
	2008	2009	2010	2011	2012
<b>CHANGES IN SPENDING SUBJECT TO APPROPRIATION</b>					
Indian Child Abuse Treatment Grants					
Estimated Authorization Level	12	12	13	13	14
Estimated Outlays	6	9	13	13	14
Indian Child Resource and Family Service Centers					
Estimated Authorization Level	6	6	6	6	7
Estimated Outlays	5	6	6	6	7
Use of Telemedicine					
Estimated Authorization Level	23	7	7	7	8
Estimated Outlays	9	14	8	7	7
Other Provisions					
Estimated Authorization Level	2	2	2	2	2
Estimated Outlays	2	2	2	2	2
Total Changes					
Estimated Authorization Level	43	27	28	28	31
Estimated Outlays	22	31	29	28	30

## **BASIS OF ESTIMATE**

For this estimate, CBO assumes that S. 398 will be enacted in 2007, that the necessary amounts will be provided for each year, and that spending will follow historical patterns for similar programs. Based on information from BIA and IHS, CBO estimates that implementing S. 398 would cost about \$140 million over the 2008-2012 period to operate programs that would be authorized under the bill.

### **Indian Child Abuse Treatment Grants**

Section 9 would authorize the appropriation of such sums as necessary for fiscal years 2008 through 2012 to provide grants to Indian tribes to treat child abuse. The grants would be administered by the IHS. Based on the level of spending previously authorized for this activity (but which has not been previously funded), CBO estimates that implementing the grant program would cost \$6 million in 2008 and \$55 million over the 2008-2012 period, assuming appropriation of the necessary funds.

## **Indian Child Resource and Family Services Centers**

Section 10 would authorize the appropriation of such sums as are necessary for fiscal years 2008 through 2012 for Indian Child Resource and Family Services Centers. One center would be established in each of the 12 BIA regions and would provide services to victims and families who have suffered abuse or violence and provide training to tribal staff regarding family violence, child abuse, and child neglect. CBO estimates that implementing this section would cost about \$6 million a year to fund the professional staff recommended in the bill, assuming appropriation of the necessary amounts.

## **Use of Telemedicine**

Section 11 would authorize the appropriation of such sums as are necessary for fiscal years 2008 through 2012 for IHS to use telemedicine (the transfer of medical information via electronic communication) to better diagnose and treat child abuse. Based on information from IHS, CBO estimates that implementing this section would cost about \$9 million in 2008 and \$45 million over the 2008-2012 period for new equipment, staff, and training.

## **Other Provisions**

The legislation includes provisions that would add new information collecting and reporting requirements to federal agencies that would oversee Indian child abuse under the bill. Based on information from the agencies about the costs of similar services, CBO estimates that implementing those provisions would cost \$2 million annually.

## **ESTIMATED IMPACT ON STATE, LOCAL, AND TRIBAL GOVERNMENTS**

S. 398 would prohibit local law enforcement or child protection agencies from disclosing names or other information about abused children to entities that are not involved in preventing or treating child abuse. The bill also would deem background checks certified and conducted by tribes as having met state requirements. Because these provisions place limitations on state authority or laws, they would be intergovernmental mandates as defined in UMRA. However, CBO estimates that the mandates would impose no costs on state, local, or tribal governments. Therefore, the threshold established in UMRA (\$66 million in 2007, adjusted annually for inflation) would not be exceeded.

## **ESTIMATED IMPACT ON THE PRIVATE SECTOR**

The bill would impose two private-sector mandates as defined in UMRA. S. 398 would allow local law enforcement and local child protective services to perform forensic examinations of children without parental consent and thus deny parents that right. Additionally, the bill would require certain individuals to report abuse or suspected abuse to local authorities. CBO estimates that any direct cost of these mandates would be minimal.

### **ESTIMATE PREPARED BY:**

Federal Costs: Daniel Hoople and Eric Rollins  
Impact on State, Local, and Tribal Governments: Leo Lex  
Impact on the Private Sector: Peter Richmond

### **ESTIMATE APPROVED BY:**

Peter H. Fontaine  
Deputy Assistant Director for Budget Analysis