



CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

July 10, 2008

H.R. 5057 **Debbie Smith Reauthorization Act of 2008**

As ordered reported by the House Committee on the Judiciary on June 11, 2008

SUMMARY

H.R. 5057 would authorize the appropriation of about \$1.6 billion over the 2009-2015 period for Department of Justice (DOJ) programs to enhance the analysis of DNA samples relating to criminal investigations. In addition, CBO estimates that the bill would authorize the appropriation of about \$75 million over the 2009-2013 period for other DOJ programs. Assuming appropriation of the necessary amounts, we estimate that implementing H.R. 5057 would cost about \$875 million over the 2009-2013 period, with remaining amounts spent in subsequent years. Enacting the bill would not affect direct spending or revenues.

H.R. 5057 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act (UMRA) and would impose no costs on state, local, or tribal governments.

ESTIMATED COST TO THE FEDERAL GOVERNMENT

The estimated budgetary impact of H.R. 5057 is shown in the following table. The costs of this legislation fall within budget function 750 (administration of justice).

BASIS OF ESTIMATE

For this estimate, CBO assumes that the necessary amounts will be appropriated near the start of each fiscal year and that spending will follow the historical spending patterns for the existing programs or similar activities.

	By Fiscal Year, in Millions of Dollars					
	2008	2009	2010	2011	2012	2013
SPENDING SUBJECT TO APPROPRIATION^a						
Spending Under Current Law for Programs Authorized by H.R. 5057						
Budget Authority/Authorization Level ^a	152	211	0	0	0	0
Estimated Outlays	118	145	124	80	51	27
Proposed Changes:						
Programs with Specified Funding Levels						
Authorization Level	0	62	320	320	320	320
Estimated Outlays	0	22	93	181	240	286
Other Programs						
Estimated Authorization Level	0	16	15	15	15	15
Estimated Outlays	0	4	8	11	13	15
Total Changes						
Estimated Authorization Level	0	78	335	335	335	335
Estimated Outlays	0	26	101	192	253	301
Spending Under H.R. 5057						
Estimated Authorization Level	152	289	335	335	335	335
Estimated Outlays	118	171	225	272	304	328

a. The 2009 level is the amount authorized under current law for that year for the programs authorized by the bill. For those programs, the Congress appropriated \$152 million for 2008.

Programs with Specified Funding Levels

H.R. 5057 would authorize the appropriation of about \$1.6 billion over the 2009-2015 period for DOJ programs to enhance the analysis of DNA samples relating to criminal investigations. The bill would authorize the appropriation of:

- \$200 million annually over the 2010-2014 period for the Debbie Smith DNA Backlog grant program;
- \$50 million annually over the 2009-2013 period for DOJ to make grants to state and local governments to improve the technology used in forensic DNA analysis;

- \$30 million annually over the 2010-2014 period for DOJ to make grants to state and local governments and other entities for programs to collect and use DNA evidence relating to sexual assaults; and
- A total of \$220 million over the 2009-2015 period for other programs to enhance DNA collection and analysis.

Other Programs

In addition to the specified authorizations identified above, CBO estimates that H.R. 5057 would authorize the appropriation of about \$75 million over the 2009-2013 period for other DOJ programs.

The bill would authorize the appropriation of whatever funds are necessary for fiscal years 2009 through 2013 to increase by 10 percent the amounts received by states through DOJ's Byrne Justice Assistance Grants if states collect DNA samples from certain types of offenders. The Congress appropriated \$170 million for fiscal year 2008 for this grant program, and we expect that nearly all states would qualify for the increased funding. Assuming that appropriations for this program for fiscal years 2009 through 2013 are similar to the 2008 level, CBO estimates that this provision would require additional funding of about \$15 million annually over the 2009-2013 period.

In addition, CBO estimates that it would cost about \$1 million in fiscal year 2009 and less than \$500,000 for each subsequent year for a DOJ study on the use of DNA samples by prosecutors, a national advisory board to develop standards for use of a federal DNA database, and other programs.

INTERGOVERNMENTAL AND PRIVATE-SECTOR IMPACT

H.R. 5057 contains no intergovernmental or private-sector mandates as defined in UMRA and would impose no costs on state, local, or tribal governments. Assuming appropriation of authorized amounts, state and local governments would receive about \$800 million over the 2009-2013 period for DNA collections and analysis. Any costs to those governments would be incurred voluntarily.

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