

**At a Glance**

**S. 1853, BADGES for Native Communities Act**

As ordered reported by the Senate Committee on Indian Affairs on December 11, 2019

By Fiscal Year, Millions of Dollars	2020	2020-2025	2020-2030
Direct Spending (Outlays)	0	0	0
Revenues	0	0	0
Increase or Decrease (-) in the Deficit	0	0	0

Spending Subject to Appropriation (Outlays)	*	55	not estimated
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Statutory pay-as-you-go procedures apply?	No	<b>Mandate Effects</b>	
Increases on-budget deficits in any of the four consecutive 10-year periods beginning in 2031?	No	Contains intergovernmental mandate?	No
		Contains private-sector mandate?	No

\* = between zero and \$500,000.

**The bill would**

- Facilitate access to national crime information databases with tribal law enforcement officials and NamUs<sup>1</sup>
- Codify the Tribal Access Program
- Authorize grants to improve tribal law enforcement agencies' capacity to hire more officers and respond to cases of missing and murdered Indians

**Estimated budgetary effects would primarily stem from**

- Spending of amounts authorized in the bill

**Detailed estimate begins on the next page.**

1. NamUs is a national information clearinghouse and resource center for cases of missing, unidentified, and unclaimed people. The organization is funded and administered by the Department of Justice's (DOJ's) National Institute of Justice and managed through a cooperative agreement with the University of North Texas. NamUs received a \$5.5 million grant from DOJ in 2019.

## Bill Summary

S. 1853 aims to improve coordination between federal law enforcement agencies within the Department of Justice (DOJ) and the Bureau of Indian Affairs (BIA) and their counterparts in tribal governments. The bill would facilitate access for tribal law enforcement officials to national crime information databases, would require greater sharing and input of information on criminal cases affecting Indians into those databases, and would authorize grants to improve tribal law enforcement agencies’ capacity to hire more officers and respond to cases of missing and murdered Indians.

## Estimated Federal Cost

The estimated budgetary effect of S. 1853 is shown in Table 1. The costs of the legislation fall within budget functions 450 (community and regional development) and 750 (administration of justice).

**Table 1.**  
**Estimated Increases in Spending Subject to Appropriation Under S. 1853**

	By Fiscal Year, Millions of Dollars						2020-2025
	2020	2021	2022	2023	2024	2025	
Tribal Access Program							
Authorization	0	5	5	7	7	7	31
Estimated Outlays	0	3	4	6	7	7	27
Enhanced Information Sharing with NamUs <sup>a</sup>							
Estimated Authorization	0	4	4	3	3	3	17
Estimated Outlays	0	4	4	3	3	3	17
Coordination Grants							
Authorization	1	1	1	1	1	0	5
Estimated Outlays	*	1	1	1	1	1	5
BIA Law Enforcement Demonstration Program							
Estimated Authorization	0	*	*	1	1	1	3
Estimated Outlays	0	*	*	1	1	1	3
Other Provisions							
Estimated Authorization	0	1	1	1	*	*	3
Estimated Outlays	0	1	1	1	*	*	3
Total Changes							
Estimated Authorization	1	11	12	12	12	11	59
Estimated Outlays	*	9	10	12	12	12	55

BIA = Bureau of Indian Affairs; \* = between zero and \$500,000.

a. NamUs is a national clearinghouse and resource center for information on missing, unidentified, and unclaimed people.

## **Basis of Estimate**

For this estimate, CBO assumes that S. 1853 will be enacted during fiscal year 2020 and that the authorized and estimated amounts will be appropriated for each fiscal year. Estimated outlays are based on historical spending patterns for similar programs and activities and on CBO's analysis of information provided by federal agencies. CBO estimates that implementing S. 1853 would cost \$55 million over the 2020-2025 period.

### **Tribal Access Program**

Section 103 of the legislation would authorize the Tribal Access Program, a program administered by DOJ to provide tribal law enforcement agencies with access to national information systems about crimes for federally authorized purposes. The bill would authorize the appropriation of \$5 million annually for 2021 and 2022, and \$7 million annually over 2023-2025, to continue program operations. CBO estimates that implementing this provision would cost \$27 million over the 2020-2025 period.

### **Enhanced Information Sharing with NamUs**

S. 1853 would require DOJ within two years of enactment to share information between the agency's national crime information databases and the National Missing and Unidentified Persons System (known as NamUs), an information clearinghouse funded by DOJ.

Using information from DOJ about the costs of operating the agency's crime information databases, CBO expects that providing access to NamUS would require technology upgrades and security enhancements, three additional employees to oversee system maintenance and coordinate with NamUs, and contractor support. Over the 2020-2025 period, CBO estimates that it would cost DOJ \$17 million to implement the provision. That cost includes one-time costs for technology upgrades and about \$3 million each year for personnel, system maintenance, and grants.

### **Coordination Grants**

Section 202 would authorize the appropriation of \$1 million annually over the 2020-2024 period for DOJ to make grants to tribal governments to investigate missing persons cases, input information into the NamUs system, and improve coordination among law enforcement on such cases. CBO estimates that implementing that provision would cost \$5 million over the 2020-2025 period.

### **BIA Law Enforcement Demonstration Program**

Section 201 would authorize BIA to carry out a five-year program to conduct background checks and make security clearance determinations for law enforcement positions within the bureau. Using information from BIA, CBO expects that the agency would need four new employees to conduct background checks under the program at an average annual cost of about \$120,000 per employee. The bill also would require the

Government Accountability Office (GAO) to report within 18 months of enactment on the efficacy of the program. In total, CBO estimates that implementing this section would cost \$3 million over the 2020-2025 period.

**Other Provisions**

Several other provisions in S. 1853 would result in additional costs for federal agencies, including various reporting requirements. Notably, the bill would require GAO to report on unmet staffing needs for federal law enforcement agencies that conduct criminal investigations in Indian country. The bill also would require GAO to examine DOJ's procedures for collecting, handling, and processing evidence and the barriers to improving those practices among federal, state, and tribal law enforcement. Using information about the cost of other GAO studies, CBO estimates that those studies and other requirements in S. 1853 would cost about \$3 million over the 2020-2025 period. Any spending would be subject to the availability of appropriated funds.

**Pay-As-You-Go Considerations:** None.

**Increase in Long-Term Deficits:** None.

**Mandates:** None.

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