



March 9, 2021

Honorable Jason Smith  
Ranking Member  
Committee on the Budget  
U.S. House of Representatives  
Washington, DC 20515

*Re: H.R. 1280, the George Floyd Justice in Policing Act of 2021*

Dear Congressman:

I am writing in response to your March 3, 2021, request for information about intergovernmental mandates contained in H.R. 1280, the George Floyd Justice in Policing Act of 2021.<sup>1</sup>

The bill would require all state, local, and tribal law enforcement agencies to report demographic data to the Department of Justice (DOJ) for all parties involved in law enforcement actions—including traffic stops and the use of deadly force. CBO has determined that provision is an intergovernmental mandate as defined in the Unfunded Mandates Reform Act (UMRA) that would exceed the threshold established in UMRA of \$85 million in 2021, adjusted annually for inflation.

More than 18,000 law enforcement agencies nationwide would be affected by the bill's requirements. All would incur costs for training and for data collection, management, and reporting. Using information from the Federal Bureau of Investigation and law enforcement associations nationwide, CBO expects that more than 6,000 agencies would either need to upgrade or to invest in new technology to comply with the new reporting requirements.

Also using information from the FBI and law enforcement experts, CBO estimates that the costs across all intergovernmental entities would total several hundred million dollars annually to collect, manage, and transmit

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1. On March 1, 2021, CBO transmitted an estimate of the Statutory Pay-As-You-Go effects of [H.R. 1280](#), as posted on the website of the House Committee on Rules on February 25, 2021. That estimate did not include a mandate statement because the Unfunded Mandates Reform Act requires CBO to prepare mandate statements for legislation that is reported by an authorizing committee.

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data to DOJ. Those costs would be higher the first year after the bill was enacted, as agencies made significant investments in technology.

CBO's estimate is subject to uncertainty, because DOJ has not issued regulations for implementing the reporting provision and because the technological and staff capabilities of law enforcement agencies are not universal or well-defined. Nevertheless, the aggregate cost is expected to be significant.

Section 4 of UMRA excludes from the application of that act any legislative provisions that would enforce Constitutional rights or statutory rights that prohibit discrimination. CBO has determined that the legislation partially falls within that exclusion because title III of H.R. 1280 would prohibit racial profiling. Therefore, CBO has not provided an estimate of the potential costs of complying with those provisions.

H.R. 1280 contains no private-sector mandates as defined in UMRA.

I hope this information is useful. If you have any other questions, the staff contact is Lilia Ledezma.

Sincerely,



Phillip L. Swagel  
Director

cc: Honorable John Yarmuth  
Chair

Identical letter sent to the Honorable Jim Jordan, Ranking Member, House Committee on the Judiciary.