



CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

October 10, 1997

H.R. 1493

A bill to require the Attorney General to establish a program in local prisons to identify, prior to arraignment, criminal aliens and aliens who are unlawfully present in the United States, and for other purposes

As ordered reported by the House Committee on the Judiciary on September 9, 1997

SUMMARY

H.R. 1493 would direct the Immigration and Naturalization Service (INS) to provide immigration agents to local incarceration facilities in areas with high concentrations of illegal aliens or deportable criminal aliens. The agents would identify, from among the individuals incarcerated in such facilities, those who are deportable. The bill would require INS to establish this program in 10 to 25 local facilities in fiscal year 1999, 25 to 50 in fiscal year 2000, up to 75 in fiscal year 2001, up to 100 in fiscal year 2002, and in such number of facilities as specified in appropriation acts in fiscal years thereafter. H.R. 1493 would require that each selected facility be staffed by at least one agent on a full-time basis, including the portions of the day or night when the greatest number of individuals are incarcerated.

Assuming appropriation of the necessary amounts, CBO estimates that implementing H.R. 1493 would result in additional discretionary spending of about \$8 million in fiscal year 1999 and about \$80 million over the 1999-2002 period. By 2002, annual costs could reach \$50 million a year if the program is operating at 100 facilities. This legislation would not affect direct spending or receipts, so pay-as-you-go procedures would not apply. The bill contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act of 1995 (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. 1493 is shown in the following table.

	By Fiscal Year, in Millions of Dollars					
	1997	1998	1999	2000	2001	2002
SPENDING SUBJECT TO APPROPRIATION						
INS Baseline Spending Under Current Law						
Estimated Authorization Level ^a	1,607	1,664	1,722	1,782	1,844	1,909
Estimated Outlays	1,511	1,520	1,697	1,763	1,824	1,888
Proposed Changes						
Estimated Authorization Level	0	0	9	18	24	37
Estimated Outlays	0	0	8	17	23	36
INS Spending Under H.R. 1493						
Estimated Authorization Level	1,607	1,664	1,731	1,800	1,868	1,946
Estimated Outlays	1,511	1,520	1,705	1,780	1,847	1,924

- a. The 1997 figure is the amount appropriated for INS salaries and expenses. The levels shown for 1998 through 2002 are CBO baseline projections, assuming increases for anticipated inflation. If the comparison were made to a baseline without discretionary inflation, the cost of the bill would be the same, but the baseline authorization level would be \$1,607 million for each year.

The costs of this legislation fall within budget function 750 (administration of justice). The local prison assistance program authorized by this bill would constitute a new activity for INS. There is no spending for that activity under current law.

BASIS OF ESTIMATE

For the purposes of this estimate, CBO assumes that the INS would establish the program authorized by the bill in 18 facilities in fiscal year 1999, in 38 facilities in 2000, in 50 facilities in 2001, and in 75 facilities in 2002. Based on existing staff levels at other INS field offices, we estimate that each selected facility, on average, would need three immigration agents, plus two additional support employees, to meet the coverage requirements of the bill. This estimate is based on the number of foreign-born criminals incarcerated in the 100 largest local facilities in the United States and historical staffing requirements for the deportation process. Each INS employee, on average, would cost almost \$100,000 annually in the first year, including training costs, and almost about \$90,000 in subsequent years. (In nominal dollars, the cost would be slightly below \$90,000 in 2000, and would increase to cover anticipated inflation in 2001 and 2002.)

Based on the above assumptions, we estimate that enacting H.R. 1493 would result in additional discretionary spending of about \$80 million over the fiscal years 1999 through 2002. Costs could vary widely, however, depending on the total number of facilities selected for the program—which could range from 25 to 100—and the number of agents assigned to each facility. Depending on how many facilities receive INS staff in each year, and the extent of such staffing increases, implementing the bill could cost between \$40 million and \$200 million over the 1999-2002 period.

PAY-AS-YOU-GO CONSIDERATIONS: None.

INTERGOVERNMENTAL AND PRIVATE-SECTOR IMPACT

H.R. 1493 contains no new intergovernmental or private-sector mandates as defined in UMRA and would impose no costs on state, local, or tribal governments.

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