



## CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

September 28, 2010

### **S. 3243** **Anti-Border Corruption Act of 2010**

*As ordered reported by the Senate Committee on Homeland Security  
and Governmental Affairs on July 28, 2010*

#### **SUMMARY**

S. 3243 would require U.S. Customs and Border Protection (CBP), within two years of the bill's enactment, to administer polygraph examinations to all applicants for law enforcement positions before those individuals are hired. The bill also would direct CBP, within 180 days of enactment, to initiate background reinvestigations for all law enforcement personnel who are currently scheduled to undergo such reviews.

Assuming appropriation of the necessary amounts, CBO estimates that implementing the bill would cost \$19 million over the 2011-2015 period. Enacting the bill would not affect direct spending or revenues; therefore, pay-as-you-go procedures do not apply.

S. 3243 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 S. 3243 is shown in the following table. The costs of this legislation fall within budget function 750 (administration of justice).

	By Fiscal Year, in Millions of Dollars					
	2011	2012	2013	2014	2015	2011-2015
<b>CHANGES IN SPENDING SUBJECT TO APPROPRIATION</b>						
Estimated Authorization Level	10	0	3	3	3	19
Estimated Outlays	10	0	3	3	3	19

## **BASIS OF ESTIMATE**

For the purposes of this estimate, CBO assumes that S. 3243 will be enacted in 2010. CBO assumes that the estimated amounts will be appropriated near the start of each fiscal year and that outlays will follow the historical rate of spending for those activities. Under the bill, CBP would administer polygraph examinations to all applicants for law enforcement positions before those individuals are hired starting in fiscal year 2013.

### **Costs for Background Reinvestigations**

CBP law enforcement personnel are required to undergo background reinvestigations every five years. Each year, reinvestigations are scheduled for the cohort of law enforcement officers hired five years before. Those investigations have not been conducted as scheduled, however, and a backlog has developed.

CBP expects to have a backlog of about 3,000 reinvestigations at the beginning of fiscal year 2011. In addition, about 4,800 reinvestigations will be required during the first 180 days of fiscal year 2011. To meet the bill's requirements, CBP would have to initiate about 7,800 reinvestigations within 180 days of the bill's enactment.

Under current law, CBP anticipates initiating only about 4,800 reviews within that time period. Thus, we estimate that implementing S. 3243 would require CBP to initiate an additional 3,000 reinvestigations in 2011. According to CBP, the cost of each reinvestigation is about \$3,200; CBO estimates that implementing this provision would cost about \$10 million in fiscal year 2011, assuming appropriation of the necessary funds.

### **Costs for Polygraph Examinations**

Under current law, CBP does not administer polygraph examinations to all applicants for law enforcement positions; in 2011, the agency expects to administer polygraphs to about 40 percent of the individuals hired for those positions. CBP plans to hire about 2,000 law enforcement officers in each of fiscal years 2013 through 2015. Thus, CBO expects that

about 800 polygraphs will be administered in each of those years under current practice. S. 3243 would require CBP to administer polygraph examinations to all applicants for law enforcement positions before those individuals are hired. Because not all applicants would be hired, CBP anticipates that it would meet the bill's requirement by administering polygraphs to about 4,000 individuals annually over the 2013-2015 period. Thus, CBO expects that implementing the bill would require the agency to administer polygraphs to an additional 3,200 persons annually beginning in 2013.

Based on information from CBP, CBO estimates that each polygraph examination would cost about \$850 in 2013. Thus, implementing this provision would cost nearly \$3 million annually over the 2013-2015 period, assuming appropriation of the necessary funds.

**PAY-AS-YOU-GO CONSIDERATIONS:** None.

#### **INTERGOVERNMENTAL AND PRIVATE-SECTOR IMPACT**

S. 3243 contains no intergovernmental or private-sector mandates as defined in UMRA and would impose no costs on state, local, or tribal governments.

#### **ESTIMATE PREPARED BY:**

Federal Costs: Mark Grabowicz  
Impact on State, Local, and Tribal Governments: Melissa Merrell  
Impact on the Private Sector: Paige Piper/Bach

#### **ESTIMATE APPROVED BY:**

Theresa Gullo  
Deputy Assistant Director for Budget Analysis