



CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

March 8, 2006

H.R. 4472 **Children's Safety and Violent Crime Reduction Act of 2005**

As introduced on December 8, 2005

SUMMARY

Assuming appropriation of the necessary amounts, CBO estimates that implementing H.R. 4472 would cost about \$1.5 billion over the 2006-2011 period. Enacting the bill could affect direct spending and receipts, but CBO estimates that any such effects would not be significant.

H.R. 4472 would place additional requirements on states, Indian tribes, and U.S. territories to establish or maintain registration programs for persons convicted of sex offenses. The bill would authorize the appropriation of such sums as necessary for fiscal years 2006 through 2008 for the Department of Justice (DOJ) to make grants to cover the costs of meeting these new requirements and the costs of meeting existing federal requirements for sex offender registration programs. (Most states have such programs, and current law authorizes the appropriation of such sums as necessary through 2007 to cover the costs of compliance with those requirements.) H.R. 4472 also would direct DOJ to carry out certain activities relating to identifying and tracking sex offenders and would establish several DOJ grant programs to combat sex offenses.

In addition, the bill would authorize the appropriation of \$409 million over the 2006-2010 period to provide increased court security through the U.S. Marshals Service and to provide grants to states to increase the security of courts and protect witnesses. CBO estimates that it would authorize additional appropriations of \$25 million a year over the 2006-2009 period for grants to states to create databases to assess threats of domestic terrorism and crime. H.R. 4472 also would authorize the appropriation of \$260 million over the 2006-2010 period for DOJ programs to combat criminal street gangs, protect witnesses and victims of gang-related crimes, and help offenders to reenter communities.

Finally, the bill would establish mandatory minimum prison sentences for a number of offenses related to sexual abuse, certain crimes committed against judges and certain public safety officers and their families, and for certain crimes committed by members of criminal

street gangs. H.R. 4472 also would increase the mandatory minimum federal sentences for the crimes of murder in the second degree and manslaughter.

The bill's requirements governing background checks, placement of children in the foster care program, and the authority for federal judges and prosecutors to carry firearms would be intergovernmental mandates as defined in the Unfunded Mandates Reform Act (UMRA). CBO estimates that the costs of those mandates would be relatively small and far below the threshold established in UMRA (\$64 million in 2006, adjusted annually for inflation).

The bill also would add requirements for state, local, and tribal governments to receive full funding from three existing grant programs to track sex offenders. Assuming appropriation of the estimated amounts, CBO estimates that over \$900 million would be available for fiscal years 2006 through 2010 for those governments to meet the new requirements for tracking sex offenders and to participate in other grant programs. Any additional costs to those governments would be incurred voluntarily as a condition of receiving this federal aid.

H.R. 4472 would impose private-sector mandates, as defined in UMRA, on individuals who have been convicted of or adjudicated for certain sex offenses, on individuals who have been arrested or detained for federal offenses, and on producers involved in interstate and foreign commerce of certain sexually explicit material. CBO estimates that the aggregate direct costs of the mandates would be not be large and would fall well below the annual threshold established by UMRA for private-sector mandates (\$128 million in 2006, adjusted annually for inflation).

ESTIMATED COST TO THE FEDERAL GOVERNMENT

The estimated budget impact of H.R. 4472 is shown in the following table. The cost of this legislation falls within budget function 750 (administration of justice).

BASIS OF ESTIMATE

For this estimate, CBO assumes that the bill will be enacted during 2006. CBO estimates that implementing H.R. 4472 would cost about \$1.5 billion over the 2006-2011 period, assuming appropriation of the necessary funds. Enacting the bill could increase both direct spending and receipts, but CBO estimates that any such effects would not be significant in any year.

Spending Subject to Appropriation

For this estimate, CBO assumes that the necessary amounts will be appropriated near the start of each fiscal year (except 2006, for which supplemental appropriations would need to be provided later this fiscal year), and that spending will follow the historical spending patterns for these or similar activities.

| | By Fiscal Year, in Millions of Dollars | | | | | |
|------------------------------------------------------|----------------------------------------|------|------|------|------|------|
| | 2006 | 2007 | 2008 | 2009 | 2010 | 2011 |
| CHANGES IN SPENDING SUBJECT TO APPROPRIATION | | | | | | |
| Grants to States, Territories, and Tribes | | | | | | |
| Estimated Authorization Level | 32 | 12 | 17 | 0 | 0 | 0 |
| Estimated Outlays | 5 | 26 | 13 | 12 | 5 | 0 |
| Additional DOJ Costs | | | | | | |
| Estimated Authorization Level | 108 | 180 | 194 | 122 | 116 | 87 |
| Estimated Outlays | 15 | 115 | 162 | 168 | 150 | 133 |
| Court Security and Witness Programs | | | | | | |
| Estimated Authorization Level | 108 | 108 | 108 | 105 | 80 | 0 |
| Estimated Outlays | 7 | 95 | 88 | 96 | 101 | 63 |
| DOJ Programs to Combat Gang-Related and Other Crimes | | | | | | |
| Authorization Level | 36 | 57 | 58 | 59 | 50 | 0 |
| Estimated Outlays | 4 | 19 | 37 | 47 | 54 | 48 |
| Federal Prison System Costs | | | | | | |
| Estimated Authorization Level | * | 1 | 9 | 14 | 16 | 26 |
| Estimated Outlays | * | 1 | 9 | 14 | 16 | 26 |
| Total Changes | | | | | | |
| Estimated Authorization Level | 284 | 358 | 386 | 300 | 262 | 113 |
| Estimated Outlays | 30 | 250 | 309 | 336 | 327 | 270 |

NOTE: * = less than \$500,000.

Grants to States, Indian Tribes, and Territories to Meet Requirements for Sex-offender Programs. H.R. 4472 would authorize the appropriation of such sums as necessary for fiscal years 2006 through 2008 for DOJ to make grants to states, Indian tribes, and U.S. territories to help them meet the federal requirements for sex-offender registration programs. CBO estimates additional grants for this purpose would cost about \$60 million over the 2006-2010

period. (We assume that the necessary appropriations will be made for each of fiscal years 2006 through 2008 and that spending would occur over the 2006-2010 period.)

Registries and Web sites for Indian Tribes and U.S. Territories. H.R. 4472 would require Indian tribes and U.S. territories to establish and maintain sex-offender registries and public Web sites that provide specific information about sex offenders. States are already required to have such registries and Web sites; however, a total of about 550 Indian tribes and territories would be affected by this provision. CBO estimates that each territory and Indian tribe would have to spend, on average, about \$5,000 to establish a Web site and \$5,000 to \$10,000 to establish the registry, with smaller amounts required in subsequent years to maintain these programs. In addition, we expect that about 100 of the larger tribes would need to hire one person to manage the Web site and registry. Assuming that the total annual salary and benefits for those positions would be, on average, \$50,000, then the cost for the additional staff would be about \$5 million annually over the 2007-2008 period (with smaller costs in 2006). Thus, we estimate that it would cost a total of about \$20 million over the 2006-2010 period for DOJ to give grants to Indian tribes and territories for those additional requirements.

Verification of Registration by Sex Offenders. H.R. 4472 would require states, Indian tribes, and U.S. territories to verify the residence of sex offenders at least once a year. Based on information from the National Center for Missing and Exploited Children (NCMEC), CBO estimates that about 450,000 sex offenders nationwide would be affected by this provision. Because of the large number of offenders affected, we expect that about 40 states would need to hire additional staff to handle this duty. Assuming that each of those states would need two additional staff members whose annual salary and benefits would be, on average, \$50,000, we estimate this provision would require funding of about \$10 million over the 2006-2008 period. This total also includes amounts necessary to cover the costs of postage to contact offenders.

Collection of DNA Samples. In addition, H.R. 4472 would require states, Indian tribes, and U.S. territories to collect DNA samples from sex offenders who have not already provided them. According to NCMEC, there are about 450,000 registered sex offenders nationwide whose whereabouts are known. Based on information from NCMEC and other child advocacy organizations, we estimate that roughly half of those individuals have already provided DNA samples. CBO estimates that jurisdictions would have to take DNA samples for a total of roughly 270,000 individuals (including new offenders) over the 2006-2008 period, at a cost of about \$100 per sample. Thus, we estimate that this provision would require funding of about \$27 million over the 2006-2008 period.

Extension of Current Spending on Sex-Offender Programs. Current law authorizes the appropriation of such sums as necessary for fiscal years 2006 and 2007 for DOJ to make

grants to states to cover the costs of complying with the existing federal requirements for sex offender registration programs. In 2006, the amount appropriated for this purpose was about \$5 million. Because the bill would authorize such sums as necessary for 2006 through 2008 to cover the costs for the registration programs, CBO estimates that implementing H.R. 4472 would cost about \$5 million in fiscal year 2008 to continue to cover states' costs for the current requirements for sex-offender programs.

Additional DOJ Costs. H.R. 4472 would direct DOJ to expand some existing programs and establish new programs mostly related to the identification and tracking of sex offenders. CBO estimates that those new responsibilities would cost about \$740 million over the 2006-2011 period, assuming appropriation of the necessary amounts.

U.S. Marshals. The bill would require the U.S. Marshals Service to assist states in finding and apprehending sex offenders who violate registration requirements. According to the National Center for Missing & Exploited Children, there are about 100,000 sex offenders whose whereabouts are unknown to local law enforcement. According to the U.S. Marshals Service, in fiscal year 2004, the agency received almost 95,000 total warrants and resolved close to 90 percent of them. The agency expects that it would need to hire 350 new Marshals to take a lead role in executing a significant number of additional warrants for unregistered sex offenders. CBO estimates that the additional Marshals would cost \$25 million in fiscal year 2007 and \$220 million over the 2006-2011 period, including costs for space, training, supervision, and support staff.

Grants to Law Enforcement Agencies. H.R. 4472 would authorize funding for fiscal years 2006 through 2008 for DOJ to make grants to law-enforcement agencies to combat sexual abuse of children. These grants could be used for various purposes, including hiring additional personnel, and could be made to law-enforcement agencies serving jurisdictions with 50,000 or more residents. The grants could also be made to agencies serving smaller jurisdictions based upon need.

According to the 2000 U.S. Census, a total of 1,500 cities and counties have populations exceeding 50,000. Based on the distribution and funding for similar grants administered by DOJ, CBO expects at least half of these jurisdictions would apply for this program and that each jurisdiction, on average, would receive a grant of \$75,000 each year under H.R. 4472. Thus, we estimate that this provision would require funding of \$55 million annually over the 2006-2008 period. Assuming appropriation of those amounts, CBO estimates that outlays for such grants would total \$160 million over the 2006-2011 period.

Grants for Prosecution of Certain Cases. Since 2003, the Congress has appropriated over \$100 million for the analysis of DNA samples from crime scenes. To help prosecute cases cleared as a result of that funding, H.R. 4472 would authorize the appropriation of such sums

as necessary for each of fiscal years 2006 through 2010 for DOJ to make grants for hiring and training personnel. CBO estimates that it would cost about \$20 million annually for grants to hire and train 200 additional attorneys for this purpose.

Expansion of National DNA Index. H.R. 4472 would permit DOJ to collect DNA samples from persons arrested, detained, or convicted for violations of federal laws. Based on the number of individuals taken into federal custody in recent years, we estimate that about 250,000 persons annually would be affected by this provision. According to DOJ, it would cost about \$100 to collect, process, and store a DNA sample. Thus, CBO estimates that it would require funding of \$25 million annually to carry out this provision.

Demonstration Projects for Electronic Monitoring Devices. This legislation would direct DOJ to carry out a demonstration project over fiscal years 2007 through 2009 to evaluate the effectiveness of electronic monitoring devices in sex-offender management programs. The bill would limit the project to no more than 10 jurisdictions at one time. Based on the costs reported for similar projects, CBO estimates that it would cost about \$40 million over the 2007-2009 period to carry out demonstration projects in 10 jurisdictions.

DOJ Programs. H.R. 4472 would authorize the appropriation of specific levels of funding for three new DOJ programs:

- \$7.5 million annually over the 2006-2010 period for grants to the American Prosecutors Research Institute for training programs related to child abuse cases;
- \$10 million annually over the 2006-2009 period for grants to state and local governments, territories, and Indian tribes to establish or improve civil commitment programs for sexually dangerous persons; and
- \$3 million for fiscal year 2006 for DOJ to expand its efforts to combat the use of the Internet to exploit children.

CBO estimates that carrying out those three grant programs would cost \$70 million over the 2006-2011 period, assuming appropriation of the authorized amounts.

Treatment of Sex Offenders in Federal Prisons. H.R. 4472 would direct the Bureau of Prisons to establish programs to treat, monitor, and supervise sex offenders in federal custody. Based on similar programs carried out by the bureau, we estimate that implementing this provision would cost about \$5 million annually.

Foster Care and Adoption Assistance. Title V of the bill would require states to complete background checks before approval of foster and adoptive placements, including

fingerprint-based checks of national crime information and state child abuse registries. Although all states require background checks of foster and adoptive placements, not every state requires a fingerprint-based check. CBO estimates that additional costs to states from performing those checks would be in the range of \$3 million to \$5 million annually. Because states could be reimbursed by the federal government in certain cases, CBO estimates that the cost to the federal government would total about \$2 million per year, and about \$10 million over the 2006-2011 period.

Other Provisions. This legislation contains several other provisions that would increase DOJ spending, including preparing various reports, enhancing certain criminal databases, and offering bonus payments to jurisdictions that comply with the bill's provisions promptly. Based on the costs of similar reports and database improvement efforts and the anticipated rate of compliance with the bill's requirements, CBO estimates that implementing those provisions would cost about \$7 million over the 2006-2011 period.

Court Security and Witness Programs. H.R. 4472 would authorize \$409 million over the 2006-2011 period for DOJ to increase court security and protect witnesses. CBO estimates that it also would authorize additional appropriations of \$25 million a year over the 2006-2009 period for grants to states to create threat assessment databases. In all, CBO estimates that implementing the court and witness security provisions would cost \$444 million over the 2006-2011 period (with additional outlays from the authorized funding falling after 2011).

Security and Witness Grants. H.R. 4472 would authorize the appropriation of:

- \$20 million for each of the fiscal years 2006 through 2010 for the Attorney General to make grants to state and local governments to bolster or create witness protection programs;
- \$20 million for each of fiscal years 2006 through 2010 for the Attorney General to make grants to community-based programs to assist both witnesses to and victims of violence;
- \$20 million for each of fiscal years 2006 through 2010 for the Office of Justice Programs to provide grants to state courts to assess and implement courtroom security needs; and
- \$3 million for each of fiscal years 2006 through 2008 for the Bureau of Justice Assistance to make grants to state and local agencies specifically for the needs of juvenile and young adult witnesses.

Additional Resources for the U.S. Marshals Service. The bill would authorize the appropriation of \$20 million for each of fiscal years 2006 through 2010 for the U.S. Marshals Service to provide additional protection for the judiciary. The agency would hire additional Deputy Marshals, new investigators, and additional intelligence officers.

Grants to Create a Database to Assess Threats of Domestic Terrorism and Crime. H.R. 4472 would authorize the appropriation of the necessary amounts for each of fiscal years 2006 through 2009 for the Attorney General to provide grants to states to assess threats of domestic terrorism and crime. State recipients would use the funds to analyze trends in historical data, project the likelihood of future acts of terrorism and crime, and develop steps to reduce the chance such events will occur. Based on the cost of similar information sharing and technology initiatives, we expect that the Department of Justice would award each state around \$500,000 a year over this period for staff and data analysis tools. Assuming appropriation of the necessary amounts (\$25 million a year), we estimate that the grant program would cost \$90 million over the 2006-2011 period (some outlays would occur after 2011).

DOJ Programs to Combat Gang-Related and Other Crimes. H.R. 4472 would authorize the appropriation of:

- \$20 million for each of fiscal years 2006 through 2010 for DOJ to make grants to state and local governments to combat violent crime and to protect witnesses and victims of crimes;
- \$20 million for each of fiscal years 2007 through 2010 for the Gang Resistance Education and Training program currently administered by DOJ;
- \$10 million for each of the fiscal years 2006 through 2009 for grants to state and local governments, Indian tribes, or nonprofit organizations to assist offenders who have completed prison sentences and reentered their communities; and
- \$40 million over the 2006-2010 period for grants to nonprofit organizations to develop and promote crime prevention programs.

CBO estimates that carrying out these programs would cost about \$210 million over the 2006-2011 period, assuming appropriation of the authorized amounts.

Federal Prison System. CBO estimates that implementing H.R. 4472 would cost about \$65 million over the 2006-2011 period to incarcerate individuals in the federal prison system for longer periods of time than they would serve under current law.

Criminal Street Gangs. H.R. 4472 would establish mandatory minimum prison sentences for a wide range of offenses committed by criminal street gangs under specified circumstances. The bill would define street gangs as groups of three or more individuals who commit two or more designated crimes, including crimes of violence, that affect interstate or foreign commerce. Under the bill, gang members who commit certain crimes would, in many cases, be required to serve sentences of at least 10 years.

The U.S. Sentencing Commission analyzed the impact on the federal prison population of the bill's provisions that would require minimum prison sentences; by far, the greatest impact would result from drug trafficking offenses. The commission's analysis was limited, however, because information about defendants' status as criminal street gang members is not available and because considerable uncertainty exists as to how the bill's mandatory minimum sentences might affect defendants' willingness to accept plea bargains.

Based on several analyses prepared by the U.S. Sentencing Commission, CBO estimates that the longer sentences required under the bill would increase the prison population by 100 prisoners a year initially, and that this number would grow to roughly 900 prisoners a year by fiscal year 2011. However, the increase in prison population resulting from H.R. 4472 could be higher or lower than these figures, depending on the number of defendants determined to be street gang members and thus subject to minimum sentences. (If the increase in prison population is significantly higher than estimated, construction of a new federal prison might be required.) According to the Bureau of Prisons, for an increase in the federal prison population of this magnitude, it would spend about \$24,000 a year (at 2006 prices) to house each additional prisoner. CBO estimates that the cost to support these additional prisoners would total \$62 million over the 2006-2011 period.

Sex Offenders. H.R. 4472 also would establish mandatory minimum prison sentences for a wide range of offenses involving sexual abuse. Based on an analysis by the U.S. Sentencing Commission, CBO estimates that the longer sentences required under the bill would increase the prison population by about 350 person-years over the 2006-2011 period. According to the Bureau of Prisons, for an increase in the federal prison population of this magnitude, it would spend about \$7,200 a year (at 2006 prices) to house each additional prisoner. CBO estimates that the cost to support those additional prisoners would total \$3 million over the 2006-2011 period.

Crimes Against the Judiciary. Finally, H.R. 4472 would establish mandatory minimum prison sentences and fines for a wide range of offenses committed by individuals against judges, federally funded public safety officers, and family members of such individuals. In addition, the bill would increase the mandatory minimum sentence for murder in the second degree to not less than 30 years and the mandatory minimum sentences for voluntary and involuntary manslaughter to 20 and 10 years, respectively.

Based on information from the U.S. Sentencing Commission, CBO estimates that most of the longer sentences required by those provisions would not have a significant impact on the prison population over the 2006-2011 period, and thus, would not impose any significant new costs over that period.

Direct Spending and Receipts

H.R. 4472 would establish new and increased criminal penalties for various crimes involving sexual abuse, gang activities, and other offenses. Thus, the federal government might collect additional fines if the bill is enacted. Collections of criminal fines are deposited in the Crime Victims Fund and later spent. CBO expects that any additional receipts and direct spending would not be significant.

ESTIMATED IMPACT ON STATE, LOCAL, AND TRIBAL GOVERNMENTS

The bill's requirements governing background checks, placement of children in the foster care program, and the authority for federal judges and prosecutors to carry firearms would be intergovernmental mandates as defined in UMRA. CBO estimates that the costs of those mandates would be relatively small and far below the threshold established in UMRA (\$64 million in 2006, adjusted annually for inflation).

Background Checks

Title V of H.R. 4472 would eliminate the ability of states to opt out of federal requirements to conduct background checks and make alternative placements in the foster care program. It also would require that states conduct background checks of national criminal databases that include a fingerprint search. All states conduct some form of background check for placements, but not all of those checks include a national fingerprint component, and nine states do not automatically disqualify potential guardians for some offenses as the bill would require. The requirements to conduct national background checks, including a fingerprint check, and to make alternative placements would be intergovernmental mandates as defined in UMRA.

UMRA specifies criteria for identifying intergovernmental mandates in large entitlement grant programs (those that provide more than \$500 million annually to state, local, or tribal governments), including foster care. In particular, if a legislative proposal would increase the stringency of conditions of federal assistance or cap or decrease the amount of federal funding for the program, the proposal would be considered an intergovernmental mandate

if the state, local, or tribal government lacks authority to offset the costs by amending its financial or programmatic responsibilities to continue providing required services.

The foster care program is relatively narrow in scope, and its primary goal is to place children in alternative residential settings. In contrast, other large entitlement programs, such as Medicaid and Temporary Assistance for Needy Families (TANF), allow states significant flexibility to alter their programs and accommodate new requirements. The narrower focus of the foster care program does not afford states as much flexibility as TANF and Medicaid, so CBO concludes that new conditions or significant reductions in funding for the program would be intergovernmental mandates as defined in UMRA.

The requirement to conduct fingerprint checks of national databases would result in additional spending by states, but that spending also would qualify for federal matching funds. CBO estimates that the additional cost of fingerprint-based checks would range from \$3 million to \$5 million annually, with states receiving federal reimbursement for about half of those costs. To comply with the alternative placement requirement and not lose federal payments for placements that do not meet the new requirements, states would have to find alternative placements with guardians who have no disqualifying history. It is unclear whether states would choose to meet the new requirements or choose to assume the full cost of placements that do not meet the federal requirements. Whatever they choose, CBO estimates that the costs of complying with the provision would be small.

Other Impacts

In addition, the bill would preempt state authority to regulate firearms by authorizing all federal judges and U.S. prosecutors to carry firearms. Such preemptions would not impose significant costs on those governments.

The bill would add new requirements to several existing grant programs to assist state, local, and tribal governments in tracking sex offenders and would authorize the appropriation of such sums as necessary for fiscal years 2006 through 2008 for those governments to meet the new requirements. CBO estimates that the cost to those governments would be \$60 million over the 2006-2010 period for the creation of new registries, verification of offender addresses, community notification, and collection of DNA.

State, local, and tribal governments also would benefit from pilot programs to electronically monitor sex offenders as well as grants for law enforcement, to increase safety in local courts, and to reduce gang violence. CBO estimates that \$850 million would be available for fiscal years 2006 through 2010 for those programs. Any additional costs to state, local,

or tribal governments would be incurred voluntarily as a condition of receiving this federal aid.

ESTIMATED IMPACT ON THE PRIVATE SECTOR

H.R. 4472 would impose private-sector mandates, as defined in UMRA, on individuals who have been convicted of or adjudicated for certain sex offenses, on individuals who have been arrested or detained for federal offenses, and on producers involved in interstate and foreign commerce of certain sexually explicit material. CBO estimates that the aggregate direct costs of the mandates would be not be large and would fall well below the annual threshold established by UMRA for private-sector mandates (\$128 million in 2006, adjusted annually for inflation).

Reporting Requirements

Section 113 would impose new private-sector mandates by expanding the reporting requirements for sex offenders defined in the bill as individuals who have been convicted of or adjudicated for certain sex offenses. Currently, certain sex offenders are required to register and provide information to state law enforcement agencies. The bill would do the following:

- Expand the number of jurisdictions required to maintain a sex offender registry;
- Expand the number of persons required to report;
- Expand the specific information such sex offenders must provide;
- Require sex offenders to register in each jurisdiction where they reside, work, or attend school; and
- Require sex offenders to keep the registration current for at least 20 years.

In addition, sex offenders would be required to inform each jurisdiction with whom they register within five days after each change of residence, employment, or student status. Based on information from government sources, CBO estimates that the incremental cost for sex offenders to comply with the additional reporting requirements would be minimal.

Collection of DNA Samples

Section 201 would authorize the Attorney General to collect DNA samples from individuals who have been arrested or detained for federal offenses under regulations to be established by the Attorney General. The Attorney General also may authorize any other agency of the United States that arrests or detains individuals or supervises individuals facing charges to carry out the collection of such samples. Under current federal law, collection of a DNA sample from an individual who has been arrested or detained generally requires a finding of probable cause. According to information from government sources, the regulations established under this bill would most likely provide that the samples be collected at no cost to the individual. Therefore, CBO estimates that the direct cost of the mandate for individuals arrested or detained for federal offenses would be negligible, if any.

Recordkeeping Requirements

Section 603 would impose a mandate on producers involved in interstate and foreign commerce of certain sexually explicit material. Under current law, producers of sexually explicit material are required to create and maintain records of all performers portrayed in certain sexually explicit conduct displayed in any book, magazine, periodical, film, video, computer or digital image, or other similar material. This section would expand the recordkeeping requirement to include individual records of performers portrayed in a visual depiction of simulated sexually explicit conduct who reasonably appear to be 25 years of age or younger. Based on information from government sources, CBO estimates that the cost for additional recordkeeping would be small.

PREVIOUS CBO ESTIMATES

Many of the provisions in the four pieces of legislation listed below are contained in H.R. 4472. However, H.R. 4472 contains numerous other provisions, and the differences among these bills are reflected in the cost estimates.

On May 5, 2005, CBO transmitted a cost estimate for H.R. 1279, the Gang Deterrence and Community Protection Act of 2005, as ordered reported by the House Committee on the Judiciary on April 20, 2005. We estimated that implementing that bill would cost about \$370 million over the 2006-2010 period, assuming appropriation of the necessary amounts.

On September 13, 2005, CBO transmitted a cost estimate for H.R. 3132, the Children's Safety Act of 2005, as reported by the House Committee on the Judiciary on September 9, 2005. We estimated that implementing that bill would cost about \$500 million over the

2006-2010 period, assuming appropriation of the necessary amounts. H.R. 3132 and H.R. 4472 would impose the same private-sector mandates related to additional reporting on convicted sex offenders and authorizing the Attorney General to collect DNA samples from individuals who have been arrested or detained for federal offenses under regulations to be established by the Attorney General. The aggregate direct cost of the mandates in both bills would fall below the annual threshold established by UMRA for private-sector mandates.

On November 7, 2005, CBO transmitted a cost estimate for H.R. 1751, the Secure Access to Justice and Court Protection Act of 2005, as ordered reported by the House Committee on the Judiciary on October 27, 2005. We estimated that implementing that bill would cost about \$385 million over the 2006-2010 period, assuming appropriation of the necessary amounts.

On December 15, 2005, CBO transmitted a cost estimate for S. 1086, a bill to improve the national program to register and monitor individuals who commit crimes against children or sex offenses, as reported by the Senate Committee on the Judiciary on October 20, 2005. We estimated that implementing that bill would cost about \$530 million over the 2006-2010 period, assuming appropriation of the necessary amounts.

ESTIMATE PREPARED BY:

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

ESTIMATE APPROVED BY:

Peter H. Fontaine
Deputy Assistant Director for Budget Analysis