



CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

July 28, 2005

S. 1389

USA PATRIOT Improvement and Reauthorization Act of 2005

As reported by the Senate Committee on the Judiciary on July 22, 2005

CBO estimates that implementing S. 1389 would have no significant cost to the federal government. Enacting the bill could affect direct spending and revenues, but CBO estimates that any such effects would not be significant.

The Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism (USA PATRIOT) Act of 2001 (Public Law 107-56), as well as the Intelligence Reform and Terrorism Prevention Act of 2004 (Public Law 108-458), expanded the powers of federal law enforcement and intelligence agencies to investigate and prosecute terrorist acts. S. 1389 would extend or permanently authorize certain provisions of those acts, many of which will otherwise expire on December 31, 2005. In addition, the bill would make several other changes to the laws relating to investigations of potential terrorist activity.

Because those prosecuted and convicted under H.R. 1389 could be subject to civil and criminal fines, the federal government might collect additional fines if the legislation is enacted. Collections of civil fines are recorded in the budget as revenues. Criminal fines are recorded as revenues, then deposited in the Crime Victims Fund and later spent. CBO expects that any additional revenues and direct spending would not be significant because of the relatively small number of cases affected.

Section 4 of the Unfunded Mandates Reform Act (UMRA) excludes from the application of that act any legislative provisions that are necessary for national security. CBO has determined that the provisions of this bill are either excluded from UMRA because they are necessary for the national security or they contain no intergovernmental or private-sector mandates.

On July 18, 2005, CBO transmitted cost estimates for two versions of H.R. 3199, the USA PATRIOT and Terrorism Prevention Reauthorization Act of 2005, as ordered reported by the House Permanent Select Committee on Intelligence on July 13, 2005, and as ordered reported by the House Committee on the Judiciary on July 13, 2005. The three pieces of legislation are similar, and the cost estimates are identical.

The CBO staff contact for this estimate is Mark Grabowicz. This estimate was approved by Peter H. Fontaine, Deputy Assistant Director for Budget Analysis.