



CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

March 9, 2006

H.R. 4709

Law Enforcement and Phone Privacy Protection Act of 2006

As ordered reported by the House Committee on the Judiciary on March 2, 2006

CBO estimates that implementing H.R. 4709 would not have a 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. H.R. 4709 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act and would not affect the budgets of state, local, or tribal governments.

H.R. 4709 would establish a new federal crime for fraudulently obtaining, purchasing, or selling confidential phone records. The bill also would specify enhanced penalties for using such records to commit a crime. Because the bill would establish a new offense, the government would be able to pursue cases that it otherwise would not be able to prosecute. We expect that H.R. 4709 would apply to a relatively small number of offenders, however, so any increase in costs for law enforcement, court proceedings, or prison operations would not be significant. Any such costs would be subject to the availability of appropriated funds.

Because those prosecuted and convicted under H.R. 4709 could be subject to criminal fines, the federal government might collect additional fines if the legislation is enacted. Criminal fines are recorded in the budget as revenues, 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 small number of cases likely to be affected.

On March 9, 2006, CBO transmitted a cost estimate for S. 2178, the Consumer Telephone Records Protection Act of 2006, as reported by the Senate Committee on the Judiciary on March 2, 2006. The two pieces of legislation are similar, and our cost estimates are the same.

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