



CONGRESSIONAL BUDGET OFFICE
COST ESTIMATE

May 7, 2007

H.R. 1525
Internet Spyware (I-SPY) Prevention Act of 2007
As ordered reported by the House Committee on the Judiciary on May 2, 2007

SUMMARY

H.R. 1525 would establish new federal crimes for the use of certain computer software—known as spyware—to collect personal information or to commit a federal criminal offense. The bill would authorize the appropriation of \$40 million over the 2008-2011 period for the Attorney General to prosecute violations of the new law. Assuming appropriation of the authorized amounts, CBO estimates that implementing the bill would cost \$9 million in 2008 and \$40 million over the 2008-2012 period. CBO expects that enacting the bill would have an insignificant effect on federal revenues and direct spending.

H.R. 1525 contains an intergovernmental mandate as defined in the Unfunded Mandates Reform Act (UMRA), but CBO estimates that any costs to state, local, and tribal governments would be minimal and would not exceed the threshold established in UMRA (\$66 million in 2007, adjusted annually for inflation). The bill contains no new private-sector mandates as defined in UMRA.

ESTIMATED COST TO THE FEDERAL GOVERNMENT

The estimated budgetary impact of H.R. 1525 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				
	2008	2009	2010	2011	2012

CHANGES IN SPENDING SUBJECT TO APPROPRIATION

Authorization Level	10	10	10	10	0
Estimated Outlays	9	10	10	10	1

For this estimate, CBO assumes that the bill will be enacted near the start of the fiscal year 2008 and that the authorized amounts will be appropriated each year.

Enacting H.R. 1525 could increase federal revenues and direct spending as a result of additional criminal penalties assessed for violations of law relating to spyware. Collections of criminal penalties are recorded in the budget as revenues, deposited in the Crime Victims Fund, and later spent. CBO estimates, however, that any additional revenues and direct spending that would result from enacting the bill would not be significant because of the relatively small number of cases likely to be involved.

ESTIMATED IMPACT ON STATE, LOCAL, AND TRIBAL GOVERNMENTS

Section 1030A (c) of H.R. 1525 would prohibit states from creating civil penalties that specifically reference the federal statute. This prohibition would constitute a mandate as defined in UMRA, but it is narrow and would not prohibit states from passing similar criminal and civil statutes. CBO estimates that any costs to state, local, or tribal governments would be minimal and would fall significantly below the threshold established in UMRA (\$66 million in 2007, adjusted annually for inflation).

ESTIMATED IMPACT ON THE PRIVATE SECTOR

The bill contains no new private-sector mandates as defined in UMRA.

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