



CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

October 1, 2008

S. 3501 **OLC Reporting Act of 2008**

As reported by the Senate Committee on the Judiciary on September 25, 2008

S. 3501 would require the Office of Legal Counsel (OLC) within the Department of Justice, under certain circumstances, to submit a report to the Congress when it issues an authoritative legal interpretation that:

- Determines that a provision of federal law is unconstitutional or raises constitutional concerns under Article II of the Constitution or separation of powers principles;
- Relies on a legal presumption against applying a provision of federal law; or
- Concludes that a provision of federal law has implicitly been deprived of effect by a subsequently enacted statute.

CBO expects that the number of such reports would be relatively small, and we estimate that any additional costs to the OLC would not be significant. Enacting the bill would not affect direct spending or revenues.

S. 3501 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.

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