



CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

June 22, 2007

H.R. 660 **Court Security Improvement Act of 2007**

As ordered reported by the House Committee on the Judiciary on June 13, 2007

SUMMARY

H.R. 660 would authorize the appropriation of \$200 million over the 2008-2012 period to provide additional staff to the U.S. Marshals Service and to provide grants to state and local governments to improve court security and protect victims and witnesses. The legislation also would authorize the appropriation of \$100 million over the 2008-2011 period to make grants to states to assess domestic terrorism and crime and \$50 million over the 2008-2012 period for Fugitive Apprehension Task Forces. Moreover, the bill would increase the maximum sentences for certain crimes and would extend provisions of law preventing the release of financial information if disclosure could endanger federal judges or their families. CBO estimates that implementing H.R. 660 would cost \$35 million in 2008 and \$286 million over the 2008-2012 period, subject to the appropriation of the necessary and specified amounts.

The bill also would direct the Administrative Office of the United States Courts (AOUSC) to pay increases in the cost of life insurance premiums that were implemented after 1999 for certain judges. CBO estimates that enacting this provision would increase direct spending by \$1 million over the 2008-2017 period. Other provisions would have no significant net effect on direct spending or revenues.

H.R. 660 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act (UMRA); any costs to state, local, or tribal governments would be incurred voluntarily as a condition of receiving federal assistance.

ESTIMATED COST TO THE FEDERAL GOVERNMENT

The estimated budgetary impact of H.R. 660 is shown in the following table. The cost of this legislation falls 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^a					
Threat Assessment Database Grants					
Estimated Authorization Level	25	25	25	25	0
Estimated Outlays	6	13	18	22	20
Grants to Witness and Victim Protection Programs					
Authorization Level	20	20	20	20	20
Estimated Outlays	2	8	13	17	20
U.S. Marshals Service					
Authorization Level	20	20	20	20	20
Estimated Outlays	18	20	20	20	20
Fugitive Apprehension Task Forces					
Estimated Authorization Level	10	10	10	10	10
Estimated Outlays	9	10	10	10	10
Total Changes					
Estimated Authorization Level	75	75	75	75	50
Estimated Outlays	35	51	61	69	70

a. In addition to the amounts shown above, enacting H.R. 660 also would affect revenues and direct spending. CBO estimates that any such effects would not be significant in any year and would increase direct spending by about \$1 million over the 2008-2017 period.

BASIS OF ESTIMATE

For this estimate, CBO assumes that the bill will be enacted in fiscal year 2007, that the amounts authorized by the bill will be appropriated for each year, and that spending will follow historical patterns for current and similar programs.

Spending Subject to Appropriation

CBO estimates that implementing H.R. 660 would cost \$286 million over the 2008-2012 period, assuming appropriation of amounts authorized and estimated to be necessary.

Threat Assessment Database Grants. Section 303 would authorize the appropriation of such sums as may be necessary over the 2008-2011 period for the Attorney General to provide grants to states to assess 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 that such events will occur. Based on the cost of similar information sharing and technology initiatives, we expect that DOJ would award each state about \$500,000 a year for staff and data analysis tools. Assuming appropriation of the necessary amounts, CBO estimates that implementing this provision would cost \$79 million over the 2008-2012 period.

Grants to Witness and Victim Protection Programs and Court Security. Section 301 would authorize the appropriation of an additional \$20 million annually over the 2008-2012 period to make Community-Based Justice Grants for Prosecutors. Funds would be used to make grants for witness and victim protection programs. Assuming the appropriation of the specified amounts, CBO estimates that implementing this provision would cost \$60 million over the 2008-2012 period.

In addition, section 302 would authorize the Bureau of Justice Assistance to make grants to improve the security of state and local courts. The bill would reduce funding for grants made to programs that offer alternatives to traditional incarceration by 10 percent to fund this new activity. Thus, CBO estimates that implementing this provision would have no net cost over the next five years.

U.S. Marshals Service. Section 104 would authorize the appropriation of \$20 million annually over the 2008-2013 period for the U.S. Marshals Service to provide additional protection for the judiciary. The agency would use such funds to hire additional Deputy Marshals, investigators, and intelligence officers. Assuming the appropriation of the specified amounts, CBO estimates that implementing this provision would cost \$98 million over the 2008-2012 period.

Section 103 would authorize the U.S. Marshals Service to provide security for the U.S. Tax Court. Under current law, such protection cannot be provided, although temporary security has been available upon request. Based on information from U.S. Marshals, CBO expects that additional protection provided to the U.S. Tax Court under this bill would not require a significant increase in staff. Thus, CBO estimates that implementing this provision would have a minor impact, subject to the availability of appropriated funds.

Fugitive Apprehension Task Forces. Section 507 would authorize the appropriation of \$10 million a year over the 2008-2012 period for Fugitive Apprehension Task Forces. In 2007, six regional task forces received about \$28 million to coordinate federal, state, and local law enforcement officials for the location and apprehension of fugitives. Assuming the appropriation of the specified funds, CBO estimates that implementing this provision would cost \$49 million over the 2008-2012 period.

Federal Prison System. Title II would make it a separate crime to knowingly file a false claim against a federal judge, law enforcement officer, or family member on account of performance of duties. It also would make it a crime to make restricted information about federal judges, jurors, paid informants, witnesses, court and public safety officers, or their families publicly available. Under current law, such actions may be prosecuted under other federal statutes in certain cases. Title II also would increase the maximum sentences for manslaughter without malice, as well as certain existing crimes against witnesses, victims, public officials, and informants. CBO estimates that the longer prison sentences required under the bill would not have a significant impact on prison populations and thus would not impose any significant costs over the 2008-2012 period.

Other Provisions Affecting Federal Judges. Section 102 would permanently extend provisions which prevent public access to certain financial information, if such disclosure could endanger a federal judge or a family member. Under current law, those provisions are set to expire at the end of 2009. According to the AOUSC, the agency exercises this authority rarely and CBO estimates that any additional reporting requirements would therefore be minimal and would have no significant cost.

In addition, section 502 would direct AOUSC to pay for increases in the cost of Federal Employees' Group Life Insurance (FEGLI) implemented by the Office of Personnel Management after April 1999 for magistrates and territorial district court judges. Such payments are currently made for all Article III judges as well as judges of the Court of Federal Claims. Based on information from the AOUSC, CBO estimates that additional costs related to the payment of FEGLI increases would have no significant cost over the 2008-2012 period.

Direct Spending and Receipts

H.R. 660 would subject individuals to penalties for various crimes against judges, public safety officers, and their families. 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. As such, CBO expects that any additional revenues and direct spending would have no net effect on the federal budget.

In addition, section 502 would direct AOUSC to pay increases in FEGLI implemented after April 1999 for bankruptcy judges. Any increase to the salaries and benefits of bankruptcy judges is considered to be a change in direct spending. Thus, the additional cost of life insurance premiums for bankruptcy judges would result in an increase in direct spending. Based on information from AOUSC, CBO estimates that any increase in direct spending

from enacting this provision would be insignificant in each year and would total about \$1 million over the 2008-2017 period.

INTERGOVERNMENTAL AND PRIVATE-SECTOR IMPACT

H.R. 660 contains no intergovernmental or private-sector mandates as defined UMRA. It would authorize \$200 million for fiscal years 2008 through 2012 for grants to states to increase security of their court systems and make other safety improvements. Any costs to those governments would be incurred voluntarily as a condition of receiving federal assistance.

The bill also would allow states, when issuing licenses compliant with the REAL ID Act, to use alternative addresses on the licenses of Supreme Court or other federal justices.

PREVIOUS CBO ESTIMATE

On March 23, 2007, CBO transmitted a cost estimate for S. 378, the Court Security Improvement Act of 2007, as ordered reported by the Senate Committee on the Judiciary on March 1, 2007. H.R. 660 differs from S. 378 in a number of ways. H.R. 660 would authorize \$150 million over the 2008-2012 period for grants to states to develop threat assessment databases and for Fugitive Apprehension Task Forces. S. 378 contains no authorization for those activities. In addition, S. 378 would reauthorize the Office of Government Ethics through 2011 at an estimated cost of \$49 million; no similar provision is contained in H.R. 660. In total, CBO's estimate of discretionary spending for H.R. 660 is \$107 million higher than our estimate for S. 378. There is no difference in our estimates of direct spending and revenues for the two bills.

ESTIMATE PREPARED BY:

Federal Costs: Daniel Hoople

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