



CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

July 6, 2000

H.R. 3380

Military Extraterritorial Jurisdiction Act of 2000

As ordered reported by the House Committee on the Judiciary on June 27, 2000

CBO estimates that enacting H.R. 3380 would not result in any significant cost to the federal government. Because enactment of the bill could affect direct spending and receipts, pay-as-you-go procedures would apply. However, CBO estimates that any impact on direct spending and receipts would not be significant. H.R. 3380 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act and would not affect state, local, or tribal governments.

Currently, the United States has limited jurisdiction over U.S. civilians who are employed by or who are accompanying U.S. Armed Forces out of the country. Under H.R. 3380, such civilians would be subject to prosecution and punishment in the United States for certain offenses committed outside of the country. Specifically, such offenses would include any action that would constitute an offense punishable by imprisonment for more than one year if it had occurred within the maritime and territorial jurisdiction of the United States. CBO expects that enacting H.R. 3380 would not significantly increase the caseload or costs of federal law enforcement agencies, the judiciary, or the prison system. Any such additional costs would be subject to the availability of appropriated funds.

Because those prosecuted and convicted of certain federal crimes could be subject to fines, the government might collect additional fines if H.R. 3380 is enacted. Collections of such fines are recorded in the budget as governmental receipts (i.e., revenues), which are deposited in the Crime Victims Fund and spent in subsequent years. Any additional collections from enacting H.R. 3380 are likely to be negligible because it is not likely that the federal government would pursue many cases under this bill. Because any increase in direct spending would equal the fines collected (with a lag of one year or more), the additional direct spending also would be negligible.

On July 1, 1999, CBO transmitted a cost estimate for S. 768, the Military and Extraterritorial Jurisdiction Act of 1999, as reported by the Senate Committee on the Judiciary on June 24, 1999. The two bills are very similar and the cost estimates are identical.

The CBO staff contact for this estimate is Mark Grabowicz. This estimate was approved by Robert A. Sunshine, Assistant Director for Budget Analysis.