



## CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

October 7, 2002

### **H.R. 5422** **Child Abduction Prevention Act**

*As ordered reported by the House Committee on the Judiciary on October 2, 2002*

#### **SUMMARY**

H.R. 5422 would establish new federal crimes relating to sexual abuse, increase fines and prison sentences for such crimes, and make it easier to investigate sex offenders. The bill also would direct the Attorney General to act as the national coordinator for the AMBER (America's Missing: Broadcast Emergency Response) Alert communications network, which is used by state and local law enforcement agencies to search for abducted children. In addition, H.R. 5422 would authorize the appropriation of:

- \$20 million in fiscal year 2003 for the Department of Transportation (DOT) to make grants to states for disseminating information about missing children along highways;
- \$5 million in fiscal year 2003 for the Department of Justice (DOJ) to make grants to states to develop or improve AMBER Alert communications plans; and
- \$20 million in each of fiscal years 2003 and 2004 for DOJ to make a grant to the National Center for Missing and Exploited Children.

Assuming appropriation of the necessary amounts, CBO estimates that implementing H.R. 5422 would cost \$64 million over the 2003-2007 period. This legislation could affect direct spending and revenues, but we estimate that any such effects would not be significant.

H.R. 5422 would expand an existing mandate as defined in the Unfunded Mandates Reform Act (UMRA), by widening requirements for state and local law enforcement agencies to report cases of missing children up to the age of 21. CBO estimates the costs of this mandate would not be significant and, thus, would not meet the threshold established in that act (\$58 million in 2002, adjusted annually for inflation).

H.R. 5422 contains no new private-sector mandates as defined in UMRA.

## ESTIMATED COST TO THE FEDERAL GOVERNMENT

The estimated budgetary impact of H.R. 5422 is shown in the following table. The costs of this legislation fall within budget functions 400 (transportation) and 750 (administration of justice).

	By Fiscal Year, in Millions of Dollars				
	2003	2004	2005	2006	2007
<b>CHANGES IN SPENDING SUBJECT TO APPROPRIATION</b>					
DOT Grants to States					
Authorization Level	20	0	0	0	0
Estimated Outlays	3	14	3	0	0
DOJ Grants for AMBER Alert Plans					
Authorization Level	5	0	0	0	0
Estimated Outlays	1	2	2	0	0
Grant for National Center for Missing and Exploited Children					
Authorization Level <sup>a</sup>	10	20	0	0	0
Estimated Outlays	3	9	12	6	0
Increased Costs to Federal Prison System					
Estimated Authorization Level	*	1	1	3	4
Estimated Outlays	*	1	1	3	4
Total Changes					
Estimated Authorization Level	35	21	1	3	4
Estimated Outlays	7	26	18	9	4

NOTE: \* = Less than \$500,000.

a. Current law authorizes the appropriation of \$10 million for 2003 for the National Center for Missing and Exploited Children, so H.R. 5422 would increase that authorization by an additional \$10 million for that year.

## BASIS OF ESTIMATE

For this estimate, CBO assumes that the amounts authorized for grant programs will be appropriated near the beginning of each fiscal year and that outlays will follow the historical spending rates for these or similar activities.

H.R. 5422 would increase prison sentences for kidnapping and for a number of sex offenses. According to the U.S. Sentencing Commission, the longer sentences required by H.R. 5422

would apply to about 500 offenders annually by 2007. Based on information from the Bureau of Prisons, CBO estimates that the cost to incarcerate a prisoner for an additional year is about \$7,000 (at 2003 prices). Thus, we estimate that the cost to support the additional prisoners would reach \$4 million by fiscal year 2007 and would total \$9 million over the 2003-2007 period, subject to the availability of appropriated funds.

Based on information from DOJ, CBO estimates that it would cost less than \$500,000 annually for the department to coordinate the AMBER Alert program, subject to the availability of appropriated funds.

Enacting H.R. 5422 could increase revenues through greater collections of criminal fines. However, CBO does not expect any such increase to exceed \$500,000 a year. Criminal fines are recorded as revenues and deposited in the Crime Victims Fund, and later spent without further appropriation action.

## **ESTIMATED IMPACT ON STATE, LOCAL, AND TRIBAL GOVERNMENTS**

H.R. 5422 would expand an existing mandate as defined in UMRA by widening requirements for state and local law enforcement agencies to report cases of missing children up to the age of 21. CBO estimates the additional costs of the expansion would not be significant and, thus, would not meet the threshold established in that act (\$58 million in 2002, adjusted annually for inflation).

The bill would benefit state governments by establishing grant programs to assist with efforts to notify the public about child abductions using the AMBER Alert communications network. In addition, H.R. 5422 would expand the approved uses for grants under the Community Oriented Policing Services (COPS) program to include assisting states in enforcing registry of sex offenders. Any costs incurred to receive or administer such grants would be voluntary. The bill also would benefit state and local government law enforcement agencies by authorizing the U.S. Secret Service to provide them with additional assistance in forensic and investigative training with investigations of missing or exploited children.

## **ESTIMATED IMPACT ON THE PRIVATE SECTOR**

H.R. 5422 contains no new private-sector mandates as defined in UMRA.

## **PREVIOUS CBO ESTIMATES**

H.R. 5422 contains the provisions of four bills for which CBO has previously prepared cost estimates. These bills are:

- (1) H.R. 4679, the Lifetime Consequences for Sex Offenders Act of 2002, as ordered reported by the House Committee on the Judiciary on June 19, 2002;
- (2) H.R. 4477, the Sex Tourism Prohibition Improvement Act of 2002, as ordered reported by the House Committee on the Judiciary on June 19, 2002;
- (3) H.R. 2146, the Two Strikes and You're Out Child Protection Act, as ordered reported by the House Committee on the Judiciary on March 6, 2002; and
- (4) H.R. 1877, the Child Sex Crimes Wiretapping Act of 2001, as ordered reported by the House Committee on the Judiciary on April 24, 2002.

The costs estimated for these provisions in H.R. 5422 are the same as those estimated previously for the separate bills.

### **ESTIMATE PREPARED BY:**

Federal Costs: Mark Grabowicz

Impact on State, Local, and Tribal Governments: Angela Seitz

Impact on the Private Sector: Paige Piper/Bach

### **ESTIMATE APPROVED BY:**

Peter H. Fontaine

Deputy Assistant Director for Budget Analysis