



CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

January 18, 2008

S. 431

Keeping the Internet Devoid of Sexual Predators Act of 2007

As ordered reported by the Senate Committee on the Judiciary on December 13, 2007

S. 431 would establish new federal crimes and expand the scope of existing offenses relating to sexual exploitation of children. CBO estimates that implementing S. 431 would have no significant net cost to the federal government. Enacting the bill could affect direct spending and revenues, but CBO estimates that any such effects would not be significant.

Current law requires sex offenders to register with state officials and provide certain information to those officials. Because the bill would establish new offenses, the government would be able to pursue cases that it otherwise would not be able to prosecute. We expect that S. 431 would apply to a relatively small number of offenders, however, so any increase in costs for law enforcement, court proceedings, or prison operations would not be significant. Any such costs would be subject to the availability of appropriated funds.

Because those prosecuted and convicted under S. 431 could be subject to criminal fines, the federal government might collect additional fines if the legislation is enacted. Criminal fines are recorded as revenues, then deposited in the Crime Victims Fund, and later spent. CBO expects that any additional revenues and direct spending would not be significant because of the relatively small number of cases likely to be affected.

In addition, S. 431 would require the Department of Justice (DOJ) to establish a system to allow social networking Web sites (such as MySpace) to compare databases of their users with the electronic mail addresses or other Internet identifiers maintained in the National Sex Offender Registry administered by DOJ. The bill would permit the department to charge user fees to the social networking Web sites to offset any costs, so we expect that the net costs to DOJ would be insignificant.

S. 431 would impose a private-sector mandate as defined in the Unfunded Mandates Reform Act (UMRA) on individuals who have been convicted of certain sex offenses by increasing reporting requirements for such individuals. CBO estimates that the direct cost of the mandate would be small and would fall well below the annual threshold established in UMRA for private-sector mandates (\$136 million in 2008, adjusted annually for inflation).

Sex offenders are currently required to register in person and provide information to law-enforcement agencies in each state in which the offender resides, is an employee, or is a student. The bill would expand the information that registered offenders must report and periodically update by requiring them to provide self-identifying information used on the Internet, including email addresses and screen names. We expect that such additional information could be provided at little additional cost. S. 431 contains no intergovernmental mandates as defined in UMRA and would impose no costs on state, local, or tribal governments.

The CBO staff contacts for this estimate are Mark Grabowicz (for federal costs) and MarDestinee Perez (for the private-sector impact). This estimate was approved by Theresa Gullo, Deputy Assistant Director for Budget Analysis.