



CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

August 4, 2016

H.R. 2031 **Anti-Swatting Act of 2015**

As ordered reported by the House Committee on Energy and Commerce on April 28, 2016

Under current law, the Federal Communications Commission (FCC) has the authority to levy civil penalties and criminal fines against individuals that use false caller identification information to defraud or harm another. H.R. 2031 would direct the FCC to levy additional criminal penalties against violators who are determined to have the intent of triggering an emergency response by a law enforcement agency or other emergency responder. The bill also would make the violator liable for reimbursement payments to agencies that incur expenses in responding to the incident.

On the basis of information from the FCC, CBO estimates that implementing H.R. 2031 would have an insignificant cost. Moreover, the FCC is authorized to collect fees sufficient to offset the costs of its regulatory activities each year; therefore, CBO estimates that the net effect on discretionary spending would be negligible, assuming appropriation actions consistent with that authority.

H.R. 2031 would increase the criminal penalties associated with current laws relating to the use of misleading or inaccurate caller identification information. Because those prosecuted and convicted under H.R. 2031 could be subject to criminal fines, the federal government might collect additional fines if the legislation is enacted. Criminal fines are recorded as revenues, deposited in the Crime Victims Fund, and later spent without further appropriation action. CBO expects that any additional revenues and subsequent direct spending would not be significant because the legislation would probably affect only a small number of cases. Because enacting H.R. 2031 would affect direct spending, pay-as-you-go procedures apply. Enacting the bill would not affect revenues.

CBO estimates that enacting H.R. 2031 would not increase net direct spending or on-budget deficits in any of the four consecutive 10-year periods beginning in 2027.

H.R. 2031 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 Stephen Rabent. The estimate was approved by Theresa Gullo, Assistant Director for Budget Analysis.