



CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

July 27, 2016

H.R. 5578 **Survivors' Bill of Rights Act of 2016**

As ordered reported by the House Committee on the Judiciary on July 7, 2016

H.R. 5578 would direct DOJ to establish a working group to develop and disseminate best practices relating to the care and treatment of survivors of sexual assault and the preservation of forensic evidence. Based on the cost of similar activities, CBO estimates that costs for the working group would be less than \$500,000 annually; such spending would be subject to the availability of appropriated funds.

H.R. 5578 also would establish new programs in the Department of Justice (DOJ) to assist the survivors of sexual assault and would authorize the Crime Victims Fund to cover most of the costs of those new programs. Spending from the Crime Victims Fund is permanently appropriated and is classified in the budget as direct spending. CBO estimates that all balances and new deposits into the Crime Victims Fund will be spent on authorized programs under current law; thus, enacting the bill to allow the Crime Victims Fund to pay for the new programs would not significantly change spending from the fund in any year or over the 2017-2026 period.

Because enacting the bill would affect direct spending, pay-as-you-go procedures apply; however, CBO estimates that those costs would not be significant. The legislation would not affect revenues. CBO estimates that enacting H.R. 5578 would not increase net direct spending or on-budget deficits in any of the four consecutive 10-year periods beginning in 2027.

H.R. 5578 would impose intergovernmental mandates as defined in the Unfunded Mandates Reform Act (UMRA). It would require law enforcement agencies to preserve evidence collected in sexual assault kits, notify sexual assault victims about procedures for the preservation and potential disposal of such evidence, and provide victims with the results from evidence testing. The bill would require law enforcement agencies to preserve sexual assault kits for the maximum applicable statute of limitation or 20 years, whichever is shorter. Most law enforcement agencies retain sexual assault kits for 20 years or longer, and storage costs are inexpensive. Consequently, CBO estimates that the cost of that mandate would be small.

The bill also would prohibit agencies from charging a sexual assault survivor for a medical forensic examination. However, all 50 states, the District of Columbia, and five territories already bear the costs of such examinations as a condition of their participation in the Services Training Officers Prosecutors (STOP) program. Consequently, CBO estimates that state, local, and tribal governments would incur negligible costs to comply with that mandate. CBO estimates that the aggregate costs of the mandates in the bill would fall well below the intergovernmental threshold established in UMRA (\$77 million in 2016, adjusted annually for inflation).

Finally, states would benefit from grants authorized in the bill to assist in informing sexual assault survivors about their rights. State and local governments also would benefit from the reauthorization of grants for verifying the residence locations of registered sex offenders. Any costs to state or local governments associated with participating in those grant programs would result from complying with conditions of assistance.

H.R. 5578 contains no private-sector mandates as defined in UMRA.

On May 19, 2016, CBO transmitted a cost estimate for S. 2613, the Adam Walsh Reauthorization Act of 2016, as reported by the Senate Committee on the Judiciary on April 14, 2016. Sections 5 and 6 of S. 2613 are similar to sections 2 and 3 of H.R. 5578, and CBO's estimate of the budgetary effects of those sections are the same.

The CBO staff contacts for this estimate are Mark Grabowicz (for federal costs) and Rachel Austin (for intergovernmental mandates). The estimate was approved by H. Samuel Papenfuss, Deputy Assistant Director for Budget Analysis.