



CONGRESSIONAL BUDGET OFFICE
COST ESTIMATE

October 29, 1997

S. 813

Veterans' Cemetery Protection Act of 1997

As reported by the Senate Committee on the Judiciary on October 23, 1997

CBO estimates that enacting S. 813 would result in additional costs to the federal government to accommodate prisoners for longer periods of time. We estimate that these costs would be less than \$500,000 annually for fiscal years 1998 through 2002, subject to the availability of appropriated funds. Enacting S. 813 could lead to an increase in direct spending and receipts; therefore, pay-as-you-go procedures would apply. However, CBO estimates that any increases in direct spending and receipts would be significantly less than \$500,000 annually. S. 813 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act of 1995 and would have no impact on the budgets of state, local, or tribal governments.

S. 813 would direct the United States Sentencing Commission to increase the penalties recommended for offenses against property at national cemeteries. The commission has assigned each federal crime a base offense level, numbered from 1 to 43, which corresponds to a certain recommended length of imprisonment, with higher numbers reflecting longer prison terms. The bill would direct the commission to increase the base offense level by at least 2 levels for property offenses at national cemeteries.

According to the U.S. Sentencing Commission, the bill's provisions would affect fewer than 100 individuals per year. Enacting S. 813 would increase the average sentence for such individuals by about 4 months. Assuming no significant change in the number of annual convictions, CBO estimates that additional costs of longer prison sentences would be less than \$500,000 a year for at least the next five fiscal years, subject to the availability of appropriated funds.

Because the maximum fine for an offense increases as the offense level increases, the bill's sentencing enhancements also could result in an increase in governmental receipts from criminal fines. However, CBO estimates that any such increase would be significantly less than \$500,000 annually. Criminal fines would be deposited in the Crime Victims Fund and would be spent the following year. Thus, direct spending from the fund would match the increase in revenues with a one-year lag.

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