



CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

October 1, 2007

S. 1703

Trafficking in Persons Accountability Act of 2007

As ordered reported by the Senate Committee on the Judiciary on September 20, 2007

CBO estimates that implementing S. 1703 would have no significant 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. S. 1703 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 bill would expand the jurisdiction of federal courts in certain human trafficking cases. Human trafficking involves the recruitment and smuggling of foreign nationals into the United States or other countries to force or coerce them into labor or prostitution. Under the bill, federal courts would have extraterritorial jurisdiction over human-trafficking crimes involving an alleged offender or victim who is a national of the United States or an alien lawfully admitted for permanent residence. The courts also would have jurisdiction over human-trafficking cases committed abroad if the alleged offender is present in the United States, irrespective of nationality. If a foreign government prosecutes a person for human trafficking, S. 1703 would prohibit prosecution by the United States without the approval of the Attorney General or Deputy Attorney General.

Generally, the courts currently have jurisdiction over human-trafficking offenses only if they occur within the United States or are committed abroad by federal employees, U.S. military personnel, or those accompanying them. Because the bill would expand jurisdiction, the government would be able to pursue cases that it otherwise would not be able to prosecute. We expect that under S. 1703, the Department of Justice would prosecute a small number of additional offenders, 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.

Convicted offenders would be subject to criminal fines, which are recorded as revenues, deposited into the Crime Victims Fund, and later spent. Convicted offenders could also be subject to the seizure of certain assets by the federal government. Proceeds from forfeited cash and the sale of assets are also recorded as revenues, deposited into the Assets Forfeiture

Fund and spent from that fund, mostly in the same year. Thus, enacting S. 1703 could increase both revenues deposited into the funds and direct spending from the funds. However, CBO expects that any such effects would be insignificant because of the small number of cases involved.

The CBO staff contact for this estimate is Leigh Angres. This estimate was approved by Peter H. Fontaine, Assistant Director for Budget Analysis.