



**CONGRESSIONAL BUDGET OFFICE  
COST ESTIMATE**

March 19, 2012

**H.R. 3541  
Susan B. Anthony and Frederick Douglass  
Prenatal Nondiscrimination Act of 2011**

*As ordered reported by the House Committee on the Judiciary on February 16, 2012*

CBO estimates that implementing H.R. 3541 would have no significant cost to the federal government. Enacting the bill could affect direct spending and revenues; therefore, pay-as-you-go procedures apply. However, CBO estimates that any effects would be insignificant for each year.

H.R. 3541 would make it a federal crime to perform certain abortions. Because the legislation would establish a new offense, the government would be able to pursue cases that it otherwise would not be able to prosecute. We expect that H.R. 3541 would apply to a relatively small number of 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.

Because those prosecuted and convicted under H.R. 3541 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. CBO expects that any additional revenues and direct spending would not be significant because of the small number of cases likely to be affected.

CBO has not reviewed H.R. 3541 for intergovernmental or private-sector mandates. Section 4 of the Unfunded Mandates Reform Act excludes from the application of that act any legislative provision that establishes statutory rights prohibiting discrimination on the basis of sex or race. Because the bill would give some individuals the right to take legal actions to prevent certain abortions, CBO has determined that the bill falls within that exclusion.

The CBO staff contact for this estimate is Mark Grabowicz. The estimate was approved by Theresa Gullo, Deputy Assistant Director for Budget Analysis.