



## CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

April 11, 2016

### **H.R. 4639** **Thoroughly Investigating Retaliation Against Whistleblowers Act**

*As ordered reported by the House Committee on Oversight and Government Reform  
on March 1, 2016*

#### **SUMMARY**

H.R. 4639 would authorize appropriations for the Office of Special Counsel (OSC) for fiscal years 2016 through 2020. The bill also would amend several of the laws governing the OSC. Finally, the bill would change how penalties could be applied to federal workers who violate the Hatch Act. (The Hatch Act prohibits most employees of the Executive branch from engaging in certain forms of political activity.)

CBO estimates that implementing this legislation would cost \$106 million over the 2017-2021 period, assuming appropriation of the estimated amounts. Because enacting H.R. 4639 could affect the amount of revenues collected from civil fines imposed on federal employees who violate the Hatch Act, pay-as-you-go procedures apply. However, CBO expects that any change in revenues collected would not be significant in any year. Enacting the bill would not affect direct spending.

CBO estimates that enacting H.R. 4639 would not increase net direct spending or on-budget deficits in any of the four consecutive 10-year periods beginning in 2027.

H.R. 4639 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act (UMRA) and would not affect the budgets of state, local, or tribal governments.

#### **ESTIMATED COST TO THE FEDERAL GOVERNMENT**

The estimated budgetary effects of H.R. 4639 are shown in the following table. The costs of this legislation fall within budget function 800 (general government).

	By Fiscal Year, in Millions of Dollars					2017- 2021
	2017	2018	2019	2020	2021	
<b>CHANGES IN SPENDING SUBJECT TO APPROPRIATION<sup>a</sup></b>						
Estimated Authorization Level	25	26	27	28	0	106
Estimated Outlays	23	26	27	28	2	106

a. In fiscal year 2016, OSC received an appropriation of \$24 million.

## **BASIS OF ESTIMATE**

For this estimate, CBO assumes that H.R. 4639 will be enacted by the end of fiscal year 2016 and the amounts provided in 2016 for the OSC will be appropriated for each fiscal year through 2020 with adjustments for anticipated inflation. For fiscal year 2016, the OSC received an appropriation of \$24 million. Estimated outlays are based on historical spending patterns for the agency.

## **PAY-AS-YOU-GO CONSIDERATIONS**

The Statutory Pay-As-You-Go Act of 2010 establishes budget-reporting and enforcement procedures for legislation affecting direct spending or revenues. Enacting H.R. 4639 could affect the amount of revenue collected from civil fines imposed on federal employees who violate the Hatch Act. Under the bill employees who participate in unauthorized political activities could be penalized through workplace disciplinary actions (reprimand, suspension, removal, debarment) and civil penalties. Under current law only one of those sanctions maybe used. CBO estimates that any change in revenue collections under the bill would not be significant. Enacting the bill would not affect direct spending.

## **INCREASE IN LONG-TERM DIRECT SPENDING AND DEFICITS**

CBO estimates that enacting H.R. 4639 would not increase net direct spending or on-budget deficits in any of the four consecutive 10-year periods beginning in 2027.

## **INTERGOVERNMENTAL AND PRIVATE-SECTOR IMPACT**

H.R. 4639 contains no intergovernmental or private-sector mandates as defined in UMRA and would not affect the budgets of state, local, or tribal governments.

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