

H.R. 2393, No Oil Producing and Exporting Cartels Act of 2021

As ordered reported by the House Committee on the Judiciary on April 20, 2021

By Fiscal Year, Millions of Dollars	2021	2021-2026	2021-2031
Direct Spending (Outlays)	a	a	a
Revenues	a	a	a
Increase or Decrease (-) in the Deficit	a	a	a
Spending Subject to Appropriation (Outlays)	a	a	a
Statutory pay-as-you-go procedures apply?	Yes	Mandate Effects	
Increases on-budget deficits in any of the four consecutive 10-year periods beginning in 2032?	No	Contains intergovernmental mandate?	No
		Contains private-sector mandate?	No
a. CBO has no basis to estimate the budgetary effects of enacting H.R. 2393.			

H.R. 2393 would seek to prohibit foreign states from working collectively to limit the production, set the price, or otherwise restrain the trading of petroleum and natural gas when such actions affect U.S. markets. The bill would authorize the Department of Justice (DOJ) to enforce the prohibition by filing antitrust actions in federal courts. Under the bill, foreign states that restrain trade in petroleum and natural gas would not be immune from the judgment of U.S. courts under the doctrine of sovereign immunity.

CBO has no basis to predict whether DOJ would initiate antitrust actions against foreign states under the bill. Investigating and prosecuting alleged antitrust violations like those that might be brought under H.R. 2393 could cost millions of dollars per year; any such spending would be subject to the availability of appropriated funds.

Those prosecuted and convicted under H.R. 2393 could be subject to criminal fines, thus the federal government might collect additional fines under the bill. Criminal fines are recorded in the budget as revenues, deposited in the Crime Victims Fund, and later spent without further appropriation action. Because enacting H.R. 2393 could affect direct spending and revenues, pay-as-you-go procedures apply. CBO cannot estimate the magnitude of additional revenues and direct spending because we cannot determine whether the DOJ would bring a civil or criminal action against alleged violators. However, because whatever is collected would ultimately be spent, the net effect on the deficit would be insignificant.

The CBO staff contact for this estimate is Jon Sperl. The estimate was reviewed by H. Samuel Papenfuss, Deputy Director of Budget Analysis.