



## CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

December 8, 2016

### **H.R. 3387** **Open and Transparent Smithsonian Act of 2016**

*As ordered reported by the House Committee on Oversight and Government Reform  
on November 16, 2016*

H.R. 3387 would amend the Freedom of Information Act (FOIA), the Privacy Act, and the Sunshine Act to apply the requirements of those acts to the Smithsonian Institution. Although the Smithsonian Institution receives federal appropriations for some of its operations, it is not an agency of the executive branch and those acts do not currently apply to it. The institution currently answers requests for information similar to those that would be required under FOIA, but the proposed changes would require some additional disclosures and would also require the institution to make more of its records publicly available. In addition, the proposed amendments would require the institution to change its recordkeeping practices to comply with the Privacy Act, publish regulations and notices, hold public meetings, and provide reports to the Congress. Those additional requirements would require the institution to hire additional personnel and increase related costs.

CBO estimates implementing H.R. 3387 would increase spending over the 2017-2021 period by \$3 million; such spending would be subject to the availability of appropriated funds. Under FOIA, agencies are permitted to charge fees to offset the cost of answering requests for information; those fees are recorded as revenues in the budget. Typically, agencies charge fees for only a portion of the costs of answering such requests; therefore, CBO estimates any receipts would be less than \$500,000 over the 2017-2026 period. Because enacting the bill would affect revenues, pay-as-you-go procedures would apply. Enacting the bill would not affect direct spending.

CBO estimates that enacting H.R. 3387 would not significantly increase net direct spending or on-budget deficits in any of the four consecutive 10-year periods beginning in 2027.

H.R. 3387 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act and would impose no costs on state, local, or tribal governments.

The CBO staff contact for this estimate is Christina Hawley Anthony. This estimate was approved by H. Samuel Papenfuss, Deputy Assistant Director for Budget Analysis.