



CONGRESSIONAL BUDGET OFFICE  
COST ESTIMATE

July 22, 2015

**S. 1599**  
**Criminal Antitrust Anti-Retaliation Act of 2015**

*As ordered reported by the Senate Committee on the Judiciary on July 16, 2015*

S. 1599 would prohibit an employer from discriminating against an employee or other agent of the employer who provides information or assists in an investigation of a violation of federal antitrust law. The legislation also would authorize an individual who alleges discrimination to seek relief. CBO estimates that enacting S. 1599 would increase the number of complaints filed with the Occupational Safety and Health Administration (OSHA), which administers employee protection laws (known as whistleblower programs). Based on information provided by the Department of Labor, CBO estimates that implementing S. 1599 would cost about \$2 million over the 2016-2020 period to process the new complaints, assuming appropriation of the necessary amounts. Enacting S. 1599 would not affect direct spending or revenues; therefore, pay-as-you-go procedures do not apply.

By providing whistleblower protection, S. 1599 would impose an intergovernmental and private-sector mandate, as defined in the Unfunded Mandates Reform Act (UMRA). The bill would prohibit public and private employers from terminating or otherwise discriminating against such employees in the terms and conditions of their employment for providing information to antitrust investigations. Based on information from OSHA that employers would only need to make small changes to administrative procedures, CBO estimates that the cost to employers to comply with the mandate would be minimal and would fall well below the annual thresholds for intergovernmental and private-sector mandates established in UMRA (\$77 million and \$154 million in 2015, respectively, adjusted annually for inflation).

The CBO staff contacts for this estimate are Marin Burnett (for federal costs), Melissa Merrell (for intergovernmental mandates), and Paige Piper/Bach (for private-sector mandates). The estimate was approved by H. Samuel Papenfuss, Deputy Assistant Director for Budget Analysis.