Congressional Budget Office
Cost Estimate

March 2, 2023

H.R. 140, Protecting Speech from Government Interference Act

As ordered reported by the House Committee on Oversight and Accountability on February 28, 2023

By Fiscal Year, Millions of Dollars	2023	2023-2028	2023-2033
Direct Spending (Outlays)	*	*	*
Revenues	*	*	*
Increase or Decrease (-) in the Deficit	*	*	*
Spending Subject to Appropriation (Outlays)	*	*	not estimated

Increases *net direct spending* in any of the four consecutive 10-year periods beginning in 2034?	**< $2.5 billion**	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 2034?	**No**	Contains intergovernmental mandate?	**No**
		Contains private-sector mandate?	**No**

* = between -$500,000 and $500,000.

H.R. 140 would bar federal employees from using their official authority or influence to promote censorship or to advocate for that action by a third party. Employees found to violate the prohibition would be subject to civil penalties.

Censorship, as defined in H.R. 140, means using influence or coercion to:

- Remove or suppress lawful speech from an interactive computer service,
- Add a disclaimer or other alert to lawful speech expressed on an interactive computer service, or
- Remove or restrict a person's access to a publicly available interactive computer service under certain conditions.

Activities related to law enforcement would be excluded from the bill's prohibition but agencies undertaking activities under that exclusion would be required to report to the Congress before taking any action.

Enacting H.R. 140 could result in additional civil penalty collections, which are treated as revenues in the budget. However, CBO estimates that any such collections would be insignificant over the 2023-2033 period because the penalty amounts are relatively small and we expect few violations of the bill's new prohibitions.

CBO does not have enough information to determine the number of instances of censorship exercised by federal employees in the past or to project such behavior in the future. As a result, CBO cannot estimate the costs related to implementing the bill or the savings related to employees not engaging in that behavior. However, we expect that those amounts would be insignificant over the 2023-2028 period; any changes in spending would be subject to the availability of appropriated funds.

In addition, the bill could affect direct spending by some agencies that are allowed to use fees, receipts from the sale of goods, and other collections to cover operating costs. CBO estimates that any net changes in direct spending by those agencies would be negligible because most of them can adjust amounts collected to reflect changes in operating costs.

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

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