Congressional Budget Office
Cost Estimate

August 28, 2026

H.R. 5853, a bill to amend the Export Control Reform Act of 2018 to increase the civil penalties that may be imposed under such Act

As ordered reported by the House Committee on Foreign Affairs on April 22, 2026

By Fiscal Year, Millions of Dollars	2026	2026-2031	2026-2036
Direct Spending (Outlays)	0	0	0
Revenues	0	25	55
Increase or Decrease (-) in the Deficit	0	-25	-55
Spending Subject to Appropriation (Outlays)	0	0	0

Increases *net direct spending* in any of the four consecutive 10-year periods beginning in 2037?	No	Statutory pay-as-you-go procedures apply?	Yes
Increases *on-budget deficits* in any of the four consecutive 10-year periods beginning in 2037?	No	**Mandate Effects**	
		Contains intergovernmental mandate?	No
		Contains private-sector mandate?	No

H.R. 5853 would increase the maximum civil monetary penalties the Bureau of Industry and Security (BIS) could impose for violations of the Export Control Reform Act of 2018. Under current law, civil monetary penalties for export control violations are capped at the greater of $374,474 or the amount that is twice the value of the transaction that is the basis of the violation. H.R. 5853 would increase those caps to $1.2 million or the amount that is four times the value of the transaction.

The vast majority of civil penalties that BIS imposes are nonmonetary, such as the temporary denial of export privileges. Over the 2019-2025 period, BIS reported that it had assessed 40 civil monetary penalties on entities that had violated export license requirements. The bureau collected an annual average of about $70 million in revenues from civil penalties over that time period. Of those cases, there were two instances in which BIS imposed the maximum civil penalty allowed under current law. On the basis of the amount of the transactions that caused the violations and the penalties imposed under the limits in current law, CBO estimates that increasing the cap on civil penalties that could be imposed on export law violators would increase revenues by $55 million over the 2026-2036 period.

The estimated budgetary effects of the legislation are shown in Table 1.

Table 1.
Estimated Budgetary Effects of H.R. 5853

	By Fiscal Year, Millions of Dollars												
	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035	2036	2026-2031	2026-2036
	Increases in Revenues												
Estimated Revenues	0	5	5	5	5	5	6	6	6	6	6	25	55

CBO's estimate of the budgetary effects of H.R. 5853 is subject to uncertainty regarding the amount that BIS would assess under the increased caps for civil monetary penalties. Revenues could be more or less depending on how the number of violations and their associated penalties differ from CBO's estimate.

The CBO staff contact for this estimate is Aldo Prosperi. The estimate was reviewed by Christina Hawley Anthony, Deputy Director of Budget Analysis.

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