

**H.R. 4330, PRESS Act**

As Passed by the U.S. House of Representatives on September 19, 2022

By Fiscal Year, Millions of Dollars	2023	2023-2027	2023-2032
Direct Spending (Outlays)	0	0	0
Revenues	0	0	0
Increase or Decrease (-) in the Deficit	0	0	0
Spending Subject to Appropriation (Outlays)	*	*	not estimated
Statutory pay-as-you-go procedures apply?	No	<b>Mandate Effects</b>	
Increases on-budget deficits in any of the four consecutive 10-year periods beginning in 2033?	No	Contains intergovernmental mandate?	No
		Contains private-sector mandate?	No
* = between zero and \$500,000.			

H.R. 4330 would exempt journalists and third-party service providers, such as telecommunications carriers and Internet service providers, from being compelled to identify a source or disclose other information that was gathered or created as part of engaging in journalism unless it is necessary to prevent an act of terrorism or a threat of imminent violence. Specifically, a federal court would make that determination based on the preponderance of the evidence after the journalist or service provider has had notice and an opportunity to respond.

For matters related to federal cases, the Department of Justice (DOJ) typically files subpoena requests that seek information from journalists. Current DOJ policy allows federal prosecutors to request a subpoena of a journalist or a third-party service provider only in limited circumstances after an internal review. Based on information from DOJ, CBO estimates that a small number of subpoenas seeking information from journalists are approved each year.

In conversations with CBO, DOJ indicated that H.R. 4330 would apply to a larger number of individuals than its current policy. As such, CBO estimates that the act would increase by a small amount the number of subpoenas subject to the act's requirements. In addition, CBO estimates that the act would increase the amount of work required by federal prosecutors to obtain such a subpoena. Thus, CBO estimates that implementing H.R. 4330 would cost less

than \$500,000 over the 2023-2027 period. Such spending would be subject to the availability of appropriated funds.

H.R. 4330 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act and would not affect the budgets of state, local, or tribal governments.

On September 16, 2022, CBO transmitted [an estimate](#) of the effects on direct spending and revenues for H.R. 4330, the PRESS Act, as one of a list of legislation to be considered under suspension of the rules in the House of Representatives. The two versions of the act are similar, and CBO's estimates of those budgetary effects are the same.

The CBO staff contact for this estimate is Jeremy Crimm. The estimate was reviewed by Leo Lex, Deputy Director of Budget Analysis.