

H.R. 4435, Fight Notario Fraud Act of 2021

As ordered reported by the House Committee on the Judiciary on July 21, 2021

By Fiscal Year, Millions of Dollars	2021	2021-2026	2021-2031
Direct Spending (Outlays)	0	*	*
Revenues	0	*	*
Increase or Decrease (-) in the Deficit	0	*	*
Spending Subject to Appropriation (Outlays)	0	26	not estimated
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 2032?	No	Contains intergovernmental mandate?	No
		Contains private-sector mandate?	No
* = between -\$500,000 and \$500,000.			

H.R. 4435 would prohibit fraudulent schemes involving immigration law, making it a federal crime to falsely represent oneself as an immigration attorney or to threaten retaliation in connection with a fraudulent immigration service. The bill also would require the Department of Justice (DOJ) to establish new district attorneys positions, to enforce the new law, and to publish information about fraudulent immigration schemes.

Because the bill would establish new federal crimes, the government could pursue cases that it otherwise could not prosecute. Using information from the department, CBO expects H.R. 4435 would apply to a relatively small number of people, so any increase in costs for law enforcement, court proceedings, or prison operations would not be significant. Any such costs would be subject to the availability of appropriated funds.

Because people who are prosecuted and convicted under H.R. 4435 could be subject to criminal fines, the federal government might collect additional amounts under the bill. Criminal fines are recorded as revenues, deposited in the Crime Victims Fund, and later spent without further appropriation action. CBO expects that any additional revenues and subsequent direct spending would not be significant because the legislation would probably affect only a small number of cases.

Using information from the department, CBO estimates that implementing the bill would require DOJ to hire 15 district attorneys to enforce the new prohibitions, at an average annual

cost of about \$180,000 each. After adjusting for the time to hire for those positions, CBO estimates that paying the salaries and benefits of those employees and providing training and administrative support would cost about \$4 million annually and \$16 million over the 2021-2026 period; such spending would be subject to the availability of appropriated funds.

The bill also would require DOJ to establish procedures to collect and process reports of fraudulent immigration law schemes, publish information online, and report to the Congress annually on cases and enforcement. Using information from DOJ, CBO estimates the department would need approximately 10 employees to carry out those provisions of the bill. At an average cost of about \$150,000 for each employee’s salary and benefits, CBO estimates the cost to DOJ would total \$2 million annually and \$10 million over the 2021-2026 period; such spending would be subject to the availability of appropriated funds.

The costs of the legislation, detailed in Table 1, fall within budget function 750 (administration of justice).

**Table 1.
Estimated Increases in Spending Subject to Appropriation Under H.R. 4435**

	By Fiscal Year, Millions of Dollars						2021-2026
	2021	2022	2023	2024	2025	2026	
New District Attorneys							
Estimated Authorization	0	2	4	4	4	4	17
Estimated Outlays	0	1	3	4	4	4	16
DOJ Enforcement							
Estimated Authorization	0	1	2	2	2	3	11
Estimated Outlays	0	1	2	2	2	2	10
Total Changes							
Estimated Authorization	0	3	6	6	6	7	28
Estimated Outlays	0	2	5	6	6	7	26

Components may not sum to totals because of rounding; DOJ = Department of Justice.

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