

H.R. 1333, National Origin-Based Antidiscrimination for Nonimmigrants Act
 As ordered reported by the House Committee on the Judiciary on April 14, 2021

By Fiscal Year, Millions of Dollars	2021	2021-2026	2021-2031
Direct Spending (Outlays)	0	0	0
Revenues	0	0	0
Increase or Decrease (-) in the Deficit	0	0	0
Spending Subject to Appropriation (Outlays)	0	0	0
Statutory pay-as-you-go procedures apply?	No	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

The Immigration and Nationality Act “grants the President broad discretion to suspend the entry of aliens into the United States.”¹ H.R. 1333 would amend that act to narrow the President’s authority to impose entry or visa restrictions on aliens (non-U.S. nationals) based on their country of birth, country of nationality, and certain other characteristics. By limiting the President’s authority to restrict entry into the United States, the bill could increase the number of aliens who arrive in the country and receive federal benefits. However, the current Administration has not proposed any entry or visa restrictions that would be affected by H.R. 1333; to the contrary, it has revoked several entry and visa restrictions that had been promulgated by the previous Administration.² Therefore, CBO estimates that enacting H.R. 1333 would have no budgetary effects. (CBO has no basis for predicting whether a future Administration would seek to impose entry or visa restrictions in the absence of this legislation.)

CBO has reviewed sections 1, 3, and 4 of H.R. 1333 and determined that those provisions contain no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act (UMRA). CBO has not reviewed section 2 of H.R. 1333 for intergovernmental or private-sector mandates. Section 4 of UMRA excludes from the

1. *Trump v. Hawaii*, 138 S. Ct. 2392 (2018), www.supremecourt.gov/opinions/17pdf/17-965_h315.pdf (419 KB).

2. See “Ending Discriminatory Bans on Entry to the United States,” Presidential Documents, Proclamation 10141, 86 Fed. Reg. 7005 (January 25, 2021), www.federalregister.gov/d/2021-01749.

application of that act any legislative provisions that would establish or enforce statutory rights prohibiting discrimination. CBO has determined section 2 of H.R. 1333 falls within that exclusion because it would extend protections against discrimination in the immigration process based on sex, national origin, and religion.

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