

119<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

**S.** \_\_\_\_\_

To double the civil penalties for aliens who enter or attempt to enter the United States without authorization, aliens subject to a final order of removal who fail or refuse to depart from the United States, and employers that knowingly hire aliens who are not authorized to work in the United States.

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IN THE SENATE OF THE UNITED STATES

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Mr. SCOTT of Florida introduced the following bill; which was read twice and referred to the Committee on \_\_\_\_\_

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**A BILL**

To double the civil penalties for aliens who enter or attempt to enter the United States without authorization, aliens subject to a final order of removal who fail or refuse to depart from the United States, and employers that knowingly hire aliens who are not authorized to work in the United States.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “Illegal Immigration  
5       Cost Recovery Act”.

1 **SEC. 2. INCREASED CIVIL PENALTIES FOR EMPLOYERS**  
2 **THAT HIRE UNAUTHORIZED ALIENS.**

3 (a) **IN GENERAL.**—Section 274A(e)(4)(A) of the Im-  
4 migration and Nationality Act (8 U.S.C. 1324a(e)(4)(A))  
5 is amended—

6 (1) in the matter preceding clause (i), by insert-  
7 ing “, subject to paragraph (10),” after “such viola-  
8 tions and”;

9 (2) in clause (i), by striking “\$250 and not  
10 more than \$2,000” and inserting “\$1,432 and not  
11 more than \$11,448”;

12 (3) in clause (ii), by striking “\$2,000 and not  
13 more than \$5,000” and inserting “\$11,448 and not  
14 more than \$28,616”; and

15 (4) in clause (iii), by striking “\$3,000 and not  
16 more than \$10,000” and inserting “\$17,172 and not  
17 more than \$57,238”.

18 (b) **ANNUAL INFLATION ADJUSTMENT.**—Section  
19 274A(e) of the Immigration and Nationality Act (8 U.S.C.  
20 1324a(e)) is amended by adding at the end the following:

21 “(10) **ANNUAL INFLATION ADJUSTMENT.**—

22 “(A) **IN GENERAL.**—Beginning on October  
23 1, 2027, the penalty amounts established under  
24 paragraph (4)(A) shall be adjusted annually to  
25 account for inflation by using the Consumer  
26 Price Index for All Urban Consumers (CPI-U)

1 published by the Bureau of Labor Statistics, in  
2 the same manner as civil monetary penalties  
3 are adjusted under the Federal Civil Penalties  
4 Inflation Adjustment Act Improvements Act of  
5 2015 (28 U.S.C. 2461 note).

6 “(B) PUBLICATION.—The Secretary of  
7 Homeland Security shall publish the inflation-  
8 adjusted amounts referred to in subparagraph  
9 (A) in the Federal Register not later than De-  
10 cember 15 of each year, and such adjusted  
11 amounts shall apply to penalties assessed on or  
12 after January 1 of the following year.”.

13 **SEC. 3. INCREASED CIVIL PENALTY FOR FAILURE TO DE-**  
14 **PART.**

15 Section 274D(a) of the Immigration and Nationality  
16 Act (8 U.S.C. 1324d(a)) is amended—

17 (1) by amending the section header to read as  
18 follows: “**CIVIL PENALTIES FOR FAILURE TO DE-**  
19 **PART**”;

20 (2) in paragraph (1), by redesignating subpara-  
21 graphs (A), (B), and (C) as clause (i), (ii), and (iii),  
22 respectively;

23 (3) by redesignating paragraphs (1) and (2) as  
24 subparagraphs (A) and (B), respectively;

1           (4) by striking “(A) IN GENERAL.—Any alien”  
2           and inserting the following:

3           “(a) IN GENERAL.—

4           “(1) CONDITIONS.—Subject to paragraph (2),  
5           any alien”;

6           (5) in the undesignated matter following sub-  
7           paragraph (B), as redesignated, by striking “\$500”  
8           and inserting “\$1,996”; and

9           (6) by adding at the end the following:

10          “(2) ANNUAL INFLATION ADJUSTMENT.—

11           “(A) IN GENERAL.—Beginning on October  
12           1, 2027, the penalty amounts established under  
13           paragraph (1) shall be adjusted annually to ac-  
14           count for inflation by using the Consumer Price  
15           Index for All Urban Consumers (CPI-U) pub-  
16           lished by the Bureau of Labor Statistics, in the  
17           same manner as civil monetary penalties are  
18           adjusted under the Federal Civil Penalties In-  
19           flation Adjustment Act Improvements Act of  
20           2015 (28 U.S.C. 2461 note).

21           “(B) PUBLICATION.—The Secretary of  
22           Homeland Security shall publish the inflation-  
23           adjusted amounts referred to in subparagraph  
24           (A) in the Federal Register not later than De-  
25           cember 15 of each year, and such adjusted

1 amounts shall apply to penalties assessed on or  
2 after January 1 of the following year.”.

3 **SEC. 4. INCREASED CIVIL PENALTY FOR IMPROPER ENTRY.**

4 Section 275(b) of the Immigration and Nationality  
5 Act (8 U.S.C. 1325(b)) is amended—

6 (1) by redesignating paragraphs (1) and (2) as  
7 subparagraphs (A) and (B), respectively, and by  
8 moving such subparagraphs 2 ems to the right;

9 (2) in the matter preceding subparagraph (A),  
10 as redesignated, by striking “Any alien” and insert-  
11 ing the following:

12 “(1) CIVIL PENALTY.—Subject to paragraphs  
13 (2) and (3), any alien”;

14 (3) in paragraph (1)(A), as redesignated, by  
15 striking “\$50 and not more than \$250” and insert-  
16 ing “\$200 and not more than \$1,000”;

17 (4) in the undesignated matter following sub-  
18 paragraph (B), as redesignated, by striking “Civil  
19 penalties” and inserting the following:

20 “(2) CLARIFICATION.—Civil penalties”; and

21 (5) by adding at the end the following:

22 “(3) ANNUAL INFLATION ADJUSTMENT.—

23 “(A) IN GENERAL.—Beginning on October  
24 1, 2027, the penalty amounts established under  
25 subparagraphs (A) and (B) of paragraph (1)

1 shall be adjusted annually to account for infla-  
2 tion by using the Consumer Price Index for All  
3 Urban Consumers (CPI-U) published by the  
4 Bureau of Labor Statistics, in the same manner  
5 as civil monetary penalties are adjusted under  
6 the Federal Civil Penalties Inflation Adjust-  
7 ment Act Improvements Act of 2015 (28  
8 U.S.C. 2461 note).

9 “(B) PUBLICATION.—The Secretary of  
10 Homeland Security shall publish the inflation-  
11 adjusted amounts referred to in subparagraph  
12 (A) in the Federal Register not later than De-  
13 cember 15 of each year, and such adjusted  
14 amounts shall apply to penalties assessed on or  
15 after January 1 of the following year.”.