

119TH CONGRESS
2D SESSION

S. 4769

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.

IN THE SENATE OF THE UNITED STATES

JUNE 11, 2026

Mr. SCOTT of Florida (for himself, Mr. LEE, and Mr. SHEEHY) introduced the following bill; which was read twice and referred to the Committee on the Judiciary

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)

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

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

SEC. 3. INCREASED CIVIL PENALTY FOR FAILURE TO DEPART.

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

(1) by amending the section header to read as follows: “**CIVIL PENALTIES FOR FAILURE TO DEPART**”;

(2) in paragraph (1), by redesignating subparagraphs (A), (B), and (C) as clause (i), (ii), and (iii), respectively;

(3) by redesignating paragraphs (1) and (2) as 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.”.

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