

117TH CONGRESS
1ST SESSION

H. R. 3530

To amend the Immigration and Nationality Act to impose a penalty for
illegal immigration, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MAY 25, 2021

Mr. NEHLS (for himself and Mr. RESCHENTHALER) introduced the following
bill; which was referred to the Committee on the Judiciary

A BILL

To amend the Immigration and Nationality Act to impose
a penalty for illegal immigration, and for other purposes.

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 Penalty Enhancement Act of 2021”.

6 **SEC. 2. PENALTY FOR ILLEGAL IMMIGRATION.**

7 (a) IN GENERAL.—Chapter 8 of Immigration and
8 Nationality Act (8 U.S.C. 1321 et seq.) is amended by
9 adding after section 275 of the Immigration and Nation-
10 ality Act (8 U.S.C. 125) the following new section:

1 **“SEC. 275A. PENALTY FOR ILLEGAL IMMIGRATION.**

2 “(a) OFFENSE.—Notwithstanding any other provi-
3 sion of law, a certain illegal alien found to have reentered
4 into the United States shall be imprisoned for a term of
5 not less than five years in a Federal correctional facility.

6 “(b) CONVICTION FOR A CRIME.—Notwithstanding
7 any other provision of law, a certain illegal alien who is
8 convicted of an offense under subsection (a) and an of-
9 fense under State or Federal law shall serve such sen-
10 tences consecutively with the penalty for the offense under
11 subsection (a) being served in a Federal correctional facil-
12 ity.

13 “(c) SUBSEQUENT ENTRY.—The penalty under sub-
14 section (a) shall apply to each unlawful entry into the
15 United States.

16 “(d) CERTAIN ILLEGAL ALIEN DEFINED.—In this
17 section, the term ‘certain illegal alien’ means an alien, who
18 at the time of a commission of an offense under subsection
19 (a)—

20 “(1) does not have lawful immigration status,
21 including—

22 “(A) an alien who entered the United
23 States without inspection, admission, or parole;
24 or

1 “(B) an alien whose lawful status has ex-
2 pired or was rescinded, revoked, or otherwise
3 terminated; and

4 “(2) has reentered the United States after
5 being deported.”.

6 (b) CONFORMING AMENDMENT.—The table of con-
7 tents for the Immigration and Nationality Act is amended
8 by inserting after the item relating to section 275 the fol-
9 lowing:

 “Sec. 275A. Penalty for illegal immigration.”.

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