

119TH CONGRESS
2D SESSION

S. 4771

To amend the Immigration and Nationality Act to require the Secretary of Homeland Security to collect a fee for credible fear interviews, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JUNE 11, 2026

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

A BILL

To amend the Immigration and Nationality Act to require the Secretary of Homeland Security to collect a fee for credible fear interviews, 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 “Protecting Asylum In-
5 tegrity Act”.

6 **SEC. 2. CREDIBLE FEAR PROCESSING FEE.**

7 (a) FINDINGS.—Congress makes the following find-
8 ings:

1 (1) The Immigration and Nationality Act (8
2 U.S.C. 1101 et seq.) expressly authorizes the Sec-
3 retary of Homeland Security to prescribe and collect
4 fees for the processing of immigration applications,
5 benefits, and claims, including through the Immigra-
6 tion Examinations Fee Account established under
7 section 286(m) of that Act (8 U.S.C. 1356(m)).

8 (2) The credible fear interview required under
9 section 235(b)(1) of that Act (8 U.S.C. 1225(b)(1))
10 is a statutorily mandated component of the expe-
11 dited removal process and serves as the threshold
12 step for individuals seeking to pursue asylum or
13 other protection claims.

14 (3) Credible fear screenings impose substantial
15 administrative, personnel, and operational costs on
16 U.S. Citizenship and Immigration Services and the
17 Department of Homeland Security, including costs
18 relating to officer time, interpreter services, deten-
19 tion support, and downstream processing of positive
20 determinations.

21 (4) A reasonable user fee for credible fear proc-
22 essing—

23 (A) is consistent with longstanding con-
24 gressional policy of recovering costs associated
25 with immigration claims processing;

1 (B) promotes fiscal responsibility;

2 (C) deters the filing of frivolous or
3 meritless claims; and

4 (D) generates revenue that can be used to
5 support border security and immigration en-
6 forcement activities.

7 (5) The imposition of such a fee is a budgetary
8 measure that will increase Federal revenues.

9 (b) CREDIBLE FEAR PROCESSING FEE.—Section
10 235(b)(1) of the Immigration and Nationality Act (8
11 U.S.C. 1225(b)(1)) is amended by adding at the end the
12 following new subparagraph:

13 “(H) FEE FOR CREDIBLE FEAR PROC-
14 ESSING.—

15 “(i) IN GENERAL.—The Secretary of
16 Homeland Security shall assess and collect
17 a fee of not less than \$100 for each cred-
18 ible fear interview conducted under this
19 paragraph. Such fee shall be collected be-
20 fore such interview is conducted.

21 “(ii) ADJUSTMENT FOR INFLATION.—
22 The amount of the fee under clause (i)
23 shall be adjusted annually, beginning in
24 fiscal year 2027, for inflation using the
25 Consumer Price Index for All Urban Con-

1 sumers published by the Bureau of Labor
2 Statistics, in the same manner as civil
3 monetary penalties are adjusted under the
4 Federal Civil Penalties Inflation Adjust-
5 ment Act Improvements Act of 1990 (Pub-
6 lic Law 101–410; 28 U.S.C. 2461 note).

7 “(iii) DEPOSIT OF FEES.—Notwith-
8 standing any other provision of law, 50
9 percent of the fees collected under this
10 subparagraph shall be deposited into the
11 Immigration Examinations Fee Account
12 established under section 286(m) and shall
13 be available to U.S. Citizenship and Immi-
14 gration Services, without further appro-
15 priation, for processing and operations.
16 The remaining 50 percent of such fees col-
17 lected shall be deposited into the general
18 fund of the Treasury.”.

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