

109TH CONGRESS
1ST SESSION

H. R. 3806

To amend the Immigration and Nationality Act to increase penalties for
employing illegal aliens.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 15, 2005

Mrs. MYRICK introduced the following bill; which was referred to the
Committee on the Judiciary

A BILL

To amend the Immigration and Nationality Act to increase
penalties for employing illegal aliens.

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 “10k Run for the Bor-
5 der Act”.

6 **SEC. 2. INCREASE IN PENALTIES FOR EMPLOYING ILLEGAL**
7 **ALIENS.**

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

1 (1) in clause (i), by striking “\$250 and not
2 more than \$2,000” and inserting “\$10,000 and not
3 more than \$80,000”;

4 (2) in clause (ii), by striking “\$2,000 and not
5 more than \$5,000” and inserting “\$80,000 and not
6 more than \$200,000”; and

7 (3) in clause (iii), by striking “\$3,000 and not
8 more than \$10,000” and inserting “\$120,000 and
9 not more than \$1,600,000”.

10 (b) USE OF ADDITIONAL PENALTY FUNDS.—Not-
11 withstanding any other provision of law, of the additional
12 amounts of fines paid under section 274A(e)(4)(A) of the
13 Immigration and Nationality Act (8 U.S.C.
14 1324a(e)(4)(A)) by one or more employers and that are
15 attributable to the amendments made by subsection (a)—

16 (1) if State or local law enforcement officials
17 have provided material assistance in the investiga-
18 tion or prosecution of cases of such employers that
19 resulted in such fines—

20 (A) 80 percent shall be paid, in a manner
21 specified by the Secretary of Homeland Secu-
22 rity, to the State or local State law enforcement
23 agencies which employed such individuals; and

1 (B) 20 percent shall be used by the Sec-
2 retary to cover costs of detention of illegal
3 aliens; and

4 (2) if paragraph (1) does not apply—

5 (A) 80 percent shall be paid to States (and
6 political subdivisions of States) under the State
7 Criminal Alien Assistance Program under sec-
8 tion 241(i) of such Act (8 U.S.C. 1251(i)) for
9 purposes of reimbursing those States and polit-
10 ical subdivisions for costs of incarceration of
11 undocumented criminal aliens; and

12 (B) 20 percent shall be used by the Sec-
13 retary to cover costs of detention of illegal
14 aliens in Federal facilities.

15 (c) EFFECTIVE DATE.—The amendments made by
16 subsection (a) shall apply to violations occurring on or
17 after the date of the enactment of this Act.

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