

119TH CONGRESS
1ST SESSION

S. 2547

To amend the Immigration and Nationality Act to increase penalties for individuals who illegally enter and reenter the United States after being removed, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JULY 30, 2025

Mr. CRUZ (for himself, Mr. BUDD, Mr. JUSTICE, and Mr. RICKETTS) 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 increase penalties for individuals who illegally enter and reenter the United States after being removed, 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 “Kate’s Law”.

5 **SEC. 2. COMMISSION OF CRIMES BY ALIENS WHO ARE UN-**
6 **LAWFULLY PRESENT IN THE UNITED STATES.**

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

1 (1) in subsection (a), by striking “2 years” and
 2 inserting “5 years”; and

3 (2) by adding at the end the following:

4 “(e) Any alien who—

5 “(1)(A) enters or attempts to enter the United
 6 States at any time or place other than as designated
 7 by immigration officers;

8 “(B) eludes examination or inspection by immi-
 9 gration officers; or

10 “(C) attempts to enter or obtains entry to the
 11 United States by a willfully false or misleading rep-
 12 resentation or the willful concealment of a material
 13 fact, and

14 “(2) thereafter is convicted of any crime pun-
 15 ishable by more than 1 year of imprisonment,
 16 may be fined under title 18, United States Code, and shall
 17 be imprisoned for a term of not less than 5 years.”.

18 **SEC. 3. INCREASED PENALTIES FOR REENTRY OF RE-**
 19 **MOVED ALIEN.**

20 Section 276 of the Immigration and Nationality Act
 21 (8 U.S.C. 1326) is amended—

22 (1) by redesignating subsections (c) and (d) as
 23 subsections (e) and (f), respectively;

24 (2) by striking subsections (a) and (b) and in-
 25 serting the following:

1 “(a) IN GENERAL.—Except as provided in sub-
2 sections (b), (c), and (d), any alien who—

3 “(1) has been denied admission, excluded, de-
4 ported, removed, or has departed the United States
5 while an order of exclusion, deportation, or removal
6 is outstanding; and

7 “(2) thereafter enters, attempts to enter, or is
8 at any time found in, the United States—
9 shall be fined under title 18, United States Code, impris-
10 oned not more than 10 years, or both.

11 “(b) EXCEPTIONS.—An alien shall not be subject to
12 the penalty under subsection (a) if—

13 “(1) the Secretary of Homeland Security has
14 expressly consented to such alien’s reapplying for
15 admission before the alien’s reembarkation at a
16 place outside the United States or the alien’s appli-
17 cation for admission from foreign contiguous terri-
18 tory; or

19 “(2) an alien previously denied admission and
20 removed establishes that he or she alien was not re-
21 quired to obtain such advance consent under this
22 Act.

23 “(c) CRIMINAL PENALTIES FOR REENTRY OF CER-
24 TAIN REMOVED ALIENS.—

1 “(1) IN GENERAL.—Notwithstanding subsection
2 (a), and except as provided in subsection (d)—

3 “(A) an alien described in subsection (a)
4 who was convicted before such removal or de-
5 parture of 3 or more misdemeanors involving
6 drugs, crimes against the person, or both shall
7 be fined under title 18, United States Code, im-
8 prisoned not more than 15 years, or both;

9 “(B) an alien described in subsection (a)
10 who has been excluded from the United States
11 pursuant to section 235(c) because the alien
12 was inadmissible under section 212(a)(3)(B) or
13 who has been removed from the United States
14 pursuant to the provisions of title V, and who
15 thereafter, without the permission of the Sec-
16 retary of Homeland Security, enters the United
17 States, or attempts to do so, shall be fined
18 under title 18, United States Code, and impris-
19 oned for a period of 10 years, which sentence
20 shall not run concurrently with any other sen-
21 tence;

22 “(C) an alien described in subsection (a)
23 who was removed from the United States pur-
24 suant to section 241(a)(4)(B) who thereafter,
25 without the permission of the Secretary of

1 Homeland Security, enters, attempts to enter,
 2 or is at any time found in, the United States,
 3 shall be fined under title 18, United States
 4 Code, imprisoned for not more than 10 years,
 5 or both; and

6 “(D) an alien described in subsection (a)
 7 who has been denied admission, excluded, de-
 8 ported, or removed 3 or more times and there-
 9 after enters, attempts to enter, or is at any
 10 time found in the United States, shall be fined
 11 under title 18, United States Code, imprisoned
 12 not more than 10 years, or both.

13 “(2) REMOVAL DEFINED.—In this subsection
 14 and in subsection (d), the term ‘removal’ includes
 15 any agreement in which an alien stipulates to re-
 16 moval during (or not during) a criminal trial under
 17 either Federal or State law.

18 “(d) MANDATORY MINIMUM CRIMINAL PENALTY FOR
 19 REENTRY OF CERTAIN REMOVED ALIENS.—An alien de-
 20 scribed in subsection (a)—

21 “(1) who was convicted before such removal or
 22 departure of—

23 “(A) any aggravated felony;

1 “(B) any crime defined as a felony by the
2 relevant jurisdiction (Federal, State, Tribal, or
3 local) of conviction; or

4 “(C) any crime punishable by more than 1
5 year of imprisonment; or

6 “(2) who was convicted of a violation described
7 in this section at least twice before such removal or
8 departure,

9 may be fined under title 18, United States Code, and shall
10 be imprisoned for not less than 10 years.”; and

11 (3) in subsection (e), as redesignated by para-
12 graph (1)—

13 (A) by striking “section 242(h)(2)” and in-
14 serting “section 241(a)(4)”; and

15 (B) by striking “Attorney General” and in-
16 serting “Secretary of Homeland Security”.

○