HR 4974

To amend the Immigration and Nationality Act to render overstaying a visa a criminal offense, and for other purposes.

Congress: 115 (2017–2019, Ended)
Chamber: House
Policy Area: Immigration
Introduced: Feb 7, 2018
Current Status: Referred to the House Committee on the Judiciary.
Latest Action: Referred to the House Committee on the Judiciary. (Feb 7, 2018)
Official Text: https://www.congress.gov/bill/115th-congress/house-bill/4974

Sponsor

Name: Rep. Smucker, Lloyd [R-PA-16]
Party: Republican • **State:** PA • **Chamber:** House

Cosponsors

No cosponsors are listed for this bill.

Committee Activity

Committee	Chamber	Activity	Date
Judiciary Committee	House	Referred To	Feb 7, 2018

Subjects & Policy Tags

Policy Area:

Immigration

Related Bills

Bill	Relationship	Last Action
115 HR 643	Related bill	**Feb 8, 2017:** Referred to the Subcommittee on Immigration and Border Security.

Summary (as of Feb 7, 2018)

This bill amends the Immigration and Nationality Act to subject any alien who remains in the United States after any visa or status under which the alien is lawfully present has expired to: (1) a fine or imprisonment for up to six months, or both, for a first offense; and (2) a fine or imprisonment for up to two years, or both, for any subsequent offense.

Such penalties shall be waived if the overstay was due to medical necessity, public safety, or national security.

An alien convicted of a first offense may not be admitted to the United States for 5 years or granted a visa for 10 years.

An alien convicted of a subsequent offense may not be admitted to the United States at all or granted a visa.

The bill expands the scope of an individual's right to counsel in immigration proceedings and appeals. The government, however, shall not bear the cost of counsel in such proceedings or appeals.

The Department of State may share visa records and related information with a foreign government if in the national interests of the United States.

The Department of Justice and the Federal Bureau of Investigation shall provide the State Department with access to National Crime Information Center files for visa adjudications involving a diplomat or government official.

Actions Timeline

- **Feb 7, 2018:** Introduced in House
- **Feb 7, 2018:** Referred to the House Committee on the Judiciary.

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