

118TH CONGRESS  
2D SESSION

# H. R. 7822

To amend the Immigration and Nationality Act with respect to visa overstays.

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## IN THE HOUSE OF REPRESENTATIVES

MARCH 26, 2024

Mr. TONY GONZALES of Texas introduced the following bill; which was referred to the Committee on the Judiciary, and in addition to the Committee on Foreign Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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## A BILL

To amend the Immigration and Nationality Act with respect to visa overstays.

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 “Visa Integrity Act of  
5 2024”.

6 **SEC. 2. VISA OVERSTAYS CRIMINALIZED.**

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

1           (1) in subsection (a) by inserting after “for a  
2           subsequent commission of any such offense” the fol-  
3           lowing: “or if the alien was previously convicted of  
4           an offense under subsection (e)”;

5           (2) in subsection (b)—

6           (A) in paragraph (1), by striking “at least  
7           \$50 and not more than \$250” and inserting  
8           “not less than \$500 and not more than  
9           \$1,000”;

10          (B) in paragraph (2), by inserting after  
11          “in the case of an alien who has been previously  
12          subject to a civil penalty under this subsection”  
13          the following: “or subsection (e)”; and

14          (C) by adding at the end the following:

15          “(e) An alien who was admitted as a nonimmigrant  
16 for an aggregate of 10 days or more who has failed to  
17 (1) maintain such nonimmigrant status, or a change in  
18 classification of nonimmigrant status under section 248,  
19 including complying with the period of stay authorized by  
20 the Secretary of Homeland Security in connection with  
21 such status, or (2) comply otherwise with the conditions  
22 of such nonimmigrant status, shall for the first commis-  
23 sion of such a violation, be fined under title 18, United  
24 States Code, or imprisoned not more than 6 months, or  
25 both, and, for a subsequent commission of such a viola-

1 tion, or if the alien was previously convicted of an offense  
2 under subsection (a), be fined under such title 18, or im-  
3 prisoned not more than 2 years, or both.

4 “(f) An alien in violation of this subsection (e) shall  
5 be subject to a civil penalty of (1) not less than \$500 and  
6 not more than \$1,000 for each violation, or (2) twice the  
7 amount specified under paragraph (1) in the case of an  
8 alien who has been previously subject to a civil penalty  
9 under subsection (a) or (e). A civil penalty under this sub-  
10 section shall be in addition to, and not in lieu of, any  
11 criminal or other civil penalties that may be imposed.

12 “(g) If the Secretary of Homeland Security deter-  
13 mines on an individual case-by-case basis that, because of  
14 reasons of a medical necessity, public safety, or national  
15 security, the alien violated subsection (e), the alien shall  
16 not be subject to the penalties under subsection (e).

17 “(h) In the case of any application or petition by or  
18 on behalf of an alien for admission to the United States,  
19 the Secretary of State or the Secretary of Homeland Secu-  
20 rity, as applicable, shall provide the alien with notice of  
21 the penalties under this section on receipt of the applica-  
22 tion or petition, and again at the time of admission.”.

23 (b) NEGOTIATIONS BY SECRETARY OF HOMELAND  
24 SECURITY.—Not later than one year after the date of the  
25 enactment of this Act, the Secretary of Homeland Security

1 shall seek to negotiate agreements, accords, or memoranda  
2 of understanding between the United States and Mexico  
3 to—

4           (1) require the sharing of relevant, reliable, and  
5 accurate information within the legal and privacy re-  
6 gimes of both countries, such as information con-  
7 tained on biographic and biometric national security  
8 watchlists, certain traveler criminal history records,  
9 and immigration violations; and

10           (2) requiring the sharing of entry data at the  
11 land border such that the entry information from  
12 one country could constitute the exit information  
13 from another through an integrated entry and exit  
14 system.

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