

114TH CONGRESS  
2D SESSION

# H. R. 6285

To amend the Immigration and Nationality Act to authorize admission of Canadian retirees as long-term visitors for pleasure described in section 101(a)(15)(B) of such Act.

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## IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 28, 2016

Ms. STEFANIK introduced the following bill; which was referred to the Committee on the Judiciary, and in addition to the Committee on Ways and Means, 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 to authorize admission of Canadian retirees as long-term visitors for pleasure described in section 101(a)(15)(B) of such Act.

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 “Canadian Snowbird  
5 Visa Act”.

1 **SEC. 2. ADMISSION OF CANADIAN RETIREES.**

2 Section 214 of the Immigration and Nationality Act  
3 (8 U.S.C. 1184) is amended by adding at the end the fol-  
4 lowing:

5 “(s) CANADIAN RETIREES.—

6 “(1) IN GENERAL.—The Secretary of Homeland  
7 Security may admit an alien as a visitor for pleasure  
8 described in section 101(a)(15)(B), if the alien dem-  
9 onstrates, to the satisfaction of the Secretary, that  
10 the alien—

11 “(A) is a citizen of Canada;

12 “(B) is at least 50 years of age;

13 “(C) maintains a residence in Canada;

14 “(D) owns a residence in the United States  
15 or has signed a rental agreement for accom-  
16 modations in the United States for the duration  
17 of the alien’s stay in the United States;

18 “(E) is not inadmissible under section 212;

19 “(F) is not described in any ground of de-  
20 portability under section 237;

21 “(G) will not engage in employment or  
22 labor for hire in the United States; and

23 “(H) will not seek any form of assistance  
24 or benefit described in section 403(a) of the  
25 Personal Responsibility and Work Opportunity  
26 Reconciliation Act of 1996 (8 U.S.C. 1613(a)).

1           “(2) SPOUSE.—The spouse of an alien de-  
2       scribed in paragraph (1) may be admitted under the  
3       same terms as the principal alien if the spouse satis-  
4       fies the requirements of paragraph (1), other than  
5       subparagraph (D).

6           “(3) IMMIGRANT INTENT.—In determining eli-  
7       gibility for admission under this subsection, mainte-  
8       nance of a residence in the United States shall not  
9       be considered evidence of intent by the alien to  
10      abandon the alien’s residence in Canada.

11          “(4) PERIOD OF ADMISSION.—During any sin-  
12      gle 365-day period, an alien may be admitted as a  
13      visitor for pleasure described in section  
14      101(a)(15)(B) pursuant to this subsection for a pe-  
15      riod not to exceed 240 days, beginning on the date  
16      of admission. Time spent outside of the United  
17      States during such period of admission shall not be  
18      counted for purposes of determining the termination  
19      date of such period.

20          “(5) NON-RESIDENT ALIEN TAX STATUS.—Not-  
21      withstanding section 7701(b) of the Internal Rev-  
22      enue Code of 1986, an alien admitted pursuant to  
23      this subsection shall be treated as a nonresident

1       alien for purposes the Internal Revenue Code of  
2       1986 (other than subtitle B thereof).”.

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