

[~118H4448]

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(Original Signature of Member)

119TH CONGRESS  
1ST SESSION

**H. R.** \_\_\_\_\_

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, and for other purposes.

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**IN THE HOUSE OF REPRESENTATIVES**

Ms. LEE of Florida introduced the following bill; which was referred to the Committee on \_\_\_\_\_

\_\_\_\_\_  
**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, 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 “Canadian Snowbird  
5       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 described  
8   in section 101(a)(15)(B) if the alien demonstrates,  
9   to the satisfaction of the Secretary, that the alien—

10           “(A) is a citizen of Canada;

11           “(B) is at least 50 years of age;

12           “(C) maintains a residence in Canada;

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

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

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

20           “(G) will not engage in employment or  
21   labor for hire in the United States other than  
22   employment or labor for hire for a person or  
23   entity not based in the United States by whom  
24   the Canadian citizen was employed in Canada  
25   or for whom the Canadian citizen performed  
26   services in Canada; and

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

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

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

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

1   **SEC. 3. NONRESIDENT ALIEN TAX STATUS.**

2           Subparagraph (B) of section 7701(b)(1) of the Inter-  
3   nal Revenue Code of 1986 is amended by inserting “, or,  
4   notwithstanding subparagraph (A)(ii), is a Canadian cit-  
5   izen described in section 214(s) of the Immigration and  
6   Nationality Act (8 U.S.C. 1184(s))” after “(within the  
7   meaning of subparagraph (A))”.