

117TH CONGRESS
1ST SESSION

H. R. 4856

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.

IN THE HOUSE OF REPRESENTATIVES

JULY 29, 2021

Ms. STEFANIK (for herself, Mr. WELCH, Mr. BERGMAN, Mr. FOSTER, Mr. WALTZ, Mr. DEUTCH, Mr. RICE of South Carolina, Mr. BUCK, Mr. SCHWEIKERT, Mr. CARTER of Georgia, and Mr. MAST) 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

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 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 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))”.

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