

113TH CONGRESS
1ST SESSION

H. R. 3768

To amend the Immigration and Nationality Act to encourage Canadian tourism to the United States.

IN THE HOUSE OF REPRESENTATIVES

DECEMBER 12, 2013

Mr. SIRES (for himself and Mr. SALMON) 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 encourage Canadian tourism to the United States.

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 “Promoting Tourism
5 to Enhance our Economy Act of 2013”.

1 **SEC. 2. ENCOURAGING CANADIAN TOURISM TO THE**
2 **UNITED STATES.**

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

6 “(s) CANADIAN RETIREES.—

7 “(1) IN GENERAL.—The Secretary of Homeland
8 Security may admit as a visitor for pleasure as de-
9 scribed in section 101(a)(15)(B) any alien for a pe-
10 riod not to exceed 240 days, if the alien dem-
11 onstrates, to the satisfaction of the Secretary, that
12 the alien—

13 “(A) is a citizen of Canada;

14 “(B) is at least 55 years of age;

15 “(C) maintains a residence in Canada;

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

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

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

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

25 “(H) will not seek any form of assistance
26 or benefit described in section 403(a) of the

1 Personal Responsibility and Work Opportunity
2 Reconciliation Act of 1996 (8 U.S.C. 1613(a)).

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

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

13 “(4) PERIOD OF ADMISSION.—During any sin-
14 gle 365-day period, an alien may be admitted as de-
15 scribed in section 101(a)(15)(B) pursuant to this
16 subsection for a period not to exceed 240 days, be-
17 ginning on the date of admission. Periods of time
18 spent outside the United States during such 240-day
19 period shall not toll the expiration of such 240-day
20 period.

21 “(5) NON-RESIDENT ALIEN TAX STATUS.—An
22 alien admitted pursuant to this subsection shall be
23 treated as a nonresident alien for purposes the In-

1 ternal Revenue Code of 1986 (other than subtitle B
2 thereof).”.

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