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## One pager for TN Visa – Canadian and Mexican Citizens

### Overview

Certain Canadian and Mexican professionals recognized under the North American Free Trade Agreement are allowed to work in the U.S. on a yearly basis. Generally, TN visa is valid for one year from the date the applicant applies at the port of entry. The spouse and unmarried, minor children of the principal applicants are entitled to the derivative status, but they are unable to accept employment in the United States. If the spouse and children do not have the same citizenship as the principal applicants, they must obtain a TD non-immigrant visa from a U.S. Embassy or consulate.

### Qualifying Criteria

- The profession is on the NAFTA list,
- The foreign national possesses the specific criteria for that profession,
- The prospective position requires someone in that professional capacity, and
- The foreign national is going to work for a U.S. employer.

### Procedures and documents needed to obtain the TN visa status

- **Canadian citizens:** Canadian citizens do not need to apply for a TN visa. A Canadian citizen without a TN visa can apply at a U.S. port of entry with all of the following:
  - Proof of Canadian citizenship;
  - A request for "TN" status;
  - A copy of the applicant's college degree and employment records which establish qualification for the prospective job;
  - A letter from the alien's prospective U.S.-based employer offering him or her a job in the United States, which is included on the professional job series (NAFTA list); and
  - A fee of U.S. \$50.00.
- **Mexican citizens:** Mexican citizens requiring a TN visa status must apply for a visa to request admission to the United States. Mexican citizens may apply at consular sections around the world and an interview at the embassy consular section is required for most visa applicants. Each Mexican applicant for a TN visa must submit all of the following:
  - An Application for Non-Immigrant Visa (DS-156);
  - Supplement Non-Immigrant Visa Application (DS-157) for male applicants between 16-45 years of age;
  - A valid passport;
  - A copy of the applicant's college degree and employment records which establish qualification for the prospective job;
  - A letter from the alien's prospective U.S.-based employer offering him or her a job in the United States, which is included on the professional job series (NAFTA list); and
  - A nonrefundable US \$100 non-immigrant visa application processing fee.

### **Duration and extension of stay**

- TN professionals can receive extensions of stay in one-year increments, with no outside limit on the total period of stay.
- The only limitation on the duration of stay of TN non-immigrants is that the purpose of the stay must continue to be temporary.
- **Extension of stay- 2 options:**
  - The U.S. employers may file an I-129 form at the USCIS Vermont Service Center, or
  - Canadians may return to Canada to re-apply at the port of entry with the same documentation that is required for an original application.
- **I-129 Petition For Nonimmigrant Worker**
  - Petitions should be filed as soon as possible, but no more than 6 months before the proposed employment will begin or the extension of stay is required. If the petition is not submitted at least 45 days before the employment will begin, petition processing and subsequent visa issuance may not be completed before the alien's services are required or previous employment authorization ends.
  - Premium service is available for this petition.
  - Current filing fee is \$190.00. No fraud prevention and training fees.

### NAFTA Professional Job Series List

#### **Profession**

Accountant

Architect

Computer Systems Analyst

Disaster Relief Insurance Claims Adjuster (Claims Adjuster employed by an insurance company located in the territory of a Party, or an independent claims adjuster)

Economist

Engineer

Forester

Graphic Designer

Hotel Manager

Industrial Designer

Interior Designer

Land Surveyor

Landscape Architect

Lawyer (including Notary in the province of Quebec)

Librarian

Management Consultant

Mathematician (including statistician)

Range Manager/Range Conservationist

Research Assistant (working in a post-secondary educational institution)

Scientific Technician/ Technologist

Social Worker

Sylviculturist (including forestry)

Technical Publications Writer

Urban Planner (including Geographer)

Vocational Counselor

#### **MEDICAL/ALLIED PROFESSIONALS**

Physician (teaching or research only)

Physiotherapist/Physical Therapist

Psychologist

Recreational Therapist

Registered Nurse

Veterinarian

**SCIENTIST**

Agricultural (Agronomist)

Animal Breeder

Animal Scientist

Apiculturist

Biochemist

Chemist

Dairy Scientist

Entomologist

Epidemiologist

Geneticist

Geochemist

Geophysicist (including Oceanographer in Mexico and the United States)

Horticulturist

Meteorologist

Pharmacologist

Physicist (including Oceanographer in Canada)

Plant Breeder

Poultry Scientist

Soil Scientist

Zoologist

**TEACHER**

College

Seminary

University