



## U.S. Citizenship and Immigration Services

# TN NAFTA Professionals

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The North American Free Trade Agreement (NAFTA) created special economic and trade relationships for the United States, Canada and Mexico. The TN nonimmigrant classification permits qualified Canadian and Mexican citizens to seek temporary entry into the United States to engage in business activities at a professional level.

Among the types of professionals who are eligible to seek admission as TN nonimmigrants are accountants, engineers, lawyers, pharmacists, scientists, and teachers. You may be eligible for TN nonimmigrant status, if:

- You are a citizen of Canada or Mexico;
- Your profession qualifies under the regulations;
- The position in the United States requires a NAFTA professional;
- You have a prearranged full-time or part-time job with a U.S. employer (but not self-employment - see documentation required below); and
- You have the qualifications to practice in the profession in question.

## Eligibility Criteria

Unlike Mexican citizens, Canadian citizens are generally eligible for admission as nonimmigrants without a visa. The TN category, a nonimmigrant classification, simply reflects this general exemption from the visa requirement. NAFTA governs which evidence is required to prove whether a Canadian or Mexican citizen is a professional in a qualifying profession.

## Canadian Citizens

If you are a Canadian citizen, then you are not required to apply for a TN visa at a U.S. consulate.

You may establish eligibility for TN classification at the time you seek admission to the United States by presenting required documentation to a U.S. Customs and Border Protection (CBP) officer at certain CBP-designated U.S. ports of entry or at a designated pre-clearance/pre-flight inspection station. You must provide the following documentation to the CBP officer:

- Proof of Canadian citizenship;
- Letter from your prospective employer detailing items such as the professional capacity in which you will work in the United States, the purpose of your employment, your length of stay, and your educational qualifications; and
- Credentials evaluation (if applicable), together with any applicable fees.

Please refer to [CBP's website](#) for additional information and requirements for applying for admission to the United States. If a CBP officer finds you eligible for admission, you will be admitted as a TN nonimmigrant.

Alternatively, a prospective TN employer may choose to file on behalf of a Canadian citizen who is outside the United States by submitting [Form I-129, Petition for Nonimmigrant Worker](#) to USCIS. [Premium Processing Service](#) is available.

If USCIS approves Form I-129, you, the prospective worker, may then apply to CBP for admission to the United States as a TN nonimmigrant by providing the following documentation to a CBP Officer at certain CBP-designated U.S. ports of entry or at a designated pre-clearance/pre-flight inspection station:

- Proof of Canadian citizenship; and
- Approval Notice from USCIS for Form I-129.

In addition, when applying for admission, you should have in your possession a copy of the Form I-129, and all supporting documentation that was submitted to USCIS, to respond to questions about your eligibility. You should also be prepared to pay any applicable inspection fees at the time you seek admission. If a CBP officer finds you eligible for admission, you will be admitted as a TN nonimmigrant.

## Mexican Citizens

If you are a Mexican citizen, then you are required to obtain a visa to enter the United States as a TN nonimmigrant. You should apply for a TN visa directly at a U.S. embassy or consulate in Mexico. See the U.S. Department of State webpage, "[Mexican and Canadian NAFTA Professional Worker](#)."

Once you are approved for a TN visa, you may apply for admission at certain CBP-designated U.S. ports of entry or at a designated pre-clearance/pre-flight inspection station. Please refer to [CBP's website](#) for additional information and requirements for applying for admission to the United States. If a CBP officer finds you eligible for admission, then you will be admitted as a TN nonimmigrant.

## Period of Stay/Extension of Stay

Initial Period of Stay
Up to 3 years

If you wish to remain in the United States beyond your initial period of stay without first departing from the United States, you must seek an extension of stay. If you are in the United States, your employer may file Form I-129 on your behalf.

Alternatively, you may depart from the United States before the date your status expires, and then, once abroad, you may apply at a CBP-designated U.S. port of entry or at a designated pre-clearance/pre-flight inspection station using the same application and documentation procedures required at the time of your initial application for admission as a TN nonimmigrant.

## Dependents of TN Nonimmigrants

Any accompanying or "following to join" spouse and children under the age of 21 may be eligible for TD nonimmigrant status. Spouses and children are:

- Not permitted to work while in the United States, but they are permitted to study.
- Granted TD status for no longer than the period of time granted to the principal TN nonimmigrant.

See the table below for specific information on how to apply for TD nonimmigrant status.

Application Information for Dependents or Spouses of TN nonimmigrants

Spouse or Dependents	Need a Visa?	Must Show	Where to apply for admission to the U.S.
Not citizens of Canada or Mexico	Depends. Check with the U.S. <u>Department of State</u> to determine whether a visa is required and if so, to learn how to apply for a visa.	<ul style="list-style-type: none"> <li>• Proof of a bona fide spousal or parent-child relationship with the TN nonimmigrant; and</li> <li>• Proof the TN nonimmigrant is maintaining his or her TN nonimmigrant status.</li> </ul>	At a CBP-designated U.S. port of entry or at a designated pre-clearance/pre-flight inspection station.
Canadian citizens	No visa required	<ul style="list-style-type: none"> <li>• Proof of Canadian citizenship;</li> <li>• Proof of relationship to the TN nonimmigrant, such as a marriage certificate or birth certificate;</li> <li>• Photocopies of the TN nonimmigrant's admission documents; and</li> <li>• Proof the TN nonimmigrant is maintaining his or her TN nonimmigrant status.</li> </ul>	At a CBP-designated U.S. port of entry or at a designated pre-clearance/pre-flight inspection station.
Mexican citizens	Yes, must apply for a TD nonimmigrant visa at an American embassy or consulate	Proof the TN nonimmigrant is maintaining his or her TN nonimmigrant status.	At a CBP-designated U.S. port of entry or at a designated pre-clearance/pre-flight inspection station.

### Extending Your TD Nonimmigrant Stay

If a Canadian or Mexican TN nonimmigrant applies for an extension of stay in the United States at the end of his or her period of admission or authorization as a TN, any eligible TD family member may also apply.

to extend their status without the need to travel abroad.

If a Mexican TD dependent wishes to travel abroad following approval of any such extension of stay and expiration of the TD visa, the family member will be required to apply for a new TD visa at a U.S. embassy or consulate before being permitted to return to the United States in TD status.

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