

TN NAFTA Professionals

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

There are several of professionals who are eligible to be admitted as TN nonimmigrants and the eligibility depends on the following factors:

- Evidence that the foreign national is a citizen of Canada or Mexico
- Evidence that the foreign national's profession qualifies under the regulations
- Evidence that the position in the United States requires a NAFTA professional
- Evidence of arrangements for a full-time or part-time job with a U.S. employer. Please note that self-employment is not allowed
- Evidence that the foreign national has the qualifications of the profession

Eligibility Criteria for Canadian Citizens

For Canadian citizens, they are not required to apply for a visa with a U.S. consulate or file a petition with U.S. Citizenship and Immigration Services (USCIS). They can request admission as a TN nonimmigrant at a U.S. port of entry, and you must provide the following documentation:

- Proof of Canadian citizenship
- Letter from your prospective employer detailing items such as the professional capacity in which the Canadian national will work in the United States, the purpose of the employment, length of stay, and educational qualifications
- Credentials evaluation

If you are eligible following inspection by a U.S. Customs and Border Protection (CBP) Officer, then you will be admitted as a TN nonimmigrant. Form I-94, Arrival/Departure Record, will be evidence of your admission.

Eligibility Criteria for Mexican Citizens

Mexican citizens are not required to file a petition with USCIS. However, they are required to obtain a visa to enter the United States as a TN nonimmigrant. Mexican citizens should apply for a TN visa directly at a U.S. embassy or consulate in Mexico. Once the Mexican citizen is approved for a TN visa s/he may apply for admission at a United States port-of-entry.

Initial Period of Admission

Both Canadians and Mexicans are initially admitted for a period of up to three years under the TN.

Family of TN Visa Holders

Any accompanying or following to join spouse and children under the age of 21 may be eligible for TD nonimmigrant status. They must demonstrate a bona fide spousal or parent-child relationship to you. Dependents do not have to be citizens of Mexico or Canada, but they must contact the American embassy or consulate that serves their area for information on how to apply for a visa. Spouses and children cannot work while in the United States, but they are permitted to study.

Canadian Citizen's Dependents

Any spouse and children of a Canadian citizen do not need visas, but they must provide the following documentation at the port of entry:

- Proof of Canadian citizenship
- Proof of relationship to the TN nonimmigrant, such as a marriage certificate or birth certificate
- Photocopies of the TN nonimmigrant's entry documents

Mexican Citizen's Dependents

Any spouse and children of a Mexican citizen must apply for the TD nonimmigrant status at an American embassy or consulate.

Dependents Following to Join

If any spouse and children are following to join the TN nonimmigrant, then they must show a valid Form I-94 as proof that the TN nonimmigrant is maintaining his or her TN nonimmigrant status.