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TN Professionals from Canada and Mexico

I. Explanation and terms

The TN (Trade NAFTA) category resulted from the North American Free Trade Agreement (NAFTA) to facilitate the entry of Canadian and Mexican citizens to work in the US in *certain* professions on a *temporary* basis. For a list of the TN occupations, visit: <https://travel.state.gov/content/travel/en/us-visas/employment/visas-canadian-mexican-nafta-professional-workers.html>

II. Conditions and limitations

An advantage of TN status is that there is no upper limit on the length of time that an individual may remain working in TN status, and [as of January 1, 2004](#), there is no numerical limit on the number of new Canadian or Mexican TN applications. For Canadians, TN status is quick to obtain at the border or port of entry.

Disadvantages of the TN include (1) it is only valid for a limited number of [occupations](#), (2) TN status is only available to **citizens** of Canada or Mexico, and (3) since it is meant to be temporary, tenure-track or tenured professors may have difficulty in obtaining TN status. Canadians do not require a visa stamp, but must renew every three years. For Mexicans, a TN worker must have a TN visa from a US consulate to enter the US. TN's are admitted to the US for three year increments, and must renew every three years.

TN status is "employer specific." A person in TN status who wants to change employers must make a new application – at the border or via the US Immigration and Citizenship Services (USCIS) for Mexicans – before starting new employment in order to obtain a new, properly notated I-94 card. A TN who wishes to change or add employers may do so by [filing an I-129 with the USCIS](#), or by exit and re-entry to the US.

III. Application and Extension Process

The TN application process is different for Canadians and Mexicans.

Most Canadian citizens apply for TN status at the point of entry to the US (land border or airport) and must have the following documents for evaluation by an US border officer:

1. Proof of Canadian citizenship (usually, the passport)
2. Letter or contract from the employer that outlines the job description (must be one of the professions listed on the NAFTA list), anticipated duration of stay, qualifications required for the job, terms of employment (salary, hours, etc.) and evidence that s/he meets licensure requirements for the position.
3. Professional qualifications (diplomas, licenses, etc.)
4. Application fee

Most Canadians extend TN status by travelling to or flying across the US/Canada border and re-entering the US with a letter from the employer requesting renewal of the TN status. Other documentation (including diplomas, TN offer letter, etc.) must also be presented at the time of renewal. Barring any problems, the employee is provided with a new I-94 card marked with a new expiration date. Employees may also request an [extension of TN status](#) by applying to the US Citizenship and Immigration Service (USCIS); this can take several months to process through USCIS, therefore extension via travel to the border is more common.

Canadians who travel to a country other than Canada should travel "fully documented," including a copy of the I-94, proof of current employment, and a copy of academic document(s). Unlike travel to and from Canada, the I-94 will be removed when the employee exits the US to travel to another (non-Canadian) foreign country. In this case, the visitor may be obliged to prove eligibility for TN status upon reentry to the US.

Mexican citizens must obtain a TN visa at a US consulate in order to be admitted to the US in TN status. Instructions from the US Department of State (USDOS) indicate that a Mexican TN applicant must submit documents to the US Consulate to support the TN visa application:

1. Proof of Mexican citizenship (usually, the passport)
2. Letter or contract from the employer that outlines the job description (must be one of the professions listed on the NAFTA list), anticipated duration of stay, qualifications required for the job, terms of employment (salary, hours, etc.) and evidence that s/he meets licensure requirements for the position.
3. Professional qualifications (diplomas, licenses, etc.)
4. Application fee

Canadians and Mexicans. For employment and payroll purposes, TN workers present to the employer an I-94 card marked with “TN” and an expiration date, the passport, and US social security card. The name of the employer should be written on the I-94 card and/or in the passport. If the employee will work for two or more employers, there must be a stamp and entry record for each employer.

IV. Details for CMU employees

Carnegie Mellon hosts TN workers in several departments. Prospective and current employees are welcome to discuss related issues with a Foreign Scholar Advisor in OIE. Common occupations used by TN employees at CMU are research assistant, scientist (many but not all fields are listed), and college and university teacher.

Employees from Canada and Mexico should confirm that their field appears in the [list of occupations](#) and discuss the intended non-immigrant work status with the department and with OIE, if desired. For Canadian and Mexican employees whose occupation appears on the TN lists, TN may be a viable and quick option to gain employment authorization. The Foreign Scholar Coordinator in the academic department can provide a sample TN letter for general reference and a specific TN request letter for submission by the Canadian employee at the US port of entry and by Mexican employee to the US consulate.

V. Other information

TN and F-1 OPT compared. Canadian and Mexican *citizens* who have completed full-time study in the US may consider employment in TN and/or F-1 optional practical training (OPT) status. (*Note:* citizens only are eligible for TN.) Both processes require the student/employee to take action. However, a student may apply for OPT *prior* to obtaining a job offer; whereas, for TN, a specific job offer is *required*. For Canadians, OPT takes longer overall (90 days to process) compared to a trip to the border and back for a TN. For Mexicans, a change of status or out of country trip is required in order to apply for and obtain the TN visa at a US consulate prior to re-entry. TN can be quick, but limited to certain fields; whereas OPT employment may be in any field that is related to the student’s area of academic study. From an employer’s perspective, it should not matter which status the student/employee chooses. Although, employees should discuss details with employers in advance.

TN and H1B compared. Should the H1B cap be reached (as it has been in every fiscal year since 2008), TN provides a good alternative for Canadian and Mexican professionals in certain fields. For Canadian and Mexican employees, TN is generally quicker to obtain than H1B, but must be renewed every three years. In both cases, H1B is considered a better “stepping stone” to permanent residency because of the “dual intent” implication.

Dependants. Dependants of TN workers in TD status may not be employed, but may volunteer or study.

US Social Security Number (SSN). The SSN is required for employment in the US. If an employee does not already have an SSN, s/he will need to apply for the number after entering the US in TN status. OIE has [SSN applications and complete instructions](#). See an OIE Advisor with any questions.

VI. Additional Resources

- List of TN Occupations: http://www.nafsa.org/_file/_amresource/8cfr2146.htm
- I-129 Form: <https://www.uscis.gov/i-129>
- I-539 Form: <https://www.uscis.gov/i-539>
- SSN Instructions: <https://www.cmu.edu/oie/docs/ssn-instructions.pdf>