

TN Status for Citizens of Canada and Mexico

TN status is a U.S. work status for Canadian and Mexican professionals, within a certain set of TN allowed occupations. In TN status, a Canadian or Mexican citizen can work for up to three years, and the TN may be renewed indefinitely in three-year increments. However, it is not to be used as a “permanent” status and US immigration officials may elect to deny a referral or reentry attempt if they suspect the TN is being used as a substitute for permanent residency. The TN status is adjudicated at the border; TN status can also be revoked at any time at the border (if the individual is re-entering the US), even if it is not up for renewal. TN status is only valid for the specific employer for which it was originally requested. It does not allow for dual intent, meaning, you cannot be granted permanent residency while in the U.S. in TN status.

Canadian Citizens and TN Status

Canadian professionals are admitted into the USA in the TN-1 status. The Canadian must first obtain proof of a job offer, in the form of an employment letter detailing employment for not more than three years, and documentation of experience (often in the form of a university degree and/or evidence of former employment) in the occupation area. This paperwork is then brought to the border, along with proof of Canadian citizenship and the current fee. The US immigration officer will then adjudicate the application on the spot and grant or deny TN status. If the decision is to grant TN status, the Canadian immediately enters the US and begins TN employment.

Mexican citizens in the USA

The procedures for Mexican citizens applying for TN status are a bit more complex than for Canadians. A Mexican citizen must follow a similar procedure to Canadians, but they must first obtain a US TN-2 visa at a US consulate (generally in Mexico). Once the TN visa stamp is obtained in the Mexican citizen's passport, they may enter the US in TN status in a similar manner to a Canadian citizen, and are admitted into the US in the TN-2 status.