What is a TN visa?

It’s a unique work authorization that allows eligible Canadian and Mexican citizens to work in the United States for up to 3 years initially, with the possibility of unlimited extensions. Unlike the H1B visa, there is no annual quota for TN visas, making it a more accessible option for qualified professionals.

The TN visa, created under the USMCA agreement, permits citizens (not permanent residents) of Canada and Mexico to engage in prearranged professional-level business activities for U.S. employers.

In this comprehensive guide, we’ll explain everything you need to know about TN visas.

What is a TN Visa and Who is it For?

The TN visa stands as a special nonimmigrant classification created under the United States-Mexico-Canada Agreement (USMCA), which replaced the North American Free Trade Agreement (NAFTA) in 2020. This specialized work authorization allows professionals from Canada and Mexico to work temporarily in the United States in specific occupations.

Eligibility for Canadian and Mexican citizens

TN visa eligibility is exclusively limited to citizens of Canada and Mexico—permanent residents of either country cannot apply. To qualify, applicants must:

- Be a citizen of Canada or Mexico
- Have a job offer in one of the USMCA-approved professions
- Possess the required qualifications for that profession
- Have arranged employment with a U.S. employer (self-employment is not permitted)

Most professions require at least a bachelor's degree, and in some cases, additional experience is necessary. The current USMCA agreement maintains the original list of 64 eligible professions established decades ago.

Purpose and scope of the TN visa

The primary purpose of the TN visa is to allow qualified Canadian and Mexican citizens to engage in business activities at a professional level in the United States. This visa category specifically supports the economic integration goals of the USMCA by facilitating temporary cross-border professional services.

TN status is granted for up to three years initially, and can be extended in three-year increments afterward. Importantly, there is no maximum limit on how many times TN status can be renewed, meaning qualified professionals can potentially maintain this status indefinitely, provided they continue to meet all requirements.

How it differs from other work visas

The TN visa offers several distinct advantages compared to other U.S. work visas, especially when contrasted with the H-1B visa:

- **No annual cap**: While H-1B visas are limited to 65,000 new visas per year, there is no numerical limit on TN visas
- **Faster processing**: Canadian citizens enjoy expedited processing at U.S. ports of entry rather than waiting months for approval
- **Lower cost**: TN visa applications typically cost significantly less than H-1B applications
- **Different intent requirements**: The TN visa is strictly a nonimmigrant visa requiring the holder to maintain ties to their home country and demonstrate intent to return. In contrast, the H-1B is considered a “dual intent” visa that allows for permanent residency applications

For qualified professionals from Canada and Mexico, the TN visa often represents a more accessible and streamlined path to working legally in the United States.

Key Requirements to Qualify for a TN Visa

Qualifying for a TN visa requires meeting several stringent criteria beyond simply being a professional. Understanding these requirements thoroughly improves your chances of a successful application.

Citizenship and job offer criteria

First and foremost, you must be a citizen of either Canada or Mexico—permanent residents of these countries do not qualify. Canadian citizens can generally prove citizenship with a passport, whereas Mexican citizens need both a passport and a visa.

Additionally, you must have a prearranged job offer from a U.S. employer. This offer must be for either a full-time or part-time position, but crucially, it cannot involve self-employment. The job offer should come in the form of a detailed letter outlining:

- Your specific job role and responsibilities
- The purpose of your employment
- Length of stay in the United States
- Compensation details

- Evidence of your qualifications

TN Occupation List and education requirements

Your profession must appear on the USMCA-approved list of occupations. Most positions require a bachelor's degree (or Mexican Licenciatura) in a relevant field, though some professions allow alternative credentials.

For example, Computer Systems Analysts can qualify with either a bachelor's degree or a post-secondary diploma plus three years of experience. Moreover, for professions like Management Consultant, five years of relevant experience can substitute for a degree.

Importantly, unlike H-1B visas, you generally cannot combine education and experience to establish degree equivalency. Documentation of qualifications must be in English or accompanied by certified translations.

Temporary entry and non-immigrant intent

Perhaps the most misunderstood requirement involves demonstrating "temporary entry". Despite the fact that TN visas can be renewed indefinitely, you must prove you don't intend to immigrate permanently to the U.S..

Evidence of temporary intent may include:

- Ties to your home country (property ownership, family connections)
- A job to return to after your U.S. assignment
- A clear end date for your work assignment

Consequently, although the U.S. Customs and Border Protection has clarified that having an immigrant petition on file doesn't automatically disqualify you, maintaining genuine non-immigrant intent remains essential for TN visa approval.

How to Apply for a TN Visa

Applying for a TN visa involves different procedures based on your citizenship. The process is straightforward yet requires meticulous preparation.

Application process for Canadian citizens

Canadian citizens enjoy a simplified application process, as they can apply directly at U.S. ports of entry or pre-clearance stations without first obtaining a visa. At the border, Canadians present their documentation to a Customs and Border Protection (CBP) officer and pay a USD 50 application fee plus USD 6 for the I-94 record. Alternatively, a U.S. employer can

file Form I-129 on behalf of a Canadian citizen.

Application process for Mexican citizens

Unlike Canadians, Mexican citizens must first obtain a TN visa at a U.S. consulate before entering the United States. This involves completing Form DS-160 (Online Nonimmigrant Visa Application), paying the USD 185 visa fee, scheduling an interview, and presenting all required documentation. Once the visa is approved, Mexican citizens may then seek entry at U.S. ports of entry.

Documents you need to prepare

Both Canadian and Mexican applicants need:

- Proof of citizenship (passport)
- Detailed employer letter explaining job duties, duration, and qualifications
- Original academic credentials (diplomas, transcripts, licenses)
- Translations of non-English documents with certification
- Evidence of professional experience (if applicable)

Tips for the visa interview

During your interview, dress professionally in business attire. Answer questions directly and honestly without providing excessive information. Be prepared to clearly explain how your job duties align with your TN category. Practice describing your qualifications and temporary intent beforehand. Finally, ensure a knowledgeable employer representative is available by phone during your application process.

Can You Transition from TN Visa to Green Card?

Yes, transitioning from a TN visa to a green card is possible, albeit with certain challenges due to the fundamental difference in intent between these two immigration statuses.

Understanding non-immigrant intent

The TN visa requires “non-immigrant intent”—meaning you must intend to leave the U.S. eventually. Indeed, this contradicts the permanent intent implied by a green card application. Nevertheless, U.S. Customs and Border Protection guidance clarifies that having an approved immigrant petition doesn’t automatically disqualify you from TN status renewal if you can demonstrate your current TN work is temporary.

Adjustment of status vs. consular processing

Two primary pathways exist for TN visa holders seeking permanent residency:

- **Adjustment of Status**: Allows you to remain in the U.S. while your application processes
- **Consular Processing**: Requires completing the process at a U.S. consulate in your home country

For many TN professionals, consular processing is safer as it aligns with demonstrating non-immigrant intent.

Common paths to permanent residency

Employment-based sponsorship often involves the PERM labor certification process, wherein employers prove no qualified U.S. workers are available. Correspondingly, family-based options exist primarily through marriage to U.S. citizens or permanent residents.

Risks and legal considerations

Filing for permanent residency within 90 days of entering on a TN visa may trigger suspicions of misrepresentation. Furthermore, once you apply for adjustment of status, you'll need advance parole documentation before

traveling internationally.

Conclusion

Navigating the TN visa process certainly presents both opportunities and challenges for Canadian and Mexican professionals. Therefore, understanding its unique advantages—unlimited renewals, absence of annual caps, and expedited processing—makes it an attractive option compared to other work visas. Meanwhile, the distinct application pathways for Canadians and Mexicans require careful preparation and attention to documentation requirements.

Most importantly, successful applicants must maintain awareness of the non-immigrant intent requirement throughout their TN status period. Despite this requirement, pathways to permanent residency exist for those who plan carefully and time their applications strategically. The potential to work in the U.S. market while maintaining professional ties across North America represents a significant career advantage for qualified USMCA professionals.