



Overview

The United States, Canada and Mexico signed the North American Free Trade Agreement (NAFTA) in 1994 to promote and support trade between those countries. In addition to eliminating tariffs and other trade barriers, NAFTA facilitates border crossing by business people who are citizens of those countries. On July 1, 2020, the United States-Mexico-Canada Agreement (USMCA) replaced NAFTA, preserving all of the same immigration provisions of NAFTA.

The following guidelines provide general information about TN applications for Mexican citizens. We recommend reading through these guidelines in their entirety before beginning the application process. These guidelines also apply to your spouse and children under the age of 21 who will accompany you to the United States in TD dependent status. Note also that dependents (spouse and children) need not be Mexican citizens to qualify for TD status.



Professional Trade USMCA (TN)

USCMA "TN" status is reserved for citizens of Canada and Mexico seeking to enter the United States to perform services in one of the professions listed in Appendix 2 of USMCA, which have also been codified in the Federal Code of Regulations at 8 C.F.R. §214.6.



Timeline

After you complete your online questionnaire and upload your required documents, our firm will prepare your TN documents. This will include a letter of support that presents information about the U.S. employer and the job being offered to you. Typically, the application package will be shipped to approximately two weeks before your scheduled U.S. entry. Note that individuals applying for TN status are only permitted to enter the U.S. up to 10 days prior to the scheduled work start date, but may not engage in employment during this period.

We will also schedule a telephone consultation with an attorney when we ship the application package to you. The attorney will prepare you for the interview with the U.S. Customs and Border Protection (CBP) officer by explaining the interview process and the legal requirements, and answer any questions you may have.



Required Documentation for TN Port of Entry Application

You will need to submit the following documents to the U.S. Consulate or Embassy at the time of your appointment:

- **Form DS-160.** Once the DS-160 has been e-filed, please print a copy of the Confirmation Page with the barcode and the completed application and bring this with you to the U.S. embassy or consulate at the time of your appointment.

Important Note: The U.S. embassy or consulate will not be able to process your visa if you do not have the Form DS-160 confirmation page in your possession.

- **Photograph.** As noted above, you will need to upload a digital photograph as part of the Form DS-160 visa application. You are also required to bring an identical hardcopy



photograph at the time of your interview.

- **Appointment Notice.** For most posts, this will be generated and emailed to you once you have booked your appointment. You should review this document carefully, as it may contain important post-specific information not covered in this memo.

Important Note: In certain countries, like Mexico, you will be required to make two appointments in order to secure a visa. The first appointment must be made at an Applicant Service Center (ASC) prior to their appointment at the Consular Section for the visa interview. Biometric information including fingerprints and digital photographs will be collected at the Applicant Service Center (ASC). Additionally, the ASC appointment must be made at least one day prior to the Consular interview.

- **Receipt for Visa Application (MRV) Fee.** Each applicant is required to pay the non-refundable visa application fee of US \$160 prior to the appointment date. Please refer to the Embassy or Consulate's website on specific instructions to pay this fee.
- **Valid Passport.** Each applicant must bring a passport containing at least two blank pages and any expired passports with previous U.S. visa(s).
- Your **original** passport **with at least six months of validity** (for all family members);
- Your **original** post-secondary academic credentials (diploma and sealed transcripts);
- **Letter of support** signed by the company and information about the company (Goeschl Law Corporation will prepare this letter on behalf of the company and send to you);
- Marriage certificate (if you will be accompanied by your spouse);
- Birth certificate of accompanying children (if applicable), and;
- Evidence of ties to home country, such as a driver's license, club memberships, real estate holdings, and statements from your Canadian bank and retirement/investment accounts.
- **Third Country National (TCN).** If you are applying as a TCN, you must bring evidence of your visa status in the country where you will be applying for your visa at the time of the interview.



The Visa Interview

Please review the information provided on your visa appointment notice, which usually provides specific information on the appointment procedures for the consulate or embassy where you will be applying. Goeschl Law Corporation will provide you with the TN visa application package that you must take with you to the appointment. You and your family members should arrive no more than 30 minutes prior to the appointment, and bring all of the required documentation listed in the instructions included with this package. Note that at some posts, children under the age of 14 are not required to go in person to the interview.



Visa interviews usually only last a few minutes, but you may be required to wait several hours before you meet with the consular official conducting the interview. You will likely be asked about your educational and employment background, and your job duties in the United States. At the conclusion of the interview, the consular officer will either notify you that the visa application has been approved, denied, or that additional “administrative processing” is necessary (see below). If approved, you should receive your passport with the issued visa. If “administrative processing” is required, or in the unlikely event that the visa is denied, please notify the appropriate contact person at your company, or an attorney at our office right away.

Application Processing Time and “Administrative Processing”

Most U.S. Embassies and Consular posts require 3 to 10 business days to process TN visa applications from the time of the visa interview, and return the visaed passport to the applicant. Some consular posts permit visa applicants to retrieve their passports from a designated pickup site. If the pickup service is available, it will appear as an option when you schedule your visa appointment. As noted above, although most TN visa applications are processed within a few days of submission, some applications are referred for “administrative processing” which can take several weeks or even months. Such processing is more likely for persons who are nationals of certain countries, have a certain type of professional or political background, and/or have been previously arrested. **Please notify Goeschl Law Corporation if you or one of your family members have ever been arrested or have had previous immigration violations as soon as possible prior to making your visa appointment.** We will advise you if we believe that administrative process delays are likely in your case. However, the decision to refer an application for such processing is entirely within the discretion of the consular officer reviewing your application, so any application may be subject to such processing. Visa applications are also occasionally delayed by weather conditions and other unforeseeable circumstances. For these reasons, we recommend that you do not make non-refundable or non-changeable travel plans to the United States until your passport with the issued visa has been returned to you by the U.S. Consulate or Embassy.

Please contact our office if you need additional assistance with your TN visa application.

Post Admission Procedures

After you arrive in the U.S, you should download a copy of your Form I-94 (Arrival Departure Record) from this website: <https://i94.cbp.dhs.gov/I94/#/home>. Note that your I-94 record will only be generated once you have arrived in the United States. You should download your I-94 after every entry into the US and send our law firm a copy.

It is your duty to update the USCIS with any change of address within 10 days on Form AR-11 (Change of Address). You can do this by mail or online at: <https://egov.uscis.gov/coa/displayCOAForm.do>.

You can apply in person for your Social Security Number after you arrive in the U.S. You must visit the Social Security Administration with a completed Form SS-5: <https://www.ssa.gov/forms/ss-5.pdf>, your unexpired passport and your I-94 (Arrival/Departure Record). You can visit this website for more information: <https://www.ssa.gov/ssnumber/>.