



## Capstone International Center International Student & Scholar Services

105 B.B. Comer Hall | Box 870254 | Tuscaloosa, AL 35487-0254 | TEL: 205-348-5402  
[INTERNATIONAL@UA.EDU](mailto:INTERNATIONAL@UA.EDU) | [HTTP://INTERNATIONAL.UA.EDU/ISSS/](http://INTERNATIONAL.UA.EDU/ISSS/)

# TN Instructions and Application Packet

### OVERVIEW OF TN

The TN category was developed as part of the North American Free Trade Agreement (NAFTA) and continues under the United States-Mexico-Canada Agreement (USMCA), to facilitate the entry of Canadian and Mexican citizens to the United States to engage in professional business activities on a temporary basis.

On July 1, 2020, the United States-Mexico-Canada Agreement (USMCA) replaced the North American Free Trade Agreement (NAFTA). The criteria for TN admission under the USMCA are the same as under NAFTA.

Whereas TN admission under NAFTA was governed by the list of Professionals in [Appendix 1603.D.1 to Annex 1603 of NAFTA](#), TN admission under the USMCA will be governed by the [list of Professionals in USMCA Chapter 16 Appendix 2](#). The appendices are identical.

Only occupations specified in the [list of Professionals in USMCA Chapter 16 Appendix 2](#) can serve as the basis for TN employment; so, TN sponsorship is not always possible for all positions at UA. The [list of Professionals in USMCA Chapter 16 Appendix 2](#) also stipulates the minimum qualifications for entry into the U.S. in each occupation.

### TN SPONSORSHIP LENGTH

Both Canadian and Mexican citizens can be admitted to the United States in TN status in increments of up to three-years. Extensions of stay are also granted in up to three-year increments. There is no cumulative total limit on the time a Canadian or Mexican citizen can be in TN status. Status can be renewed indefinitely, provided that the stay remains temporary in nature (e.g. not tenure track or permanent employment).

### OBTAINING TN STATUS ABROAD OR IN THE U.S.

There are two basic ways for Canadian and Mexican citizens to process the TN:

1. Apply for the TN Visa in their home country (Canadian citizens do not require a visa and may obtain TN-status at the US Port of Entry) **or**
2. Have The University of Alabama International Student & Scholar Services file an I-129 petition sponsoring either a change-of-status to TN or extension-of-status of TN within the United States.

### TN ELIGIBILITY REQUIREMENTS

- TN-Applicant must be a citizen of Canada or Mexico
- TN-Applicant must possess the minimum qualifications of a member of one of the professions listed in the [list of Professionals in USMCA Chapter 16 Appendix 2](#).
- Entry must be “temporary”
- Job must constitute “pre-arranged” professional activity for a U.S. entity, within one of the professions listed in the [list of Professionals in USMCA Chapter 16 Appendix 2](#).

More information about the TN Visa can be found here: <https://travel.state.gov/content/travel/en/us-visas/employment/visas-canadian-mexican-nafta-professional-workers.html>

## TIMING OF FILING

**Applying for TN Visa Status Abroad** – Applying for TN status abroad (either for a TN Visa at a US Consulate for Citizens of Mexico or for TN-Status at the Port of Entry for Citizens of Canada) is often the fastest possible way to obtain TN Status since no petition must be filed with US Citizenship and Immigration Services in advance. Mexican Citizens who will apply for a visa at a US Consulate must plan at least 1 month in advance to allow enough time for obtaining an appointment for the visa interview and for visa processing. Canadian citizens who will apply for TN-status at the port-of-entry should make sure to obtain all supporting documents needed for TN determination at least 2 weeks prior to their intended entry to the US.

**Filing I-129 for TN Status within the U.S.** – If The University of Alabama will process a change-of-status to TN or an extension of TN-Status within the United States, International Student & Scholar Services must submit an I-129 Petition to US Citizenship and Immigration Services as early as 6 months before the intended beginning effective date of the TN. The TN application process is very long and requires much documentation from both the department and applicant. It is recommended that departments and applicants begin any TN application, extension, or amendment which is to be filed inside the US as close to 6 months in advance of the intended start date as possible.

## FILING FEES FOR FILING INSIDE THE U.S.

**Required Fee.** If filing for a change-of-status, concurrent employment authorization, or an extension of TN status from within the U.S., UA departments are required to pay the \$510 I-129 USCIS processing fee for their employee's TN petition. The employee ***may not*** pay this fee.

**Optional Fees.** If the department and/or individual requests premium processing, either the department or the individual may pay the additional \$2805 fee to USCIS.

If the employee wishes to apply for immediate family members to change to TD dependent status within the U.S., he or she must pay the I-539 change-of-status fee.

## CHANGES IN TERMS OF EMPLOYMENT AND TERMINATION

Departments *must* consult with International Student & Scholar Services prior to changing a TN's terms of employment (including changes to job duties or department) to determine whether an amended petition is required.

Please inform International Student & Scholar Services immediately if a TN worker's employment is terminated so that International Student & Scholar Services can notify USCIS, effectively withdrawing the TN. Because TN status is an employment-based status, that status immediately ends upon termination.

## TN EXTENSIONS

The process for requesting an extension of TN status is the same as for the initial period of TN employment. Again, the fastest way to gain additional TN time is through travel.

According to 8 C.F.R. § 274.12 (b) (20), if the TN applicant is currently in TN status with The University of Alabama, it is possible for the applicant to continue working for The University of Alabama for up to 240 days after the expiration of the current TN status as long as the TN extension was timely filed. Timely filing means that US Citizenship and Immigration Services must receive the I-129, TN application before the expiration of the current TN. International Student & Scholar Services will authorize employment to continue as soon as the I-797 receipt notice (the official notice of application receipt from USCIS) arrives before the expiration of the current TN.

## ONLY FOR TN PROCESSING INSIDE THE U.S.

### DEPARTMENT PROCEDURES

- 1. Request TN processing** (please complete Appendix A): To initiate the TN process, the department should complete the Appendix A section of this packet, providing details on the job position and a copy of the appointment/job offer letter (if already prepared).
- 3. Complete the Export Control Review Form** (please complete Appendix B). In support of your request for TN sponsorship, International Student & Scholar Services is required to certify on the USCIS I-129 petition whether or not a license for export-controlled technology or technical data is necessary for the professor/researcher being sponsored. To facilitate this requirement, the [Office of Research Security and Export Control](mailto:orsec@ua.edu) ([orsec@ua.edu](mailto:orsec@ua.edu)) will review the information and determine if it will require a license for export-controlled technology or technical data.
- 4. Complete the letter of TN support** (please see Appendix C template). Please note that the maximum length of time for which an TN can be requested at one time is three years.
- 5. Process Check Request for USCIS Fees** (please see Appendix D).
- 6. Send documents to the International Student & Scholar Services:** The TN Request (Appendix A), the Deemed Export Form (Appendix B), and the letter of support (sample in Appendix C) may be sent as soon as they are complete.

### PROSPECTIVE TN EMPLOYEE PROCEDURES

- 1. Provide immigration information and history** (please complete Appendix E): Once the department initiates the TN sponsorship process by submitting the Appendix A forms and Appointment Letter, International Student & Scholar Services will contact the TN beneficiary to obtain the biographical information, immigration documents, proof of qualifications (diploma, CV, licenses), and family information (if applicable) required for the TN petition.
- 2. TD Dependent Sponsorship.** If a prospective TN employee has dependent family members (spouse or children) whom the TN employee would like to sponsor for TD visa status, the TN employee will need to consult with International Student & Scholar Services about processing the TD visa support. For sponsorship of dependents who are already in the US to either extend or obtain TD status, the prospective TN employee will need to submit documents for concurrent filing with the TN petition. For dependents who are currently outside of the US and will enter the US in TD status at a later date, the International Student & Scholar Services can advise on how they may obtain TD status abroad.

### INTERNATIONAL STUDENT & SCHOLAR SERVICES PROCESSING

Once International Student & Scholar Services receives the required materials from the department and applicant, we will complete the necessary forms and send the petition to the USCIS for processing.

Upon receiving the Approval Notice (I-797) from the USCIS, the International Student & Scholar Services will notify the employee and ask him or her to come to report to the Center.



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**TN Packet  
Appendix A  
Position &  
Wage Info**

**PART 1: POSITION INFORMATION – TO BE COMPLETED BY DEPARTMENT**

**PLEASE ENTER INFO ABOUT POSITION MINIMUM REQUIREMENTS,  
NOT EMPLOYEE'S QUALIFICATIONS**

1. Position Title : \_\_\_\_\_
2. Salary: \_\_\_\_\_  Per calendar year OR  Per academic year
3. Hours/ Range of hours per week: \_\_\_\_\_ 4. FTE (.50 – 1.00): \_\_\_\_\_
5. Dates of proposed TN sponsorship (3 years allowed per petition):  
From \_\_\_\_\_ to \_\_\_\_\_
6. List all worksites for this position:  The University of Alabama (Tuscaloosa, AL)  
Building and Room #: \_\_\_\_\_  
 Other location: \_\_\_\_\_
7. Description of basic job duties - please list the absolute minimum duties/tasks to be performed, using non-technical terms (**For non-teaching, staff positions, please also attach the HR Job Posting**):  
\_\_\_\_\_  
\_\_\_\_\_
8. Absolute **MINIMUM** qualifications required to perform the duties/tasks of this position:
  - a. Level of higher education required:  Bachelor's  Master's  Doctorate  Other \_\_\_\_\_
  - b. State license or certificate required?:  Yes or  No
  - c. Degree major(s)/specialty(ies) required: \_\_\_\_\_
  - d. Absolute **minimum** number of years of employment experience required for the position: \_\_\_\_\_
  - e. Other minimum requirements, if any: \_\_\_\_\_
  - f. Position's **minimum** required training and experience (other than that which would or could have been obtained during the normal course of the degree program listed above) Please quantify required training and experience in number of months/years (if none please write none): \_\_\_\_\_  
\_\_\_\_\_
9. **MINIMUM** number of employees (not including students or grad assistants) the alien must supervise: \_\_\_\_\_
10. Is travel required?  Yes or  No
11. Are there any other working conditions that affect the rate of pay?  Yes or  No  
If so, please explain: \_\_\_\_\_
12. Occupational title of the alien employee's immediate supervisor: \_\_\_\_\_

**PART 2: PROSPECTIVE EMPLOYEE/DEPARTMENT INFORMATION – TO BE COMPLETED BY DEPT**

1. Prospective TN employee name: \_\_\_\_\_  
Family Name (Last)                      Given Name (First)                      Middle Name (if any)
2. Prospective TN employee's Email Address: \_\_\_\_\_
3. Degree(s) which the prospective TN Employee holds: \_\_\_\_\_
4. Hiring Department/ Unit: \_\_\_\_\_
5. School/ Division: \_\_\_\_\_
6. Contact Person: \_\_\_\_\_ 7. Email: \_\_\_\_\_
8. Telephone: \_\_\_\_\_ 9. Fax: \_\_\_\_\_
10. Campus Mailing Address: Box \_\_\_\_\_ Building/Room: \_\_\_\_\_
11. SHIPPING: For express shipping, please provide UPS account number or FOAP: \_\_\_\_\_

**PART 3: ACKNOWLEDGEMENT OF RESPONSIBILITY & EMPLOYER ATTESTATIONS**

By signing below, I attest that the above information is true to the best of my knowledge. I can provide additional details pertaining to statements made regarding the actual wage for the occupation discussed if needed. I authorize the International Student & Scholar Services to seek approval from US Citizenship and Immigration Services for a TN temporary visa on behalf of the above named individual (in Part 2).

Furthermore, I attest that The University of Alabama will comply with the following statements:

- 1) That the hiring department must pay the I-129 filing fee for TN sponsorship and subsequent TN extensions;
- 2) That the TN authorization is job-specific. Prior to making any changes to the alien employee's **salary, title, or duties**, the department will consult with ISSS;
- 3) That if employment is terminated early, the department will notify ISSS.

**Required Signatures:**

Faculty Advisor/Supervisor Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Name and Title of Faculty Advisor/Supervisor: \_\_\_\_\_

Department Chair/Head or Dean Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Name and Title of Department Chair/ Head or Dean: \_\_\_\_\_



**OVERVIEW OF EXPORT CONTROL REQUIREMENT**

In support of your request for visa sponsorship, International Student & Scholar Services asks the department to complete the following questionnaire. ISSS will send this documentation to the [Office of Research Security and Export Control \(orsec@ua.edu\)](mailto:orsec@ua.edu), who will review the form and if necessary will confer with the sponsored-individual and appropriate supervisor or administrator to determine whether a license under EAR or ITAR would be required. The license acquisition process would be initiated in parallel to visa sponsorship. Any future changes or extensions of the visa sponsorship/employment must also be reviewed for compliance. For more information about Export Control: <https://research.ua.edu/resources/export-controls/>.

**SECTION 1: EMPLOYEE/SCHOLAR AND DEPARTMENT DETAILS**

Employee/Scholar's Name: \_\_\_\_\_  
 Employee/Scholar's Country of Citizenship: \_\_\_\_\_ Employee/Scholar's Country of Birth: \_\_\_\_\_  
 PI/Supervisor's Name: \_\_\_\_\_  
 School/Division: \_\_\_\_\_ Department: \_\_\_\_\_

**SECTION 2: EXPORT CONTROL QUESTIONS**

1. Will the applicant's work involve research or activities in a scientific, engineering, technology, or medical field?	<input type="checkbox"/> YES <input type="checkbox"/> NO
2. Is the nature of the applicant's work confidential/proprietary (i.e., the results of the work/research projects <b>are not</b> intended for teaching, publication, or to be otherwise shared broadly with the interested public and within the scientific community?)	<input type="checkbox"/> YES <input type="checkbox"/> NO
3. Will the applicant work on sponsored awards which include publication restrictions or personnel participation restrictions?	<input type="checkbox"/> YES <input type="checkbox"/> NO
4. Do you anticipate that the applicant will have access to:	
a. any UA-owned technical data or technology that is considered proprietary or confidential to UA?	<input type="checkbox"/> YES <input type="checkbox"/> NO
b. any third party-owned technical data or technology that is considered proprietary or confidential to the third-party owner? (This includes U.S. government furnished technical data with dissemination controls or other restrictive markings, ITAR-controlled software, and information restricted under an NDA or a sponsored award that restricts publication of results.)	<input type="checkbox"/> YES <input type="checkbox"/> NO
c. items or software specifically designed or developed for military or space applications? (see ITAR <a href="#">U.S. Munitions List</a> under 22 CFR § 121).	<input type="checkbox"/> YES <input type="checkbox"/> NO
d. items or software listed in the EAR <a href="#">Commerce Control List</a> ?	<input type="checkbox"/> YES <input type="checkbox"/> NO
e. software with encryption features?	<input type="checkbox"/> YES <input type="checkbox"/> NO
f. software source code which is not publicly available?	<input type="checkbox"/> YES <input type="checkbox"/> NO
g. items or information that support design, production, or use of nuclear, chemical, or biological weapons?	<input type="checkbox"/> YES <input type="checkbox"/> NO

**REQUIRED SIGNATURES**

*We attest that the information being provided at this time is true. If it is determined that at this time no export license is require, but during the course of their employment at UA there are any changes to the Employee/Scholar's work that would require a license, we will contact the Office of Research Security and Export Control and International Student & Scholar Services.*

PI/Supervisor Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
 Chair/Director or Dean Signature: \_\_\_\_\_ Date: \_\_\_\_\_

A license for Export Control **is not** required for this employee/scholar.  
 A license for Export Control **is** required for this employee/scholar, and that process has been initiated.  
 Office of Research Security and Export Control: \_\_\_\_\_ Date: \_\_\_\_\_



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**TN PACKET  
APPENDIX C  
TEMPLATE FOR  
SUPPORT  
LETTER**

**[PRINT ON DEPARTMENTAL LETTERHEAD]**



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**TN PACKET  
APPENDIX D:  
FILING FEE  
REQUEST**

## INSTRUCTIONS FOR HIRING DEPARTMENT TO REQUEST CHECKS THROUGH CONCUR

### PROCEDURES FOR REQUESTING UA CHECKS TO BE ISSUED FOR FEE PAYMENT:

- The hiring department will be notified via email each fee that is required and when the check(s) should be requested. **DO NOT submit** a request for the check(s) until requested by International Student & Scholar Services.
- Check requests should be entered through Concur under the Invoice tab.
- Each fee must be paid by a **separate** check and each check must be requested separately through Concur.
- If your department is covering the expenses or the TN filing out of different accounts, the fee may be divided between FOAPs in Concur, but each fee must be paid in a single check. *Instructions for dividing a payment between FOAPs can be located in myBama under Procurement Services Concur Training.*
- The initiator must make certain that the appropriate individuals approve the request in Concur in order to Accounts Payable to issue the check(s).
- Accounts Payable will notify our office when the checks have been issued.

### PAYMENT REQUEST THROUGH CONCUR

**Account Code:** 781323 **Vendor Code:** 11074158 **Vendor Address Code:** RT-2

**WHEN COMPLETING THE PAYMENT REQUEST, IN THE COMMENT SECTION, INCLUDE THE FOLLOWING: DO NOT MAIL CHECKS** - Contact International Student & Scholar Services, 348-5402, [international@ua.edu](mailto:international@ua.edu).

**REQUIRED FEES:** USCIS requires a **separate** check for each fee *and each fee must be paid in a single check.*

**I-129 Petition for TN Fee**

Amount: \$510.00

Payable to: Department of Homeland Security

Description: Employer filing fee for TN—beneficiary (employee's name)

**I-907 Premium Processing Fee (if applicable)**

Amount: \$2,805.00

Payable to: Department of Homeland Security

Description: Premium processing of TN petition for (employee's name)

### MAILING ADDRESS:

U.S. Department of Homeland Security  
USCIS - Vermont Service Center  
ATTN: I-129  
75 Lower Welden Street  
St. Albans, VT 05479-0001





**PART 1: TN APPLICANT DEMOGRAPHIC INFORMATION**

**NAME AND RESIDENCE INFORMATION:**

Full Name (as in passport): \_\_\_\_\_  
Family Name (Surname)                      Given Name (First)                      Middle Name (if any)

All other names used : \_\_\_\_\_  
(include maiden name and names from all previous marriages)

Place of Birth (required): \_\_\_\_\_ : \_\_\_\_\_ : \_\_\_\_\_  
City                      Province/ Territory                      Country

Citizenship & Residence (required): \_\_\_\_\_ : \_\_\_\_\_  
Country of Citizenship                      Country of Permanent Residence

Date of Birth (Month/Day/Year): \_\_\_\_\_ Gender :  Male  Female  Other

**CONTACT INFORMATION:**

Current Address: \_\_\_\_\_  
 \_\_\_\_\_

E-mail address: \_\_\_\_\_ Phone Number: \_\_\_\_\_

**UNIVERSITY OF ALABAMA POSITION INFORMATION:**

**(Please provide contact information for your intended employer at the University of Alabama)**

UA Academic Department: \_\_\_\_\_ Supervisor's Name: \_\_\_\_\_

**PART 2: FOR APPLICANTS CURRENTLY IN THE UNITED STATES ONLY**

Current Immigration Status (i.e. TN, F-1, J-1, H-1B) : \_\_\_\_\_ Date Current Status Expires (M/D/Y): \_\_\_\_\_

If you are in TN Status with an employer other than UA, are you currently employed?:  **YES** or  **NO**.

Employer's Name and Address: \_\_\_\_\_  
 \_\_\_\_\_

Expected termination date of current employment (Month/ Day/ Year): \_\_\_\_\_

Date of Last Arrival (stamped on I-94 Card, the White Card in Passport) (Month/Day/Year): \_\_\_\_\_

I-94 # (Eleven Digit Number on the White Card in Passport): \_\_\_\_\_

Are you currently on F-1 Optional Practical Training (OPT)?  **YES** or  **NO**.

If YES, List dates of OPT (Month/ Day/ Year): \_\_\_\_\_ through \_\_\_\_\_

Do you have a spouse/children who will file for TD status with this petition?  **YES** or  **NO**.

### PART 3: IMMIGRATION INFORMATION & HISTORY

Passport # : \_\_\_\_\_ Passport Country: \_\_\_\_\_

Passport Issue Date (Month/Day/Year): \_\_\_\_\_ Passport Expiry Date (Month/Day/Year): \_\_\_\_\_

U.S. Social Security Number (If any): \_\_\_\_\_

A #/Alien# - if any. (A/Alien number is listed on EAD Cards and on any I-140 or I-485 Notices) : \_\_\_\_\_

At which consulate/Port of Entry will you apply for your TN status stamp, either now or the next time you travel abroad?

City (outside of the U.S.): \_\_\_\_\_ Country: \_\_\_\_\_

#### US VISA HISTORY INFORMATION:

Have you ever been in the United States in any non-immigrant status?  YES or  NO.

If YES, please list all time in the US in non-immigrant visa status. If more space is needed, please attach a separate page:

1. Immigration Status (i.e. F-1, J-1, H-4): \_\_\_\_\_ Dates of Stay (M/D/Y): \_\_\_\_\_ through \_\_\_\_\_

2. Immigration Status (i.e. F-1, J-1, H-4): \_\_\_\_\_ Dates of Stay (M/D/Y): \_\_\_\_\_ through \_\_\_\_\_

Have you ever been in the United States on a **J Visa (J-1 or J-2)**?  YES or  NO.

Are/were you subject to the 212(e), 2-Year Residency Requirement (*if ever on J-Visa*)?  YES or  NO.

If subject to 212(e), what is the current status? (Please check one):

- Applied for waiver
- Received waiver (Include Proof of Waiver)
- Completed requirement in home country
- None of the above

Have you ever been denied a TN?  YES or  NO.

Do you have any pending immigrant petitions (Permanent Residency Application)?  YES or  NO.

#### SUPPORTING DOCUMENTATION TO BE SUBMITTED TO ISSS

- Copy/Scan of Current CV/ Resume
- Copy/Scan of all university-level academic degrees, diplomas, and transcripts/mark sheets.
  - Diplomas and transcripts/mark sheets do not have to be originals
  - Documents not in English must be translated by someone competent to do so ([American Translators Assoc](#))
  - If highest degree issued by non-U.S. institution, must have a foreign credential evaluation ([NACES](#) or [AICE](#))
- Copies/Scans of 3 most recent pay stubs/ paycheck notifications if currently employed in the United States
- Copy/Scans of ALL current and previous immigration documents:
  - Passport Identification Pages\*\*
  - Current/ most recent Visa Stamp (Not required for Canadian Citizens)\*\*
  - I-94 Card (FRONT AND BACK) or printout from <https://i94.cbp.dhs.gov/i94/#/home>\*\*
  - All previous I-20s, DS-2019's, and TN/TD I-797 Approval Notices, etc.\*\*
  - Any Employment Authorization Cards (e.g. EAD Card for F-1 OPT or J-2 EAD Card)\*\*
- TD Application: If you have dependent family members who are already in the U.S. in TD status or on another visa type, and you would like to change/extend their status as an TD dependent, include the following:
  - Form [I-539 and I-539A forms](#) and I-539 filing fee made out to **Department of Homeland Security**
  - Include the above starred (\*\*) items for your family members