
U.S. Citizenship and Immigration Services Daily Digest Bulletin

1 message

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USCIS Issues Clarifying Guidance on NAFTA TN Status Eligibility for Economists

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WASHINGTON —U.S. Citizenship and Immigration Services (USCIS) announced today that it is clarifying [policy guidance](#) on the specific work activities its officers should consider when determining whether an individual qualifies for TN nonimmigrant status as an economist.

The North American Free Trade Agreement (NAFTA) TN nonimmigrant status allows qualified Canadian and Mexican citizens to temporarily enter the U.S. to engage in specific professional activities, including the occupation of economist. The agreement, however, does not define the term economist, resulting in inconsistent decisions on whether certain analysts and financial professionals qualify for TN status as economists.

TN nonimmigrant status is intended to allow a limited number of professionals and specialists to work temporarily in certain specifically identified occupations in the United States. This updated guidance provides USCIS officers with a specific definition of one such category – economists – allowing them to adjudicate applications in a way that complies with the intent of the agreement.

This policy update clarifies that professional economists requesting TN status must engage primarily in activities consistent with the profession of an economist. Individuals who work primarily in other occupations related to the field of economics — such as financial analysts, marketing analysts, and market research analysts — are not eligible for classification as a TN economist.

This policy update is consistent with the Department of Labor's (DOL's) [Standard Occupational Classification system](#). DOL defines economists as people who conduct research, prepare reports, or formulate plans to address economic problems related to the production and distribution of goods and services or monetary and fiscal policy. Economists may collect and process economic and statistical data using sampling techniques and econometric methods. The definition specifically excludes market research and marketing analyst occupations.

[Interim and final policy memos](#) are official USCIS policy documents and go into effect on the date the memos are issued.

USCIS is committed to carrying out the directives of the President's [Buy American and Hire American Executive Order](#) to better protect the interests of U.S. workers. Ensuring the integrity of guest worker programs is consistent with our Buy American, Hire American initiatives.

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