

# “Visas” and “Status” in the U.S. for Canadians: What’s the difference (and why does it matter)?

By [Eileen M. Martin](#)

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Canadians enter the U.S. as visitors without any formal documentation, other than Western Hemisphere Travel Initiative-compliant identification documentation (such as a passport or other approved secure document). Unlike the rest of the world, they are visa exempt. Some citizens of certain other countries have their visa requirements waived, but only Canadians are visa exempt.

Understanding what visa exempt means requires an understanding of what a visa is. A visa is a document obtained abroad at an embassy or consulate in advance of travel. It is issued after completion of a vetting process that determines eligibility and time frame for admission to the issuing country. For those who travel to the U.S. under a visa waiver, a truncated vetting process online precedes travel. Canadian citizens are the **ONLY** people in the world who are visa exempt—meaning they do not normally require any vetting in order to show up at a U.S. border and request admission.

There are few exceptions to the general rule that Canadians are visa exempt. Fiancé(e)s, diplomats and those entering to work under NAFTA as Treaty Traders or Treaty Investors require visas. Other Canadians can apply for a visa, and some obtain visas to facilitate their travel if they have been having problems, or are concerned about their reception at the U.S. border without a visa. It is rare that a visa exempt Canadian applies for a visa; so rare, in fact, that U.S. Customs and Border Protection (“CBP”) officers often look at Canadian visitor visa holders with suspicion.

Status is not a visa. It is the category in which a traveler is admitted to the U.S. This article will focus on temporary nonimmigrant status.

Many Canadians enter the U.S. as visitors for business (B-1) or pleasure (B-2). Many of those travelers may not be aware of their specific classification, other than that they are a “visitor.” Many Canadians work in the U.S. in TN (Trade NAFTA) status, and most of them erroneously call their work status a visa. This is similar to the L-1 (Intracompany Transfer) status. For both of these statuses, Canadians can apply at a port of entry to obtain the status. For many other work permits or statuses, an approval must be obtained from U.S. Citizenship and Immigration Service prior to approaching the port of entry. But no visas are required for Canadians holding these statuses.

Status is permission to engage in proscribed activities for a period of time during which a traveler can remain in the U.S. This is contrasted with a visa, which is only for entering the U.S. Visas may permit multiple entries during the designated time period, or a specific number of entries. Why does this matter? For visa exempt Canadians it does not. For E visa holders, it is very important.

E visas are generally issued to Canadians for five years, over which period visa holders are permitted unlimited entries to the U.S. However, their status generally permits them to remain for only two years. Many E visa holders do not understand or appreciate this distinction, and some CBP officers do not either.

The electronic status system utilized by CBP requires travelers to track their status online. This is a burden for frequent travelers, but worth taking on to ensure the visa holder does not violate status. For E visa holders who live in the U.S., many enjoy the false security of a five-year visa without realizing they must be attentive to their status. To confuse things more, CBP sometimes incorrectly approves status for five years, or sometimes only until the visa expires. These inconsistencies make it very difficult for conscientious travelers to maintain their status. Overstaying one's U.S. status results in automatic invalidation of the underlying visa.

Visas and statuses are important topics for those who enjoy working privileges in the U.S. Unknowingly violating one's status can be easily done, so it is recommended that those with visas and work permit statuses be attentive to rules and restrictions to continue to enjoy the privilege of travel to the U.S.

[Here](#) is the website where foreign nationals can check on their status and approved period of stay in the U.S.

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