



“E-2” INVESTOR TREATY VISA

The E-2 Visa is a non-immigrant temporary visa, issued for up to five years at a time, but may be extended indefinitely as long as the business is active.

The investor for the E-2 Visa must:

- Invest 100% of the cost of the business if the business you will start or purchase is \$100,000 or less. If the business is over \$100,000 you will need to invest at least 75% of the purchase price or start-up costs
- Own at least 51% of the business
- Intend to hire employees
- Take a supervisory part in directing the business activity

It is important to know that a passive investment will not qualify. Examples of passive investments are undeveloped land, a house or apartment that you rent once each year.

The business you buy or start is not to be "marginal." This means that you are not running this business just for the purpose of making a living for yourself, but that your business will become profitable.

A business you are just starting:

- 1) Project your supervisory duties
- 2) Explain that you intend to hire employees, how many, and what they will be doing.
- 3) Project a profit through a business plan which shows what you expect the new business to do over the next 5 years.

An active business you are buying:

- 1) Describe your supervisory duties
- 2) The business is the type of business where you will need to hire U.S. workers.
- 3) The business is already profitable or that you will be able to make it profitable and how long that will take.

A business can be purchased on the contingency that the E-2 visa will be approved. In this event, your money used to purchase the business goes into an escrow/trust account, pending the approval of the E-2 visa.

Make a resume (CV) to show your experience qualifies you to supervise the U.S. business. It is important to discuss your situation with a professional who can advise you about your chances for successfully obtaining E-2 Investor Status.

The beneficiary of the E-2 Visa, their Spouse and children will all be permitted to enter the United States on an E-2 Visa. The spouse may apply for a work permit to allow them to work anywhere in the U.S. The children will not be granted permission to work, but may legally attend school.

"E-2" INVESTOR TREATY VISA LIST OF REQUIRED DOCUMENTS

- 1) Documentation to show transfer of funds from your country to the bank/business in the United States
- 2) For purchase of business:
 - Purchase Contract
 - Escrow Agreement
 - Closing Statement
 - Bill of Sale
 - Copies of Mortgage or Notes held by seller or bank
 - List of Inventory; if applicable
 - Tax returns and financial statements for last 2 years
 - List all present employees of the business, if any, their job titles and salaries
- 3) Lease for rental of business space
- 4) Copies of canceled checks, front and back, showing down payment or payment in full for purchase of business
- 5) Articles of Incorporation or Partnership Agreement, unless you are sole proprietor, in which case those will not be needed
- 6) If you are incorporated, a Stock Certificate showing your majority ownership
- 7) Occupational Licenses
- 8) Copy of application, which you filed for Federal Identification Number (generally filed by your accountant)
- 9) Insurance Policies for the Business
- 10) Letterhead, Business Cards, Brochures, Price Lists, Advertisements and Photographs which you will be using for your new business
- 11) Copies of any of the following, which are applicable:
 - Letters from suppliers bidding on items you will purchase for your new business
 - Receipts for purchase of equipment, inventory, supplies or machinery
 - Agreements which you are soliciting between your new business and prospective customers
- 12) Curriculum Vitae for Applicant
- 13) Passports, with at least twelve months validity, for you and each member of your family