

Application Submission Instructions

For E-2 visa first time applicants

Send your application and supporting documentation to the U.S. Consulate General in Amsterdam via email at AmsterdamEvisas@state.gov. Please follow the below instructions carefully. If the application is incomplete, a U.S. Consulate team member will contact the principal applicant and/or legal representative for re-submission of documents.

Submission by email is the preferred method for E visa applications! The entire E visa package should be submitted via email to AmsterdamEvisas@state.gov.

All documents must be submitted in English or Dutch, and should be germane to the case. Documents in English are preferred.

Applications should be submitted in only one email with seven separate attachments, one for each of the following tabs:

Tab A: Table of Contents

Tab B: Forms

- DS-160 barcode confirmation pages for principal applicant and family members;
- Receipt showing payment of the non-refundable application fees;
- Completed [DS-156E](#) for principal applicant only; and
- If you will be represented in this matter by an attorney, you must submit Form G-28 "Notice of Entry of Appearance of Attorney as Representative" and should include contact e-mail address and phone number for the attorney. If your representative is not an attorney, please submit a letter of agreement between the applicant and the representative signed by both parties.

Tab C: Applicant Information

- If principal is accompanied by family members, marriage certificate and children's birth certificates showing relationship to principal applicant;
- Principal applicant's resume or curriculum vitae;
- If the applicant is not the business owner but an employee, please include a job letter from the company. This letter should describe:
 - the business;
 - the job the applicant will do; and
 - his or her qualifications for that job;
 - Signed statement from the principal applicant of intent to depart the U.S. upon termination of E status; and
 - If applicable, please provide copies of any changes or extensions of status granted by USCIS (Form I-797).

Tab D: Ownership

Please demonstrate that nationals of The Netherlands own at least 50% of the business. U.S. dual citizens or Legal Permanent Residents do not qualify.

- Articles of Incorporation (for corporations) or Organization (for LLCs) for U.S. business;
- Share certificates and/or operating agreements (as applicable) to verify ownership;
- If the firm has several owners or subsidiaries or if the chain of ownership includes intermediary entities, please include the following (as applicable):
 - An organization chart with names showing the full ownership structure of the entity;
 - Legal proof of ownership within a respective chain; and
 - Color photocopies of the bio data page of the passports and the percentage of each unit holder of the definitive parent company;
 - If the firm is publicly traded with many shareholders (none of which own more than 50%) include:
 - A written declaration authorized by a corporate official stating all of the stock exchanges on which the firm is traded; and
 - A copy of recently issued trading information concerning the nationality of the stock's owners; and
 - If the firm is an incorporated entity outside of the U.S., include a chart of ownership of the enterprise and a certificate of existence/registration from the state/province in which the company is incorporated.

Tab E: Investment (Maximum submission for this tab is 40 single sided pages)

- A cover letter describing how the enterprise and beneficiary qualify for E-2 status. The letter must address all the requirements for E-2 visa eligibility, described in depth in the U.S. Department of State Foreign Affairs Manual 9 FAM 41.51. Address the following points in detail:
- The investor has made or is in the process of making an at risk, irrevocably committed investment (please note that funds in a bank account do not qualify);
 - The enterprise is currently operational or will commence operations imminently;
 - The investment is substantial; and
 - The investment is more than a marginal one solely for earning a living. The enterprise has the present or future capacity to generate more than simply enough income for a minimal living for the treaty investor and his or her family (the projected future capacity should be realized within 5 years after business start-up);
 - Investment spreadsheet. Evidence of investment is required, e.g., cancelled checks, copies of debits from bank accounts, wire transfers, and matching invoices;
 - A complete money trail of the funds invested, including:
 - Documentation of the original source of the funds (sale of property, inheritance, loans, earnings, sale of business, etc.);
 - Movement of these funds to a U.S. account; and
 - Use of these funds for qualifying business expenses. Please include invoices, cancelled checks, and bank statements showing matching debits (highlighted);
 - If you are buying an existing business, please provide all of the following that apply in your case:
 - A signed, dated, valid purchase agreement;
 - A binding escrow agreement (see 9 FAM 41.51 N8.103 for guidelines) that explicitly says where the money goes if the visa is issued, what happens when it is not, and is signed and dated by all parties. Please cross-reference exactly any relevant purchase agreement;
 - Signed, dated, valid lease for business premises, including evidence of payments; and/or
 - Evidence of any other funds spent to acquire and set up the business;
 - If you are establishing a start-up, please provide all of the following that apply:

- Signed, dated, valid lease for business premises, including evidence of payments; and/or
- Evidence of equipment and/or inventory purchases;
- If you are purchasing a franchise, please provide: A signed and dated franchise agreement; and Evidence of payment of the franchise fee.

Tab F: Real and Operating (Maximum submission for this tab is 20 single sided pages)

- Relevant local, state and/or federal licenses; and
- Monthly bank statements for current calendar year; or
- Sample of invoices or receipts from paying customers.;
- Pictures showing the premises and/or active operations.

Tab G: Marginality (Maximum submission for this tab is 20 single sided pages)

- U.S. tax returns for business for the past two years. These must be copies of the signed and dated forms actually submitted to the IRS;
- All W-2 and/or 1099s for the last two tax years;
- Profit and loss statements for the current and previous calendar years; and/or
- Start-up businesses should also provide:
 - A concise business plan that analyzes the local market and competition and gives a 5-year projection of profit and loss. Projections should be backed up by external sources; and
 - A concise breakdown of start-up costs necessary for the business to become operational.

Please assemble your package according to these guidelines. If the application is incomplete, a U.S. Consulate team member will contact the principal applicant and/or legal representative for submission of documents. Please do not include business plans unless you are confident that they contribute value to your case. We evaluate many applications monthly. Please think lean and demonstrate your business prowess.