



**Transcript for the February 28, 2011
Investor "E" Visa Webchat**

QUESTION: I am an employee of an E-2 registered company, and I need to renew my visa. The company registration has been renewed recently by another employee. I can't find clear instructions on the process involved when it is just the employee visa (and not the company registration also) which is being renewed. Could you please explain the process for E-2 employee renewals? The types of questions I have are: Does the large binder relating to the company need to be submitted again? Do you need paperwork in advance? Can I make an appointment through the phone line? Where would I find documentation on the process / requirements?

Answer: It is straightforward; you simply need to contact the call center. Thereafter, you will receive a PDF file with the documents you need to bring to your interview which should include a copy of your employer's approval letter.

QUESTION: Our law office has two English clients applying for E-2 visas. The major investor/executive will be applying in another country. The other individual is the minority investor (1% owner) who is being hired as an additional executive from the same treaty country, that is, the UK. This individual will be applying for his E-2 visa at your embassy post. Our question is this : with respect to the minority investor / executive, must we send you the detailed case filing first by mail, or can the applicant simply send the DS-160 and then call for an appointment, without send you first a copy of all of the case filing supplementary material? Your explanation on the website is unclear on this point. The website explanation seems to indicate that only the majority investor/executive need send a full copy of the visa support materials by mail. Please clarify our doubts on this subject.

Answer: The minority investor is not considered an investor, only an employee. The company needs to be approved in the UK in order to process UK employees. Otherwise, the E Visa Unit in London has no information about the company.

QUESTION: I am a UK Citizen and live in Scotland where I am a homeowner. I recently received a small inheritance from my late mother's estate and would like to invest it by purchasing 1 or 2 single family homes with a view to renting them. I was advised to check if this is possible and if so, would I have to purchase the properties and have them rented out to be eligible for an e-2 visa. If the e-2 visa is not the correct one to apply for can you please advise me which visa I should apply for?

Answer: It is difficult to comment on a case without a completed application to review. However, real estate speculation does not qualify as a business for E visa purposes. Also, the applicant has to be in a position to develop and direct the enterprise which would be difficult to demonstrate with two rental properties. Please read through the website for a thorough explanation of all the requirements.



QUESTION: What is the minimum amount of investment required for an E visa?

Answer: There is no minimum requirement as specified by US immigration law. The investor must have made a substantial investment. The language is flexible so that the investment can be assessed depending on the type of business. For example, consulting companies typically require less start up investment than a factory.

QUESTION: Please confirm the following: E2 minority investor/executive needs to first overnight to US embassy a copy of all company supporting documents. If so required, please also confirm how long for US embassy to analyze company documents and then call E2 minority investor/executive for interview.

Answer: Essentially it would be a completely new application. The E company's registration is valid only at the Embassy where they applied. Embassies differ in terms of staffing and resources so the wait time at one Embassy can be very different from another's. We would also need to know the nationality of the majority investor and where that person resides.

QUESTION: Is there a requirement that an E company have a certain number of employees to qualify?

Answer: There is no employment requirement for the E visa. However, when evaluating whether or not a business will overcome the marginality requirement, employment of US workers certainly helps the case.

QUESTION: Is there anything I can do to make my case go faster?

Answer: Although it may seem like a small issue, submitting documents in a binder with tabs makes the evaluation process easier. Frequently applications come in with loose documents, bulldog or any type of metal clip, no tabs, etc. and it slows the review process because our office has to take the time to put things in order. Also, highlighting the relevant information in the packet can also help.