

Required Format for Additional Employees of E-2 Qualified Companies

If a **company** has been approved for an E visa within the past 12 months, and now wishes to apply for an additional employee, the company can submit a truncated application, as detailed below.

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| Tab A | <p>Table of Contents and Cover Letter</p> <p>Please provide a cover letter describing how the company and the beneficiary qualify for E-2 status. This letter should address all the requirements for E-2 visa eligibility which are described in depth in U.S. Department of State Foreign Affairs Manual (9 FAM 402.9) and require the applicant to show:</p> <ul style="list-style-type: none"> ➤ That the requisite treaty exists (9 FAM 402.9-4(A)); ➤ That the individual and/or business possesses the nationality of the treaty country (9 FAM 402.9-4(B)); ➤ Applicant has invested or is in the process of investing (9 FAM 402.9-6(B)); ➤ Enterprise is a real and operating commercial entity (9 FAM 402.9-6(C)); ➤ Applicant's investment is substantial (9 FAM 402.9-6(D)); ➤ Investment is more than a marginal enterprise solely for earning a living (9 FAM 402.9-6(E)); ➤ Applicant is in a position to develop and direct the enterprise (9 FAM 402.9-6(F)); or that the applicant, if an employee, is destined to an executive/supervisory position or possesses skills essential to the firm's operation in the United States (9 FAM 402.9-7(B)). For essential employees, please include evidence that the employee has the essential skills that the enterprise urgently needs, as well as the projected duration of this essentiality. You may also explain why the enterprise was unable to find a qualified U.S. citizen or Legal Permanent Resident to fill the position); and ➤ That the applicant intends to depart the United States when the E-2 status terminates (9 FAM 402.9-4(C)). <p>Please include the date of the company's most recent qualification for E status.</p> |
| Tab B | <p>Forms and Applicant Information</p> <ul style="list-style-type: none"> ➤ For principal applicant(s) and dependent family member(s): DS-160 confirmation page generated by the online system, with suitable photo. Please make sure that the confirmation page shows a bar code; ➤ For principal applicant(s): Fully completed form DS-156E parts I, II and III. Please fill out the form online. Contact information must include an e-mail address; ➤ A full-face, color photo per person (taken within the last 6 months), white background; 2 inch x 2 inch = 5 cm x 5 cm, without glasses (printed on photo paper); ➤ Principal applicant's resume or curriculum vitae and a copy of educational certificates, diplomas and/or transcripts; ➤ For principal applicant(s) and dependent family member(s): Photocopy of data (photo) page of passport (DO NOT SEND ANY PASSPORTS BY MAIL); copies of the official marriage certificate and birth certificates for dependents showing the relationship to the principal applicant; ➤ Machine-Readable Visa (MRV) payment receipt from U.S. Visa Info showing payment of the nonrefundable application fee for the principal applicant and each accompanying family member; ➤ If represented in this matter by an attorney, a signed Form G-28, "Notice of Entry of Appearance of Attorney as Representative" must be submitted. The G-28 must include the email address and phone number for the attorney. If the representative is not an attorney, please submit a letter of agreement with contact information between the applicant and the representative signed by both parties; ➤ Signed statement from the principal applicant of intent to depart the U.S. upon termination of E status. |
| Tab C | <p>Proof that the enterprise is still operating, including copies of the first five pages of the latest year's US tax returns and information about current income.</p> |

Please assemble your package according to these guidelines. If the application is incomplete, a U.S. Embassy Visa Section team member will contact the principal applicant and/or legal representative for submission of documents. Do not include brochures or other miscellaneous information that do not contribute to the value of your case. We evaluate many applications monthly. Please think lean, and demonstrate your business prowess.