

How to Apply for an E-2 Treaty Investor Visa
U.S. Embassy Port of Spain

Step 1: Complete the Nonimmigrant Visa Electronic Application (DS-160) form.

Step 2: Pay the visa application fee at your nearest Scotiabank location.

Step 3: Register your application online.

Step 4: Send your E-2 Visa document package to the Embassy. **Do not schedule an interview appointment until you are instructed to do so by the Embassy.**

There are three different categories of E visa submission:

1. **If this is your first E-2 visa or you are registering a new business**, read the instructions to build an appropriate E-2 visa package on page 2.
2. **If you are renewing your E-2 visa**, read the instructions to build an appropriate E-2 visa package on page 5.
3. **If you are applying to work as an employee for a previously- qualified E-2 visa enterprise**, read the instructions to build an appropriate E-2 visa package on page 8.
4. **Spouses and children under the age of 21 applying separately from a qualified E-2 visa application** should read the instructions to build an appropriate E-2 visa package on page 9.

Case review begins upon receipt of a complete application. Incomplete applications will be sent back to you via mail. Should your case require additional documentation, this office will contact you or your attorney via e-mail.

Step 6: You will receive an email once your E-2 visa package has been reviewed and the Embassy is ready for you to come in for an interview. **Do not schedule an interview appointment until you are instructed to do so by the Embassy.** After you receive your email, schedule your appointment for the date and time indicated by the Embassy.

Step 7: Visit the Embassy on the date and time of your visa interview. Formal adjudication of the case begins with the in-person interview. If, after the interview, the case should require additional documentation, you will receive clear guidance from the Consular Officer on what to submit and by what method.

First Time E-2 Treaty Investors

Please follow these instructions exactly. Your documents must be grommited together and not exceed 100 single-sided pages. Incomplete or incorrect packages will be returned to you by mail. Do not include brochures, photographs, or printouts of web pages.

Tab A: Table of Contents and Cover Letter

- The cover letter must describe how the enterprise qualifies for E-2 status and must include a description of the beneficiary's specific skills and qualifications, if not addressed in the resume or CV. The letter must address all the requirements for E-2 visa eligibility, including the applicant's intent to depart the United States when the E-2 status terminates.

Tab B: Administrative Documents

1. Completed DS-160 for all applicants, including derivatives
2. One copy of form DS-156E. Contact information must include a valid email address. Please ensure that the form is filled out in its entirety.
3. A 2x2 passport photo of each applicant taken within the last six months.
4. A copy of payment receipt showing that the MRV fee has been paid.
5. Certificates that demonstrate proof of family relationships and the marital status for each applicant (marriage certificate for spouse and/or birth certificate(s) for minor child/children)
6. If the company has previously qualified for E visa status, include a copy of the previous E-2 visa. **Do not include the biographic page of your passport.**
7. Copies of any approved change of status notices (Form I-797) for all extensions obtained in the United States.
8. Form G-28I or G-28 "Notice of Entry of Appearance as Attorney or Representative," if applicable. Please note applicants are not required to use legal services, but this form is required to communicate directly with any such representative.

Tab C: Applicant Information

1. The principal applicant's résumé or curriculum vitae/CV.
2. Evidence of the applicant's ongoing residency in Trinidad and Tobago (including, but not limited to, a copy of a current lease or mortgage payment for the applicant's primary residence in Trinidad and Tobago).
3. Documentation supporting the applicant's expertise and underlines their essential skills. This may include any relevant diplomas, job training certificates, and/or letters from previous employers.

Tab D: Ownership

1. Proof of at least 50 percent treaty country nationality for the principal investor/owner.
2. If the firm has several owners or subsidiaries or if the chain of ownership includes intermediary entities, please include the following (as applicable):

E-2 Treaty Investor Packet Instructions

1. An organization chart with names showing the full ownership structure of the entity.
2. Legal proof of ownership (such as incorporation certificate, shares certificate, excerpt from the trade registration) within a respective chain.
3. Photocopies of only the bio data page of the passports and the percentage of each unit holder of the definitive parent company.
3. If the firm is publicly traded with many shareholders (none of which own more than 50 percent) include:
 1. A written declaration justly authorized by a corporate official stating all of the stock exchanges on which the firm is traded.
 2. A copy of recently issued trading information concerning the nationality of the stock's owners.

TAB E: Proof of Investment

This attachment should include proof that funds have been invested or that the investor is actively in the process of investing as defined by 9 FAM 402.9-6(B). It is important to provide proof of actual purchases and/or signed contracts and leases related to the enterprise, not just wire transfers to a U.S. account. The application should also clearly demonstrate the source of funds being expended.

Please provide:

- A spreadsheet detailing all funds invested into the U.S. venture.
- Evidence of your investment, including, but not limited to:
 - Signed, dated, valid lease for business premises including evidence of payments
 - Evidence of equipment and/or inventory purchases
 - Evidence of intellectual property or other intangibles invested
 - Evidence of any other funds spent to acquire and set up the business

TAB F: Real and Operating

Please provide:

- Evidence that the business is real and active. For example:
 - Relevant local, state, and/or federal licenses
 - Evidence confirming any ongoing or future work
 - Agreements, contacts, customer lists, or similar documents
- If the business is an affiliate or subsidiary of a foreign company or group, please provide proof that the foreign company or group is active. For example:
 - Financial statements
 - Annual financial report
 - Other documents that confirms the foreign company is trading

TAB G: Marginality

Please provide evidence that the business is more than a marginal enterprise.

E-2 Treaty Investor Packet Instructions

- If the business is already established and operating, please provide all of the following:
 - The first two pages of U.S. federal tax returns for the business for the last two years. These must be copies of the signed and dated forms submitted to the IRS. We will not accept state tax returns.
 - Detailed profit and loss statements for the current and previous calendar years.
 - All W-2, 1099s, and/or payroll invoices for the last two tax years.
- If the business is a new start-up, please provide:
 - A comprehensive business plan not exceeding five (5) pages.
 - A detailed five (5)-year profit and loss forecast for the business. Also provide the assumptions on which the forecast is based. The forecast should not exceed five (5) pages.
 - A breakdown of start-up costs necessary for the business to become operational. This should not exceed three (3) pages.

E-2 Renewals

Please follow these instructions exactly. Your documents must be grommited together and not exceed 70 single-sided pages. Incomplete or incorrect packages will be returned to you by mail. Do not include brochures, photographs, or printouts of web pages.

Tab A: Table of Contents and Cover Letter

- The cover letter must describe how the enterprise qualifies for E-2 status and must include a description of the beneficiary's specific skills and qualifications, if not addressed in the resume or CV. The letter must address all the requirements for E-2 visa eligibility, including the applicant's intent to depart the United States when the E-2 status terminates.

Tab B: Administrative Documents

1. Completed DS-160 for all applicants, including derivatives
2. One copy of form DS-156E. Contact information must include a valid email address. Please ensure that the form is filled out in its entirety.
3. A 2x2 passport photo of each applicant taken within the last six months.
4. A copy of payment receipt showing that the MRV fee has been paid.
5. Certificates that demonstrate proof of family relationships and the marital status for each applicant (marriage certificate for spouse and/or birth certificate(s) for minor child/children)
6. If the company has previously qualified for E visa status, include a copy of the previous E-2 visa. **Do not include the biographic page of your passport.**
7. Copies of any approved change of status notices (Form I-797) for all extensions obtained in the United States.
8. Form G-28I or G-28 "Notice of Entry of Appearance as Attorney or Representative," if applicable. Please note applicants are not required to use legal services, but this form is required to communicate directly with any such representative.

Tab C: Applicant Information

4. The principal applicant's résumé or curriculum vitae/CV.
5. Evidence of the applicant's ongoing residency in Trinidad and Tobago (including, but not limited to, a copy of a current lease or mortgage payment for the applicant's primary residence in Trinidad and Tobago).
6. Documentation supporting the applicant's expertise and underlines their essential skills. This may include any relevant diplomas, job training certificates, and/or letters from previous employers.

Tab D: Ownership

4. Proof of at least 50 percent treaty country nationality for the principal investor/owner.
5. If the firm has several owners or subsidiaries or if the chain of ownership includes intermediary entities, please include the following (as applicable):

E-2 Treaty Investor Packet Instructions

1. An organization chart with names showing the full ownership structure of the entity.
2. Legal proof of ownership (such as incorporation certificate, shares certificate, excerpt from the trade registration) within a respective chain.
3. Photocopies of only the bio data page of the passports and the percentage of each unit holder of the definitive parent company.
6. If the firm is publicly traded with many shareholders (none of which own more than 50 percent) include:
 1. A written declaration justly authorized by a corporate official stating all of the stock exchanges on which the firm is traded.
 2. A copy of recently issued trading information concerning the nationality of the stock's owners.

TAB E: Proof of Investment

If you operate the same business for which you were last approved, please submit evidence of any major new investments (if any) in the business.

If you no longer operate the business for which you were approved, you must submit all the documents required for first time investors.

If you have purchased any additional businesses, provide the purchase agreements and closing documents.

TAB F: Real and Operating

Please provide:

- Evidence that the business is real and active. For example:
 - Relevant local, state, and/or federal licenses
 - Evidence confirming any ongoing or future work
 - Agreements, contacts, customer lists, or similar documents
- If the business is an affiliate or subsidiary of a foreign company or group, please provide proof that the foreign company or group is active. For example:
 - Financial statements
 - Annual financial report
 - Other documents that confirms the foreign company is trading

TAB G: Marginality

Please provide evidence that the business is more than a marginal enterprise.

- If the business is already established and operating, please provide all of the following:
 - The first two pages of U.S. federal tax returns for the business for the last two years. These must be copies of the signed and dated forms submitted to the IRS. We will not accept state tax returns.

E-2 Treaty Investor Packet Instructions

- Detailed profit and loss statements for the current and previous calendar years.
- All W-2, 1099s, and/or payroll invoices for the last two tax years.
- If the business is a new start-up, please provide:
 - A comprehensive business plan not exceeding five (5) pages.
 - A detailed five (5)-year profit and loss forecast for the business. Also provide the assumptions on which the forecast is based. The forecast should not exceed five (5) pages.
 - A breakdown of start-up costs necessary for the business to become operational. This should not exceed three (3) pages.

Employees of E-2 Treaty Investor Businesses

Employees of E-2 Treaty Investor businesses are required to submit the following documents. This package should not exceed more than **50** single-sided pages.

1. Completed DS-160 for all applicants, including derivatives
2. One copy of form DS-156E. Contact information must include a valid email address. Please ensure that the form is filled out in its entirety.
3. A 2x2 passport photo of each applicant taken within the last six months.
4. A copy of payment receipt showing that the MRV fee has been paid.
5. Evidence of the applicant's status in Trinidad and Tobago, if not a holder of a Trinidad and Tobago passport
6. Evidence of previously issued U.S. visas. **Do not include the biographic page of previously issued passports.**
7. A job description letter, printed on company letterhead, that includes:
 - A description of the company
 - The employee's role in the company
 - The employee's salary, allowances, benefits, and other compensation they will receive
 - The employee's qualifications for that job
 - The company's contact information
8. A current curriculum vitae or resume
9. A copy of educational certificates, diplomas, and/or transcripts
10. A copy of the approval letter for the registered treaty company or the principal owner's E-2 visa
11. A signed and dated statement of intent to depart the United States upon termination of nonimmigrant E treaty legal status
12. A photocopy of the I-797 Notice of Action, if applicable, authorizing the change of status granted by USCIS if residing in the United States without a valid E visa

Spouses and Children of E-2 Investor Treaty Applicants

Spouses and children under the age of 21 who wish to accompany, or follow to join, an E-2 visa holder may apply for derivative E-2 visas. They do not need to hold the same nationality as the E-2 visa holder. Please note that all dependent E visa applicants also must pay the E visa application fee.

Please note that children under the age of 14 are not required to attend the interview at the Embassy. Spouses and children of E-2 visa applicants should bring the following items with them at the time of their interview.

1. A passport for each applicant
2. Completed DS-160 for all applicants, including derivatives
3. One copy of form DS-156E. Contact information must include a valid email address. Please ensure that the form is filled out in its entirety.
4. A 2x2 passport photo of each applicant taken within the last six months.
5. A copy of payment receipt showing that the MRV fee has been paid.
6. Evidence of the applicant's status in Trinidad and Tobago, if not a holder of a Trinidad and Tobago passport
7. Evidence of previously issued U.S. visas. **Do not include the biographic page of previously issued passports.**
8. A copy of the principal applicant's E-2 visa
9. A signed and dated statement of intent to depart the United States upon termination of nonimmigrant E treaty legal status
10. Polymer marriage certificate to the principal applicant, if applicable
11. Polymer birth certificates for each child, if applicable