

VISA APPLICATION PROCEDURE – TREATY INVESTOR VISA (E-2)

Follow the nonimmigrant visa application procedure for Latvia described on the website www.ustraveldocs.com.

We usually encourage the principal applicant to apply first. If it is determined that the investment and enterprise qualifies for E visa issuance purposes, dependents and essential employees may then submit their applications.

Important notice for principal E-2 visa applicants! When you have completed the DS-160 visa application, paid a visa application fee, and registered through the website www.ustraveldocs.com for scheduling your visa interview, you have two options:

- 1) Submit entire document packet to the Consular Section of the U.S. Embassy Riga by mail prior to scheduling your visa interview. We will send you an email inviting you to schedule an interview after the document packet is reviewed (on average within 2-3 weeks from the date of receiving your documents),

OR

- 2) Schedule your visa interview through www.ustraveldocs.com right away and submit the documents packet personally at the time of your initial interview. You will be required to attend another interview at the embassy after your documents are reviewed (on average within 2-3 weeks from the date of receiving your documents).

Mailing address: ASV vēstniecība, Samnera Velsa iela 1, Rīga, LV-1510, Latvia

DOCUMENT CHECKLIST FOR E-2 VISA APPLICANTS

(Prepared based on 9 FAM 402.9-11 *SUBMITTING AN APPLICATION FOR AN E-1 OR E-2 VISA* <https://fam.state.gov/FAM/09FAM/09FAM040209.html>)

- Documents must be submitted in a soft-back binder(s) with tabs dividing sections.
- The packet(s) should be a maximum of 5-6 cm thick or we will be unable to receive these packets at the interview windows.
- If you use plastic sheathes to protect documents, place only one (1) piece of paper inside each one; otherwise, you will significantly lengthen the time it takes us to examine your case.
- Do not include multiple copies of any document.

Tab A (Table of Contents)

Include a cover letter describing the enterprise and the beneficiary. This letter should address all the requirements for E-2 visa eligibility. Requirements are described in depth in U.S. Department of State Foreign Affairs Manual 9 FAM 402.9-

- 11 (<https://fam.state.gov/FAM/09FAM/09FAM040209.html>), and require the applicant to show:
 - that the requisite treaty exists;
 - that the individual and/or business possesses the nationality of the treaty country;
 - the applicant has invested or is in the process of investing;
 - the enterprise is a real and operating commercial enterprise;
 - the applicant's investment is substantial;
 - the investment is more than a marginal one solely for earning a living;

- the applicant is in a position to develop and direct the enterprise;
- the applicant, if an employee, is destined to an executive/supervisory position or possess skills essential to the firm's operations in the United States;
- the applicant intends to depart the United States when the E-2 status terminates.

Tab B (Forms)

- [Confirmation Sheet of the DS-160 and DS-156E \(if applicable\). Contact information provided on the DS-160 must include an e-mail address.](#)
- [Receipt showing visa fee payment.](#)
- 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 the applicant is not an investor but an employee, please include a job letter from the company. This letter should describe:
 - ✓ the business;
 - ✓ the job the applicant will do;
 - ✓ his or her qualifications for that job.

Tab C (Applicant Information)

- A color photocopy of the bio data page of the principal applicant's passport and similar copies of any US visas, US entry/exit stamps, and I-94's.
- A copy of any changes or extensions of status granted by USCIS (Form I-797).
- A resume or curriculum vitae (CV) of the principal applicant.

Tab D (Ownership. A, B, or C)

A. Sole Proprietorship:

- Shares/stock certificates
- Shares register indicating total and outstanding shares issued
- Minutes of annual shareholders meeting(s)
- Other Evidence

B. Partnership:

- Partnership or Joint Venture Agreement(s)
- Shares/stock certificates indicating total shares issued and outstanding shares
- Other evidence

C. Corporation:

- Shares/stock certificates indicating distribution of ownership, i.e., shares held by each firm and shares held by individual owners, corporate structure
- If publicly traded on the principal stock exchange of a treaty country, enclose a sample of recently published stock quotations
- Public announcement of corporate acquisition corporate chart showing head office and other subsidiary/branch locations in the U.S.
- Other evidence of ownership

Tab E (Investment)

- 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;
 - ✓ 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 does 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.
 - ✓ 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;
 - ✓ Evidence of equipment and/or inventory purchases.
- If you are purchasing a franchise, please provide:
 - ✓ A signed and dated franchise agreement;
 - ✓ Evidence of payment of the franchise fee.
- Investment spreadsheet. Evidence of investment is required, e.g., copies of debits from bank accounts, checks, invoices.

Tab F (Real and Operating)

- Relevant local, state and/or federal licenses
- Monthly bank statements for current calendar year

Tab G (Marginality)

- US tax returns of the business for the past three years. Taxes must include all statements and schedules. 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.
- Start-up Business should also provide:
 - A business plan that analyzes the local market and competition and gives a 5-year projection of profit and loss. Projections must be backed up by external sources.
 - A breakdown of start-up costs necessary for the business to become operational.