

E-2 treaty investor or employee

Document Checklist

The following is a list of suggested documentation.

I. Proof of Nationality of Investor or Applicant

Photocopy of your passport
Evidence of legal status in your country

II. Ownership Documents (including one of A, B or C)

A. Sole Proprietorship

Shares/stock certificates
Minutes of Annual Shareholders Meeting

B. Partnership

Partnership or Joint Venture Agreement
Shares/stock certificates indicating
total shares issued and outstanding shares

C. Corporation

Shares/stock certificates indicating distribution of ownership, i.e. shares held by each firm and shares held by individual owners Corporate Matrix. If publicly traded on the principal stock exchange of a treaty country, enclose a sample of recently published stock quotations.

III. E-2 Investment

A. For Existing Enterprise

Purchase/Sales agreement (show purchase price)

B. For New Enterprise

Proof of equipment and offices purchases
Proof of lease
(Must show estimated start-up cost)

C. Source of Investment

Personal statement of net worth prepared by a certified accountant
Transactions showing payment of sold property or business (proof of property ownership and promissory Notes) and rental income (lease agreements)

Voided investment certificates or internal bank vouchers and appropriate bank statement crediting proceeds
Debit and credit advices for personal and/or business account withdrawals

D. Evidence of Investment

1. Existing Enterprise:

Escrow Documents
Signed Purchase Agreement
Closing and Settlement papers
Loan documents
Promissory Notes
Assumption of Lease agreement

2. New Enterprise

Inventory listing, shipment invoices of inventory, equipment or business related property
Receipts for inventory purchases
Canceled checks or official payment receipts for expenditures
Canceled check for first month's rent or full annual advance rent payment
Lease agreement
Purchase orders
Improvement Expenses
Wire transfer receipts

IV. Marginality

A. For Existing Business

Current U.S. Corporate tax returns
Latest audited financial statement or non-review statements
Payroll register
W-2 and W-4 tax forms

B. For New Business

Payroll register, records of salaries paid to employees (if any), employee data including names, rates of pay, copies of W-2's, financial projections for next 5 years, supported by a complete and thorough business plan, business income and current corporate tax returns, proof of registration, ownership, audited financial and review engagements

V. Real & Operating Commercial Enterprise

Occupational license
Business License/business permits
Business transaction records
Current/commercial account statements

Invoices from suppliers
Business brochures/promotional literature

VI. Executive/Managerial/Supervisory/Essential Skills

Letter from foreign company providing specific information on the applicant and the reasons for his/her assignment to the U.S. The letter must explain the employee's role in the U.S. company (job title and duties), the applicant's executive or supervisory responsibilities or, if not a supervisor, his/her specialist role, the level of education and knowledge required by the employee's position, his employment experience, progression of promotion or high level training or special qualifications and the reasons why a U.S. citizen or legal permanent resident cannot fill the position (if the position is not managerial or supervisory).

Letter from responsible official at U.S. company or office identifying the need for assigned employee. Provide written plans on how they will fill position with USC's once temporary assignment is complete.

Organizational chart showing current staffing pattern at U.S. company.

Evidence of executive, supervisory or specialized knowledge, education, experience, skills or training, such as certificates, diplomas or transcripts.