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E2 Visa and E3 Visa by Francis

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The E2 visa is a non-immigrant work visa that is granted for substantial investments in the United States. An investment must meet several criteria in order to qualify. There is no minimum amount of investment necessary to obtain an E2 visa and whether an amount will be considered substantial depends on the type of business involved, the number of jobs created the alien personal assets.

The following are the basic conditions for qualifying for an E2 visa

You must show that you have a substantial investment and you are committed to the investment.

The investment must be in an active business as opposed to passive investment such as purchasing a home.

At least 50 per cent of the business must be owned by an alien from a country which has a treaty with the United States.

The investment must create enough profit to provide a living for more than just alien and the family.

Employees of E2 companies may be granted E2 visa if they engage in duties that are executive, managerial or supervisory in nature. If employed in a minor capacity, the employee may be granted the visa if he/she has a special qualification, that makes the service to be rendered essential to the enterprise. The spouse and unmarried dependant children can accompany the holder to the United States

The E3 visa is designated for Australian citizens who wish to work temporary in the United States in a specialty occupation. Australian permanent resident are not allowed to apply for this visa unless they hold an Australian passport. The spouse and dependant children under 21 years of age are eligible for dependant visa status. The dependants do not need to be Australian citizens to be eligible.

The E3 visa is valid for 2 years and can be renewed indefinitely. Any Australian citizen who holds a bachelor or higher degree or its equivalent and has a specialty job offer in the United States that requires a specific degree is eligible. In order to qualify for an E3 visa a US employer must file a labor condition application on your behalf. The duration of your visa is determined by the duration of the LCA. You can only work for one employer while with this visa and you cannot apply for the visa while in United States, but you can change your visa status to E3 while in the United States on another type of visa but not under a visa waiver program.

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