

Treaty Investor Visa

Pre-qualification Documentation



Applicant 1

Contact person: _____ Phone: _____

Email address: _____ Cellphone: _____

Address: _____

Applicant 2 (if applicable)

Contact person: _____ Phone: _____

Email address: _____ Cellphone: _____

Address: _____

Invest in a project in the United States of America

Requirements

You are receiving this pre-qualification document because your country has a treaty with the US and as a citizen of your country you are admissible to obtain a US treaty investor visa for you and your dependents (spouse and children 21 and under).

- By investing a minimum of \$ 100,000 US in a US based business or company you are admissible. **It doesn't mean the applicant must buy a business or company; it could very well be a startup.**
- **The treaty investor visa is a visa tailor made for small investors and small businesses.** Furthermore, the US especially values this type of visa as it results in investment and job creation for the American economy.
- A 5 years business plan will determine the investment and cashflow required by the treaty investor. CanAm can assist you with the business plan.
- The funds used for the investment must be the visa applicant's own funds. Documentary evidence of the source of funds will be required. These funds, however, may be in the form of loans personally guaranteed by the applicant(s). **Furthermore, other assets such as equipment, inventory, patent rights, royalties and other contractual rights are admissible toward the investment as long as they can be objectively appraised and identified in their 5 years business plan.**

Source of Funds for an E2 Visa

"Where did you get the money, you have invested?" You will need to show that the money was in your possession/control of the money.

The Money Must Be at Risk for an E2 Visa

Once you show where you got the money, you need to show that the money is at risk. Regulations dictate that the funds must be "irrevocably committed." If the funds are not subject to partial or total loss, then it is not an 'investment.'

The business must be close to the start of operation (or already operating) in order to obtain an E-2 visa. The government has made it clear that the visa is reserved for those in the final stages. That is, for an E-2 visa the E-2 business be "Real and Operating." Meaning that the only thing that was still required to start the E-2 business was the investor.

A Treaty investor must have controlling shares of its business, company or start-up, which in the US is equal to a control of at least 50% of the shares.

Example 1: Two (2) treaty investors from the same home country can invest 50/50 in the same project in the US. They will both obtain US work visas and dependent visas for their spouse and children (aged 21 and under). Both their spouses can get work authorization.

Example 2: A treaty investor and an American (or a Permanent Resident/Green Card holder) can invest in the same project 50/50.

Example 3: The treaty investor can own 100% of the business, company or start-up.

Description of the applicant's future project in the US

Applicant 1:

Personal Net Worth - \$ _____

i To evidence that the investor has the financial resources required for the investment in the US.

Other assets (estimated value \$) : _____

i To evidence that the investor has additional financial resources required for the investment in the US.

Resume

i To evidence the applicant's education and employment experience.

Applicant 2 (only if applicable):

Personal Net Worth - \$ _____

i To evidence that the investor has the financial resources required for the investment in the US.

Other assets (estimated value \$) : _____

i To evidence that the investor has additional financial resources required for the investment in the US.

Resume

i To evidence the applicant's education and employment experience.

*** The second applicant must own 50% shares in the project in the US.**

Can the applicant(s) document the following (when required) after signing a contract with CanAm Immigration and New York Law Group?

Document the source of funds of their investment in the US

i *To evidence source of investment and that the investor did not obtain it directly or indirectly from criminal activities.*

Loan agreement (if applicable)

i *To evidence that the investor has contracted a loan agreement and is personally responsible for the loan.*

5-year business plan for the intended operations in US (CanAm can assist with the business plan).

i *Will determine the initial investment and cash flow required by the treaty investor.*

3 years of personal tax returns.

i *To evidence that the investor(s) reported their income each year and are in good standing with the government of their home country.*

Valid passport proving citizenship - What country

Note: Do you have a criminal record? If so, he/she is not admissible to enter in the US.

Here is how we can help: We can obtain for them a waiver (pardon) so they can be admissible for business or pleasure

For your family (dependents including spouse and children of age 21 and under):

Valid Passport proving citizenship (for applicant and each family member).

How many dependents _____

Marriage Certificate