

## AILA/CBP Liaison Committee Practice Pointer:

### E-1/E-2 Admissions<sup>1 2</sup>

Over 80 countries are signatories to bilateral treaties or other arrangements with the United States that may allow citizens of those countries to qualify for an E-1 visa or an E-2 visa to conduct trade or direct an investment in the United States.

A nonimmigrant alien applying for admission to the United States with an un-expired E-1 (Treaty Trader) visa or E-2 (Treaty Investor) visa should be admitted for a period of two years from the admission date, *provided that* the individual's passport does not expire before the end of the two-year period and the individual is otherwise admissible.

The two-year admission period applies to all E-1 and E-2 admissions, regardless of whether it is the first or subsequent admission. As long as the E-1 or E-2 visa is valid on the date of admission, the foreign national should be admitted for two years, regardless of when the visa expires. Various examples help to illustrate this principle.

Example #1: If a nonimmigrant alien presents an E-2 visa that will expire four years from the date of admission, the individual should be admitted only for a period of two years from the date of admission, *provided that* the individual's passport will remain valid throughout this period and the individual is otherwise admissible.

Example #2: If a nonimmigrant alien presents an E-2 visa that will expire one day after admission, the alien should be admitted for a two-year period from the date of admission, *provided that* the individual's passport will remain valid throughout this period and the individual is otherwise admissible.

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<sup>1</sup> [8 CFR 214.2\(e\)\(19\)\(i\).](http://www.uscis.gov/portal/site/uscis/menuitem.f6da51a2342135be7e9d7a10e0dc91a0/?vgnextoid=fa7e539dc4bed010VgnVCM1000000ecd190aRCRD&vgnnextchannel=fa7e539dc4bed010VgnVCM1000000ecd190aRCRD&CH=8cfr)  
<http://www.uscis.gov/portal/site/uscis/menuitem.f6da51a2342135be7e9d7a10e0dc91a0/?vgnextoid=fa7e539dc4bed010VgnVCM1000000ecd190aRCRD&vgnnextchannel=fa7e539dc4bed010VgnVCM1000000ecd190aRCRD&CH=8cfr>

<sup>2</sup> IFM 15.4(e)(1) and (2)