

## YOUR WORKING CHECKLIST

# E-2 treaty investment: capital, enterprise and investor roles

## Is money in a bank account automatically an E-2 investment?

E-2 concerns qualifying treaty investment in a real U.S. enterprise and the investor's development or direction of that enterprise. It differs from E-1 trade and EB-5 immigrant investment. Nationality, committed capital, operating business and nonmarginality are separate questions, not a guaranteed outcome from purchasing a company.

Check the boxes on screen or by hand. Use the notes area for records to find and questions to ask.

### Your preparation checklist

- ☐ Verify treaty nationality and ownership.
- ☐ Separate committed capital from available savings.
- ☐ Identify genuine operations and the actual role.
- ☐ Keep E-2 and EB-5 requirements separate.

### Notes and questions to follow up

---

---

### Source links and current instructions

Sources checked October 25, 2026. Follow current instructions at the linked institution.

**Office of the Federal Register / eCFR: 8 CFR 214.2: classification-specific temporary-worker requirements**  
<https://www.ecfr.gov/current/title-8/section-214.2>

**U.S. Department of State: Treaty trade, investment and Australian professional visas**  
<https://travel.state.gov/content/travel/en/us-visas/employment/treaty-trader-investor-visa-e.html>

## E-2 treaty investment: capital, enterprise and investor roles

### Return to the complete guide

<https://immigrantinsider.com/immigration-paths/work/e2/>

### General information

This free organizer is not a government form and does not submit an application, establish eligibility, preserve a deadline or replace individual legal advice. Government filing fees and professional services are separate.