

Excerpt from AILA meeting with U.S. Embassy, London on October 17, 2008 regarding E-2 visa issues:

E-2 Investor Visa

Mr. Mark Rosenshield (E Visa Officer in London) commented that the E Visa Unit has worked hard to put a maximum amount of information, regarding local E visa procedures, on the London Embassy website. The average wait time, from application submission to visa interview, is six weeks. There has been no noticeable drop in the volume of E visa requests following the onset of the current financial crisis.

Applicants are strongly advised to follow the list of requested documentation on the Embassy's website. Most requests for additional information are now dealt with at the time the initial applicant is called in for the interview which has substantially reduced the processing time. If additional information or evidence is requested before the interview, in most cases, this will be reviewed when received by the E visa unit instead of going to the back of the queue.

According to Mr. Rosenshield, the most problematic aspect of E-2 visa processing is the manner in which applicants document the underlying investment transaction. Applicants are urged to carefully document every step in the investment chain, from how they initially took possession and control of the capital assets, all the way to the financial arrangement by which these funds have been committed to the E-2 enterprise.

Mr. Rosenshield indicated that his unit uses a "reasonable human standard" in applying the treaty requirement for "actual and permanent residence, and domicile" in the U.K. Mr. Rosenshield stressed that the above treaty requirement relates *both* to the E-2 investor *and* to individual E-2 employees.

He noted, however, that the requirement is waived for a person currently in the U.S. in E or other long-term nonimmigrant visa status.