



## 25 Questions to Ask Before Filing an E Visa at a Consulate

By Greg Siskind  
[gsiskind@visalaw.com](mailto:gsiskind@visalaw.com)

Attorneys assisting clients with E-1 and E-2 Treaty Visa cases file cases at dozens of consulates around the world and must familiarize themselves with the local procedures in order to advise clients on what to expect in the process and maximize the chances for approval. The questions below and the examples from different countries were found by reviewing web sites for various consulates (all linked from <http://travel.state.gov>) as well as excellent publications like the American Immigration Lawyers Association's annually published *Visa Processing Guide* (no immigration lawyer filing an E visa should be without this excellent title!). Another great title is AILA's *Immigration Options for Investors and Entrepreneurs*. If folks are aware of items that are out of date or incorrect (things change very rapidly in this field) or have questions that I SHOULD have asked, please email me.

1. **Does the country even have a treaty?** E-1s and E-2s or just one? Prominent exclusions (Russia, Brazil, India, China); E-1 only (Israel, Denmark); E-2 (Grenada, Cairo)
2. **Which post in a country handles E visas?** Some countries with multiple US consulates consolidate E processing in one or two posts (e.g. Germany in Frankfurt, Canada in Vancouver and Toronto).
3. **Does the post have a full time E Treaty officer?** How knowledgeable is the officer?
4. **Should documents be included with the advance filing of the E application?** Some consulates (Buenos Aires, Mexico City) want only the application and the supporting documents brought to the interview. Nogales doesn't require advance application, but wants a second copy of application for officer to retain; Tijuana wants copy of documents two weeks ahead of visa interview and originals at the interview.; Turkey only requires documents at time of interview; note that some consulates will not return mailed in documents (Juarez).
5. **Can an attorney be present at the interview?**
  - a. Consulates allowing attorneys to be present: Buenos Aires, Vancouver, Frankfurt (role may be limited in interview), Kazakhstan, Seoul (with bar card), Manila, Bangkok (if G-28 on file)
  - b. Consulates barring attorneys from being present: Toronto (attorney can enter building but can't go to window), Santiago, Colombia, Cairo,

Dublin, Rome, Amman, Mexico consulates, Casablanca, Amsterdam, Islamabad. Warsaw, Madrid, Taiwan, Ankara, Kiev

- c. Consulates permitting attorneys on a case-by-case basis or with special rules: Melbourne (with a G-28), Brussels (attorney must request in advance), Prague (can be present but cannot speak), Copenhagen (advance request required), Tel Aviv (allowed, but role up to officer), Naples, Osaka (advance notice required), Tokyo (permitted with advance notice but prefers communications in writing); Kyrgyzstan (officer discretion)
- 6. Can the E treaty officer be reached for questions in advance of filing?**  
(Melbourne won't discuss; Toronto will); Tokyo will only communicate in writing
- 7. Is an interview by the E treaty officer required?**
  - a. Yes (Buenos Aires, Sydney, Prague)
  - b. Occasionally (Melbourne, Sydney)
  - c. Not on renewals (Osaka)
  - d. Bern, Switzerland can be done by mail and visa issuance that way as well.
  - e. Taiwan – all cases
  - f. Turkey requires interview
- 8. How long does it take for the E Treaty officer to okay for NIV processing?**
  - a. Buenos Aires – up to 3 weeks
  - b. Melbourne (usually less than 4 weeks)
  - c. Sydney – up to 4 weeks
  - d. Toronto – up to 12 weeks
  - e. Paris – 4 -5 weeks
  - f. Tel Aviv – initial application 3 months; renewals 2 – 3 weeks
  - g. Tokyo – seven to ten days for pre-registered companies; eight weeks for new companies
  - h. Seoul – ten days
  - i. Juarez – six to eight weeks
  - j. Singapore – three to four weeks
  - k. Madrid – eight weeks
  - l. Bern – one month
  - m. London – 24 weeks!
- 9. What is the denial rate?**
  - a. Sydney – 5%
- 10. Is there a post-specific application form or is the standard E DOS form used?**
  - a. Standard – Brussels, Copenhagen, Amman
  - b. Special
- 11. Does a business need to be “pre-qualified” or “pre-registered”?**
  - a. Yes – Brussels
  - b. Yes – Frankfurt (small companies)
  - c. Yes – Tel Aviv – records must be updated if more than two years between filings
  - d. Yes – Tokyo – If pre-registered, applicant may submit photocopy of passport; profile must be updated annually

- e. Sweden – pre-qualification required, applicant can be submitted with qualification request
- 12. Will post accept third country nationals?**
- a. Toronto – landed immigrants and citizens only
  - b. Mexico – Ciudad Juarez will only process Mexican cases
  - c. Singapore – TCNs allowed for renewal applications
  - d. Sweden accepts if person resides in Sweden
- 13. How long does it take to get the visa issued after E Treaty officer okays?**
- 14. Do reciprocity rules restrict the length for which the visa will be issued?**  
Cairo – 3 months; Singapore and Sweden – 2 years
- 15. Is there a special email address or phone number for E visas?** Paris has email; Tokyo is fax only
- 16. Is there a tracking system for E cases?** (Paris – tracking number and online tracking for missing documentation)
- 17. What kind of volume does the consulate get?** (Rank: Tokyo, Frankfurt, London)
- 18. Is there an attorney you can find with experience regularly working with the consulate?**
- 19. Does the passport need to be mailed in advance or only after the initial clearance by the E officer?** (Frankfort could hold your passport for a month in the case of an initial E application).
- 20. Is the attorney notified if there will be an interview?** (Frankfort will not)
- 21. How are applications submitted?** (in person, drop box (Manila), by mail (Juarez has special PO box in US), by travel agent (Tel Aviv), service organization (Rome))
- 22. Does the visa fee need to be submitted with the E application or not?** (Naples and Rome require fee first)
- 23. Are there special local documentation requirements? What are the most common source of problems**
- a. Rome – six months of invoices for E-1 applications in Rome
  - b. Seoul – source of funds documentation
  - c. Manila – old passports showing previously issued visas
  - d. Sweden – for renewals by mail, boarding pass showing person is in the country
- 24. Are all the documents translated into English?**
- 25. Have you warned client that USCIS approval of the E visa is no guarantee consulate will agree?**