



May 9, 2020

*The Honorable Donald Trump, President of the United States of America,
The Honorable Mike Pompeo, Secretary of State
The Honorable Eugene Scalia, Secretary of Labor and
The Honorable Chad Wolf, Acting Secretary of Homeland Security*

Dear Mr. President, Messrs. Secretaries,

Since 2014, I have been working as a business and immigration consultant and have helped several hundred **E2 Treaty Investors from Europe, Canada, New-Zealand, and South America** to invest in small and medium-size businesses in the United States. Please be assured of our gratitude for your Administration's continued support of E2 Treaty Visas, including the new paths for New Zealand and Israeli nationals. All of the E2 Treaty Investor businesses, without exception, **generate employment for US Citizens**; and as you know, in addition to ongoing administration of their enterprises, the visa holders must also adhere to the necessarily strict visa framework including- but not limited to - visa-renewals, I-94 extensions, etc..

I would like to draw attention to some of the facts released by the Government Accountability Office (GAO-19-547) in a report dated July 2019; the report (presented to the Chairman of the Joint Economic Committee) stated that over 80 percent of E2 visa adjudications are carried out by the Department of State. These adjudications could therefore potentially be administered at any of the Department of State's 220 posts; in reality, they are handled principally at approximately 140 of them. **14%** of the annual 54,000 E-2 Visa applications are for **INVESTORS** – these are the ones creating so much employment for US citizens, and many of them are operating in industries now deemed essential. Every year, these approximately **7,500 individuals** bring not only their wealth and entrepreneurship to the United States, but, on a daily basis, also work to improve employment opportunities for so many US Citizens. This relentless effort stands to ensure the continued success of their endeavor and hence improve the likelihood of a continued and successful visa renewal. It is credibly estimated that **E2 Treaty Investors contribute more than \$4billion annually to the United States economy and that they employ more than 1 million US citizens**, yet still have no direct pathway to a secure future, as they are not eligible for Green Cards.

In these uncertain times, the lack of international travel and the closures of the US Embassies abroad adds additional travail to an already difficult situation. Many of my clients, and in general E-2 businesses all over the United States, face serious issues. They are unable to have their renewal files processed at the **Embassies in London, Toronto, Paris, Brussels, Bern, Frankfurt, Rome,**

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Amsterdam, Madrid, Dublin, Bucharest, São Paulo, Rio de Janeiro and Buenos Aires, to name a few.

Even if the Embassies were able to process the E2 Treaty Investor Renewal files, it would be **impossible for these investors and their families to travel to their home country, pass the interview and, most importantly, return to the United States**. The majority of these countries are affected by the current travel restrictions and E2 Treaty Investors are not included in the list of exceptions in the Presidential Proclamation on Suspension of Entries due to the Risk of Transmission of the Novel Coronavirus, dated March 11, 2020. We do know of several investors who have been in their home countries to renew their E2 Investor Visas, when the Embassies closed and air travel to the United States became impossible. These investors now have to try to the best of their abilities to manage their businesses at distance, and we would appreciate if they could **be included in the list of business travelers allowed to re-enter the United States** as soon as possible.

In light of the aforementioned facts, we would appreciate your consideration to instruct the Embassies the use of either **interview waivers** for strong renewal files or interviews **via video-conferencing platforms** of those investors whose files warrant additional research. This would eliminate the risk of traveling of the investors, delays in returning to the United States and therefore **avoid serious interruption of the employment of thousands of US citizens**. If there is need for updated biometrics, these could be provided at the local USCIS offices or at the airport CBP posts.

For renewals of I-94s, which, as you know, must be done every two years, E2 visa dependents can file online form I-539. This option is not available for the E2 investor, who would have to go through a lengthy I-129 procedure for the sake of an I-94 renewal, doubling de facto unnecessarily the visa renewal obtained through the Embassy. We would therefore ask consideration for this online accessibility to be extended to **include the E2 investors in the I-539 renewal procedure for I-94**, as this would facilitate the handling of these issues.

We look forward to continuing to work with your Administration on a pathway for E2 investors to become Legal Permanent Resident and remain at your disposition to discuss all matters.

Most respectfully,

A handwritten signature in cursive script, appearing to read 'Alexandra Merz'.

Alexandra Merz

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