

E-1 and E-2 change of status now available to certain New Zealanders

By [Elizabeth M. Klarin](#)

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As of today, June 10, 2019, certain New Zealand nationals can now request a change of status to the E-1 nonimmigrant trader classification and the E-2 nonimmigrant investor classification. Eligible New Zealand nationals already in the United States in a lawful nonimmigrant status can file [Form I-129, Petition for a Nonimmigrant Worker](#) with U.S. Citizenship and Immigration Services (USCIS), to request a change of status to the E-1 or E-2 classification, or a qualifying employer can file Form I-129 on their behalf. Spouses and unmarried children under 21 years of age of E-1 and E-2 nonimmigrants, and employees who are already in the United States, may also seek to change status to E-1 or E-2 classification as dependents by filing [Form I-539, Application to Extend/Change Nonimmigrant Status](#).

As noted by the USCIS, visas or classification as an E-1 or E-2 nonimmigrant “are open to citizens of countries with which the United States has a treaty of commerce and navigation or similar agreement, and in certain other cases, such as here, where Congress has enacted legislation.” E-1 status allows citizens of certain countries to be admitted to the United States to engage in international trade on their own behalf, or to act as an executive, managerial, supervisory or essential employee of such traders or qualifying organizations. E-2 status allows qualifying country citizens to be admitted to the United States when they are investing substantial capital in a U.S. business and meet certain other requirements (e.g. non-marginality), or as an executive, managerial, supervisory or essential employee of such investors or qualifying organizations.

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