

USCIS Policy Manual Update Affecting E-2 Investor Visas



By [Andrew M. Wilson](#)

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USCIS updated its USCIS Policy Manual on a key issue for evaluating money invested for an E-2 visa. The update reflects that USCIS evaluates an investment of lawfully obtained loan proceeds as a contribution of cash rather than indebtedness. This is a big change because previously USCIS required that the individual be personally and primarily liable for the loan debt secured against personal assets, and prohibited the loan from being secured against any assets of the E-2 business.

See:

<https://lnkd.in/dWG5Uzv>

Many E-2 applications, however, are filed through U.S. Consulates. We will have to see how the Department of State views this issue going forward and if the FAM will be updated to adopt this change as well.

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