

This visa a non-immigrant visa that allows a national of a treaty country (a country with which the United States maintains a treaty of commerce and navigation, or which the United States maintains a qualifying international agreement, or which has been deemed a qualifying country by legislation) to be admitted to the United States solely to engage in international trade on his or her own behalf. Certain employees of such a person or of a qualifying organization may also be eligible for this classification. Qualified treaty traders and employees will be allowed a maximum initial stay of two years. Requests for extension of stay in, or changes of status to, E-1 classification may be granted in increments of up to two years each with no limit to the number of extensions. All E-1 nonimmigrants, however, must maintain an intention to depart the United States when their status expires or is terminated. Treaty traders and employees may be accompanied or followed by spouses and unmarried children who are under 21 years of age. Those family members may seek E-1 nonimmigrant classification as dependents and, if approved, generally will be granted the same period of stay as the employee.

To qualify for E-1 classification, the treaty trader must:

- **Be a national of a country with which the United States maintains a treaty of commerce and navigation**
- **Carry on substantial trade**
- **Carry on principal trade between the United States and the treaty country which qualified the treaty trader for E-1 classification.**

Substantial trade generally refers to an amount of trade sufficient to ensure a continuous flow of international trade items between the United States and the treaty country. The continuous flow contemplates numerous transactions over time. There is no minimum requirement regarding the monetary value or volume of each transaction. While monetary value of transactions is a relevant factor in considering substantiality, greater weight is given to more numerous exchanges of greater value. For smaller businesses, the income derived from the value of numerous transactions which is sufficient to support the treaty trader and their family is a favorable factor.

Principal trade between the United States and the treaty country exists when over 50% of the volume of international trade of the treaty trader is between the United States and the treaty country of the treaty trader's nationality.

To qualify for E-1 classification, the employee of a treaty trader must:

- **Be the same nationality of the principal alien employer (who must have the nationality of the treaty country)**
- **Meet the definition of "employee" under the relevant law**
- **Either be engaging in duties of an executive or supervisory character, or if employed in a lesser capacity, have special qualifications.**