USCIS Announces Iranians Are No Longer Eligible for E-1 or E-2 Visa Status

Friday, January 24, 2020

USCIS has announced that Iranians in the U.S. will not be eligible for extensions of E-1 or E-2 visa status or changes to that status from another visa classification. The announcement comes more than a year after the U.S. Department of State notified Iran on October 3, 2018, of the termination of the 1955 Treaty of Amity, Economic Relations, and Consular Rights. Since there are no other qualifying treaties or any relevant specific legislation, there are no other options for Iranians to obtain E-1 or E-2 status.

Iranians currently in the U.S. in E-1 or E-2 status may remain until their current status expires and have the option of applying to change status if they are eligible for a different visa status. Those with pending E-1 or E-2 petitions that were filed after October 3, 2018 will receive Notices of Intent to Deny.

E-1 Treaty Traders are those who conduct substantial trade in goods, services and technology principally between the U.S. and the foreign country of which they are citizens or nationals. E-2 Treaty Investors direct enterprises in which they have
invested or are actively investing a substantial amount of money in the U.S.

This announcement does not come as a surprise following the termination of the 1955 Treaty, Iranians are already subject to the Travel Ban, as visa and travel options continue to be restricted for them.

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