E2 Visa Business Plan Requirements: What USCIS Wants to See in 2026

By Bright Quill Team

E2 visa business plan requirements shape more petitions than most applicants realize. The E2 treaty investor visa asks USCIS to trust that your investment is substantial, your money is truly at risk, your business is real and not marginal, and you'll direct and develop it yourself. That's a lot of trust to earn on paper. The business plan is where officers test every one of those claims, line by line. A thin plan built from a template leaves them guessing, and guessing goes against the applicant every time. This guide covers what USCIS wants to see in an E2 business plan in 2026: the sections that matter most, what each one must prove, and the mistakes that trigger requests for evidence. Read it before you write a word.



An E2 business plan must prove a legal case, not just a business idea.

1. An E2 Plan Proves a Legal Case, Not Just a Business Idea

Most business plans are written to win funding. An E2 plan is written to satisfy a legal standard, and that changes everything about how you structure it. The officer reading your plan checks the treaty investor requirements one by one. You're a national of a treaty country. You've invested, or you're actively in the process of investing, a substantial amount. The funds are committed and at risk. The enterprise is real and operating, or close to it. The business isn't marginal. And you'll direct and develop it yourself. Six elements. Every section of your plan should map to one of them. Officers read hundreds of these plans,

so one organized around the E2 elements earns trust before the numbers are even examined. A plan that reads like a sales pitch does the opposite. It raises questions. Our business plans service builds each E2 plan around these legal elements first, with the business story supporting them.The 6 legal elements your plan must prove

The 6 legal elements your plan must prove:

1. Treaty country nationality
2. Substantial investment, or actively in process
3. Funds committed and irrevocably at risk
4. Real enterprise, operating or nearly there
5. Non marginal: jobs or economic impact
6. You direct and develop the business

2. Show the Investment Is Substantial and At Risk

Substantial has no fixed dollar figure. That confuses a lot of applicants, and it's deliberate. USCIS judges substantiality in proportion to the total cost of the enterprise. A 150,000 dollar investment in a modest service business can be substantial. The same amount in a venture that costs millions to launch? Probably not. Your plan must state the total cost of establishing or purchasing the business and place your investment right beside it, so the proportion is obvious at a glance. Then prove the funds are committed and irrevocably at risk. This part trips people up. Money sitting untouched in a business bank account is a red flag. Officers want to see it spent or contractually committed: signed leases, equipment purchased, inventory ordered, deposits paid, marketing spend locked in. Trace every major outlay to a document. Wire confirmations, receipts, contracts. If you can't point to paper, it didn't happen in the officer's eyes.

3. Prove the Enterprise Is Not Marginal

Marginal is the word officers use for a business that only generates enough income for you and your family to live on. An E2 enterprise has to do more than that. It must create jobs for US workers or have a significant economic impact. There's no way around this one. This is where five year financial projections carry real weight. Project revenue, costs, and headcount year by year. Show the hiring timeline: which roles, in which year, at what pay level. Then connect the hiring plan to the operations section so the growth looks planned, not wished for. Conservative projections with clear assumptions beat optimistic ones with none, every time. Don't dress up the numbers. State your assumptions plainly. Customer counts, pricing, growth rates, each tied to the market research covered below. An officer who can follow your math is an officer who trusts your plan.

4. Ground Your Projections in Real Market Research

Projections without research are guesses, and officers can tell the difference in seconds. Include an industry overview, a clearly defined target customer, and an honest competitor analysis. Name real competitors and explain what you'll do differently. Then lay out the marketing strategy: the exact channels you'll use to win customers, the pricing rationale, and realistic customer acquisition costs. Generic lines about online marketing prove nothing. Zero. Specifics prove you've done the work. Which platforms, what budget, what message, aimed at whom. Then tie the research back to the financials. If the market section describes a few thousand potential customers in your area, the revenue projection

should reflect a believable share of them. Not all of them. Consistency between sections is one of the strongest trust signals in the whole plan, and inconsistency is one of the fastest ways to lose it.

5. Detail Operations and Your Directing Role

E2 requires you to direct and develop the enterprise. So the plan has to show you doing exactly that, not just claiming it. Describe day to day operations: how the business runs, who does what, where decisions sit. Include an organizational chart and a staffing plan, then place yourself at the top with real responsibilities. Not a figurehead title. Explain what only you bring to the table: industry experience, trade relationships, technical skill, knowledge of the home market. Add a milestone timeline from lease signing through launch to first revenue, so the officer sees an operating business taking shape rather than a concept on paper. If key hires are already made, give their roles and start dates. An active, staffed, scheduled operation answers the at risk question before it's even asked. Our visa business plan help starts from your actual background and builds the operations story from it.

6. Mistakes That Trigger Requests for Evidence

Most E2 delays come from avoidable weaknesses in the plan. Weaknesses the applicant could have fixed. The most common is the template plan: identical financials and market text that could belong to any business in any city. Officers spot these immediately. They've seen thousands. Second is investment money sitting unspent, with no paper trail showing commitment. Third is the marginality trap: a one person business with no hiring plan and projections that barely cover living costs. Fourth is inconsistency. The petition states one investment figure while the plan states another. Or the timeline contradicts the lease dates. Fifth: an undocumented source of funds. The plan shows money arriving but never explains where it came from lawfully, and that isn't a minor gap. It's a showstopper. Every number should trace to a source, and every claim should match the petition exactly. No exceptions.

An E2 business plan that meets USCIS expectations is built backwards from the legal elements. A substantial investment. Funds genuinely at risk. A non marginal enterprise. An investor who directs and develops it. Document those four pillars with specifics, keep every section consistent with the petition, and the plan becomes an asset instead of a risk. Get any of them wrong and you're answering a request for evidence months later. If you want a plan written to this standard, tell us about your business through the contact page.

Need an E2 plan that satisfies USCIS?

Bright Quill writes investor ready business plans for E2 petitions: substantiality analysis, five year projections, hiring plans, and market research, all consistent with your filing.

Bright Quill writes investor ready business plans for E2 petitions. Get a free quote at brightquill.site.