

TABLE OF CHANGES – INSTRUCTIONS
Form I-829, Petition by **Investor to Remove Conditions on Permanent Resident Status**
OMB Number: 1615-0045
07/10/2019

Reason for Revision: Non-substantive 83C changes.

Legend for Proposed Text:

- Black font = Current text
- **Red font** = Changes

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Current Page Number and Section	Current Text	Proposed Text
Page 1, What Is the Purpose of Form I-829?	[Page 1] What Is the Purpose of Form I-829? Form I-829 is for immigrant entrepreneurs to petition to remove the conditions on their, and certain dependents’, permanent resident status which they obtained based on investment in a new commercial enterprise. The petitioner must submit this petition within the 90-day period immediately preceding the second anniversary of obtaining conditional permanent resident status. ...	[Page 1] What Is the Purpose of Form I-829? Form I-829 is for immigrant investors to petition to remove the conditions on their, and certain dependents’, permanent resident status which they obtained based on investment in a new commercial enterprise. The petitioner must submit this petition within the 90-day period immediately preceding the second anniversary of obtaining conditional permanent resident status. [No Change]
Pages 1-2, Who May File Form I-829?	[Page 1] Who May File Form I-829? You may use this form to request the removal of conditions on your permanent resident status if you were granted conditional permanent resident status as an entrepreneur. You may include your conditional permanent resident spouse or former spouse and children in your petition. If your spouse and children are not included on this Form I-829 petition, each dependent must file his or her own petition separately. Your spouse and children cannot be included together on a Form I-829 petition if they are not filing with you,	[Page 1] Who May File Form I-829? You may use this form to request the removal of conditions on your permanent resident status if you were granted conditional permanent resident status as an investor . You may include your conditional permanent resident spouse or former spouse and children in your petition. If your spouse and children are not included on this Form I-829 petition, each dependent must file his or her own petition separately. Your spouse and children cannot be included together on a Form I-829 petition if they are not filing with you,

	<p>the principal entrepreneur, unless the principal entrepreneur has died.</p> <p>If you are the conditional permanent resident child of an entrepreneur and you have reached 21 years of age or married during the period of conditional permanent residency, or if you are the former conditional permanent resident spouse of an entrepreneur, who was divorced from the entrepreneur during the period of conditional permanent residence, you may still be included in the entrepreneur’s petition or you may choose to file a separate petition.</p> <p>NOTE: If you are filing a separate petition from the entrepreneur, you should attach a copy of the entrepreneur’s Form I-797, Notice of Action, relating to his or her I-829 petition.</p> <p>[Page 2]</p> <p>If you obtained conditional permanent resident status through your entrepreneur spouse or parent, and that spouse or parent has died, you may use this form to petition for removal of the conditions on your permanent resident status.</p> <p>...</p>	<p>the principal investor, unless the principal investor has died.</p> <p>If you are the conditional permanent resident child of an investor and you have reached 21 years of age or married during the period of conditional permanent residency, or if you are the former conditional permanent resident spouse of an investor, who was divorced from the investor during the period of conditional permanent residence, you may still be included in the investor’s petition or you may choose to file a separate petition.</p> <p>NOTE: If you are filing a separate petition from the investor, you should attach a copy of the investor’s Form I-797, Notice of Action, relating to his or her I-829 petition.</p> <p>[Page 2]</p> <p>If you obtained conditional permanent resident status through your investor spouse or parent, and that spouse or parent has died, you may use this form to petition for removal of the conditions on your permanent resident status.</p> <p>[No Change]</p>
<p>Pages 3-10, Specific Instructions</p>	<p>[Page 3]</p> <p>Specific Instructions</p> <p>Part 1. Basis for Petition</p> <p>Item Number 1. Investment Type. Indicate whether the entrepreneur’s investment is associated with a regional center that was designated at the time the entrepreneur became a conditional permanent resident.</p> <p>Item Numbers 2.a. and 2.b. Name and Identification Number of the Regional Center (RC). If the entrepreneur’s investment is associated with a designated regional center, provide the full legal name of the regional center and the identification number of the regional center.</p> <p>Item Numbers 3.a. and 3.b. Name and</p>	<p>[Page 3]</p> <p>Specific Instructions</p> <p>Part 1. Basis for Petition</p> <p>Item Number 1. Investment Type. Indicate whether the investor’s investment is associated with a regional center that was designated at the time the investor became a conditional permanent resident.</p> <p>Item Numbers 2.a. and 2.b. Name and Identification Number of the Regional Center (RC). If the investor’s investment is associated with a designated regional center, provide the full legal name of the regional center and the identification number of the regional center.</p> <p>Item Numbers 3.a. and 3.b. Name and</p>

	<p>Identification Number of the New Commercial Enterprise (NCE). Provide the full legal name of the NCE in which the entrepreneur invested. (NOTE: This is a required field. Do not leave it blank.) Indicate the NCE Identification Number.</p> <p>...</p> <p>[Page 7]</p> <p>Part 6. Additional Information About the Regional Center and the New Commercial Enterprise (NCE)</p> <p>Item Numbers 1. - 2. Additional Information About the Regional Center (if applicable). Provide the receipt number for the approved Form I-924, Application For Regional Center Designation Under the Immigrant Investor Program, either for the initial designation of the regional center or a subsequent amendment, upon which the Form I-526, Immigrant Petition by Alien Entrepreneur, was based (if applicable). In addition, indicate whether the regional center associated with the entrepreneur’s investment has been terminated.</p> <p>...</p> <p>[Page 8]</p> <p>Item Number 9. Date of the Entrepreneur’s Initial Investment. Provide the date of the entrepreneur’s initial investment in the NCE in a mm/dd/yyyy format.</p> <p>Item Number 10. Amount of the Entrepreneur’s Initial Investment. Indicate the amount of capital the entrepreneur initially invested in the NCE.</p> <p>Item Numbers 11.a. - 11.c. Subsequent Investments in the NCE. If the entrepreneur has made additional investments in the NCE since the initial investment, provide the dates, amounts, and types of investments (for example, cash, equipment, inventory, other tangible property, cash equivalents, or qualifying indebtedness as described in 8 Code of Federal Regulations (CFR) section 204.6(e)) the entrepreneur has made in the</p>	<p>Identification Number of the New Commercial Enterprise (NCE). Provide the full legal name of the NCE in which the investor invested. (NOTE: This is a required field. Do not leave it blank.) Indicate the NCE Identification Number.</p> <p>[No Change]</p> <p>[Page 7]</p> <p>Part 6. Additional Information About the Regional Center and the New Commercial Enterprise (NCE)</p> <p>Item Numbers 1. - 2. Additional Information About the Regional Center (if applicable). Provide the receipt number for the approved Form I-924, Application For Regional Center Designation Under the Immigrant Investor Program, either for the initial designation of the regional center or a subsequent amendment, upon which the Form I-526, Immigrant Petition by Alien Investor, was based (if applicable). In addition, indicate whether the regional center associated with the investor’s investment has been terminated.</p> <p>[No Change]</p> <p>[Page 8]</p> <p>Item Number 9. Date of the Investor’s Initial Investment. Provide the date of the investor’s initial investment in the NCE in a mm/dd/yyyy format.</p> <p>Item Number 10. Amount of the Investor’s Initial Investment. Indicate the amount of capital the investor initially invested in the NCE.</p> <p>Item Numbers 11.a. - 11.c. Subsequent Investments in the NCE. If the investor has made additional investments in the NCE since the initial investment, provide the dates, amounts, and types of investments (for example, cash, equipment, inventory, other tangible property, cash equivalents, or qualifying indebtedness as described in 8 Code of Federal Regulations (CFR) section 204.6(e)) the investor has made in the NCE since the investor’s initial</p>
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	<p>NCE since the entrepreneur’s initial investment.</p> <p>Item Number 12. Amount of Capital Investment Sustained in the NCE. Indicate the total amount of capital investment sustained in the NCE by the petitioner throughout the petitioner’s period of conditional residence in the United States.</p> <p>Item Number 13. Changes in Assets of NCE. Indicate whether the NCE has sold any of its assets, including but not limited to investment securities and real property, and distributed the proceeds of the sale to any of its equity holders, or had any other capital distributions or withdrawals since the date of the entrepreneur’s initial investment. If you answered “Yes” to Item Number 13., provide an explanation in the space provided in Part 12. Additional Information.</p> <p>...</p> <p>Item Number 16. Changes to NCE. Indicate whether the commercial enterprise has filed for bankruptcy, ceased business operations, materially changed the nature of the business, or had any changes in its business organization or ownership since the date of the entrepreneur’s initial investment. Also, indicate if there have been any criminal or civil proceedings against the NCE or any of its owners, officers, directors, general partners, managers or other persons with a similar interest or in a similar position of authority for the NCE involving fraud or other unlawful activity. If you answered “Yes” to Item Number 16., provide an explanation in the space provided in Part 12. Additional Information.</p> <p>Part 7. Information About the Job Creating Entity (JCE)</p> <p>...</p> <p>Item Number 7. Changes to JCE. Indicate whether the JCE has filed for bankruptcy, ceased business operations, materially changed the nature of the business, or had any changes in its business organization or ownership since the date of</p>	<p>investment.</p> <p>[No Change]</p> <p>Item Number 13. Changes in Assets of NCE. Indicate whether the NCE has sold any of its assets, including but not limited to investment securities and real property, and distributed the proceeds of the sale to any of its equity holders, or had any other capital distributions or withdrawals since the date of the investor’s initial investment. If you answered “Yes” to Item Number 13., provide an explanation in the space provided in Part 12. Additional Information.</p> <p>[No Change]</p> <p>Item Number 16. Changes to NCE. Indicate whether the commercial enterprise has filed for bankruptcy, ceased business operations, materially changed the nature of the business, or had any changes in its business organization or ownership since the date of the investor’s initial investment. Also, indicate if there have been any criminal or civil proceedings against the NCE or any of its owners, officers, directors, general partners, managers or other persons with a similar interest or in a similar position of authority for the NCE involving fraud or other unlawful activity. If you answered “Yes” to Item Number 16., provide an explanation in the space provided in Part 12. Additional Information.</p> <p>Part 7. Information About the Job Creating Entity (JCE)</p> <p>[No Change]</p> <p>Item Number 7. Changes to JCE. Indicate whether the JCE has filed for bankruptcy, ceased business operations, materially changed the nature of the business, or had any changes in its business organization or ownership since the date of</p>
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<p>the entrepreneur’s initial investment. Also, indicate if there have been any criminal or civil proceedings against the JCE or any of its owners, officers, directors, general partners, managers or other persons with a similar interest or in a similar position of authority for the JCE involving fraud or other unlawful activity. If you answered “Yes” to Item Number 7., provide an explanation in the space provided in Part 12. Additional Information.</p> <p>Part 8. Information About Job Creation</p> <p>Item Numbers 1.a. - 1.d. Direct Job Creation. Indicate the number of full-time direct and qualifying employees in the NCE at the time of the entrepreneur’s initial investment and also indicate how many current full-time direct and qualifying employees the NCE employed at the time of filing this petition and the difference between these two numbers.</p> <p>[Page 9]</p> <p>A direct and qualifying employee is an individual who provides services or labor for the NCE, who receives wages or other remuneration directly from the NCE, and who is a United States citizen, a lawful permanent resident, or other immigrant lawfully authorized to be employed in the United States. This includes, but is not limited to, a conditional resident, an asylee, a refugee, or an alien remaining in the United States under suspension of deportation. This definition does not include the entrepreneur, his or her spouse or sons or daughters, or any nonimmigrant alien. Also, this definition does not include independent contractors. 8 CFR 204.6(e).</p> <p>If applicable, provide the amount of capital that was used by the NCE that was not funded by EB-5 investors.</p> <p>...</p> <p>If applicable, provide the amount of EB-5 capital from EB-5 investors that the NCE transferred to the JCEs for the job creation. In addition, provide the amount of capital that was used by the JCE that was not funded by investors who received or are</p>	<p>the investor’s initial investment. Also, indicate if there have been any criminal or civil proceedings against the JCE or any of its owners, officers, directors, general partners, managers or other persons with a similar interest or in a similar position of authority for the JCE involving fraud or other unlawful activity. If you answered “Yes” to Item Number 7., provide an explanation in the space provided in Part 12. Additional Information.</p> <p>Part 8. Information About Job Creation</p> <p>Item Numbers 1.a. - 1.d. Direct Job Creation. Indicate the number of full-time direct and qualifying employees in the NCE at the time of the investor’s initial investment and also indicate how many current full-time direct and qualifying employees the NCE employed at the time of filing this petition and the difference between these two numbers.</p> <p>[Page 9]</p> <p>A direct and qualifying employee is an individual who provides services or labor for the NCE, who receives wages or other remuneration directly from the NCE, and who is a United States citizen, a lawful permanent resident, or other immigrant lawfully authorized to be employed in the United States. This includes, but is not limited to, a conditional resident, an asylee, a refugee, or an alien remaining in the United States under suspension of deportation. This definition does not include the investor, his or her spouse or sons or daughters, or any nonimmigrant alien. Also, this definition does not include independent contractors. 8 CFR 204.6(e).</p> <p>If applicable, provide the amount of capital that was used by the NCE that was not funded by EB-5 investors.</p> <p>[No Change]</p> <p>If applicable, provide the amount of EB-5 capital from EB-5 investors that the NCE transferred to the JCEs for the job creation. In addition, provide the amount of capital that was used by the JCE that was not funded by investors who received or are</p>
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	<p>seeking classification as an alien entrepreneur.</p> <p>Item Numbers 3. - 4.b. Troubled Business. Indicate whether or not the investment was made or is being made into a troubled business. If the investment was made into a troubled business, list the number of full-time, qualifying positions that were maintained as a result of the investment. Also, indicate the number of full-time, qualifying positions that were created as a result of the investment.</p> <p>A troubled business means a business that has been in existence for at least 2 years, has incurred a net loss for accounting purposes (based on generally accepted accounting principles) during the 12 or 24-month period before the priority date on the entrepreneur’s Form I-526, and the loss for that period is at least equal to 20 percent of the troubled business’ net worth prior to the loss. For purposes of determining whether or not the troubled business has existed for at least two years, successors in interest to the troubled business will be deemed to have been in existence for the same period of time as the business they succeeded.</p> <p>...</p> <p>Item Number 6. Changes to Business Plan. Indicate whether the entrepreneur made an investment and created jobs in the United States according to the business plan presented with the Form I-526. If you answered “No” to Item Number 6., use the space provided in Part 12. Additional Information to provide an explanation of the changes made to the original business plan submitted with the approved Form I-526.</p> <p>...</p>	<p>seeking classification as an alien investor.</p> <p>[No Change]</p> <p>A troubled business means a business that has been in existence for at least 2 years, has incurred a net loss for accounting purposes (based on generally accepted accounting principles) during the 12 or 24-month period before the priority date on the investor’s Form I-526, and the loss for that period is at least equal to 20 percent of the troubled business’ net worth prior to the loss. For purposes of determining whether or not the troubled business has existed for at least two years, successors in interest to the troubled business will be deemed to have been in existence for the same period of time as the business they succeeded.</p> <p>[No Change]</p> <p>Item Number 6. Changes to Business Plan. Indicate whether the investor made an investment and created jobs in the United States according to the business plan presented with the Form I-526. If you answered “No” to Item Number 6., use the space provided in Part 12. Additional Information to provide an explanation of the changes made to the original business plan submitted with the approved Form I-526.</p> <p>[No Change]</p>
<p>Pages 10-11,</p> <p>What Evidence Must You Submit?</p>	<p>[Page 10]</p> <p>...</p> <p>2. Evidence Related to the Entrepreneur’s Commercial Enterprise, Investments, and Job Creation</p>	<p>[Page 10]</p> <p>[No Change]</p> <p>2. Evidence Related to the Investor’s Commercial Enterprise, Investments, and Job Creation</p>

	<p>Submit and label the following types of evidence with your petition:</p> <p>A. Evidence that the entrepreneur invested or was actively in the process of investing the requisite amount of capital. Such evidence includes, but is not limited to, audited financial statements, bank statements, investment agreements or other probative evidence;</p> <p>B. Evidence that the entrepreneur sustained their investment in the NCE throughout the period of conditional permanent residence. Examples of such evidence includes, but is not limited to, invoices and receipts, bank statements, contracts, business licenses, federal or state income tax returns or quarterly tax statements, audited financial statements or other probative evidence;</p> <p>[Page 11]</p> <p>C. Evidence that the entrepreneur’s investment created or can be expected to create, within a reasonable time, 10 full-time jobs for qualifying employees. In the case of a troubled business, you must submit evidence that the NCE maintained the number of existing employees at no less than the pre-investment level during the period of your conditional permanent residence. Such evidence includes, but is not limited to, payroll records, tax documents, copies of Form I-9, or other probative evidence. If indirect job creation is claimed based upon reasonable methodologies, evidence supporting the inputs used in such methodologies includes, but is not limited to, payroll records, tax documents, invoices and receipts, purchase agreements, bank statements, or other probative evidence.</p> <p>3. Evidence for Petitioners Filing as a Former Spouse or as a Spouse or Child Whose Entrepreneur Spouse or Parent has Died</p> <p>Submit the following with your petition:</p> <p>A. Your former spouse’s, current spouse’s, or parent’s Permanent Resident Card (Green Card);</p>	<p>Submit and label the following types of evidence with your petition:</p> <p>A. Evidence that the investor invested or was actively in the process of investing the requisite amount of capital. Such evidence includes, but is not limited to, audited financial statements, bank statements, investment agreements or other probative evidence;</p> <p>B. Evidence that the investor sustained their investment in the NCE throughout the period of conditional permanent residence. Examples of such evidence includes, but is not limited to, invoices and receipts, bank statements, contracts, business licenses, federal or state income tax returns or quarterly tax statements, audited financial statements or other probative evidence;</p> <p>[Page 11]</p> <p>C. Evidence that the investor’s investment created or can be expected to create, within a reasonable time, 10 full-time jobs for qualifying employees. In the case of a troubled business, you must submit evidence that the NCE maintained the number of existing employees at no less than the pre-investment level during the period of your conditional permanent residence. Such evidence includes, but is not limited to, payroll records, tax documents, copies of Form I-9, or other probative evidence. If indirect job creation is claimed based upon reasonable methodologies, evidence supporting the inputs used in such methodologies includes, but is not limited to, payroll records, tax documents, invoices and receipts, purchase agreements, bank statements, or other probative evidence.</p> <p>3. Evidence for Petitioners Filing as a Former Spouse or as a Spouse or Child Whose Investor Spouse or Parent has Died</p> <p>Submit the following with your petition:</p> <p>A. Your former spouse’s, current spouse’s, or parent’s Permanent Resident Card</p>
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	<p>B. Your former spouse’s, current spouse’s, or parent’s divorce decree or death certificate if applicable; and</p> <p>C. Evidence listed above in “Evidence Related to the Entrepreneur’s Commercial Enterprise, Investments, and Job Creation.”</p> <p>...</p>	<p>(Green Card);</p> <p>B. Your former spouse’s, current spouse’s, or parent’s divorce decree or death certificate if applicable; and</p> <p>C. Evidence listed above in “Evidence Related to the Investor’s Commercial Enterprise, Investments, and Job Creation.”</p> <p>[No Change]</p>
<p>Page 14,</p> <p>USCIS Privacy Act Statement</p>	<p>[Page 14]</p> <p>USCIS Privacy Act Statement</p> <p>AUTHORITIES: The information requested on this petition, and the associated evidence, is collected under sections 101, 103, 203, 212, 216A, and 237 of the Immigration and Nationality Act (INA) (as amended) and the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriation Act, Pub. L. No. 102-395, sections 610, 106 Stat 1828, 1874 (1992) (as amended).</p> <p>PURPOSE: The primary purpose for providing the requested information on this petition is to determine if you have established eligibility to remove the conditions on your permanent resident status or to include the removal of conditions on the permanent resident status for any spouse, former spouse, or child who is also applying with you. DHS will use the information you provide to grant or deny the immigration benefit you are seeking.</p> <p>DISCLOSURE: The information you provide is voluntary. However, failure to provide the requested information, and any requested evidence, may delay a final decision in your case or result in denial of your petition.</p> <p>ROUTINE USES: DHS may share the information you provide on this petition with other Federal, state, local, and foreign government agencies and authorized organizations. DHS follows approved routine uses described in the associated</p>	<p>[Page 14]</p> <p>DHS Privacy Notice</p> <p>AUTHORITIES: The information requested on this petition, and associated evidence, is collected under the Immigration and Nationality Act sections 101, 103, 203, 216A, and 237, and the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriation Act, Pub. L. No. 102-395, sections 610, 106 Stat 1828, 1874 (1992) (as amended).</p> <p>PURPOSE: The primary purpose for providing the requested information on this petition is to determine if you have established eligibility to remove the conditions on your permanent resident status, and/or your spouse, former spouse or child is eligible for removal of conditions on their permanent resident status. DHS will use the information you provide to grant or deny the immigration benefit you are seeking.</p> <p>DISCLOSURE: The information you provide is voluntary. However, failure to provide the requested information, including your Social Security number (if applicable), and any requested evidence, may delay a final decision in your case or result in denial of your petition.</p> <p>ROUTINE USES: DHS may share the information you provide on this petition and any additional requested evidence with other Federal, state, local, and foreign government agencies and authorized organizations. DHS follows approved routine uses described in the associated</p>

	<p>published system of records notices [DHS/USCIS-007 - Benefits Information System and DHS/USCIS-001 - Alien File and National File Tracking System of Records] which you can find at www.dhs.gov/privacy. DHS may also share the information, as appropriate, for law enforcement purposes or in the interest of national security.</p>	<p>published system of records notices [DHS/USCIS-001 – Alien File and National File Tracking System of Records and DHS/USCIS-007 – Benefits Information System] and published privacy impact assessment [DHS/PIA/USCIS-016(a) Computer Linked Application Information Management System and Associated Systems], which you can find at www.dhs.gov/privacy. DHS may also share the information, as appropriate, for law enforcement purposes or in the interest of national security.</p>