



**U.S. Citizenship and  
Immigration Services**

## Suggested Order of Form I-829 Documentation

The following is the suggested order of documentation accompanying Form I-829, Petition by Entrepreneur to Remove Conditions on Permanent Resident Status. You can find the initial evidentiary requirements identifying required documentation at [8 C.F.R. § 216.6](#) and in the [Form I-829 instructions](#).

### 1. Form G-28, Notice of Entry of Appearance as Attorney or Accredited Representative

Form G-28

### 2. Form I-829, Petition by Entrepreneur to Remove Conditions on Permanent Resident Status

Form I-829

### 3. Cover Letter

- Cover letter and exhibit index (highly recommended)

### 4. Evidence of conditional permanent resident status

- Copy of petitioner's conditional permanent resident card
- Copies of the permanent resident cards for petitioner's spouse or former spouse and each child who is applying with the petitioner to remove conditions (if applicable)
- 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.
- **(For petitioners filing as a former spouse or as a spouse or child whose entrepreneur spouse or parent has died)** Copy of former spouse's, current spouse's, or parent's permanent resident card, and copy of former spouse's, current spouse's, or parent's divorce decree or death certificate.

### 5. If applicable, evidence of criminal history since becoming a conditional permanent resident must be provided

- **(If arrested or detained and no charges were filed)** Original official statement by the arresting agency or court order confirming no charges were filed
- **(If arrested or detained and charges were filed, or charges filed without arrest)** Original or court-certified copy of the complete incident record that shows the disposition for each incident
- **(If convicted of a crime or placed in an alternative sentencing program or rehabilitative program such as drug treatment or community service program)**
  - Original or court-certified copy of the sentencing record for each incident

- Evidence of completion of the sentence, such as an original or certified copy of the probation or parole record or record of completion of an alternative sentencing program or rehabilitative program
- **(If an arrest or conviction has been vacated, set aside, sealed, expunged, or otherwise removed from the record)**
  - Original or court-certified copy of the court order removing the arrest or conviction
  - Original statement from the court that no record exists of the arrest or conviction

**6. Evidence of establishment of a new commercial enterprise (NCE), which may include:**

- Federal income tax returns

**7. Evidence that the petitioner invested or was actively in the process of investing in the NCE, which may include:**

- Audited financial statement of the NCE
- Bank statements
- Investment agreements
- Other probative evidence

**8. Evidence that the investor sustained his or her investment throughout the period of conditional residence, which may include:**

- Bank statements
- Invoices and receipts
- Contracts
- Business licenses
- Federal or State income tax returns or quarterly tax statements
- Audited financial statements
- Other probative evidence

**9. Evidence the required number of jobs were created or can be expected to be created within a reasonable time (or maintained, if applicable)**

- Payroll records
- Tax documents
- Forms I-9
- Other probative evidence
- **(For indirect jobs for regional center affiliated petitions)** Reasonable methodology showing that 10 or more jobs were actually created indirectly by the business. Reasonable methodologies may include multiplier tables, feasibility studies, analyses of foreign and domestic markets for the goods and services to be exported, and other economically or statistically valid forecasting devices. 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.

- **(For troubled businesses)** Evidence that the NCE maintained the number of existing employees at no less than the pre-investment level for the period following the investor's admission as a conditional permanent resident

Last Reviewed/Updated: 07/18/2017