

TABLE OF CHANGES – INSTRUCTIONS
Form I-829, Instructions for Form I-829, Petition by Investor to Remove Conditions on
Permanent Resident Status
OMB Number: 1615-0045
11/17/2022

Reason for Revision:

Phase: 60 Day

Legend for Proposed Text:

- Black font = Current text
- Red font = Changes

Expires 12/31/2023

Edition Date 12/08/2021

Current Page Number and Section	Current Text	Proposed Text
<p>Page 1-2, Who May File Form I-829?</p>	<p>[Page 1]</p> <p>Who May File Form I-829?</p> <p>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, the principal investor. However, the surviving spouse and children may be included together on a Form I-829 petition if 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>Who May File Form I-829?</p> <p>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 their own petition separately. Your spouse and children cannot be included together on a Form I-829 petition if they are not filing with you, the principal investor. However, the surviving spouse and children may be included together on a Form I-829 petition if 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>[Page 2]</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>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>[Page 2]</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 their I-829 petition.</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>Page 2-3, General Instructions</p>	<p>[Page 2]</p> <p>General Instructions</p> <p>USCIS provides forms free of charge through the USCIS website. In order to view, print, or fill out our forms, you should use the latest version of Adobe Reader, which you can download for free at http://get.adobe.com/reader/. If you do not have Internet access, you may call the USCIS National Customer Service Center at 1-800-375-5283 and ask that we mail a form to you. For TTY (deaf or hard of hearing) call: 1-800-767-1833.</p> <p>Signature. Each petition must be properly signed and filed. For all signatures on this petition, USCIS will not accept a stamped or typewritten name in place of a signature. If you are under 14 years of age, your parent or legal guardian may sign the petition on your behalf. A legal guardian may also sign for a mentally incompetent person.</p> <p>...</p> <p>[Page 3]</p> <p>Translations. If you submit a document with information in a foreign language, you must also submit a full English translation. The translator must sign a certification that the English language translation is complete and accurate, and that he or she is competent to translate from the foreign language into English. The certification must include the translator’s signature. DHS recommends the certification contain</p>	<p>General Instructions</p> <p>USCIS provides forms free of charge through the USCIS website. In order to view, print, or fill out our forms, you should use the latest version of Adobe Reader, which you can download for free at http://get.adobe.com/reader/. If you do not have internet access, you may call the USCIS National Customer Service Center at 1-800-375-5283 and ask that we mail a form to you. For TTY (deaf or hard of hearing) call: 1-800-767-1833.</p> <p>Signature. Each petition must be properly signed and filed. For all signatures on this petition, USCIS will not accept a stamped or typewritten name in place of a signature. If you are under 14 years of age, your parent or legal guardian may sign the petition on your behalf. A legal guardian may also sign for a mentally incompetent person.</p> <p>...</p> <p>[Page 3]</p> <p>Translations. If you submit a document with information in a foreign language, you must also submit a full English translation. The translator must sign a certification that the English language translation is complete and accurate, and that they are competent to translate from the foreign language into English. The certification must include the translator’s signature. DHS recommends the certification contain</p>

	<p>the translator’s printed name and the date and the translator’s contact information.</p>	<p>the translator’s printed name and the date and the translator’s contact information.</p>
<p>Page 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 investor’s investment is associated with a regional center that was designated at the time the investor became a conditional permanent resident. ...</p> <p>Part 2. Information About You</p> <p>Item Numbers 1.a. - 1.c. Your Full Name. Provide your full legal name in the spaces provided. ...</p> <p>Item Number 4. U.S. Social Security Number (if any). Provide your U.S. Social Security Number, if you have one. If you have been issued or have previously used more than one Social Security Number, use the space provided in Part 12. Additional Information to list all the Social Security Numbers that have been issued to you or that you have previously used. ...</p> <p>Part 3. Information About Your Current or Former Conditional Permanent Resident Spouse</p> <p>If you are the investor, provide information about your current spouse or former conditional permanent resident spouse. ...</p> <p>Item Number 3. A-Number (if any). Provide your current or former conditional permanent resident spouse’s A-Number, if any. If your current spouse or former conditional permanent resident spouse has more than one A-Number, use the space provided in Part 12. Additional Information to list all the A-Numbers that have been assigned to him or her.</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>Part 2. Information About You</p> <p>Item Numbers 1.a. - 1.c. Your Full Name. Provide your full legal name in the spaces provided. ...</p> <p>Item Number 4. U.S. Social Security Number (if any). Provide your U.S. Social Security number, if you have one. If you have been issued or have previously used more than one Social Security number, use the space provided in Part 12. Additional Information to list all the Social Security numbers that have been issued to you or that you have previously used. ...</p> <p>Part 3. Information About Your Current or Former Conditional Permanent Resident Spouse</p> <p>If you are the investor, provide information about your current spouse or former conditional permanent resident spouse. ...</p> <p>Item Number 3. A-Number (if any). Provide your current or former conditional permanent resident spouse’s A-Number, if any. If your current spouse or former conditional permanent resident spouse has more than one A-Number, use the space provided in Part 12. Additional Information to list all the A-Numbers that have been assigned to them.</p>

Item Number 4. USCIS Online Account Number (if any). If your current or former conditional permanent resident spouse previously filed an application, petition, or request using the USCIS online filing system (previously called USCIS Electronic Immigration System (USCIS ELIS)), provide his or her USCIS Online Account Number. You can find his or her USCIS Online Account Number by logging in to his or her account and going to the profile page. If he or she previously filed certain applications, petitions, or requests on a paper form via a USCIS Lockbox facility, he or she may have received a USCIS Online Account Access Notice issuing his or her USCIS Online Account Number. If he or she received such a notice, his or her USCIS Online Account Number can be found at the top of the notice. If he or she was issued a USCIS Online Account Number, enter it in the space provided. The USCIS Online Account Number is not the same as an A-Number.

...

Item Numbers 12. - 13. Residing and Applying Together. Indicate whether your current or former conditional permanent resident spouse is currently living with you and whether or not he or she is applying with you to remove the conditions on his or her permanent resident status. If dependents are not included, they must file a Form I-829 separately and as an individual petitioner.

...

Part 4. Information About Your Children

...

Item Number 3. A-Number (if any). Provide your child's A-Number, if any. If your child has more than one A-Number, use the space provided in **Part 12.** **Additional Information** to list all the A-Numbers that have been assigned to him or her.

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...

Item Numbers 8. - 9. Residing and Applying Together. Indicate whether your child is currently living with you and whether or not he or she is applying with you to remove the conditions on his or her permanent resident status. If dependents are not included, they must file a Form I-829 separately and as an individual petitioner.

...

Part 8. Information About Job Creation

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.

[Page 9]

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,

(previously called USCIS Electronic Immigration System (USCIS ELIS)), provide **their** USCIS Online Account Number. You can find **their** USCIS Online Account Number by logging in to **their** account and going to the profile page. If **they previously filed** certain applications, petitions, or requests on a paper form via a USCIS Lockbox facility, **they** may have received a USCIS Online Account Access Notice issuing **their** USCIS Online Account Number. If **they received** such a notice, **their** USCIS Online Account Number can be found at the top of the notice. If **they were** issued a USCIS Online Account Number, enter it in the space provided. The USCIS Online Account Number is not the same as an A-Number.

...

Item Numbers 8. - 9. Residing and Applying Together. Indicate whether your child is currently living with you and whether or not **they are** applying with you to remove the conditions on **their** permanent resident status. If dependents are not included, they must file a Form I-829 separately and as an individual petitioner.

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Part 8. Information About Job Creation

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.

[Page 9]

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,

	<p>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>Part 9. Petitioner’s Statement, Contact Information, Declaration, Certification, and Signature</p> <p>Item Numbers 1.a. - 6.b. Select the appropriate box to indicate whether you read this petition yourself or whether you had an interpreter assist you. If someone assisted you in completing the petition, select the box indicating that you used a preparer. Further, you must sign and date your petition and provide your daytime telephone number, mobile telephone number (if any), and email address (if any). Every petition MUST contain the signature of the petitioner (or parent or legal guardian, if applicable). A stamped or typewritten name in place of a signature is not acceptable.</p> <p>Part 10. Interpreter’s Contact Information, Certification, and Signature</p> <p>Item Numbers 1.a. - 7.b. If you used anyone as an interpreter to read the Instructions and questions on this petition to you in a language in which you are fluent, the interpreter must fill out this section, provide his or her name, the name and address of his or her business or organization (if any), his or her daytime telephone number, his or her mobile telephone number (if any), and his or her email address (if any). The interpreter must sign and date the petition.</p> <p>[Page 10]</p> <p>Part 11. Contact Information, Declaration, and Signature of the Person Preparing this Petition, if Other Than the Petitioner</p>	<p>a refugee, or an alien remaining in the United States under suspension of deportation. This definition does not include the investor, their spouse or children, 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>Part 9. Petitioner’s Contact Information, Certification, and Signature</p> <p>You must sign and date your petition and, if applicable, provide your daytime telephone number, mobile telephone number, and email address. The signature of a parent or legal guardian, if applicable, is acceptable. A stamped or typewritten name in place of a signature is not acceptable.</p> <p>Part 10. Interpreter’s Contact Information, Certification, and Signature</p> <p>If you used anyone as an interpreter to read the Instructions and questions on this petition to you in a language in which you are fluent, the interpreter must fill out this section and sign and date the petition.</p> <p>Part 11. Contact Information, Declaration, and Signature of the Person Preparing this Petition, if Other Than the Petitioner</p>
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Item Numbers 1.a. - 8.b. This section must contain the signature of the person who completed your petition, if other than you, the petitioner. If the same individual acted as your interpreter **and** your preparer, that person should complete both **Part 10.** and **Part 11.** If the person who completed this petition is associated with a business or organization, that person should complete the business or organization name and address information. Anyone who helped you complete this petition **MUST** sign and date the petition. A stamped or typewritten name in place of a signature is not acceptable. If the person who helped you prepare your petition is an attorney or accredited representative, he or she may be obliged to also submit a completed Form G-28, Notice of Entry of Appearance as Attorney or Accredited Representative, along with your petition.

Part 12. Additional Information

Item Numbers 1.a - 7.d. If you need extra space to provide any additional information within this petition, use the space provided in **Part 12. Additional Information.** If you need more space than what is provided in **Part 12.,** you may make copies of **Part 12.** to complete and file with your petition, or attach a separate sheet of paper. Type or print your name and A-Number (if any) at the top of each sheet; indicate the **Page Number, Part Number, and Item Number** to which your answer refers; and sign and date each sheet.

We recommend that you print or save a copy of your completed petition to review in the future and for your records. We recommend that you review your copy of your completed petition before you come to your biometric services appointment at a USCIS ASC. At your appointment, USCIS will permit you to complete the petition process only if you are able to confirm, under penalty of perjury, that all of the information in your petition is complete, true, and correct. If you are not able to make that attestation in good faith at that time, USCIS will require you to return for another appointment.

The person who completed your petition, if other than the petitioner must sign this section. If the same individual acted as your interpreter and your preparer, then that person should complete both **Part 10.** and **Part 11.** A stamped or typewritten name in place of a signature is not acceptable.

Part 12. Additional Information

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We recommend that you review your copy of your completed petition before you go to your biometric services appointment at a USCIS ASC. At your appointment, USCIS will **allow** you to complete the petition process only if you are able to confirm, under penalty of perjury, that all of the information in your petition is complete, true, and correct. If you are not able to make that attestation in good faith at that time, **we** will require you to return for another appointment.

<p>Page 12, Address Change</p>	<p>[Page 12]</p> <p>Address Change</p> <p>A petitioner who is not a U.S. citizen must notify USCIS of his or her new address within 10 days of moving from his or her previous residence. For information on filing a change of address go to the USCIS website at www.uscis.gov/ addresschange or contact the USCIS National Customer Service Center at 1-800-375-5283. For TTY (deaf or hard of hearing) call: 1-800-767-1833.</p> <p>NOTE: Do not submit a change of address form to USCIS Lockbox facilities because the Lockbox does not process change of address requests.</p>	<p>Address Change</p> <p>A petitioner who is not a U.S. citizen must notify USCIS of their new address within 10 days of moving from their previous residence. For information on filing a change of address go to the USCIS website at www.uscis.gov/ addresschange or contact the USCIS National Customer Service Center at 1-800-375-5283. For TTY (deaf or hard of hearing) call: 1-800-767-1833.</p> <p>NOTE: Do not submit a change of address form to USCIS Lockbox facilities because the Lockbox does not process change of address requests.</p>
<p>Page 14, Paperwork Reduction Act</p>	<p>[Page 14]</p> <p>Paperwork Reduction Act</p> <p>An agency may not conduct or sponsor an information collection, and a person is not required to respond to a collection of information, unless it displays a currently valid Office of Management and Budget (OMB) control number. The public reporting burden for this collection of information is estimated at 4 hours per response, including the time for reviewing instructions, gathering the required documentation and information, completing the petition, preparing statements, attaching necessary documentation, and submitting the petition. The collection of biometrics is estimated to require 1 hour and 10 minutes. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to: U.S. Citizenship and Immigration Services, Office of Policy and Strategy, Regulatory Coordination Division, 5900 Capital Gateway Drive, Mail Stop #2140, Camp Springs, MD 20588-0009; OMB No. 1615-0045. Do not mail your completed Form I-829 to this address.</p>	<p>Paperwork Reduction Act</p> <p>An agency may not conduct or sponsor an information collection, and a person is not required to respond to a collection of information, unless it displays a currently valid Office of Management and Budget (OMB) control number. The public reporting burden for this collection of information is estimated at 3 hours and 48 minutes per response, including the time for reviewing instructions, gathering the required documentation and information, completing the petition, preparing statements, attaching necessary documentation, and submitting the petition. The collection of biometrics is estimated to require 1 hour and 10 minutes. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to: U.S. Citizenship and Immigration Services, Office of Policy and Strategy, Regulatory Coordination Division, 5900 Capital Gateway Drive, Mail Stop #2140, Camp Springs, MD 20588-0009; OMB No. 1615-0045. Do not mail your completed Form I-829 to this address.</p>