



May 2, 2018

PA-2018-02

Policy Alert

SUBJECT: Documentation of Conditional Permanent Resident Status for Immigrant Investors with a Pending Form I-829

Purpose

U.S. Citizenship and Immigration Services (USCIS) is updating policy guidance in Volume 6, Part G of the [USCIS Policy Manual](#) regarding the documentation of conditional permanent resident (CPR) status for employment-based fifth preference (EB-5) immigrants.

Background

Upon adjustment of status or admission to the United States, immigrant investors and their derivative family members receive CPR status for a 2-year period.¹ To become lawful permanent residents without conditions, immigrant investors must properly file a Petition by Entrepreneur to Remove Conditions on Permanent Resident Status ([Form I-829](#)). Once USCIS receives a properly filed [Form I-829](#), USCIS automatically extends the immigrant's CPR status for 1 year, with opportunities for further extension, until the [Form I-829](#) is adjudicated or a final order of removal is issued.²

This guidance, contained in Volume 6 of the Policy Manual, reaffirms guidance previously found in Chapter 25.2 of the Adjudicator's Field Manual (AFM) and not yet published in the USCIS Policy Manual. The guidance contained in the Policy Manual is controlling and supersedes any prior guidance.

Policy Highlights

- Reaffirms that USCIS provides immigrant investors documentation of CPR status³ until the [Form I-829](#) is adjudicated or a final order of removal is issued.

Citation

Volume 6: Immigrants, Part G, Investors, Chapter 5, Removal of Conditions [[6 USCIS-PM G.5](#)].

¹ See [INA 216A](#).

² See [8 CFR 216.6\(a\)\(1\)](#).

³ The investor may use the receipt notice with his or her permanent resident card as evidence of status for travel, employment, or other purposes.