

*Supporting Statement Appendix A: Comment Responses*  
**Form I-864 Form Series Revision Package**

Comment #	Public Comments	USCIS Response
<b>Comment 1.</b>	<b>Committer: Catholic Legal Immigration Network, Inc. (CLINIC)</b>	
	<p><b>Issue 1: Form I-864 Information about Immigrants being Sponsored</b></p> <p><i>Page 2, Part 3, Question 1</i></p> <p><b>Discussion:</b> The "yes" or "no" options do not take into consideration the common situation where a petitioning sponsor has immigrated the principal beneficiary and is now filing an affidavit of support on behalf of the derivatives who are applying to immigrate more than six months after the principal beneficiary ("follow to join"). The options are either that the petitioning sponsor is filing the affidavit of support on behalf of the principal beneficiary (named in Part 2) or that the person filing the I-864 is the second of two joint sponsors. This has been a problem with the form since the final regulation introduced the concept of two potential joint sponsors in 2006.</p> <p><b>Recommendation:</b> Add the following language within the parenthetical: (Applicable only if you are sponsoring family members in Part 3. as the second joint sponsor <i>or if you are sponsoring family members who are immigrating more than six months after the principal immigrant</i>).</p>	<p><b>Response:</b> USCIS accepts the recommendation and has modified the parenthetical in this question.</p>
	<p><b>Issue 2: Form I-864 Information about Immigrants being Sponsored</b></p> <p><i>Page 2, Part 3, New Question #3</i></p>	<p><b>Response:</b> USCIS accepts the recommendation and has added a new Item Number 3 to Part 3.</p>

*Supporting Statement Appendix A: Comment Responses*  
**Form I-864 Form Series Revision Package**

	<p><b>Discussion:</b> If you are following the recommendation above and changing the I-864 to allow for a petitioning sponsor to file an affidavit of support for the following to join derivatives without having to jerry rig the form, which is currently the case, then you will need to add a third box after the current #2.</p> <p><b>Recommendation:</b> A third box would-state: I am sponsoring the following family members who are immigrating more than six months after the principal immigrant.</p>	
	<p><b>Issue 3: Form I-864</b>  <b>Information about Immigrants being Sponsored</b></p> <p><i>Page 2, Part 3, Questions 4, 9, 14, 19, and 24</i></p> <p><b>Discussion:</b> The question asks "Relationship to Sponsored Immigrant." The petitioning sponsor or joint sponsor is filing the affidavit of support on behalf of the principal immigrant and any derivative family members immigrating within six months of the principal immigrant. All of the family members listed in Part 3 are <i>sponsored</i> immigrants. The question should be what is their relationship to the <i>principal</i> immigrant.</p> <p><b>Recommendation:</b> Change "Relationship to Sponsored Immigrant" to <i>Relationship to Principal Immigrant</i>.</p>	<p><b>Response:</b> USCIS accepts the recommendation and has made corresponding changes to Form I-864.</p>

*Supporting Statement Appendix A: Comment Responses*  
**Form I-864 Form Series Revision Package**

<p><b>Issue 4: Form I-864</b>  <b>Information about Immigrants being Sponsored</b></p> <p><i>Page 3, Part 3, Question 28</i></p> <p><b>Discussion:</b> If the petitioning sponsor is filing the affidavit of support on behalf of the derivative family members who are immigrating more than six months after the principal immigrant, then by definition, that means that the principal beneficiary has already immigrated. Although the principal immigrant will need to be listed in Part 2, that person will not be counted in this section. Instead, that person will be counted in Part 5 #6 as a household member on whose behalf an I-864 or I-864EZ was filed previously and who is now an LPR.</p> <p><b>Recommendation:</b> Add the following language after the words "Additional Information": <i>Do not count the principal immigrant if you are only sponsoring family members entering more than six months after the principal immigrant.</i></p>	<p><b>Response:</b> USCIS accepts the recommendation and has added the suggested language to Form I-864.</p>
<p><b>Issue 5: Form I-864</b>  <b>Use of Assets</b></p> <p><i>Page 5, Part 6, Questions 6-8</i></p> <p><b>Discussion:</b> In this section the sponsor may count the assets of the intending immigrant. In most cases, that will be the principal beneficiary identified in Part 2. But there are situations where the affidavit is being filed on behalf of derivative family members of the principal immigrant more than six months after the principal beneficiary has immigrated. In those situations, the sponsor would not be</p>	<p><b>Response:</b> USCIS believes that CLINIC is addressing Question 6-8 on Page 5, Part 7, not Part 6.</p> <p>The term “principal sponsored immigrant” has been deleted and replaced with “principal immigrant,” as this is the term used in Part 2.</p> <p>Under the regulations at 8 CFR 213a.2(c)(2)(C)(1) and (3), the principal immigrant’s assets may be used to meet the income requirements of the sponsor. Under these regulations, if the sponsor seeks to rely on an intending immigrant's continuing income to establish the sponsor's ability to support the intending immigrant's</p>

***Supporting Statement Appendix A: Comment Responses***  
**Form I-864 Form Series Revision Package**

	<p>able to use the assets of the principal beneficiary. The language needs to be amended in the words preceding questions 6-8 as well as within the questions.</p> <p><b>Recommendation:</b> Strike the words "principal sponsored immigrant" and replace it with principal immigrant in the heading preceding questions 6-8. Add the following after the words "The principal immigrant is the person listed in Part 2, Item Numbers I.a- I.c.": <i>Only include the assets if the principal immigrant is being sponsored by this affidavit of support.</i> Within questions 6-8, strike the words "sponsored immigrant's" and replace them with <i>principal immigrant's</i>.</p>	<p>spouse or children, then the intending immigrant whose income is to be relied on must sign the Form I-864A. The Form I-864A allows for the sponsor to use a household member's (such as the intending immigrant) income or assets to support the I-864 beneficiary.</p> <p>Because the sponsor may use the principal immigrant's income or assets to support the following-to-join beneficiary, the suggested additional language has not been incorporated into Form I-864.</p>
	<p><b>Issue 6: I-864 INS</b>  <b>General Instructions; Biometric Services Appointment</b></p> <p><i>Page 2, General Instructions, Biometric Services Appointment</i></p> <p><b>Discussion:</b> In the current Instructions, the sponsor is informed on page 14 that the USCIS may request that they appear for an interview as well as provide fingerprints, photograph, and/or a signature "to verify your identity and/or update background and security checks." The proposed Instructions would move that language to the second page and thus make it more prominent. It would also add the following additional purpose of biometrics: "a check of criminal history records maintained by the Federal Bureau of Investigation (FBI), before making a decision on your application, petition, or request." First, the affidavit of support is not an "application, petition, or request." By calling it something it is not, the USCIS is implying that this is simply boilerplate language meant to cover various forms</p>	<p><b>Response:</b> While it happens infrequently, 8 CFR 103.2(b)(9) allows USCIS to call a sponsor for interview and biometrics. USCIS feels that including this language in the instructions puts sponsors on notice that such an appointment is a possibility.</p>

*Supporting Statement Appendix A: Comment Responses*  
**Form I-864 Form Series Revision Package**

	<p>and situations. Second, during the last twenty years of enforcement of the affidavit of support, the sponsor has been required to appear in only a miniscule number of cases. Therefore CLINIC believes that it is not necessary to make this more prominent than it already is. We believe it would have the effect of intimidating joint sponsors and discouraging them from participating in the process. Third, CLINIC does not understand why a sponsor's criminal background would be relevant in determining the sufficiency of the affidavit of support and whether the sponsor has demonstrated sufficient income to maintain the intending immigrants.</p> <p><b>Recommendation:</b> Move this section back to where it is also covered in Page 15 under Processing Information. Strike the words "including "a check of criminal history records maintained by the Federal Bureau of Investigation (FBI), before making a decision on your application, petition, or request."</p>	
	<p><b>Issue 7: I-864 INS</b>  <b>General Instructions; Copies</b></p> <p><i>Page 3, Note</i></p> <p><b>Discussion:</b> The proposed language would add the following language: "If you submit original documents when not required or requested by USCIS, <b>your original documents may be immediately destroyed upon receipt.</b>" (emphasis in the original) CLINIC questions the need for the agency to "immediately destroy" original documents that are inadvertently submitted in lieu of copies. Such action seems unnecessarily punitive.</p>	<p><b>Response:</b> The Government Paperwork Elimination Act (GPEA), 44 U.S.C. 3505, provides that, when possible Federal agencies use electronic means to conduct agency business with the public. To facilitate electronic adjudication and digitizing of files, USCIS has decided to destroy all original documents upon intake after the filing has been electronically stored. To reduce burden and costs, unrequested original documents will be destroyed after digital storage. In addition, the National Archives and Records Administration's (NARA) permanent record standards require that USCIS streamline its process for digitizing records and the NARA standard for scanning permanent records, authorizes agencies to destroy certain records that do not "have sufficient administrative, legal, research, or other value to warrant their continued preservation by the Government." <i>See</i> 44 U.S.C. §3303a(a). Once</p>

*Supporting Statement Appendix A: Comment Responses*  
**Form I-864 Form Series Revision Package**

	<p><b>Recommendation:</b> We encourage the USCIS to strike the proposed language and retain the current language and warning against submission of original documents: <i>If you submit original documents when not required, the documents may retain a part of the record, and USCIS will not automatically return them to you.</i></p>	<p>approved by NARA, retention periods in the schedules are mandatory and authorize the disposal of unneeded records.</p> <p>These instructions place sponsors on notice that if original documents are submitted when not required or requested by USCIS, there is a possibility that they may be destroyed. To mitigate concerns hard to replace original document, such as passports, foreign government documents, or documents issued by a foreign governments, will be returned after they are electronically stored. Non-originals or originals that are not considered difficult to replace will be shredded.</p>
	<p><b>Issue 8: I-864 INS          Specific Instructions; Current Annual Household Income</b></p> <p><i>Page 8, Part 6, Items Numbers 8-12</i></p> <p><b>Discussion:</b> In the paragraph numbered 2 it states "If you included the income of the intending immigrant who is your spouse...the intending immigrant must provide evidence that he or she is living in your residence." This is in error. If the intending immigrant is the spouse, that person does not need to be residing with the sponsor in order to count their income. See 8 CFR § 213a(c)(2)(i)(C)(5). In other sections of the Instructions, it is stated correctly, that the intending immigrant spouse does not need to reside with the sponsor in order to count his or her income. See page 12, What if I Cannot Meet the Income Requirements? and Can the Intending Immigrant Help Me Meet the Income Requirements?</p> <p><b>Recommendation:</b> Strike the words: "and the intending immigrant must provide evidence that he or she is living in your residence."</p>	<p><b>Response:</b> USCIS accepts the recommended edit and has deleted the language.</p>

*Supporting Statement Appendix A: Comment Responses*  
**Form I-864 Form Series Revision Package**

	<p><b>Issue 9: I-864 INS</b>  <b>Specific Instructions; Federal Income Tax Return Information</b></p> <p><i>Page 9, Item Numbers 23.a- 25. Federal Income Tax Return Information</i></p> <p><b>Discussion:</b> The third paragraph on page 9 begins with the sentence: "To rely on income for any given year, you must submit an IRS transcript or copy of your Federal individual income tax return for that year." This is both confusing and inaccurate. The test of whether the sponsor has the means to maintain the intending immigrant(s) at 125 percent of the poverty line is determined by his or her current individual annual income. See Instructions at Part 6, Item Number 7, page 8. It states to enter "your expected income for the current year." This means that the sponsor must calculate how much money he or she is anticipating earning for the calendar year "in which the intending immigrant filed the application for an immigrant visa or adjustment of status." See 8 CFR §213a.2(c)(2)(ii)(A), (C). The income reported on prior tax returns is helpful and instructive, since it may show financial stability. The income reported on prior years' tax returns is particularly relevant if the current estimated income is <i>more</i> than what was reported on last year's federal income tax return. In that case, and especially if the income reported on last year's tax return is less than the 125 percent of poverty requirement, the sponsor should back up the estimate of current income with an employer's letter, pay stubs, and tax returns from the prior three years (not just the prior tax year). If the current income and the income reported on last year's income tax return are both above the 125 percent of poverty level, the sponsor has</p>	<p><b>Response:</b> In this instruction, USCIS means to convey that if a sponsor would like to have past income considered as part of the I-864 submission, then he or she must submit a copy of the tax return or IRS transcript showing that income. USCIS has edited the language in this instruction to better convey this meaning.</p>
--	---	---

*Supporting Statement Appendix A: Comment Responses*  
**Form I-864 Form Series Revision Package**

	<p>satisfied the financial requirement and should not need to include additional supporting documentation. The sponsor is required to include a tax return for the prior tax year, assuming he or she had a tax liability. See page 13, "The petitioning sponsor must also provide his or her federal income tax return for the most recent tax year with supporting tax documents unless otherwise not required to file a Federal income tax return for the most recent tax year." Therefore to state that the sponsor must submit a tax return for the <i>current</i> year he or she is estimating and relying on income is inconsistent and impossible, since federal tax returns are filed the year <i>after</i> the current calendar year ends. And to imply that the sponsor would be relying on income reported on a prior calendar year runs counter to the regulations, the I-864, and the instructions on how to measure current individual annual income.</p> <p><b>Recommendation:</b> Strike the sentence: "To rely on income for any given year, you must submit an IRS transcript or copy of your Federal individual income tax return for that year."</p>	
	<p><b>Issue 10: I-864 INS  Specific Instructions, Part 7, Use of Assets</b></p> <p><i>Page 10, Part 7, Item Number 10, Total Value of Assets</i></p> <p><b>Discussion:</b> In this paragraph it states "if you are a U.S. citizen and you are sponsoring your spouse or minor child, the total value of your assets must only be equal to at least three times the difference." This is in error. The sponsor's assets must be three times the shortfall in income if he or she is a U.S. citizen and petitioning a spouse or <i>child age 18 years or older</i>. See 8 CFR §213a.2(c)(iii)(B)(I).</p>	<p><b>Response:</b> USCIS has accepted the recommended edit and made the change to the I-864 Instructions.</p>



*Supporting Statement Appendix A: Comment Responses*  
**Form I-864 Form Series Revision Package**

	<p><b>Recommendation:</b> Change the words "spouse or minor child" to <i>spouse or child 18 years or older</i>.</p>	
	<p><b>Issue 11: Form I-864A</b>  <b>Your Federal Income Tax Information and Assets</b></p> <p><i>Page 2, Part 4, Question 1.a and 1.b</i></p> <p><b>Discussion:</b> CLINIC commends the USCIS for making the proposed changes regarding Questions #1.a and 1.b so that the sponsor can correctly indicate whether he or she has filed income tax returns for the prior three years and then can also state whether he or she is electing to attach copies of the second and third most recent tax year. However, the USCIS has failed to propose deleting the box and optional election language that comes after Questions #2.c. As proposed, this language appears twice.</p> <p><b>Recommendation:</b> Delete the second box and paragraph beginning with "(Optional)" after Part 4 #2.c. because it is stated already after #1.b.</p>	<p><b>Response:</b> USCIS agrees with the recommendation and has deleted the second occurrence of this language.</p>
	<p><b>Issue 12: Form I-864A</b>  <b>Part 5, Sponsor's Promise</b></p> <p><i>Page 4, Part 5, Question 27</i></p> <p><b>Discussion:</b> CLINIC commends the USCIS for improving the language.</p>	<p><b>Proposed Response:</b> USCIS thanks the commenter for their comment.</p>
	<p><b>Issue 13: Form I-864A</b>  <b>Part 6, Your Household Member's Statement</b></p>	<p><b>Proposed Response:</b> USCIS thanks the commenter for their comment.</p>

*Supporting Statement Appendix A: Comment Responses*  
**Form I-864 Form Series Revision Package**

	<p><i>Page 5, Part 6, Question 1.b. and 2.</i></p> <p><b>Discussion:</b> CLINIC commends the USCIS for improving the language.</p>	
	<p><b>Issue 14: I-864A INS Who May Be Considered a Household Member for Purposes of Form I-864A?</b></p> <p><i>Page 1</i></p> <p>Discussion: CLINIC commends the USCIS for deleting the language indicating that the household member must be a U.S. citizen, LPR, or U.S. national. The language in the current Instructions is wrong. See 8 CFR §213a.2(c)(2)(i)(C)(I). There is no statutory or regulatory requirement that the household member has to have any U.S. citizenship or lawful immigration status, and the proposed language remedies that error.</p>	<p><b>Proposed Response:</b> USCIS thanks the commenter for their comment.</p>
	<p><b>Issue 15: I-864A INS General Instructions, Signature</b></p> <p><i>Page 2, General Instructions, Signature</i></p> <p><b>Discussion:</b> The proposed language is: "If you are filing this contract electronically when authorized, USCIS will accept your signature in an electronic format." CLINIC commends the USCIS for not requiring a "wet" signature. This conforms with the State Department's current practice.</p>	<p><b>Proposed Response:</b> USCIS thanks the commenter for their comment.</p>
	<p><b>Issue 16: I-864A INS General Instructions; Biometric Services Appointment</b></p>	<p><b>Response:</b> While it happens infrequently, 8 CFR 103.2(b)(9) allows USCIS to call a sponsor for interview and biometrics. USCIS feels that including this language in the instructions puts sponsors on notice</p>

*Supporting Statement Appendix A: Comment Responses*  
**Form I-864 Form Series Revision Package**

	<p><i>Page 2, General Instructions, Biometric Services Appointment</i></p> <p><b>Discussion:</b> The current Instructions do not contain any advisal that the household member may be required to attend an interview or submit to fingerprints. Nor does it contain language that the household member may be subjected to "a check of criminal history records maintained by the Federal Bureau of Investigation (FBI), before making a decision on your application, petition, or request." As already stated above in reference to the Instructions for the I-864, the affidavit of support is not an "application, petition, or request." By calling it something it is not, the USCIS is implying that this is simply boilerplate language meant to cover various forms and situations. Second, during the last twenty years of enforcement of the affidavit of support, the household member have almost never been required to appear in person at an adjustment of status or immigrant visa interview. Therefore, CLINIC believes that it is not necessary to add this language. We believe it would have the effect of intimidating potential household members and discouraging them from participating in the process. Third, CLINIC does not understand why a household member's criminal background would be relevant in determining the sufficiency of the affidavit of support and whether the sponsor has demonstrated sufficient income to maintain the intending immigrants.</p> <p><b>Recommendation:</b> Delete this entire section.</p>	<p>that such an appointment is a possibility.</p>
	<p><b>Issue 17: I-864A INS General Instructions; Copies</b></p> <p><i>Page 3, Note</i></p>	<p><b>Response:</b> The Government Paperwork Elimination Act (GPEA), 44 U.S.C. 3505, provides that, when possible Federal agencies use electronic means to conduct agency business with the public. To facilitate electronic adjudication and digitizing of files, USCIS has</p>

*Supporting Statement Appendix A: Comment Responses*  
**Form I-864 Form Series Revision Package**

	<p><b>Discussion:</b> The proposed language would add the following language: "If you submit original documents when not required or requested by USCIS, <b>your original documents may be immediately destroyed upon receipt.</b>" CLINIC questions the need for the agency to "immediately destroy" original documents that are inadvertently submitted in lieu of copies. Such action seems unnecessarily punitive.</p> <p><b>Recommendation:</b> We encourage the USCIS to strike the proposed language and retain the current language and warning against submission of original documents: <i>If you submit original documents when not required, the documents may remain a part of the record, and USCIS will not automatically return them to you.</i></p>	<p>decided to destroy all original documents upon intake after the filing has been electronically stored. To reduce burden and costs, unrequested original documents will be destroyed after digital storage. In addition, the National Archives and Records Administration's (NARA) permanent record standards require that USCIS streamline its process for digitizing records and the NARA standard for scanning permanent records, authorizes agencies to destroy certain records that do not "have sufficient administrative, legal, research, or other value to warrant their continued preservation by the Government." <i>See</i> 44 U.S.C. §3303a(a). Once approved by NARA, retention periods in the schedules are mandatory and authorize the disposal of unneeded records.</p> <p>These instructions place sponsors on notice that if original documents are submitted when not required or requested by USCIS, there is a possibility that they may be destroyed. To mitigate concerns hard to replace original document, such as passports, foreign government documents, or documents issued by a foreign governments, will be returned after they are electronically stored. Non-originals or originals that are not considered difficult to replace will be shredded.</p>
	<p><b>Issue 18: I-864A INS          Specific Instructions; Federal Income Tax Information and Assets</b></p> <p><i>Page 5, Part 4, Your Federal Income Tax Return Information and Assets</i></p> <p><b>Discussion:</b> The sixth paragraph on page 5 begins with the sentence: "To rely on income for any given year, you must submit an IRS transcript or copy of your Federal individual income tax return for that year." This is confusing, inaccurate, and impossible. Please see discussion of this</p>	<p><b>Response:</b> In this instruction, USCIS means to convey that if a sponsor would like to have past income considered as part of the I-864A submission, then he or she must submit a copy of the tax return or IRS transcript showing that income. USCIS has edited the language in this instruction to better convey this meaning.</p>

*Supporting Statement Appendix A: Comment Responses*  
**Form I-864 Form Series Revision Package**

	<p>same issue above regarding the Instructions for the I-864.</p> <p><b>Recommendation:</b> Delete this sentence.</p>	
	<p><b>Issue 19: I-864A INS          Specific Instructions; Current Information, Declaration, and          Signature</b></p> <p><i>Page 7, Part 8, Item Numbers 1.a- 8.b.</i></p> <p><b>Discussion:</b> The proposed language states that "If the person who helped you prepare your contract is an attorney or accredited representative, he or she must also submit a completed G-28..." However, the sentence fails to state that this only applies if the representation will extend beyond the preparation of the contract. This is now standard language in almost all petitions and applications.</p> <p><b>Recommendation:</b> Add the following language at the end of the last sentence in that paragraph: <i>if his or her representation extends beyond preparation of this contract.</i></p>	<p><b>Response:</b> USCIS agrees that the standard language should be consistent across forms and has edited the paragraph accordingly.</p>
	<p><b>Issue 20: I-864A INS          Address Change and Penalties</b></p> <p><i>Page 8-9, Address Change and Penalties</i></p> <p><b>Discussion:</b> In the first paragraph it states "A sponsor who is not a U.S. citizen must inform the users of his or her new address within 10 days of moving..." It goes on to state that the person must complete a Form I-865. On Page 9, second and third paragraphs, it states what the civil penalty is for sponsors who fail to provide a change of address form. But the I-864A is used by household members, not sponsors.</p>	<p><b>Response:</b> Both the sponsor and the household member that signs the I-864A have a support obligation that is enforceable once signed and accepted by the adjudicating officer. Therefore they are both parties to this contract. All the penalties as listed on the form apply to at least one of the signatories to this contract, therefore, the language will be retained.</p>

*Supporting Statement Appendix A: Comment Responses*  
**Form I-864 Form Series Revision Package**

	<p>This requirement is limited to sponsors and is stated plainly in the statutory and regulatory provisions cited in this section: 8 USC § 1183a(d) and 8 CFR §213a.3. Household members are very distinct from sponsors in terms of the eligibility and liability requirements. They are not subject to address change reporting requirements.</p> <p><b>Recommendation:</b> Strike all language pertaining to change of address requirements and penalties.</p>	
	<p><b>Issue 21: I-864EZ INS</b>  <b>General Instructions, Biometric Services Appointment</b></p> <p><i>Page 3, Biometric Services Appointment</i></p> <p><b>Discussion:</b> See discussion and recommendation above with the Instructions for the I-864 regarding the insertion of this language.</p>	<p><b>Response:</b> While it happens infrequently, 8 CFR 103.2(b)(9) allows USCIS to call a sponsor for interview and biometrics. USCIS feels that including this language in the instructions puts sponsors on notice that such an appointment is a possibility.</p>
	<p><b>Issue 22: I-864EZ INS</b>  <b>General Instructions, Copies</b></p> <p><i>Page 3, Copies, Note</i></p> <p><b>Discussion:</b> See discussion and recommendation above with the Instructions for the I-864 regarding the insertion of this language.</p>	<p><b>Response:</b> The Government Paperwork Elimination Act (GPEA), 44 U.S.C. 3505, provides that, when possible Federal agencies use electronic means to conduct agency business with the public. To facilitate electronic adjudication and digitizing of files, USCIS has decided to destroy all original documents upon intake after the filing has been electronically stored. To reduce burden and costs, unrequested original documents will be destroyed after digital storage. In addition, the National Archives and Records Administration’s (NARA) permanent record standards require that USCIS streamline its process for digitizing records and the NARA standard for scanning permanent records, authorizes agencies to destroy certain records that do not “have sufficient administrative, legal, research, or other value to warrant their continued preservation by the Government.” See 44 U.S.C. §3303a(a). Once approved by NARA, retention periods in the schedules are</p>

*Supporting Statement Appendix A: Comment Responses*  
**Form I-864 Form Series Revision Package**

		<p>mandatory and authorize the disposal of unneeded records.</p> <p>These instructions place sponsors on notice that if original documents are submitted when not required or requested by USCIS, there is a possibility that they may be destroyed. To mitigate concerns hard to replace original document, such as passports, foreign government documents, or documents issued by a foreign governments, will be returned after they are electronically stored. Non-originals or originals that are not considered difficult to replace will be shredded.</p>
	<p><b>Issue 23: I-864W INS</b>  <b>General Instructions, Biometric Services Appointment</b></p> <p><i>Page 3, Biometric Services Appointment</i></p> <p><b>Discussion:</b> See discussion above with the Instructions for the I-864 regarding the insertion of this language. This language is particularly inappropriate for the person completing and signing the I-864W. This form is completed by persons who are not required to complete an I-864 because they are: (1) a person who has earned or can be credited with 40 qualifying quarters of Social Security coverage; (2) a child who will be deriving citizenship upon being granted LPR status; (3) a widow(er); or (4) a victim of domestic violence. These persons are already required to appear for an interview on their application for adjustment of status or an immigrant visa and are already required to submit biometrics. This language warning them that by submitting an I-864W they are potentially subjecting themselves to an interview and biometrics is both superfluous and confusing.</p> <p><b>Recommendation:</b> Delete this paragraph.</p>	<p><b>Response:</b> USCIS agrees that this section is not needed, given that the person signing/submitting this form is the applicant for adjustment of status or consular processing.</p>

**Supporting Statement Appendix A: Comment Responses**  
**Form I-864 Form Series Revision Package**

	<p><b>Issue 24: I-864W INS</b>  <b>Address Change and Penalties</b></p> <p><i>Page 5-6, Address Change and Penalties</i></p> <p><b>Discussion:</b> In the first paragraph under Address Change on page 5 it states "A sponsor who is not a U.S. citizen must inform the users of his or her new address within 10 days of moving..." It goes on to state that the person must complete a Form I-865. On Page 6 under Penalties, in the third and fourth paragraphs, it states what the civil penalty is for sponsors who fail to provide a change of address form. But the I-864W is used by intending immigrants who are exempted from filing an affidavit of support. These people are not sponsors. The citation to that statutory and regulatory provisions 8 USC § 1183a(d) and 8 CFR § 2T3a.3 are clearly-inapplicable. Intending immigrants are very distinct from sponsors and do not have change of address reporting requirements.</p> <p><b>Recommendation:</b> Strike all language pertaining to change of address requirements and penalties.</p>	<p><b>Response:</b> USCIS agrees that this section is not needed, given that the person signing/submitting this form is the applicant for adjustment of status or consular processing.</p>
<p><b>Comment 2</b></p>	<p><b>Commenter:</b> Jean Publiee</p>	
	<p><b>Comment:</b> america needs to do away with this form because the alleged "sponsors" are not living up to what they told the us govt and its taxpaeyrs that they would support the immigrants coming into this country. i amin favor or not allowing this anymore. w don not need to allow immigrants to come into this country under this fakery and falsity anymore. the entire system is being criminally abused. it therefore needs shutdown. those who are here who are foreigners are using this fakery to bring in those</p>	<p><b>Response:</b> As the commenter did not provide any substantive recommendations for changing the form or instructions, USCIS will not make any changes to information collection as a result of this comment.</p>



*Supporting Statement Appendix A: Comment Responses*  
**Form I-864 Form Series Revision Package**

<p>who they tell us they will support, but that alleged support vanishes immediately. the person brought in applies for every welfare program going and looks for rent, food money, freebies, free medical care, free education and they are a burden on the us economy. we do not need this burden on american taxpayers, who are being played for suckers by the foreigners who flock in here in overwhelming numbers. doo you think they would flock here if we offered them nothing. you bet they would not. they flock here to see what they can get. our american tax dollars should be going to american citizens. in fact, nothing goes to american citizens anymore, it is all being taken away. oru spots in colleges are being taken by foreigners, our free medicla care is vanishgin because the centers are flooded with illegal immigrants who have no right to be in this ocuntry in the first place. our elementary schools, american taxpayers are having to pay \$25,000 a year for the free seats that these illegal immigrants cause. why shoudl america taxpayers be paying \$25,000 a year for illegal immigrant sto be in our schools when we need that money to take care of our own kids. we are beiong gouged into povery by the costs brought on by these illegal imigrants. stop this cirriminal hosing of americans by these liars. they lie extensively,e very time you look into their stories you find out they are rehearsed and complete lies. total lies.</p>	
---	--