



Instructions for Affidavit of Support Under Section 213A of the INA

Department of Homeland Security
U.S. Citizenship and Immigration Services

USCIS
Form I-864
OMB No. 1615-0075
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What is the Purpose of Form I-864?

This affidavit is required for most family-based immigrants and some employment-based intending immigrants to show that they have adequate means of financial support and are not likely to become a public charge.

How is Form I-864 Used?

This affidavit is a contract between a sponsor and the U.S. Government. Completing and signing Form I-864 makes you the sponsor. You must show on this affidavit that you have enough income and/or assets to maintain the intending immigrants and the rest of your household at 125 percent of the Federal Poverty Guidelines. By signing Form I-864, you are agreeing to use your resources to support the intending immigrants named in this affidavit, if it becomes necessary.

The submission of this affidavit may make the sponsored immigrant ineligible for certain Federal, state, or local means-tested public benefits, because an agency that provides means-tested public benefits will consider your resources and assets as available to the sponsored immigrant when determining his or her eligibility for the program.

If the immigrant sponsored in this affidavit does receive one of the designated Federal, state or local means-tested public benefits, the agency providing the benefit may request that you repay the cost of those benefits. That agency can sue you if the cost of the benefits provided is not repaid.

Not all benefits are considered as means-tested public benefits. See Form I-864P, Poverty Guidelines, for more information on which benefits are covered by this definition, or the contract in **Part 8. Sponsor's Contract, Statement, Contact Information, Declaration, Certification, and Signature** of Form I-864 for a list of benefits explicitly not considered means-tested public benefits.

Who Needs to Submit Form I-864?

The following immigrants are required by law to submit Form I-864 completed by the petitioner to obtain an immigrant visa overseas or to adjust status to that of a lawful permanent resident in the United States:

1. All immediate relatives of U.S. citizens (spouses, unmarried children under 21 years of age, and parents of U.S. citizens 21 years of age and older);
2. All family-based preference immigrants (unmarried sons and daughters of U.S. citizens, spouses and unmarried sons and daughters of lawful permanent residents, married sons and daughters of U.S. citizens, and brothers and sisters of U.S. citizens 21 years of age and older); and
3. Employment-based preference immigrants in cases only when a U.S. citizen, lawful permanent resident, or U.S. national relative filed the immigrant visa petition or such relative has a significant ownership interest (five percent or more) in the entity that filed the petition.

Are There Exceptions to Who Needs to Submit Form I-864?

The following types of intending immigrants do not need to file Form I-864:

1. Any intending immigrant who has earned or can receive credit for 40 qualifying quarters (credits) of work in the United States. In addition to their own work, intending immigrants may be able to secure credit for work performed by a spouse during marriage and by their parents while the immigrants were under 18 years of age. The Social Security Administration (SSA) can provide information on how to count quarters of work earned or credited and how to provide evidence of such. See the SSA website at <https://www.ssa.gov/myaccount/> for more information;
2. Any intending immigrant who will, upon admission, acquire U.S. citizenship under section 320 of the Immigration and Nationality Act (INA), as amended by the Child Citizenship Act of 2000 (CCA);
3. Self-petitioning widows or widowers who have an approved Form I-360, Petition for Amerasian, Widow(er), or Special Immigrant; and
4. Self-petitioning battered spouses and children who have an approved Form I-360.

NOTE: If you qualify for one of the exemptions listed above, submit Form I-864W, Intending Immigrant's Affidavit of Support Exemption, instead of Form I-864.

General Instructions

U.S. Citizenship and Immigration Services (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.

Signature. Each affidavit must be properly signed and filed. For all signatures on this affidavit, USCIS will not accept a stamped or typewritten name in place of a signature. You must be at least 18 years of age to act as a sponsor and sign Form I-864. A legal guardian may also sign for a mentally incompetent person.

If you are under guardianship, your legal guardian may print your name and sign Form I-864 for you. "Legal guardian" includes any person who is appointed and authorized by law to protect your estate as a result of your incapacity. The legal guardian must present proof of the appointment as legal guardian of your estate and a copy of an order from the appointing court or agency specifically permitting the guardian to make your income and assets available for the support of the sponsored immigrant.

Filing Fee. There is no filing fee to file Form I-864 with USCIS. For information on processing fees when filing with the U.S. Department of State (DOS), see www.travel.state.gov.

Evidence. At the time of filing, you must submit all evidence and supporting documentation listed in the **Specific Instructions** and **Specific Requirements** sections of these Instructions.

Biometric Services Appointment. USCIS may require that you appear for an interview or provide fingerprints, photograph, and/or signature at any time to verify your identity, obtain additional information, and conduct background and security checks, 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. After USCIS receives your contract and ensures it is complete, we will inform you in writing if you need to attend a biometric services appointment. If an appointment is necessary, the notice will provide you the location of your local or designated USCIS Application Support Center (ASC) and the date and time of your appointment or, if you are currently overseas, instruct you to contact a U.S. Embassy, U.S. Consulate, or USCIS office outside the United States to set up an appointment.

If you are required to provide biometrics, at your appointment you must sign an oath reaffirming that:

1. You provided or authorized all information in the affidavit;
2. You reviewed and understood all of the information contained in, and submitted with, your affidavit; and
3. All of this information was complete, true, and correct at the time of filing.

Copies. You should submit legible photocopies of documents requested, unless the Instructions specifically state that you must submit an original document. USCIS may request an original document at the time of filing or at any time during processing of an application, petition, or request. If USCIS requests an original document from you, it will be returned to you after USCIS determines it no longer needs your original.

NOTE: If you submit original documents when not required or requested by USCIS, **your original documents may be immediately destroyed upon receipt.**

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. The Department of Homeland Security (DHS) recommends the certification contain the translator's printed name and the date and the translator's contact information.

How to Fill Out Form I-864

1. Type or print legibly in black ink.
2. If you need extra space to complete any item within this affidavit, use the space provided in **Part 11. Additional Information** or attach a separate sheet of paper; type or print your name and Alien Registration Number (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.
3. Answer all questions fully and accurately. If a question does not apply to you (for example, if you have never been married and the question asks "Provide the name of your current spouse"), type or print "N/A," unless otherwise directed. If your answer to a question which requires a numeric response is zero or none (for example, "How many children do you have" or "How many times have you departed the United States"), type or print "None," unless otherwise directed.

Specific Instructions

Part 1. Basis for Filing Affidavit of Support

Provide your full name (the sponsor) in the space provided, then select the **Item Number** that reflects your basis for filing Form I-864.

Item Number 1.a. Select this box if you are the petitioner who is filing or who has already filed Form I-129F, Petition for Alien Fiancé(e), for a fiancé(e); Form I-130, Petition for Alien Relative, for a family member; Form I-600, Petition to Classify Orphan as an Immediate Relative, for an orphan; or Form I-800, Petition to Classify Convention Adoptee as an Immediate Relative, for a convention adoptee.

Item Number 1.b. Select this box if you are filing or have filed Form I-140, Immigrant Petition for Alien Worker, for your husband, wife, father, mother, child, adult son or daughter, brother, or sister and indicate your relationship to the beneficiary in the space provided.

Item Number 1.c. Select this box if you have an ownership interest of at least five percent in a business, corporation, or other entity that filed or is filing Form I-140 for your husband, wife, father, mother, child, adult son or daughter, brother, or sister. Indicate the name of the business you have an ownership interest in, and your relationship to the beneficiary in the spaces provided.

Item Number 1.d. Select this box if you are the only joint sponsor.

Item Number 1.e. Select this box if you are either of two joint sponsors.

NOTE: A joint sponsor does not have to be related to the intending immigrant. Indicate whether you are the only joint sponsor or one of two joint sponsors. Check with the petitioning sponsor or the intending immigrant if you are not certain.

Item Number 1.f. Select this box if you are the substitute sponsor. A substitute sponsor is a sponsor who is completing Form I-864 on behalf of an intending immigrant whose original Form I-130 petitioner has died after the Form I-130 was approved, but before the intending immigrant obtained lawful permanent residence. The substitute sponsor must be related to the intending immigrant in one of the following ways: spouse, parent, mother-in-law, father-in-law, sibling, child (at least 18 years of age), son, daughter, son-in-law, daughter-in-law, brother-in-law, sister-in-law, grandparent, grandchild, or legal guardian. The substitute sponsor must also be a U.S. citizen, lawful permanent resident, or U.S. national. If you are a substitute sponsor, you must sponsor each intending immigrant.

Part 2. Information About the Principal Immigrant

The principal immigrant is the intending immigrant who is the primary beneficiary of the visa petition.

Item Numbers 1.a. - 1.c. Name. Provide the full name of the principal immigrant.

Item Numbers 2.a. - 2.i. Mailing Address. Provide the mailing address of the principal immigrant.

Item Number 3. Country of Citizenship or Nationality. Provide the country of citizenship or nationality of the principal immigrant.

Item Number 4. Date of Birth. Provide the date of birth of the principal immigrant in mm/dd/yyyy format.

Item Number 5. Alien Registration Number (A-Number) (if any). An Alien Registration Number (A-Number) is a number assigned by the former Immigration and Naturalization Service (INS) or U.S. Citizenship and Immigration Services (USCIS). People with A-Numbers can locate the number on their INS or USCIS-issued documentation. If the intending immigrants you are sponsoring have not previously been in the United States or have only been in the United States as tourists, they may not have A-Numbers.

Item Number 6. USCIS Online Account Number (if any). If you have previously filed an application, petition, or request using the USCIS online filing system (previously called USCIS Electronic Immigration System (USCIS ELIS)), provide the USCIS Online Account Number you were issued by the system. You can find your USCIS Online Account Number by logging in to your account and going to the profile page. If you previously filed certain applications, petitions, or requests on a paper form via a USCIS Lockbox facility, you may have received a USCIS Online Account Access Notice issuing you a USCIS Online Account Number. If you received such a notice, your USCIS Online Account Number can be found at the top of the notice. If you 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 Number 7. Daytime Telephone Number. Provide a daytime telephone number with area code for the principal immigrant.

Part 3. Information About the Immigrants You Are Sponsoring

Item Number 1. Indicate whether you are sponsoring the principal immigrant listed in **Part 2.** of Form I-864. Select “No” if you are sponsoring only intending immigrants listed in **Part 3., Item Numbers 4.a. - 28.** and (if applicable) in **Part 11. Additional Information,** and not the principal immigrant listed in **Part 2.** This only applies if you are sponsoring family members in **Part 3.** and **Part 11. Additional Information,** as the second joint sponsor.

Item Number 2. Family Members Immigrating Within Six Months. The immigrant you are sponsoring (the principal immigrant) may bring a spouse and/or children to the United States. If the spouse and/or children will travel with the principal immigrant, or within six months of the principal immigrant's entry into the United States and you are sponsoring them, you should list the names and other requested information in the spaces provided in **Item Number 2**. If any dependents are not immigrating, will immigrate more than six months after the principal immigrant arrives in the United States, or you are not sponsoring them, then do not list their names here. A separate Form I-864 is required for them when they apply for their immigrant visas.

Item Numbers 4.a. - 28. Family Members Immigrating More Than Six Months After the Principal Immigrant. If you are filing this Form I-864 for the principal immigrant's family members who are immigrating more than six months after the principal immigrant, you should list the names and other requested information in the spaces provided in **Item Numbers 4.a. - 28**.

Item Number 29. Type or print the total number of immigrants you are sponsoring on this affidavit from **Item Numbers 1.a. - 28.**, including any immigrants listed for these questions in **Part 11. Additional Information**.

Part 4. Information About You (Sponsor)

Item Numbers 1.a. - 1.c. Sponsor's Full Name. Provide your (the sponsor's) full name.

Item Numbers 2.a. - 3. Sponsor's Mailing Address. Provide your (the sponsor's) current mailing address.

Item Numbers 4.a. - 4.h. Sponsor's Physical Address. Provide the physical address where you (the sponsor) live, if different from your mailing address.

Item Number 5. Country of Domicile. Indicate the country where you maintain your principal residence and where you plan to reside for the foreseeable future. If your mailing address and/or place of residence is not in the United States, but your country of domicile is the United States, you must attach a typed or printed explanation and documentary evidence indicating how you meet the domicile requirement. If you are not currently living in the United States, you may meet the domicile requirement if you can submit evidence to establish that any of the following conditions apply:

1. You are employed by a certain organization.

Some individuals employed overseas are automatically considered as domiciled in the United States because of the nature of their employment. The qualifying types of employment include employment by:

- A.** The U.S. Government;
- B.** An American institution of research recognized by the Secretary of Homeland Security (you may find the list of qualifying institutions at 8 CFR 316.20);
- C.** A U.S. firm or corporation engaged in whole or in part in the development of foreign trade and commerce with the United States, or a subsidiary of such a firm or corporation;
- D.** A public international organization in which the United States participates by treaty or statute;
- E.** A religious denomination having a bona fide organization in the United States, if the employment abroad involves the person's performance of priestly or ministerial functions on behalf of the denomination; or
- F.** A religious denomination or interdenominational missionary organization having a bona fide organization in the United States, if the person is engaged solely as a missionary.

2. You are living abroad temporarily.

If you are not currently living in the United States, you must provide proof that your trip abroad is temporary and that you have maintained your domicile in the United States. Examples of proof include:

- A.** Your voting record in the United States;
- B.** Records of paying U.S. state or local taxes;

- C. Having property in the United States;
- D. Maintaining bank or investment accounts in the United States;
- E. Having a permanent mailing address in the United States; or
- F. Other proof such as evidence that you are a student studying abroad or that a foreign government has authorized a temporary stay.

3. You intend in good faith to reestablish your domicile in the United States no later than the date of the intending immigrant's admission or adjustment of status.

Item Number 6. Date of Birth. Provide your date of birth in the mm/dd/yyyy format.

Item Numbers 7. - 9. Location of Birth. Provide the city or town, state or province, and country of your birth.

Item Number 10. U.S. Social Security Number (Required). INA Section 213A(i) requires you to include your U.S. Social Security Number on Form I-864. If you do not have a U.S. Social Security Number, you must obtain one before submitting Form I-864. If you do not provide your information, USCIS cannot accept your Form I-864, and the intending immigrants may not immigrate to the United States. USCIS may use your U.S. Social Security Number to verify and, if necessary, to enforce your obligations under Form I-864.

Item Numbers 11.a. - 11.c. Citizenship or Residency. You must provide proof that you are a U.S. citizen, U.S. national, or lawful permanent resident for joint and substitute sponsors and for relatives of employment-based immigrants who file Form I-864. Petitioning relatives who have already filed proof of their citizenship or immigration status with Form I-129F, Form I-130, Form I-600, or Form I-600A do not need to submit proof of their status with this affidavit.

1. Proof of U.S. citizen or U.S. national status includes a copy of your birth certificate, certificate of naturalization, certificate of citizenship, consular report of birth abroad to U.S. citizen parents, or a copy of the biographic data page of your U.S. passport.
2. Proof of lawful permanent resident status includes a photocopy of both sides of the Permanent Resident Card or Alien Registration Receipt Card (Form I-551), or a photocopy of an unexpired temporary Form I-551 stamp in either a foreign passport or DHS Form I-94 Arrival-Departure Record.
3. If applicable, also provide the sponsor's A-Number in **Item Number 12.**

Item Number 12. Sponsor's Alien Registration Number (if any). An Alien Registration Number (A-Number) is a number assigned by the former INS or USCIS. People with A-Numbers can locate the number on their INS or USCIS-issued documentation.

Item Number 13. Sponsor's USCIS Online Account Number (if any). If you (the sponsor) have previously filed an application, petition, or request using the USCIS online filing system (previously called USCIS Electronic Immigration System (USCIS ELIS)), provide the USCIS Online Account Number you were issued by the system. You can find your USCIS Online Account Number by logging in to your account and going to the profile page. If you previously filed certain applications, petitions, or requests on a paper form via a USCIS Lockbox facility, you may have received a USCIS Online Account Access Notice issuing you a USCIS Online Account Number. If you received such a notice, your USCIS Online Account Number can be found at the top of the notice. If you 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 Number 14. Military Service. Select "Yes" if you are the petitioning sponsor and on active duty in the U.S. Army, Marines, Navy, Air Force, or Coast Guard, other than for training. If you provide evidence that you are currently on active duty in the U.S. Armed Forces or U.S. Coast Guard and you are petitioning for your spouse and/or minor child, you will need to demonstrate income at only 100 percent of the poverty level for your household size, instead of at 125 percent of the poverty level. (See Form I-864P, Poverty Guidelines, for information on the poverty levels.) Select "No" if you are not on active duty in the U.S. Armed Forces or U.S. Coast Guard. This provision does not apply to joint and substitute sponsors.

Part 5. Sponsor's Household Size

Add together the number of persons for whom you are financially responsible. Some of these persons may not be residing with you. Make sure you do not count any individual more than once. In some cases the same person could fit into two categories. For example, your spouse, whom you would enter in **Item Number 3.**, might also be a lawful permanent resident for whom you have already sponsored using Form I-864 (**Item Number 6.**). If you included your spouse in **Item Number 3.**, do not include him or her again in **Item Number 6.**

Item Number 1. Provide the number you entered in **Part 3., Item Number 29.** If you or someone else is completing Form I-864 on a computer, this box will auto-populate.

Item Number 2. This field is auto-populated to "1."

Item Number 3. Type or print "1" if you are married. Type or print "0" if you are not married.

Item Number 4. Type or print the number of unmarried children you have who are under 21 years of age, even if you do not have legal custody of these children. You may exclude any unmarried children under 21 years of age, if these children have reached majority under the law of their place of domicile and you do not claim them as dependents on your Federal income tax returns.

Item Number 5. Type or print the number of any other dependents. You must include each and every person whom you have claimed as a dependent on your most recent Federal income tax return, even if that person is not related to you. Even if you are not legally obligated to support that person, you must include the person if, in fact, you did support that person and claimed the person as a dependent.

Item Number 6. Type or print the number of lawful permanent residents whom you are currently obligated to support based on your previous submission of Form I-864 as a petitioning, substitute, or joint sponsor, or Form I-864EZ, Affidavit of Support Under Section 213A of the INA, as a petitioning sponsor. Include only those persons who have already immigrated to the United States. Do not include anyone for whom your obligation to support has ended through the sponsored immigrant's acquisition of U.S. citizenship, death, abandonment of lawful permanent residence in the United States, acquisition of 40 quarters of earned or credited work in the United States, or obtaining a new grant of adjustment of status while in removal proceedings based on a new affidavit of support, if one is required.

Item Number 7. This question gives you the option of including certain other non-dependent relatives who are living in your residence as part of your household size. Such relatives may include your mother, father, sister, brother or adult children, if they are living in your residence. However, the only reason to include these relatives in your household size is if you need to include their income when you calculate your household income for purposes of meeting the income requirement for this affidavit. To be considered, any relative included in this category must sign and submit Form I-864A, Contract Between Sponsor and Household Member.

Item Number 8. Household Size. Add together **Part 5., Item Numbers 1. - 7.** and type or print the number in the space provided. If you or someone else is completing Form I-864 on a computer, this box will auto-populate.

Part 6. Sponsor's Employment and Income

Item Numbers 1. - 6. Sponsor's Employment. Select all the boxes that apply to you. You, as the sponsor, may not rely on a household member's income from illegal acts, such as proceeds from illegal gambling or drug sales, to meet the income requirement even if the household member paid taxes on that income.

Item Number 7. Current Individual Annual Income. Type or print your current, individual, earned or retirement, annual income that you are using to meet the requirements of this affidavit and indicate the total in the space provided.

You may include evidence supporting your claim about your expected income for the current year if you believe that submitting this evidence will help you establish ability to maintain sufficient income. You are not required to submit this evidence, however, unless specifically instructed to do so by a U.S. Government official. For example, you may include a recent letter from your employer, showing your employer's address and telephone number, and indicating your annual salary. You may also provide pay stubs showing your income for the previous six months. If your claimed income includes alimony, child support, dividend or interest income, or income from any other source, you may also include evidence of that income.

Item Numbers 8. - 22. Current Annual Household Income. This section is used to determine the sponsor's household income. If your individual annual income listed in **Item Number 7.** is greater than 125 percent (or 100 percent if you are on active duty in the U.S. Armed Forces or U.S. Coast Guard and sponsoring your spouse or child) of the Federal Poverty Guidelines for your household size from **Part 5., Item Number 8.,** you do not need to include any other household member's income. See Form I-864P for information on the Federal Poverty Guidelines.

To determine the filing requirements for your relatives included in **Part 6., Item Numbers 8. - 19.,** follow the instructions below.

1. If you included the income of your spouse listed in **Part 5., Item Number 3.,** any child listed in **Part 5., Item Number 4.,** any dependent listed in **Part 5., Item Number 5.,** or any siblings, parents, or adult children listed in **Part 5., Item Number 7.,** each one of these individuals must be over 18 years of age and must complete Form I-864A.
2. If you included the income of the intending immigrant who is your spouse (he or she would be counted in **Part 5., Item Number 1.**), you must provide evidence that his/her income will continue from the current source after obtaining lawful permanent resident status. He or she does not need to complete Form I-864A unless he or she has accompanying children.
3. If you included the income of the intending immigrant who is not your spouse, (he or she would be counted on **Part 5., Item Number 1.**), evidence that his or her income will continue from a lawful source after obtaining lawful permanent resident status must be provided and the intending immigrant must provide evidence that he or she is living in your residence. He or she does not need to complete Form I-864A, unless he or she has an accompanying spouse or children.

NOTE: If you have listed additional household members in **Part 11. Additional Information,** you must include their income and information when answering **Item Numbers 20. - 22.** when applicable.

Item Numbers 23.a. - 25. Federal Income Tax Return Information. You must provide either an Internal Revenue Service (IRS) transcript or a photocopy from your own records of your Federal individual income tax return for the most recent tax year. If you believe additional returns may help you to establish your ability to maintain sufficient income, you may submit transcripts or photocopies of your Federal individual income tax returns for the three most recent years.

You are not required to have the IRS certify the transcript or photocopy unless specifically instructed to do so by a Government official; a plain transcript or photocopy is acceptable.

Do not submit copies of your state income tax returns. **Do not** submit any tax returns that you filed with any foreign government unless you claim that you were not required to file a Federal individual income tax return with the United States Government and you wish to rely on the foreign return solely to establish the amount of your income that is not subject to tax in the United States.

If you provide a photocopy of your Federal individual income tax returns, you must include a copy of each and every Form W-2 and Form 1099 that relates to your returns. Do not include copies of these forms if you provide an IRS transcript of your Federal individual income tax returns rather than a photocopy unless you filed a joint income tax return with your spouse and are qualifying using only your income.

If you selected **Part 6., Item Number 2.** that you are self-employed, you should have completed one of the following forms with your Federal income tax return: Schedule C (Profit or Loss from Business), Schedule D (Capital Gains), Schedule E (Supplemental Income or Loss), or Schedule F (Profit or Loss from Farming). You must include each and every Form 1040 Schedule, if any, that you filed with your Federal income tax return.

As stated previously, you must submit an IRS transcript or copy of your Federal individual income tax return for the most recent tax year. If you choose to rely on income from the three most recent tax years, you must submit an IRS transcript or copy of your Federal individual income tax return. If you were required to file a Federal income tax return for that tax year but did not do so, you must file all late returns with the IRS and attach an IRS transcript or copy of your late return and submit it with Form I-864. If you were not required to file a Federal income tax return under U.S. tax law because your income was too low, attach a typed or printed explanation. If you were not required to file a Federal income tax return under U.S. tax law for any other reason, attach a typed or printed explanation including evidence of the exemption and how you are subject to it. Residence outside of the United States does not exempt U.S. citizens or lawful permanent residents from filing a U.S. Federal income tax return. See **Filing Requirements** in the IRS Form 1040 Filing Instructions to determine whether you were required to file.

For purposes of this affidavit, the line for Total Income on IRS Forms 1040 and 1040A will be considered when determining income. For persons filing IRS Form 1040 EZ, the line for adjusted gross income will be considered.

Obtaining Tax Transcripts. You may use IRS Form 4506-T to request tax transcripts from the IRS. Complete IRS Form 4506-T with the ending date for each of your three most recent tax years listed in **Item Numbers 24.a. - 24.c.** Follow all instructions for completing and filing Form 4506-T with the IRS.

NOTE: Do not leave the boxes for **Item Number 24.a.** blank. Type or print the most recent tax year and your total income for that most recent tax year. If the amount was zero, type or print “zero” or if you were not required to file a Federal income tax return type or print “N/A” for not applicable.

Part 7. Use of Assets to Supplement Income (Optional)

Only complete **Part 7.** if you need to use the value of assets to meet the income requirements. If your Current Annual Household Income (indicated in **Part 6., Item Number 15.**) is equal to or more than needed to meet the income requirement as shown by the current Federal Poverty Guidelines (Form I-864P) for your household size (indicated in **Part 5., Item Number 8.**), you do not need to complete **Part 7.** If your total household income does not meet the requirement, you may submit evidence of the value of your assets, the sponsored immigrant’s assets, and/or assets of a household member that can be used, if necessary, for the support of the intending immigrants. The value of assets of all of these persons may be combined in order to meet the necessary requirement.

Only assets that can be converted into cash within one year and without considerable hardship or financial loss to the owner may be included. The owner of the asset must include a description of the asset, proof of ownership, and the basis for the owner’s claim of its net cash value.

You may include the net value of your home as an asset. The net value of the home is the appraised value of the home, minus the sum of any and all loans secured by a mortgage, trust deed, or other lien on the home. If you wish to include the net value of your home, then you must include documentation demonstrating that you own it, a recent appraisal by a licensed appraiser, and evidence of the amount of any and all loans secured by a mortgage, trust deed, or other lien on the home. You may not include the net value of an automobile unless you show that you have more than one automobile, and at least one automobile is not included as an asset.

Item Numbers 1. - 4. Assets. To use your own assets, you must complete **Part 7., Item Numbers 1. - 4.** and submit corresponding evidence with this affidavit. Supporting evidence must be attached to establish location, ownership, date of acquisition, and value of any real estate holding.

Item Numbers 5.a. - 5.b. Household Member’s Assets. To use the assets of a relative (spouse, adult son or daughter, parent, or sibling), the relative must reside with you and have completed Form I-864A with accompanying evidence of assets. Form I-864A and accompanying evidence of assets is submitted with Form I-864. You may use the assets of more than one relative who resides with you so long as you submit a complete Form I-864A with evidence of assets for each such relative.

Item Numbers 6. - 9. Assets of the Intending Immigrant. You may use the assets of the intending immigrant regardless of where he or she resides. The intending immigrant must provide evidence of such assets with this affidavit. Add together **Item Numbers 6. - 8.** and type or print the total number in **Item Number 9.** Form I-864A is not required to document the intending immigrant's assets.

Item Number 10. Total Value of Assets. In order to qualify based on the value of your assets, the total value of your assets must equal at least five times the difference between your total household income and the current Federal Poverty Guidelines for your household size. However, if you are a U.S. citizen and you are sponsoring your spouse or child age 18 years of age or older, the total value of your assets must only be equal to at least three times the difference. If the intending immigrant is a foreign national orphan who will be adopted in the United States after he or she acquires legal permanent residence, and who will, as a result, acquire citizenship under section 320 of the INA, the total value of your assets need only equal the difference.

Example of How to Use Assets: If you are petitioning for a parent and the poverty line for your household size is \$22,062 and your current income is \$18,062, the difference between your current income and the poverty line is \$4,000. In order for assets to help you qualify, the combination of your assets, plus the assets of any household member who is signing Form I-864A, plus any available assets of the sponsored immigrant, would have to equal five times this difference (5 x \$4,000). In this case, you would meet the income requirements if the net value of the assets equaled at least \$20,000.

Part 8. Sponsor's Contract, Statement, Contact Information, Declaration, Certification, and Signature

Read the contract carefully, then sign and date the affidavit. If you do not sign and date the affidavit, the intending immigrant you are sponsoring cannot be issued a visa or be granted adjustment of status.

Item Numbers 1.a. - 6.b. Select the appropriate box to indicate whether you read this affidavit yourself or whether you had an interpreter assist you. If someone assisted you in completing the affidavit, select the box indicating that you used a preparer. Further, you must sign and date your affidavit and provide your daytime telephone number, mobile telephone number (if any), and email address (if any). Every affidavit **MUST** contain the signature of the sponsor (or parent or legal guardian, if applicable). A stamped or typewritten name in place of a signature is not acceptable.

Part 9. Interpreter's Contact Information, Certification, and Signature

Item Numbers 1.a. - 7.b. If you used anyone as an interpreter to read the Instructions and questions on this affidavit 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 affidavit.

Part 10. Contact Information, Declaration, and Signature of the Person Preparing this Affidavit, if Other Than the Sponsor

Item Numbers 1.a. - 8.b. This section must contain the signature of the person who completed your affidavit, if other than you, the sponsor. If the same individual acted as your interpreter **and** your preparer, that person should complete both **Part 9.** and **Part 10.** If the person who completed this affidavit 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 affidavit **MUST** sign and date the affidavit. A stamped or typewritten name in place of a signature is not acceptable. If the person who helped you prepare your affidavit is an attorney or accredited representative, and his or her representation extends beyond preparation of this affidavit, he or she may be obliged to also submit a completed Form G-28, Notice of Entry of Appearance as Attorney or Accredited Representative or G-28I, Notice of Entry of Appearance as Attorney In Matters Outside the Geographical Confines of the United States, along with your affidavit.

Part 11. Additional Information

Item Numbers 1.a. - 7.d. If you need extra space to provide any additional information within this affidavit, use the space provided in **Part 11. Additional Information**. If you need more space than what is provided in **Part 11.**, you may make copies of **Part 11.** to complete and file with your affidavit, 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 affidavit to review in the future and for your records.

Specific Requirements

Who Completes and Signs Form I-864?

A sponsor completes and signs Form I-864. A sponsor is required to be at least 18 years of age and domiciled in the United States, or its territories or possessions (See **Part 4. Information About You (Sponsor)** section of these Instructions for more information on domicile). The petitioning sponsor must sign and complete Form I-864, even if a joint sponsor also submits an I-864 to meet the income requirement. The list below identifies who must become sponsors by completing and signing a Form I-864, when it is required.

1. The U.S. citizen, lawful permanent resident, or U.S. national who filed Form I-129F, Petition for Alien Fiancé(e), for a fiancé(e); Form I-130, Petition for Alien Relative, for a family member; Form I-600, Petition to Classify Orphan as an Immediate Relative, for an orphan; or Form I-800, Petition to Classify Convention Adoptee as an Immediate Relative, for a Convention adoptee.
2. The U.S. citizen, lawful permanent resident, or U.S. national who filed Form I-140, Immigrant Petition for Alien Worker, for a spouse, parent, son, daughter, or sibling who:
 - A. Has a significant ownership interest (five percent or more) in the business which filed the employment-based immigrant visa petition; or
 - B. Is related to the intending immigrant as a spouse, parent, son, daughter, or sibling.

What Are the Income Requirements?

To qualify as a sponsor, you must demonstrate that your income is at least 125 percent of the current Federal Poverty Guidelines for your household size. The Federal poverty line, for purposes of this affidavit, is updated annually and can be found on Form I-864P, Poverty Guidelines, on the USCIS website at www.uscis.gov.

If you are on active duty in the U.S. Armed Forces, including the Army, Marines, Navy, Air Force, or Coast Guard, and you are sponsoring your spouse or minor child, you only need to have an income of 100 percent of the Federal Poverty Guidelines for your household size. This provision does not apply to joint or substitute sponsors.

How Do I Count Household Size?

Your household size includes yourself and the following individuals, no matter where they live: any spouse, any dependent children under 21 years of age, any other dependents listed on your most recent Federal income tax return, all persons being sponsored in this affidavit of support, and any immigrants previously sponsored with Form I-864 or Form I-864 EZ, Affidavit of Support Under Section 213A of the INA, whom you are still obligated to support. If necessary to meet the income requirements to be a sponsor, you may include additional relatives (adult children, parents, or siblings) as part of your household size as long as they have the same principal residence as you and promise to use their income and resources in support of the intending immigrants.

What if I Cannot Meet the Income Requirements?

If your income alone is not sufficient to meet the requirement for your household size, the intending immigrant will be ineligible for an immigrant visa or adjustment of status, unless the requirement can be met using any combination of the following:

1. Income from any relatives or dependents living in your household or dependents listed on your most recent Federal income tax return who signed Form I-864A, Contract Between Sponsor and Household Member;
2. Income from the intending immigrant, if that income will continue from the same source after immigration, and if the intending immigrant is currently living in your residence. If the intending immigrant is your spouse, his or her income can be counted regardless of current residence, but it must continue from the same source after he or she becomes a lawful permanent resident;
3. The value of your assets, the assets of any household member who has signed Form I-864A, or the assets of the intending immigrants; or
4. A joint sponsor whose income and/or assets equal at least 125 percent of the Federal Poverty Guidelines. (See the **What is a Joint Sponsor** section of these Instructions for more information.)

How Can My Relatives and Dependents Help Me Meet the Income Requirements?

You may use the income of your spouse and/or any other relatives living in your residence if they are willing to be jointly responsible with you for the intending immigrants you are sponsoring. If you have any unrelated dependents listed on your Federal income tax return you may include their income regardless of where they reside.

The income of such household members and dependents can be used to help you meet the income requirements if they complete and sign Form I-864A, Contract Between Sponsor and Household Member, and if they are at least 18 years of age when they sign the affidavit.

Can the Intending Immigrant Help Me Meet the Income Requirements?

If certain conditions are met, an intending immigrant's income can help you meet the income requirement. If the intending immigrant is your spouse, his or her income can be included if it will continue from the same source after he or she obtains lawful permanent resident status.

If the intending immigrant is another relative, there are two requirements:

1. The income must be continuing from the same source after he or she obtains lawful permanent resident status; and
2. The intending immigrant must currently live with you in your residence.

Evidence must be provided to support both requirements, however, an intending immigrant whose income is being used to meet the income requirement does not need to complete Form I-864A, Contract Between Sponsor and Household Member, unless the intending immigrant has a spouse and/or children immigrating with him or her. In this instance, the contract relates to support for the spouse and/or children.

Does Receipt of Means-Tested Public Benefits Disqualify Me From being a Sponsor?

No. Receipt of means-tested public benefits does not disqualify anyone from being a sponsor, however, means-tested public benefits cannot be accepted as income for the purposes of meeting the income requirement.

How Can I Use Assets to Qualify?

You may use assets to supplement income if the consular or immigration officer is convinced that the monetary value of the asset could reasonably be made available to support the sponsored immigrant and converted to cash within one year without undue harm to the sponsor or his or her family members. You may not include an automobile unless you show that you own at least one working automobile that you have not included.

What is a Joint Sponsor?

If the person who is seeking the immigration of one or more of his or her relatives cannot meet the income requirements, a joint sponsor who can meet the requirements may submit Form I-864 to sponsor all or some of the family members.

A joint sponsor can be any U.S. citizen, lawful permanent resident, or U.S. national who is at least 18 years of age, domiciled in the United States, or its territories or possessions, and willing to be held jointly liable with the petitioner for the support of the intending immigrant. A joint sponsor does not have to be related to the petitioning sponsor or the intending immigrant.

If the first joint sponsor completes Form I-864 for some rather than all the family members, a second qualifying joint sponsor will be required to sponsor the remaining family members. There may be no more than two joint sponsors. A joint sponsor must be able to meet the income requirements for all the persons he or she is sponsoring without combining resources with the petitioning sponsor or a second joint sponsor. Any dependents applying for an immigrant visa or adjustment of status more than six months after immigration of the intending immigrants must be sponsored by the petitioner but may be sponsored by an original joint sponsor or a different joint sponsor.

NOTE: Even if one or more Form I-864s are submitted for an intending immigrant, the petitioning sponsor remains legally accountable for the financial support of the sponsored immigrant along with the joint sponsors. The petitioning sponsor must complete and submit a signed Form I-864 for the intending immigrant even if a joint sponsor will be used. 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.

What Is a Substitute Sponsor?

A substitute sponsor is a sponsor who is completing Form I-864 on behalf of an intending immigrant whose original Form I-130 petitioner has died after Form I-130 was approved, but before the intending immigrant obtained legal permanent residence.

The substitute sponsor must be related to the intending immigrant in one of the following ways: spouse, parent, mother-in-law, father-in-law, sibling, child (at least 18 years of age), son, daughter, son-in-law, daughter-in-law, brother-in-law, sister-in-law, grandparent, grandchild, or legal guardian. The substitute sponsor must also be a U.S. citizen, lawful permanent resident, or U.S. national.

If you are a substitute sponsor, you must indicate that you are related to the intending immigrant in one of the ways listed above and include evidence proving that relationship. The beneficiary must also file this affidavit along with a typed or printed statement explaining the reasons why the Form I-130 visa petition should be reinstated, having been revoked following the petitioner's death. The beneficiary must also include a copy of the Form I-130 approval notice.

How Long Does My Obligation as a Sponsor Continue?

Your obligation to support the immigrants you are sponsoring in this Affidavit of Support will continue until the sponsored immigrant becomes a U.S. citizen, or can be credited with 40 qualifying quarters of work in the United States.

Although 40 qualifying quarters of work (credits) generally equates to 10 years of work, in certain cases the work of a spouse or parent adds qualifying quarters. The Social Security Administration can provide information on how to count qualifying quarters (credits) of work.

The obligation also ends if you or the sponsored immigrant dies or if the sponsored immigrant ceases to be a lawful permanent resident. Divorce does not end the sponsorship obligation.

Do I Need to Submit a Separate Affidavit for Each Family Member?

You must submit a Form I-864 Affidavit of Support for each intending immigrant you are sponsoring. You may submit photocopies if you are sponsoring more than one intending immigrant listed on the same affidavit of support.

Separate affidavits of support are required for intending immigrants for whom different Form I-130, Form I-600, or Form I-800 family-based petitions were filed. For instance, if you are sponsoring both parents, each will need an original affidavit of support and accompanying documentation since you were required to submit separate Form I-130 visa petitions for each parent. Often a spouse or minor children obtain visas or adjust status as dependents of a relative, based on the same visa petition. If you are sponsoring such dependents, you only need to provide a photocopy of the original Form I-864, as long as these dependents are immigrating at the same time as the principal immigrant or within six months of the time he or she immigrates to the United States. You do not need to provide copies of the supporting documents for each of the photocopied Form I-864s.

What Is the Filing Fee?

There is no filing fee to file Form I-864 with USCIS. For information on processing fees when filing with DOS, see www.travel.state.gov.

Where To File?

Please see our website at www.uscis.gov/i-864 or call our National Customer Service Center at **1-800-375-5283** for the most current information about where to file this affidavit. For TTY (deaf or hard of hearing) call: **1-800-767-1833**. For information on filing with DOS, see www.travel.state.gov.

Address Change

A sponsor 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. To do this, you must complete and file Form I-865, Sponsor's Change of Address. 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**. For information on reporting a change of address to DOS, see www.travel.state.gov.

NOTE: Do not complete Form I-865 at the same time that you complete Form I-864. You should complete and submit Form I-865 to USCIS only when the address you indicated on the original Form I-864 has changed.

This requirement does not relieve a lawful permanent resident sponsor from filing a change of address within 10 days of the change. For information on filing a change of address go to the USCIS website at www.uscis.gov/addresschange or contact the National Customer Service Center at **1-800-375-5283**. For TTY (deaf or hard of hearing) call: **1-800-767-1833**.

NOTE: Do not submit a change of address request to the USCIS Lockbox facilities because the Lockbox does not process change of address requests.

Processing Information

Initial Processing. Once USCIS or DOS accepts your affidavit we will check it for completeness. If you do not completely fill out this affidavit, you will not establish a basis for your eligibility and USCIS or DOS may reject or deny your affidavit.

Requests for More Information. We may request that you provide more information or evidence to support your affidavit. We may also request that you provide the originals of any copies you submit. If USCIS requests an original document from you, it will be returned to you after USCIS determines it no longer needs your original.

Requests for Interview. We may request that you appear at a USCIS office for an interview based on your affidavit. At the time of any interview or other appearance at a USCIS office, we may require that you provide your fingerprints, photograph, and/or signature to verify your identity and/or update background and security checks.

USCIS Forms and Information

To ensure you are using the latest version of this affidavit, visit the USCIS website at www.uscis.gov where you can obtain the latest USCIS forms and immigration-related information. If you do not have internet access, you may order USCIS forms by calling the USCIS Contact Center at **1-800-375-5283**. The USCIS Contact Center provides information in English and Spanish. For TTY (deaf or hard of hearing) call: **1-800-767-1833**.

Instead of waiting in line for assistance at your local USCIS office, you can schedule an appointment online at www.uscis.gov. Select “Schedule an Appointment” and follow the screen prompts to set up your appointment. Once you finish scheduling an appointment, the system will generate an appointment notice for you. If filing with DOS, see www.travel.state.gov.

Penalties

If you knowingly and willfully falsify or conceal a material fact or submit a false document with your Form I-864, we will deny your Form I-864 and may deny any other immigration benefit. In addition, you will face severe penalties provided by law and may be subject to criminal prosecution.

The U.S. Government may pursue verification of any information provided on or in support of this affidavit, including employment, income, or assets with the employer, financial or other institutions, the IRS, or the Social Security Administration. If you include in this affidavit of support any information that you know to be false, you may be liable for criminal prosecution under the laws of the United States.

If you fail to provide notice of your change of address, as required by 8 U.S.C. 1183a(d) and 8 CFR 213a.3, you may be liable for the civil penalty established by 8 U.S.C. 1183a(d)(2). The amount of the civil penalty will depend on whether you failed to provide this notice because you were aware that the immigrants you sponsored had received Federal, state, or local means-tested public benefits.

If the failure to report your change of address occurs with knowledge that the sponsored immigrant received means-tested public benefits (other than benefits described in section 401(b), 403(c)(2), or 411(b) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, which are summarized in **Part 8. Sponsor’s Contract, Statement, Contact Information, Declaration, Certification, and Signature** of Form I-864) such failure may result in a fine of not less than \$2,000 or more than \$5,000. Otherwise, the failure to report your change of address may result in a fine not less than \$250 or more than \$2,000.

USCIS Privacy Act Statement

AUTHORITIES: The information requested on this affidavit, and the associated evidence, is collected under the Immigration and Nationality Act section 213A.

PURPOSE: The primary purpose for providing the requested information on this affidavit is to show that the applying immigrant has adequate means of financial support without concern of becoming reliant on the U.S. Government for financial support. DHS will use the information you provide to grant or deny the immigration benefit you are seeking.

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 affidavit. INA section 213A(i) requires the collection of your Social Security number. Failure to provide the requested information, and any requested evidence, may prevent USCIS from accepting and approving this affidavit, and the intending immigrant may not be able to immigrate to the United States.

ROUTINE USES: DHS may share the information you provide on this affidavit with other Federal, state, local, and foreign government agencies and authorized organizations. DHS follows approved routine uses described in the associated published system of records notices [DHS/USCIS-007 - Benefits Information System and DHS/USCIS-001- Alien File, Index, 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.

Paperwork Reduction Act

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 6 hours per response, including the time for reviewing instructions, gathering the required documentation and information, completing the affidavit, preparing statements, attaching necessary documentation, and submitting the affidavit. 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, Regulatory Coordination Division, Office of Policy and Strategy, 20 Massachusetts Ave NW, Washington, DC 20529-2140; OMB No. 1615-0075. **Do not mail your completed Form I-864 to this address.**

Checklist

The following items must be submitted with Form I-864:

For ALL sponsors:

A copy of your individual Federal income tax return, including W-2s for the most recent tax year, or a statement and/or evidence describing why you were not required to file. Also include a copy of each and every Form 1099, Schedule, and any other evidence of reported income. You may submit this information for the most recent three tax years, pay stubs from the most recent six months, and/or a letter from your employer if you believe any of these items will help you qualify.

For SOME sponsors:

If you are currently self-employed, a copy of your Schedule C, D, E, or F from your most recent Federal income tax return which establishes your income from your business.

If you are sponsoring more than one intending immigrant listed on the same affidavit of support, photocopies of the original affidavit of support may be submitted for any additional intending immigrants listed. Copies of supporting documentation are not required for these family members.

If you are the petitioning sponsor and on active duty in the U.S. Armed Forces or U.S. Coast Guard and are sponsoring your spouse or child using 100 percent of the Federal Poverty Guidelines, proof of your active military status.

If you are using the income of persons in your household or dependents to qualify, a separate Form I-864A for each person whose income you will use. However, an intending immigrant whose income is being used needs to complete Form I-864A only if his or her spouse and/or children are immigrating with him or her.

Proof of their residency in your household and relationship to you if they are not the intending immigrants or are not listed as dependents on your Federal income tax return for the most recent tax year.

Proof that the intending immigrant's current employment will continue from the same source if his or her income is being used.

A copy of their individual Federal income tax return, including W-2s and 1099s, for the most recent tax year, or evidence that they were not required to file. You may submit this information for the most recent three years if you believe it will help you qualify.

If you use your assets or the assets of a household member to qualify, documentation of assets establishing location, ownership, date of acquisition, and value. Evidence of any liens or liabilities against these assets.

A separate Form I-864A for each household member using assets other than for the intending immigrant.

If you are a joint sponsor, substitute sponsor, or the relative of an employment-based immigrant requiring an affidavit of support, proof of your U.S. citizenship status, lawful permanent resident status, or U.S. national status.

For U.S. citizens or U.S. nationals, a copy of your birth certificate, passport, or certificate of naturalization or citizenship.

For lawful permanent residents, a copy of both sides of your Form I-551, Permanent Resident Card.

If your legal guardian is signing this Form I-864 for you, the legal guardian must present:

Proof of an appointment as legal guardian of your estate; and

A copy of an order from the appointing court or agency specifically permitting the legal guardian to make your income and assets available for the support of the sponsored immigrant.

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