

TABLE OF CHANGES – INSTRUCTIONS
Form I-864, Instructions for Affidavit of Support Under Section 213A of the INA
OMB Number: 1615-0075
05/12/2020

Reason for Revision: Biometrics Rule
Project Phase: NPRM

Legend for Proposed Text:

- Black font = Current text
- **Red font** = Changes

Expires 10/31/2021

Edition Date 10/15/2019

Current Page Number and Section	Current Text	Proposed Text
Pages 1-2, Are There Exceptions to Who Needs to Submit Form I-864?	<p>[Page 1]</p> <p>Are There Exceptions to Who Needs to Submit Form I-864?</p> <p>The following types of intending immigrants do not need to file Form I-864:</p> <p>[Page 2]</p> <ol style="list-style-type: none"> 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; 	<p>[Page 1]</p> <p>Are There Exceptions to Who Needs to Submit Form I-864?</p> <p>The following types of intending immigrants do not need to file Form I-864:</p> <p>[Page 2]</p> <ol style="list-style-type: none"> 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.	and 4. Self-petitioning battered spouses and children who have an approved Form I-360.
Page 2-3, General Instructions	<p>[page 2]</p> <p>...</p> <p>Filing Fee. There is no filing fee for 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.</p> <p>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.</p> <p>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.</p> <p>If you are required to provide biometrics, at your appointment you must sign an oath reaffirming that:</p> <ol style="list-style-type: none"> 1. You provided or authorized all information in the affidavit; 2. You reviewed and understood all of the 	<p>[page 2]</p> <p>...</p> <p>Filing Fee. There is no filing fee for Form I-864 with USCIS. A biometric services fee of \$85 is required for the sponsor. For information on processing fees when filing with the U.S. Department of State (DOS), see www.travel.state.gov.</p> <p>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.</p> <p>Biometric Services Appointment. Every individual who is an applicant, petitioner, derivative, beneficiary, or sponsor of an immigration benefit request or other request submitted to USCIS is required to submit biometrics unless USCIS waives or exempts the requirement. You will be notified of the time and place of your appointment if you must appear and you will be provided requirements for rescheduling if necessary. If you fail to submit any biometrics as required, USCIS may deny your application, petition, or request.</p> <p>DHS may store the biometrics submitted by an individual and use or reuse biometrics to conduct background and security checks, including a check of criminal history records maintained by the Federal Bureau of Investigation (FBI), verify identity, produce documents, determine eligibility for immigration and naturalization benefits, or to perform any other functions necessary for administering and enforcing immigration and naturalization laws, and any other law within DHS authority.</p> <p>If you are required to provide biometrics, at your appointment you must sign an oath reaffirming that:</p> <ol style="list-style-type: none"> 1. You provided or authorized all information in the [application/petition]; 2. You reviewed and

	<p>information contained in, and submitted with, your affidavit; and</p> <p>3. All of this information was complete, true, and correct at the time of filing.</p> <p>[page 3]</p> <p>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.</p> <p>...</p>	<p>understood all of the information contained in, and submitted with, your [application/petition]; and</p> <p>3. All of this information was complete, true, and correct at the time of filing.</p> <p>[page 3]</p> <p>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.</p> <p>...</p>
<p>Page 5, Part 4. Information About You (Sponsor)</p>	<p>[page 7-8]</p> <p>...</p> <p>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.</p>	<p>[page 7-8]</p> <p>...</p> <p>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.</p> <p>Item Numbers 15. – 20. Sponsor’s Biographic Information Provide the biographic information requested in Item Numbers 15. - 20. Providing this information as part of your application may reduce the time you spend at your USCIS ASC appointment as described in the Biometric Services Appointment</p>

		<p>section of these Instructions.</p> <p>A. Ethnicity and Race. Select the boxes that best describe your ethnicity and race.</p> <p>B. Categories and Definitions for Ethnicity and Race</p> <p>(1) Hispanic or Latino. A person of Cuban, Mexican, Puerto Rican, South or Central American, or other Spanish culture or origin, regardless of race. (NOTE: This category is only included under Ethnicity in Part 4., Item Number 15.)</p> <p>(2) White. A person having origins in any of the original peoples of Europe, the Middle East, or North Africa.</p> <p>(3) Asian. A person having origins in any of the original peoples of the Far East, Southeast Asia, or the Indian subcontinent including, for example, Cambodia, China, India, Japan, Korea, Malaysia, Pakistan, the Philippine Islands, Thailand, and Vietnam.</p> <p>(4) Black or African American. A person having origins in any of the black racial groups of Africa.</p> <p>(5) American Indian or Alaska Native. A person having origins in any of the original peoples of North and South America (including Central America), and who maintains tribal affiliation or community attachment.</p> <p>(6) Native Hawaiian or Other Pacific Islander. A person having origins in any of the original peoples of Hawaii, Guam, Samoa, or other Pacific Islands.</p> <p>C. Height. Select the values that best match your height in feet and inches. For example, if you are five feet and nine inches, select “5” for feet and “09” for inches. Do not enter your height in meters or centimeters.</p> <p>D. Weight. Enter your weight in pounds. If you do not know your weight, or need to enter a weight under 30 pounds or over 699 pounds, enter “000.” Do not enter your weight in kilograms.</p> <p>E. Eye Color. Select the box that best describes the color of your eyes.</p>
--	--	---

		F. Hair Color. Select the box that best describes the color of your hair.
Page 13, What is the Filing Fee?	[page 13] What is the Filing Fee? There is no filing fee to file Form I-864. For information on processing fees when filing with DOS, see www.travel.state.gov .	[page 13] What is the Filing Fee? There is no filing fee to file Form I-864. A biometric services fee of \$85 is required for the sponsor. For information on processing fees when filing with DOS, see www.travel.state.gov .
Pages 14-15, Processing Information	[page 14] ... 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.	[page 14] ... 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 biometrics to verify your identity and/or update background and security checks.
Page 15, USCIS Privacy Act Statement	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 uses 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	DHS Privacy Notice 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 uses 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, including your Social Security number (if applicable), and any requested evidence, may delay a final decision or result in denial of your affidavit.

	<p>evidence, may prevent USCIS from accepting and approving this affidavit, and the intending immigrant may not be able to immigrate to the United States.</p> <p>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.</p>	<p>ROUTINE USES: DHS may share the information you provide on this affidavit and any additional requested evidence 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-001 Alien File, Index, and National File Tracking System, DHS-USCIS-007 Benefits Information System, DHS-USCIS-018 Immigration Biometric and Background Check (IBBC) System,] and the published privacy impact assessments [DHS/USCIS/PIA-016a Computer Linked Application Information Management System] which you can find at www.dhs.gov/privacy. DHS may also share this information, as appropriate, for law enforcement purposes or in the interest of national security.</p>
<p>Page 15, Paperwork Reduction Act Statement</p>	<p>[page 15]</p> <p>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.</p>	<p>[page 15]</p> <p>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. The collection of biometrics is estimated to require 3 hours and 40 minutes. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to: U.S. Citizenship and Immigration Services, 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.</p>

