SUPPORTING STATEMENT FOR
Affidavit of Support Under Section 213A of the INA
OMB Control No.: 1615-0075
COLLECTION INSTRUMENT(S):
I-864, Affidavit of Support Under Section 213A of the INA; I-864A, Contract Between Sponsor and Household Member; I-864EZ, Affidavit of Support under Section 213 of the INA

A. Justification

1. Explain the circumstances that make the collection of information necessary. Identify any legal or administrative requirements that necessitate the collection. Attach a copy of the appropriate section of each statute and regulation mandating or authorizing the collection of information.

Section 212(a)(4) and 213A of the Immigration and Nationality Act (INA) (8 USC 1182(a)(4) and 1183a) require most family-based and certain employment-based immigrants to have the petitioning relative execute an Affidavit of Support Under Section 213A of the INA on their behalf. The sponsor who executes the Affidavit of Support Under Section 213A of the INA must demonstrate the means to maintain income of at least 125 percent of the Federal Poverty Guidelines (or 100 percent when applicable) for their household size. The Affidavit of Support Under Section 213A of the INA is a legally binding document that may be enforced in Federal or State court if the sponsored alien receives any means-tested public benefits. The information collection required on Form I-864, Affidavit of Support Under Section 213A of the INA (or Form I-864EZ, Affidavit of Support of Support Under Section 213A of the INA, if the applicant qualifies to use it) is necessary for USCIS officers, consular officers, and Immigraiton Judges to determine whether the sponsor can meet the minimum income requirements. In addition, the execution of the Affidavit of Support Under Section 213A of the INA creates a contract between the sponsor and the sponsored alien and any entity that provides means-tested public benefits to the sponsored alien. Form I-864EZ was created to be a quicker and easier form for certain sponsors to comply with section 213A of the INA requirements. This form will be much easier for those who qualify for its use, and much easier for USCIS to adjudicate. The execution of Form I-864A, Contract Between Sponsor and Household Member, creates a similar contract between the sponsor and the sponsor's household member. The U.S. Department of Homeland Security (DHS), U.S. Citizenship and Immigration Services (USCIS) must maintain Form I-864, Form I-864EZ, and Form I-864A in the event the obligation must be enforced by civil action.

Section 213A(i) of the INA requires that the U.S. social security number must be included on Form I-864. If the respondent does not have a U.S. social security number, they must obtain one before submitting Form I-864. If the respondent does not provide this information, USCIS cannot accept Form I-864, and the intending immigrant may not able to immigrate to the United States. The social security number may be used to verify, and if necessary, to enforce, the sponsor's obligations under Form I-864.

2. Indicate how, by whom, and for what purpose the information is to be used. Except for a new collection, indicate the actual use the agency has made of the information received from the current collection.

Form I-864. Form I-864 is a contract between the sponsor and the U.S. Government. USCIS uses the data collected on Form I-864 to determine whether the sponsor has the means to maintain the sponsored alien at 125 percent (or 100 percent when applicable) of the Federal Poverty Guideline for the sponsor's household size. This form standardizes evaluation of whether the sponsor has demonstrated the means to maintain income and/or assets at 125 percent (or 100 percent when applicable) of the Federal Poverty Guidelines and ensures that basic information required to assess the means to maintain income and/or assets is provided by the sponsor. The information collection required on Form I-864 is necessary for public benefit agencies who provide means-tested public benefits to sponsored aliens to enforce the support obligations against the sponsors in the event public benefit agencies are requesting reimbursement from the sponsor. DHS is seeking to obtain the respondent's consent to assist with DHS interactions with credit bureaus with which we intend to contract for the purchase of consumer data, and to comply with the Fair Credit Reporting Act (FCRA). DHS intends to use the credit report detail obtained from credit bureaus to verify information already submitted on the form in the same manner that USCIS can verify any other information provided by the sponsor through information officers obtain on their own, data, purchased commercial data, data sharing agreements, etc., in compliance with all applicable laws including the Privacy Act. DHS will not use the credit report information in a way that goes beyond the agency's authorities under the Immigration and Nationality Act, the Homeland Security Act and either USCIS or the Department of State's regulations and policies.

Form I-864A. Form I-864A is a contract between the sponsor and the sponsor's household members. It is only required if the sponsor used income and/or assets of his or her household members to demonstrate the means to maintain income at required 125 percent of the Federal Poverty Guidelines (or 100 percent when applicable). By signing Form I-864A, the household member is agreeing to be jointly and severally liable for the support of the sponsored alien. The information collection required on Form I-864A is necessary for public benefit agencies to enforce the support obligations in the event the sponsor used income of his or her household members to reach the required income level and the public benefit agencies are requesting reimbursement from the sponsor.

Form I-864EZ. Form I-864EZ is a shorter version of Form I-864 that can be used by the petitioner who submitted Form I-130, Petition for Alien Relative, in certain circumstances. If an individual meets the requirements to use the Form I-864EZ, the Form I-864EZ serves the exact same purpose as Form I-864; however, USCIS collects less information from the sponsor as less information is needed from those who qualify to use this form.

3. Describe whether, and to what extent, the collection of information involves the use

of automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses, and the basis for the decision for adopting this means of collection. Also describe any consideration of using information technology to reduce burden.

Form I-864, Form I-864A, and Form I-864EZ are all available electronically at **https://www.uscis.gov/forms**. The forms can be completed online but must be printed, signed and submitted via mail.

Form I-864 and Form I-864EZ can also be downloaded, filled out, and saved electronically, and submitted with Form I-485 as a supporting document using the PDF Intake Process (PDFi) only when Form I-485 is filed online using PDFi through a USCIS online account at **https://myaccount.uscis.gov**. The applicant would upload the completed Form I-864 or Form I-864EZ with the Form I-485 PDFi submission as a supporting document, pay any required fee, and file their form as a .pdf online. The burden for setting up a USCIS online account is covered under the USCIS Online Account Access information collection (OMB control number 1615-0122).

4. Describe efforts to identify duplication. Show specifically why any similar information already available cannot be used or modified for use for the purposes described in Item 2 above.

The information collected is not duplicated elsewhere and there is no other information available that can be used for this specific purpose.

5. If the collection of information impacts small businesses or other small entities (Item 5 of OMB Form 83-I), describe any methods used to minimize burden.

This collection of information does not impact small businesses or other small entities.

6. Describe the consequence to Federal program or policy activities if the collection is not conducted or is conducted less frequently, as well as any technical or legal obstacles to reducing burden.

If the information is not collected, USCIS officers, consular officers, and Immigration Judges would not be able to assess whether applicants who are subject to the requirements in section 213A of the INA have complied with those requirements. Without Form I-864 and Form I-864EZ, USCIS officers, consular officers, and Immigration Judges will not be able to determine whether the sponsor has demonstrated the means to maintain income at 125 percent (or 100 percent when applicable) of the Federal Poverty Guidelines. Without Form I-864A, , the support obligations would not be enforceable against the sponsor's household members when the household members' income is used to assist the sponsor in meeting the required income level.

7. Explain any special circumstances that would cause an information collection to be conducted in a manner:

- **Requiring respondents to report information to the agency more often than quarterly;**
- **Requiring respondents to prepare a written response to a collection of information in fewer than 30 days after receipt of it;**
- **Requiring respondents to submit more than an original and two copies of any document;**
- **Requiring respondents to retain records, other than health, medical, government contract, grant-in-aid, or tax records for more than three years;**
- **In connection with a statistical survey, that is not designed to produce valid and reliable results that can be generalized to the universe of study;**
- **Requiring the use of a statistical data classification that has not been reviewed and approved by OMB;**
- **That includes a pledge of confidentiality that is not supported by authority established in statute or regulation, that is not supported by disclosure and data security policies that are consistent with the pledge, or which unnecessarily impedes sharing of data with other agencies for compatible confidential use; or**
- **Requiring respondents to submit proprietary trade secret, or other confidential information unless the agency can demonstrate that it has instituted procedures to protect the information's confidentiality to the extent permitted by law.**

This information collection is conducted in a manner consistent with the guidelines in 5 CFR 1320.5(d)(2).

8. If applicable, provide a copy and identify the data and page number of publication in the Federal Register of the agency's notice, required by 5 CFR 1320.8(d), soliciting comments on the information collection prior to submission to OMB. Summarize public comments received in response to that notice and describe actions taken by the agency in response to these comments. Specifically address comments received on cost and hour burden.

Describe efforts to consult with persons outside the agency to obtain their views on the availability of data, frequency of collection, the clarity of instructions and recordkeeping, disclosure, or reporting format (if any), and on the data elements to be recorded, disclosed, or reported.

Consultation with representatives of those from whom information is to be obtained or those who must compile records should occur at least once every 3 years - even if the collection of information activity is the same as in prior periods. There may be circumstances that may preclude consultation in a specific situation. These circumstances should be explained.

USCIS is submitting a non-substantive change request to a currently approved collection to OMB. Publication of a Federal Register Notices is not required for a non-substantive change request.

9. Explain any decision to provide any payment or gift to respondents, other than remuneration of contractors or grantees.

USCIS does not provide any payment for benefit sought.

10. Describe any assurance of confidentiality provided to respondents and the basis for the assurance in statute, regulation or agency policy.

There is no assurance of confidentiality.

This collection is covered under the following Privacy Impact Assessment:

- DHS/USCIS/PIA-003-Integrated Digitization Document Management Program, February 28, 2017;
- DHS/USCIS/PIA-016(a) Computer Linked Application Information Management System (CLAIMS 3) and Associated Systems, June 30, 2020;
- DHS/USCIS/PIA-056(a) USCIS Electronic Immigration System (ELIS), December 3, 2018; and
- DHS/USCIS/PIA-071 myUSCIS Account Experience, June 28, 2019.

The collection is covered under the following System of Records Notices:

- DHS/USCIS/ICE/CBP-001 Alien File, Index, and National File Tracking System of Records, September 18, 2017, 82 FR 43556;
- DHS/USCIS-007 Benefits Information System, October 19, 2016, 81 FR 72069; and
- DHS/USCIS-018 Immigration Biometric and Background Check (IBBC) System of Records, July 31, 2018, 83 FR 36950.

11. Provide additional justification for any questions of a sensitive nature, such as sexual behavior and attitudes, religious beliefs, and other matters that are commonly considered private. This justification should include the reasons why the agency considers the questions necessary, the specific uses to be made of the information, the explanation to be given to persons from whom the information is requested, and any steps to be taken to obtain their consent.

There are no questions of a sensitive nature.

12. Provide estimates of the hour burden of the collection of information. The statement should:

- **Indicate the number of respondents, frequency of response, annual hour burden, and an explanation of how the burden was estimated. Unless directed to do so, agencies should not conduct special surveys to obtain information on which to base hour burden estimates. Consultation with a sample (fewer than 10) of potential respondents is desirable. If the hour burden on respondents is expected to vary widely because of differences in activity, size, or complexity, show the range of estimated hour burden, and explain the reasons for the variance. Generally, estimates should not include burden hours for customary and usual business practices.**

- **If this request for approval covers more than one form, provide separate hour burden estimates for each form and aggregate the hour burdens in Item 13 of OMB Form 83-I.**

- **Provide estimates of annualized cost to respondents for the hour burdens for collections of information, identifying and using appropriate wage rate categories. The cost of contracting out or paying outside parties for information collection activities should not be included here. Instead, this cost should be included in Item 14.**

		A	B	C (=AxB)	D	E (=CxD)	F	(=ExF)
Type of Respondent	**Form Name / Form Number**	**#. of Respondents**	**#. of Responses per Respondent**	**# of Responses**	**Avg. Burden per Response (in hours)**	**Total Annual Burden**	**Avg. Hourly Wage Rate***	**Total Annual Respondent**
Individuals or households	Affidavit of Support Under Section 213A of the INA / I-864 (paper)	9,067	1	9,067	5.81	52,679	$48.97	$2,579,704
Individuals or households	Affidavit of Support Under Section 213A of the INA / I-864 (PDFi)	444,278	1	444,278	5.81	2,581,255	$48.97	$126,404,066
Individuals or household	Contract Between Sponsor and	215,800	1	215,800	1.5	323,700	$48.97	$15,851,589

ds	Household Member / I-864A**							
Individuals or households	Affidavit of Support Under Section 213A of the INA / I-864EZ*** (paper)	2,000	1	2,000	2.25	4,500	$48.97	$220,365
Individuals or households	Affidavit of Support Under Section 213A of the INA / I-864EZ*** (PDFi)	98,000	1	98,000	2.25	220,500	$48.97	$10,797,885
Total				**769,145**		**3,182,634**		**$155,853,609**

* *The above Average Hourly Wage Rate is the May 2025 Bureau of Labor Statistics average wage for All Occupations $33.54 times the wage rate benefit multiplier of 1.46 (to account for benefits provided) equaling $48.97. The selection of "All Occupations" was chosen because respondents to this collection could be expected from any occupation.*

***Form I-864A, Contract Between Sponsor and Household Member, is an attachment to Form I-864 and must be filed with Form I-864 by some respondents. I-864A respondents are not included in the total number of respondents for this information collection because they are a subset of the number of I-864 respondents.*

****Form I-864EZ is a shorter version of Form I-864 and is filed instead of Form I-864 by respondents who meet certain criteria.*

13. Provide an estimate of the total annual cost burden to respondents or record keepers resulting from the collection of information. (Do not include the cost of any hour burden shown in Items 12 and 14).

- **The cost estimate should be split into two components: (a) a total capital and start-up cost component (annualized over its expected useful life); and (b) a total operation and maintenance and purchase of services component. The estimates should take into account costs associated with generating, maintaining, and disclosing or providing the information. Include descriptions of methods used to estimate major cost factors including system and technology acquisition, expected useful life of capital equipment, the discount rate(s), and the time period over which costs will be incurred. Capital and start-up costs include, among other items, preparations for collecting information such as purchasing computers and software; monitoring, sampling, drilling and testing equipment; and record storage facilities.**

- **If cost estimates are expected to vary widely, agencies should present ranges of**

cost burdens and explain the reasons for the variance. The cost of purchasing or contracting out information collection services should be a part of this cost burden estimate. In developing cost burden estimates, agencies may consult with a sample of respondents (fewer than 10), utilize the 60-day pre-OMB submission public comment process and use existing economic or regulatory impact analysis associated with the rulemaking containing the information collection, as appropriate.

- **Generally, estimates should not include purchases of equipment or services, or portions thereof, made: (1) prior to October 1, 1995; (2) to achieve regulatory compliance with requirements not associated with the information collection; (3) for reasons other than to provide information or keep records for the government; or, (4) as part of customary and usual business or private practices.**

There are no capital, start-up, operational or maintenance costs associated with this collection of information.

This information collection may impose some out-of-pocket costs on respondents in addition to the time burden for the form's preparation. Costs may include payments for document translation and preparation services, attorney and legal fees, postage, and costs associated with gathering documentation. USCIS estimates that the average cost for these activities is $980 and that approximately 25 percent of the total respondent population may incur this cost. The estimated out of pocket cost to respondents is calculated as follows: 553,345 annual respondents multiplied by 25 percent of the population multiplied by the average cost per response of $980, which equals a total annual cost of **$135,569,525**. The estimated cost per respondent is $135,569,525 divided by 553,345 respondents, which equals $245.

For informational purposes only, the filing fees for this information collection can be found in the G-1055, Fee Schedule, at **www.uscis.gov/g-1055.**

14. Provide estimates of annualized cost to the Federal government. Also, provide a description of the method used to estimate cost, which should include quantification of hours, operational expenses (such as equipment, overhead, printing, and support staff), and any other expense that would not have been incurred without this collection of information. Agencies also may aggregate cost estimates from Items 12, 13, and 14 in a single table.

USCIS establishes its fees using an activity-based costing model to assign costs to an adjudication based on its relative adjudication burden and use of USCIS resources. Fees are established at an amount that is necessary to recover these assigned costs, plus an amount to recover unassigned overhead (which includes the suggested average hourly rate for clerical, officer, and managerial time with benefits) and immigration benefits provided for free. USCIS uses the fee associated with an information collection as a reasonable measure of the collection's costs to USCIS, since these fees are based on

resource expenditures related to the benefit in question. In addition, this figure includes the estimated overhead cost for printing, stocking, distributing and processing of this form.

The total estimated cost to the Federal government is **$23,240,490**. This figure is calculated by using the estimated number of respondents (553,345) multiplied by the USCIS time required to collect and process information (1 hour) x the suggested average hourly rate for clerical, officer, and supervisory time with benefits ($42).

15. Explain the reasons for any program changes or adjustments reporting in Items 13 or 14 of the OMB Form 83-I.

Data collection Activity/Instrument (in hours)	Program Change (hours currently on OMB Inventory)	Program Change (New)	Difference	Adjustment (hours currently on OMB Inventory)	Adjustment (New)	Difference
Affidavit of Support Under Section 213A of the INA / I-864 (paper)				2,633,934	52,679	-2,581,255
Affidavit of Support Under Section 213A of the INA / I-864 (PDFi)				0	2,581,255	2,581,255
Contract Between Sponsor and Household Member / I-864A**				323,700	323,700	0
Affidavit of Support Under Section 213A of the INA / I-864EZ*** (paper)				225,000	4,500	-220,500
Affidavit of Support Under Section 213A of the INA / I-864EZ*** (PDFi)				0	220,500	220,500
Total(s)				**3,182,634**	**3,182,634**	**0**

USCIS is reporting no change to the estimated annual hour burden and annual cost

burden to respondents for this collection of information as a result of this action. This action is to include the electronic filing option of PDFi for Form I-864 and Form I-864EZ as a supporting document with a Form I-485 PDFi submission, which allows the applicant to upload a completed Form I-864 or Form I-864EZ .pdf as a supporting document with the Form I-485 .pdf upload and pay any required fee. This process reduces the amount of time and money associated with printing, copying and mailing their petition.

16. For collections of information whose results will be published, outline plans for tabulation, and publication. Address any complex analytical techniques that will be used. Provide the time schedule for the entire project, including beginning and ending dates of the collection of information, completion of report, publication dates, and other actions.

This information collection will not be published for statistical purposes.

17. If seeking approval to not display the expiration date for OMB approval of the information collection, explain the reasons that display would be inappropriate.

USCIS will display the expiration date for OMB approval of this information collection.

18. Explain each exception to the certification statement identified in Item 19, "Certification for Paperwork Reduction Act Submission," of OMB 83-I.

USCIS does not request an exception to the certification of this information collection.

B. Collections of Information Employing Statistical Methods.

There is no statistical methodology involved with this collection.