

# I-864 Package for Immigrant Affidavit of Support

## Overview for Filing Form I-864

### ORDER#

PREPARED FOR

PREPARED ON

### Contact Us

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## What is the Purpose of Form I-864?

Most family-based immigrants and some employment-based intending immigrants are required to submit this affidavit to demonstrate that they have sufficient financial support and are not likely to become a public charge.

## How is Form I-864 Used?

Form I-864 is a legal agreement between a sponsor and the U.S. Government. By completing and signing this form, you are considered the sponsor, and you must demonstrate that you have sufficient income and/or assets to support the intending immigrants and your household at 125 percent of the Federal Poverty Guidelines. By signing this form, you agree to utilize your resources to financially support the intending immigrants named in the affidavit if it becomes necessary.

It is important to note that submitting this affidavit may disqualify the sponsored immigrant from certain Federal, state, or local means-tested public benefits. Agencies that provide means-tested public benefits consider the resources and assets of the sponsor as available to the sponsored immigrant when determining their eligibility for the program.

If the immigrant sponsored in this affidavit receives designated Federal, state, or local means-tested public benefits, the agency providing the benefit may require repayment of the cost of those benefits. If the cost of the benefits provided is not repaid, the agency can take legal action against you.

It is worth mentioning that not all benefits are considered means-tested public benefits. You can refer to

Form I-864P, Poverty Guidelines, to learn more about which benefits fall under this definition or check the contract in Part 8 of Form I-864 for a list of benefits that are explicitly not considered 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. Immediate relatives of U.S. citizens, such as spouses, unmarried children under 21 years of age, and parents of U.S. citizens who are 21 years of age and older;
2. Family-based preference immigrants, such as 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 who are 21 years of age and older; and
3. Employment-based preference immigrants in cases where 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. Intending immigrants who have earned or can receive credit for 40 qualifying quarters (credits) of work in the United States 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. 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.
2. Those 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), 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.
3. Self-petitioning widows or widowers who have an approved Form I-360, Petition for Amerasian, Widow(er), or Special Immigrant, 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.
4. Self-petitioning battered spouses and children who have an approved Form I-360 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.

**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) offers forms at no cost via the USCIS website. Adobe Readers most recent version can be downloaded for free at <http://get.adobe.com/reader/> to view, print, or complete our forms. If you do not have internet access, you can order USCIS forms by calling the USCIS

Contact Center at 1-800-375-5283. The USCIS Contact Center offers information in both English and Spanish. Call 1-800-767-1833 for TTY (deaf or hard of hearing) support.

**Signature.** USCIS will not accept a stamped or typewritten name in place of a signature for any affidavit. You must be at least 18 years of age to act as a sponsor and sign Form I-864. For a mentally incompetent person, a legal guardian may sign on their behalf.

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

**Filing Fee.** When filing Form I-864 with USCIS, there is no filing fee. For processing fees when filing with the U.S. Department of State (DOS), refer to [www.travel.state.gov](http://www.travel.state.gov).

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

**Biometric Services Appointment.** If USCIS needs to verify your identity or conduct a background check, they may require you to provide fingerprints, photographs, and/or a signature or attend an interview at any time during the processing of your application. Upon receipt and confirmation of your complete application, USCIS will notify you in writing if you need to appear for a biometric services appointment. If necessary, the notice will include the location, date, and time of your appointment at a designated USCIS Application Support Center (ASC), or instruct you to schedule an appointment with a U.S. Embassy, U.S. Consulate, or USCIS office outside of the United States if you are currently abroad.

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.

## How to Fill Out Form I-864

**Copies:** When submitting documents to USCIS, it is generally acceptable to provide clear copies unless otherwise specified in the instructions. However, USCIS may request original documents at any time during the application process. If requested, you must provide the original document and USCIS will return it to you when it is no longer needed. It is important to note that submitting original documents when not required or requested may result in their immediate destruction upon receipt by USCIS.

**NOTE:** Submitting original documents when not required or requested by USCIS may result in the destruction of those documents upon receipt.

**Translations.** In case you submit a document that contains information in a language other than English, you must also provide a full English translation. The translation must be certified by the translator, who

must affirm that it is a complete and accurate translation, and that he or she has the necessary competence to translate from the foreign language into English. The certification must include the translators signature, and the Department of Homeland Security (DHS) recommends that it also include the translators printed name, contact information, and the date.

1. Use black ink and legible printing when completing this affidavit.
2. If you require additional space to provide an answer for any item within this affidavit, you can use the space provided in Part 11 or attach a separate sheet of paper. On each sheet, type or print your name and Alien Registration Number (if applicable) at the top, indicate the page number, part number, and item number to which your response refers, and sign and date each sheet.
3. Answer all questions accurately and completely. If a question is not applicable to you, such as if you have never been married and the question asks for your current spouses name, write "N/A" unless otherwise directed. If a question requires a numeric response and your answer is zero or none, such as "How many children do you have?" or "How many times have you departed the United States?", write "None" unless otherwise directed.

### **Part 1. Basis for Filing Affidavit of Support**

In the space provided, provide your full name (the sponsor), and select the appropriate Item Number that reflects your basis for filing Form I-864.

Item Number 1.a. Select this box if you filed or have already filed Form I-129F for a fiancé(e), Form I-130 for a family member, Form I-600 for an orphan, or Form I-800 for a convention adoptee.

Item Number 1.b. Select this box if you filed or have filed Form I-140 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 at least a five percent ownership interest 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 one of two joint sponsors.

**NOTE:** A joint sponsor is not required to be related to the intending immigrant. It is necessary to indicate whether you are the only joint sponsor or one of two joint sponsors on the Form I-864. If you are unsure, it is recommended that you consult with the petitioning sponsor or the intending immigrant to confirm.

Item Number 1.f. should be selected if you are acting as a substitute sponsor. A substitute sponsor is responsible for completing Form I-864 on behalf of an intending immigrant whose original Form I-130 petitioner has passed away after the Form I-130 was approved, but before the intending immigrant acquired lawful permanent residence. The substitute sponsor must have a relationship with the intending

immigrant as a 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. Additionally, the substitute sponsor must be a U.S. citizen, lawful permanent resident, or U.S. national. If you are acting as a substitute sponsor, you must serve as the sponsor for 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 unique number assigned by the former Immigration and Naturalization Service (INS) or U.S. Citizenship and Immigration Services (USCIS) to non-citizens who have previously been in the United States or are currently in the United States. If the intending immigrants 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. Enter the USCIS Online Account Number in the space provided. The USCIS Online Account Number is different from an A-Number.

Item Number 7: Daytime Telephone Number - Provide a daytime telephone number, including area code, for the principal immigrant, which USCIS can use to contact them if needed.

## **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. If you are sponsoring only the 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, select "No". 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. If you are sponsoring the principal immigrant, who plans to bring a spouse and/or children to the United States, or within six months of the principal immigrant's entry into the United States, you should list their names and other required

information in the spaces provided in Item Number 2. However, if any dependents are not immigrating, plan to 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. For these dependents, a separate Form I-864 is required when they apply for their immigrant visas.

Item Numbers 4.a. - 28. request information about family members of the principal immigrant who will be immigrating to the United States more than six months after the principal immigrant. If you are sponsoring any of these family members, provide their names and other required information in the spaces provided.

In Item Number 29, you should type or print the total number of immigrants you are sponsoring on this Form I-864, including any immigrants listed for these questions in Part 11. Additional Information, from Item Numbers 1.a. - 28.

#### **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.

In Item Number 5, provide the country where you have your primary residence and where you intend to live in the future. If your mailing address or place of residence is not in the US, but you consider the US as your domicile, you need to attach a written explanation and evidence that shows how you meet the domicile requirement. If you are not residing in the US currently, you can still meet the domicile requirement by presenting evidence that proves any of the following conditions:

##### **1. You are employed by a certain organization.**

If you are currently living outside of the United States and want to establish your domicile in the United States for the purposes of this affidavit, certain types of employment overseas may automatically qualify you as domiciled in the United States. These 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.**

Examples of proof you must provide if you are not currently living in the United States, to show that your trip abroad is temporary and that you have maintained your domicile in the United States, 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 have a genuine intention to reestablish your domicile in the United States by the time the intending immigrant is admitted to the country or has their status adjusted.

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.

In Item Number 10, it is mandatory to provide your U.S. Social Security Number on Form I-864 as per INA Section 213A(i). If you do not have a U.S. Social Security Number, you must obtain one before submitting Form I-864. Failure to provide your information will result in USCIS rejecting your Form I-864, and the intending immigrants may not be able to immigrate to the United States. USCIS may use your U.S. Social Security Number to verify and enforce your obligations under Form I-864 if necessary.

In Item Numbers 11.a. - 11.c., joint and substitute sponsors and relatives of employment-based immigrants who file Form I-864 must provide evidence of their U.S. citizenship, U.S. national status, or lawful permanent residency. However, petitioning relatives who have already submitted evidence of their status with Form I-129F, Form I-130, Form I-600, or Form I-600A do not need to provide such evidence again with this affidavit.

**1.** To demonstrate U.S. citizenship or U.S. national status, you can provide 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 your U.S. passports biographic data page.

**2.** To prove that you have lawful permanent resident status, you can submit a photocopy of both sides of your Permanent Resident Card or Alien Registration Receipt Card (Form I-551), or a photocopy of an unexpired temporary Form I-551 stamp in a foreign passport or DHS Form I-94 Arrival-Departure Record.

**3.** If relevant, please also furnish the sponsors A-Number in Item Number 12.

Item Number 12 pertains to the Sponsors Alien Registration Number (if any). This number is assigned by the former INS or USCIS, and individuals with A-Numbers can locate this number on their INS or USCIS-issued documents.

Item Number 13 concerns the Sponsors USCIS Online Account Number (if any). If the sponsor has previously submitted an application, petition, or request via the USCIS online filing system, they should provide their USCIS Online Account Number that was assigned by the system. The USCIS Online Account Number can be found by logging in to the sponsors account and accessing the profile page. If the sponsor previously filed certain applications, petitions, or requests via a USCIS Lockbox facility on paper forms, they may have received a USCIS Online Account Access Notice containing their USCIS Online Account Number. This number can be located at the top of the notice. It should be noted that the USCIS Online Account Number is different from an A-Number.

Item Number 14 requests information about military service. If the petitioning sponsor is currently serving in the U.S. Army, Marines, Navy, Air Force, or Coast Guard, excluding training, they should select "Yes." If the sponsor provides proof of active duty in the U.S. Armed Forces or U.S. Coast Guard and is submitting a petition for their spouse and/or minor child, they will only need to demonstrate income at 100 percent of the poverty level for their household size, instead of 125 percent. The poverty guidelines can be found in Form I-864P. If the sponsor is not on active duty in the U.S. Armed Forces or U.S. Coast Guard, they should select "No." It is important to note that this provision does not apply to joint and substitute sponsors.

## **Part 5. Sponsor's Household Size**

When adding up the number of individuals you are financially responsible for, be sure to include everyone only once. Some of these individuals may not be residing with you. It is possible for the same person to fit into two categories. For instance, your spouse, who you entered in Item Number 3, could also be a lawful permanent resident that you already sponsored via Form I-864 (Item Number 6). If you already included your spouse in Item Number 3, you should not include them 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. Indicate the number of your unmarried children who are under 21 years of age, regardless of whether you have legal custody of them or not. If any of your unmarried children under 21 years of age have reached the age of majority under the law of their domicile and you do not claim them as dependents on your Federal income tax returns, you may exclude them.

Item Number 5 requests the number of any other dependents. This includes any individual whom you claimed as a dependent on your most recent Federal income tax return, regardless of whether they are related to you or not. Even if you are not legally required to support the person, you must include them if you supported them and claimed them as a dependent.



Item Number 6 requires you to indicate the number of lawful permanent residents whom you are currently responsible for supporting based on your prior submission of Form I-864 as a joint sponsor, substitute sponsor, or petitioning sponsor, or Form I-864EZ, Affidavit of Support Under Section 213A of the INA, as a petitioning sponsor. You should only include individuals who have already immigrated to the United States. Do not include individuals whose obligation to support has ended due to the sponsored immigrants 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 allows you to include certain non-dependent relatives who reside in your household as part of your household size. These relatives may include your mother, father, sister, brother, or adult children, provided they live with you. However, you should only include these relatives in your household size if you need to factor their income into the calculation of your household income to meet the income requirement for the affidavit. If you wish to include such relatives, they must sign and submit Form I-864A, Contract Between Sponsor and Household Member, to be considered.

Item Number 8 instructs you to add the numbers from Part 5, Item Numbers 1-7, and enter the total in the designated space. If you or someone else is filling out the form electronically, this field will be automatically populated.

#### Part 6, Sponsors Employment and Income:

Item Numbers 1-6 pertain to the sponsors employment. You should select all applicable boxes. Note that you cannot rely on income from illegal activities such as drug sales or illegal gambling, even if the household member paying taxes on that income.

Item Number 7 requests your current individual annual income, whether it is earned or from retirement, and that you are using to meet the requirements of the affidavit. Enter this amount in the provided space and indicate the total.

If you believe that submitting evidence regarding your expected income for the current year will help establish your ability to maintain sufficient income, you may include such evidence. However, unless a U.S. Government official specifically instructs you to do so, you are not required to submit this evidence. For instance, you may choose to include a recent letter from your employer that displays the employers address and telephone number and shows your annual salary. You can also provide pay stubs for the preceding six months indicating your income. If your claimed income comprises income from sources such as alimony, child support, interest income, or dividend income, you may also provide proof of that income.

Item Numbers 8-22 relate to the current annual household income and are used to determine the sponsors household income. If your individual annual income, which you provided 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 are not required to include any other household members income. You can refer to Form I-864P for information about 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. In case you have 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, they must be over 18 years old and should complete Form I-864A.

2. If you have included the income of the intending immigrant who is your spouse, as listed in Part 5, Item Number 1, you need to provide evidence that their income will continue from the current source after obtaining lawful permanent resident status. They do not have to complete Form I-864A unless they have accompanying children.

3. If you have included the income of the intending immigrant who is not your spouse, listed in Part 5, Item Number 1, you must provide evidence that their income will continue from a lawful source after obtaining lawful permanent resident status, and they must provide evidence that they are residing in your residence. They do not have to complete Form I-864A unless they have accompanying spouse or children.

Note that if you have listed additional household members in Part 11, Additional Information, you must provide their income and information when answering Item Numbers 20-22, when applicable.

Item Numbers 23.a.-25. pertain to 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 that additional returns might help you establish your capacity to maintain sufficient income, you may also submit transcripts or photocopies of your Federal individual income tax returns for the three most recent years.

You are not obligated to have the IRS certify the transcript or photocopy of your Federal individual income tax return, unless a Government official specifically instructs you to do so. A plain transcript or photocopy will suffice.

You should not submit copies of your state income tax returns. Additionally, you should not provide 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 intend 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 choose to provide a photocopy of your Federal individual income tax returns, you must include a copy of each Form W-2 and Form 1099 that relates to your returns. However, you do not need to include copies of these forms if you submit an IRS transcript of your Federal individual income tax returns instead of a photocopy, unless you filed a joint income tax return with your spouse and are using only your income to qualify.

If you have selected Part 6, Item Number 2, indicating 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 are required to include each and every Form 1040 Schedule that you filed with your Federal income tax return.

As previously mentioned, you are required to provide an IRS transcript or a 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 a copy of your Federal individual income tax return for those years as well.

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, attach an IRS transcript or a 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.

Note that 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. Refer to Filing Requirements in the IRS Form 1040 Filing Instructions to determine whether you were required to file.

Regenerate response

For the purpose of this affidavit, the line for Total Income on IRS Forms 1040 and 1040A will be used to determine income. For those who file IRS Form 1040 EZ, the line for adjusted gross income will be used.

To obtain tax transcripts from the IRS, you may use IRS Form 4506-T. Complete the form with the ending date for each of your three most recent tax years listed in Item Numbers 24.a. to 24.c. Make sure to follow all instructions for completing and filing Form 4506-T with the IRS.

It is important to note that the boxes for Item Number 24.a. cannot be left blank. You must type or print the most recent tax year and your total income for that year. If the amount was zero, type or print "zero". 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)**

Part 7. should only be completed 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 greater than the amount 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.

However, 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 to support the intending immigrants if necessary. The value of assets of all these persons may be combined to meet the necessary requirement.

Additionally, you may include the net value of other assets such as bank accounts, stocks, bonds, and retirement accounts. However, you must provide evidence of ownership and the basis for the net cash value of these assets, such as account statements, stock certificates, or valuations from a financial institution. You may also include the value of any other real estate or property that you own, but you must provide documentation to support the appraised value and any outstanding loans or liens on the property.

If you are relying on assets to meet the income requirement, the total value of your assets must equal at least five times the difference between your current annual household income and the current Federal Poverty Guidelines for your household size (indicated in Part 5., Item Number 8.). If you are including the assets of other household members or the sponsored immigrant, you must include their signed Form I-864A, Contract Between Sponsor and Household Member, and evidence of their ownership and net cash value of the assets.

Note that the value of assets can only be used to supplement the income requirement and cannot be used as a replacement for the required income. If you are using assets to meet the income requirement, you must also include evidence of your ability to sell or liquidate the assets without considerable hardship or financial loss.

Item Numbers 1. - 4. Assets. Submitting evidence to establish location, ownership, date of acquisition, and value of any real estate holding is necessary when completing Part 7, Item Numbers 1-4, in order to use your own assets.

Item Numbers 5.a. - 5.b. Household Member's Assets. In order to use a relative's assets, such as a spouse, adult child, parent, or sibling, that relative must be residing with you and have completed Form I-864A with accompanying evidence of their assets. The Form I-864A and accompanying evidence of assets should be submitted along with Form I-864. If you intend to use the assets of multiple relatives residing with you, you must submit a complete Form I-864A with evidence of assets for each individual relative.

Item Numbers 6. - 9. Assets of the Intending Immigrant. You have the option to use the assets of the intending immigrant, regardless of their residence. The intending immigrant must provide evidence of their assets along with this affidavit. Combine Item Numbers 6. - 8. and include the total in Item Number 9. You are not required to submit Form I-864A to document the assets of the intending immigrant.

Item Number 10. Total Value of Assets. To qualify based on assets, the total value of your assets must be 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 sponsoring your spouse or child who is at least 18 years old, the total value of your assets must only be equal to at least three times the difference. For a foreign national orphan who will be adopted in the U.S. after obtaining legal permanent residence and citizenship under section 320 of the INA, the total value of your assets only needs to equal the difference.

Suppose you are sponsoring a parent and the Federal Poverty Guidelines for your household size require an annual income of \$22,062, but your current annual household income is only \$18,062, leaving a \$4,000 difference. To use assets to meet the income requirement, the total value of your assets, along with those of any household member who submitted Form I-864A, and any assets available to the intending immigrant, must add up to at least five times the difference (5 x \$4,000). In this example, you would qualify if the net value of the assets totaled at least \$20,000.

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

The affidavit must be signed and dated by the sponsor to be considered valid. Failure to sign and date

the affidavit will result in the intending immigrant being unable to obtain a visa or adjust their status. Therefore, it is important to read the contract carefully and ensure that all required information has been provided before signing and dating the affidavit.

Item Numbers 1.a. - 6.b. To indicate whether you read the affidavit by yourself or with the assistance of an interpreter, select the appropriate box. If you received assistance from a preparer, select the box indicating that a preparer helped you. Sign and date the affidavit and provide your daytime telephone number, mobile telephone number (if any), and email address (if any). Your signature is mandatory on the affidavit, or that of the sponsor (or parent or legal guardian, if applicable). Do not use a stamped or typewritten name in place of a signature.

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

Item Numbers 1.a. - 7.b. If you used an interpreter to help you understand the instructions and questions on this affidavit, the interpreter must complete this section. The interpreter should provide their name, the name and address of their business or organization (if applicable), their daytime telephone number, mobile telephone number (if any), and email address (if any). The interpreter must sign and date the affidavit to confirm their assistance.

### **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, Part 10, must be completed by the person who helped you prepare your affidavit if it wasn't you, the sponsor. If the same person acted as your interpreter and preparer, they should complete both Part 9 and Part 10. If the preparer is associated with a business or organization, they should include the name and address information of that business or organization. The preparer must sign and date the affidavit, and a stamped or typewritten name is not acceptable. If the preparer is an attorney or accredited representative, and their representation goes beyond preparing this affidavit, they may also need to submit a completed Form G-28 or G-28I along with your affidavit.

### **Part 11. Additional Information.**

Item Numbers 1.a. - 7.d. If you require additional space to provide further information within this affidavit, you can use the space provided in Part 11. Additional Information. If you need more space than what is provided in Part 11., you can either make copies of Part 11. to complete and file with your affidavit or attach a separate sheet of paper. On each sheet, make sure to type or print your name and A-Number (if any) at the top, indicate the Page Number, Part Number, and Item Number to which your answer refers, and sign and date each sheet.

We highly recommend that you print or save a copy of your completed affidavit for future review and record-keeping purposes.

### **Specific Requirements**

#### **Who Completes and Signs Form I-864?**

The sponsor, who must be at least 18 years of age and domiciled in the United States or its territories or possessions, completes and signs Form I-864. Even if a joint sponsor also submits an I-864 to meet the

income requirement, the petitioning sponsor must sign and complete Form I-864. The following list 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 have an income that is at least 125 percent of the current Federal Poverty Guidelines for your household size. The USCIS website at [www.uscis.gov](http://www.uscis.gov) provides the annual updated Federal poverty line, which is used for this affidavit and can be found on Form I-864P, Poverty Guidelines.

For active-duty members of the U.S. Armed Forces, such as those in the Army, Marines, Navy, Air Force, or Coast Guard, who are sponsoring their spouse or minor child, a minimum income of 100 percent of the Federal Poverty Guidelines for their household size is sufficient. This provision does not extend to joint or substitute sponsors.

### **How Do I Count Household Size?**

Your household size, for the purposes of this affidavit, comprises yourself and the following individuals, irrespective of their place of residence: your spouse, any dependent children under 21 years of age, any dependents listed on your latest Federal income tax return, all persons being sponsored in this affidavit of support, and any immigrants whom you previously sponsored with Form I-864 or Form I-864 EZ, Affidavit of Support Under Section 213A of the INA, and are still obligated to support.

If required to meet the income requirements for sponsorship, you may include additional relatives (such as adult children, parents, or siblings) as part of your household size, provided they reside in the same principal residence as you and commit to using their income and resources in support of the intending immigrants.

### **What if I Cannot Meet the Income Requirements?**

**If your income alone falls short of meeting the requirement for your household size, the intending immigrant cannot be granted an immigrant visa or an adjustment of status, unless the requirement can be fulfilled by using any combination of the following:**

1. Income from any relatives or dependents residing in your household or those listed on your most recent Federal income tax return, who have signed Form I-864A, Contract Between Sponsor and Household Member.
2. Income from the intending immigrant, provided that income will persist from the same source after immigration, and the intending immigrant is presently residing in your household. For a spouse who is the intending immigrant, their income may be counted regardless of their current residence, but it must persist from the same source after becoming 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 immigrant
4. A joint sponsor whose income and/or assets meet at least 125 percent of the Federal Poverty Guidelines. (Refer to the What is a Joint Sponsor section of these Instructions for further details.)

How Can My Relatives and Dependents Help Me Meet the Income Requirements? If they are willing to be jointly responsible for the intending immigrants you are sponsoring, you may use the income of your spouse and/or any other relatives residing in your home to meet the income requirements. Additionally, you can include the income of any unrelated dependents listed on your Federal income tax return, regardless of their place of residence.

To use the income of such household members and dependents, they must be at least 18 years of age when they sign the affidavit, and they must complete and sign Form I-864A, Contract Between Sponsor and Household Member.

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.

If specific conditions are fulfilled, an intending immigrants income can aid in meeting the income requirement. If the intending immigrant is your spouse, their income can be included if it will continue from the same source after they obtain lawful permanent resident status.

For another relative who is the intending immigrant, two requirements must be satisfied:

The income must persist from the same source after the intending immigrant obtains lawful permanent resident status.

The intending immigrant must presently reside with you in your residence.

## **Does Receipt of Means- tested Public Benefits Disqualify Me From being a Sponsor?**

No, receiving means-tested public benefits does not disqualify an individual from being a sponsor. However, means-tested public benefits cannot be counted as income to meet 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 individual seeking immigration for one or more of their relatives cannot meet the income requirements, a joint sponsor who can meet the requirements may submit Form I-864 to sponsor some or all of the family members.

A joint sponsor is someone who is willing to be held jointly liable with the petitioner for the support of the intending immigrant and 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. The joint sponsor does not need to be related to either the petitioning sponsor or the intending immigrant.

If the first joint sponsor completes Form I-864 for only some of the family members, a second qualifying joint sponsor will be necessary to sponsor the remaining family members. A maximum of two joint sponsors is permitted. Each joint sponsor must be able to meet the income requirements for all the persons they are sponsoring without combining resources with the petitioning sponsor or another joint sponsor.

If any dependents apply for an immigrant visa or an adjustment of status more than six months after the immigration of the intending immigrants, they must be sponsored by the petitioner. However, they can also be sponsored by the 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 still bears legal responsibility for financially supporting the sponsored immigrant alongside 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 utilized. Additionally, the petitioning sponsor must provide their Federal income tax return for the most recent tax year, along with supporting tax documents, unless they are not required to file a Federal income tax return for the most recent tax year.

## **What Is a Substitute Sponsor?**

A substitute sponsor is someone who completes Form I-864 on behalf of an intending immigrant whose original Form I-130 petitioner has passed away after the approval of Form I-130 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.

As a substitute sponsor, you must indicate that you are related to the intending immigrant in one of the listed ways and provide evidence to prove the relationship. The beneficiary must also submit 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. Additionally, the beneficiary must include a copy of the Form I-130 approval notice.

### **How Long Does My Obligation as a Sponsor Continue?**

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

While 40 qualifying quarters of work typically corresponds to 10 years of work, the work of a spouse or parent in some cases adds qualifying quarters. The Social Security Administration can provide information on how to count qualifying quarters (credits) of work.

The obligation also terminates if either you or the sponsored immigrant passes away or if the sponsored immigrant ceases to be a lawful permanent resident. However, divorce does not end the sponsorship obligation.

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

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

For intending immigrants for whom different Form I-130, Form I-600, or Form I-800 family-based petitions were filed, separate affidavits of support are required. For example, if you are sponsoring both parents, each parent will require an original affidavit of support and accompanying documentation since you filed separate Form I-130 visa petitions for each parent.

However, 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 they immigrate 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](http://www.travel.state.gov).

### **Where To File?**

For the most up-to-date information on where to file the Affidavit of Support, please visit our website at

[www.uscis.gov/i-864](http://www.uscis.gov/i-864) or contact the USCIS Contact Center at [www.uscis.gov/contactcenter](http://www.uscis.gov/contactcenter) to speak with a USCIS representative. Individuals who are deaf or hard of hearing can call 1-800-767-1833 (TTY). Information on filing with the Department of State can be found at [www.travel.state.gov](http://www.travel.state.gov).

## Address Change

If a sponsor is not a U.S. citizen, they must notify USCIS of their new address within 10 days of moving from their previous residence. To do so, they must complete and file Form I-865, Sponsor's Change of Address. Information on filing a change of address can be found on the USCIS website at [www.uscis.gov/addresschange](http://www.uscis.gov/addresschange) or by contacting the USCIS Contact Center at [www.uscis.gov/contactcenter](http://www.uscis.gov/contactcenter), which provides information in English and Spanish. Individuals who are deaf or hard of hearing can call 1-800-767-1833 (TTY). For information on reporting a change of address to the Department of State, visit [www.travel.state.gov](http://www.travel.state.gov).

**NOTE:** Form I-865 should not be completed at the same time as Form I-864. The sponsor should only complete and submit Form I-865 to USCIS when the address indicated on the original Form I-864 has changed.

**NOTE:** Form I-865 should not be completed at the same time as Form I-864. The sponsor should only complete and submit Form I-865 to USCIS when the address indicated on the original Form I-864 has changed.

It is important to note that even if a sponsor is a lawful permanent resident, they are still required to file a change of address within 10 days of the change. Information on filing a change of address can be found on the USCIS website at [www.uscis.gov/addresschange](http://www.uscis.gov/addresschange) or by contacting the USCIS Contact Center at [www.uscis.gov/contactcenter](http://www.uscis.gov/contactcenter), which provides information in English and Spanish. Individuals who are deaf or hard of hearing can call 1-800-767-1833 (TTY).

**NOTE:** Change of address requests should not be submitted to the USCIS Lockbox facilities because they do not process change of address requests.

## Processing Information

Initial Processing. After USCIS or DOS accepts your Affidavit of Support, they will review it for completeness. It is important to ensure that you have completely filled out the affidavit, as failure to do so may result in a rejection or denial of your affidavit and could impact your eligibility to sponsor the intending immigrant.

**Requests for More Information.** In some cases, USCIS may request that you provide additional information or evidence to support your Affidavit of Support. If this occurs, USCIS may also request that you provide the original copies of any copies that you submitted. If USCIS requests an original document from you, it will be returned to you after USCIS determines that it no longer needs it.

**Requests for Interview.** Additionally, USCIS may request that you appear at a USCIS office for an interview based on your Affidavit of Support. During any interview or appearance at a USCIS office, you may be required to provide your fingerprints, photograph, and/or signature to verify your identity and update background and security checks.

## **USCIS Forms and Information**

To ensure that you are using the most up-to-date version of this Affidavit of Support, you can visit the USCIS website at [www.uscis.gov](http://www.uscis.gov), where you can obtain the latest USCIS forms and immigration-related information. If you do not have access to the Internet, you can order USCIS forms by calling the Forms Request Line at 1-800-870-3676. You can also obtain forms and information by calling the USCIS National Customer Service Center at 1-800-375-5283. For TTY (deaf or hard of hearing) call: 1-800-767-1833.

If you prefer not to wait in line at a USCIS office for assistance, you can schedule an appointment online at [www.uscis.gov](http://www.uscis.gov). Simply select "Schedule an Appointment" and follow the prompts on the screen to set up your appointment. Once you have finished scheduling your appointment, the system will generate an appointment notice for you.

If you are filing with DOS, you can find information on their website at [www.travel.state.gov](http://www.travel.state.gov).

## **Penalties**

It is important to provide truthful and accurate information when completing Form I-864, as knowingly providing false information or submitting a false document can result in the denial of the form and other immigration benefits. Additionally, falsifying information can lead to severe penalties and even criminal prosecution.

The U.S. Government has the right to verify any information provided in the affidavit, including income, employment, and assets, through various institutions such as employers, financial institutions, the IRS, and the Social Security Administration. Any knowingly false information provided in the affidavit can result in criminal prosecution under U.S. laws.

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:** Collection of the information and evidence requested on this affidavit falls under section 213A of the Immigration and Nationality Act.

**PURPOSE:** The main objective of providing the requested information on this affidavit is to demonstrate that the immigrant applicant has sufficient financial resources to support themselves and will not require financial assistance from the U.S. government. The information provided will be used by the Department of Homeland Security (DHS) to determine whether to approve or deny your immigration request.

**DISCLOSURE:** While providing the requested information is voluntary, not doing so along with the evidence requested could delay the final decision or result in a rejection of the affidavit. The collection of your Social Security number is mandatory under INA section 213A(i). Failure to provide the information and evidence requested could prevent USCIS from accepting and approving your affidavit, which could result in the denial of your immigration application.

**ROUTINE USES:** DHS may share the information you provide on this affidavit with other authorized government agencies and organizations, including federal, state, local, and foreign entities. DHS will adhere to the standard routine uses specified in the 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 are accessible at [www.dhs.gov/privacy](http://www.dhs.gov/privacy). Additionally, DHS may share the information for law enforcement purposes or to safeguard national security as necessary.

### **Paperwork Reduction Act**

In accordance with the Office of Management and Budget (OMB), an agency cannot conduct or sponsor an information collection, and individuals are not obligated to respond to a collection of information, unless it shows a currently valid OMB control number. The estimated public reporting burden for completing this information collection is approximately 6 hours per response, including the time spent on reviewing instructions, gathering required documentation and information, completing the affidavit, preparing statements, attaching necessary documentation, and submitting the affidavit. To share feedback regarding this burden estimate or any other aspect of this information collection, including suggestions for reducing the burden, please send it to the Regulatory Coordination Division, Office of Policy and Strategy, U.S. Citizenship and Immigration Services, 5900 Capital Gateway Drive, Mail Stop #2140, Camp Springs, MD 20588-0009, referencing OMB No. 1615-0075. Please note that this address is not to be used for submitting the completed Form I-864.

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

#### **For ALL sponsors:**

To qualify, you must provide a copy of your personal Federal income tax return, which should include W-2s for the latest tax year. Alternatively, you can provide a statement and/or evidence explaining why you were not required to file. Additionally, please submit copies of every Form 1099, Schedule, and any other documentation indicating reported income. You may provide this information for the latest three tax years, or pay stubs from the most recent six months, or a letter from your employer, if you believe that submitting 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.

Please provide a copy of the intending immigrants 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 latest three years if you believe it will assist you in qualifying.

If you are using your assets or the assets of a household member to qualify, please provide documentation of these assets that establish their location, ownership, date of acquisition, and value. Additionally, please provide evidence of any liens or liabilities against these assets.

If you are using assets other than those for the intending immigrant, please complete a separate Form I-864A for each household member.

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

If you are a U.S. citizen or U.S. national, please provide a copy of your birth certificate, passport, or certificate of naturalization or citizenship.

If you are a lawful permanent resident, please provide a copy of both sides of your Form I-551, Permanent Resident Card.

If your legal guardian is signing this Form I-864 on your behalf, the legal guardian must provide:

1. Proof of an appointment as legal guardian of your estate; and
2. A copy of an order from the appointing court or agency that specifically allows the legal guardian to make your income and assets available for the support of the sponsored immigrant.