



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

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

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

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

How is Form I-864 Used?

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

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

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

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

Who Needs to Submit Form I-864?

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

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

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

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