



# Instructions for Contract Between Sponsor and Household Member

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

USCIS  
Form I-864A  
OMB No. 1615-0075  
Expires 03/31/2015

## What Is the Purpose of Form I-864A?

Form I-864A, Contract Between Sponsor and Household Member, is an attachment to Form I-864, **Affidavit of Support Under Section 213A of the INA**. It is an optional form, completed and signed by two individuals: a sponsor who is completing Form I-864, **and** a household member who is promising to make his or her income and/or assets available to the sponsor to help support the sponsored immigrant(s). The combined signing of this form constitutes an agreement that the household member is responsible along with the sponsor for the support of the individual(s) named in this form.

A separate Form I-864A must be used for each household member whose income and/or assets are being used by a sponsor to qualify. This form must be **submitted with** Form I-864.

Form I-864A may only be used when a sponsor's income and assets do not meet the income requirements of Form I-864 and the qualifying household member chooses to combine his or her resources with the income and/or assets of a sponsor to meet the requirements. The obligations of the household member under this contract terminate when the obligations of the sponsor under the Affidavit of Support terminate.

For additional information, see section 213A of the INA, and part 213a of Title 8 of the Code of Federal Regulations.

## What Is a Sponsor?

A sponsor is:

- 1.A. the petitioning relative; **or**
- 1.B. a relative with a significant ownership interest in the petitioning entity; **or**
- 1.C. a substitute in the case of a deceased petitioner, or another person accepting joint and several liability with the sponsor; **and**
2. someone who completes and files Form I-864, Affidavit of Support under Section 213A of the **INA** on behalf of an intending immigrant. A sponsor must be an individual and may not be an enterprise, a business, or any other type of organization.

## Who May Be Considered a Household Member for Purposes of This Form?

For purposes of this form, a household member is:

1. **A U.S. citizen, lawful permanent resident, or U.S. national relative who has the same principal residence as the sponsor and is related to the sponsor as a spouse, adult child, parent, or sibling.**
2. **A U.S. citizen, lawful permanent resident, or U.S. national relative or other person whom the sponsor has lawfully claimed as a dependent on the sponsor's most recent Federal income tax return even if that person does not live at the same residence as the sponsor;**
3. The intending immigrant, in certain circumstances. (See the section of these Instructions entitled **How Can the Intending Immigrant Be Considered a Household Member.**)

## How Can the Intending Immigrant Be Considered a Household Member?

Listed below are two ways that the intending immigrant may be considered to be a household member for the purposes of pooling income with the sponsor to meet the Affidavit of Support requirements:

1. The intending immigrant has the same principal residence as the sponsor and the intending immigrant can establish that his or her income will continue from the same source, even after acquisition of lawful permanent residence.
2. The intending immigrant is the sponsor's spouse and the intending immigrant can show that his or her income will continue from the same source after acquisition of lawful permanent residence.

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## Why Does a Household Member Complete This Form?

A household member completes this form if the household member's income and/or assets will be used to demonstrate the sponsor's ability to meet the income requirements and to maintain the sponsored immigrant at an annual income at the level specified in section 213A(f)(1)(E) or 213A(f)(3) of **the INA**.

## If the Intending Immigrant Is a Household Member, Must He or She Complete This Form?

If you are the intending immigrant and the sponsor is including your income on Form I-864 to meet the eligibility requirements, you need to complete this form only if you have accompanying dependents. If you are the intending immigrant and the sponsor is including only your assets on Form I-864, you do not need to complete this form, even if you have accompanying dependents.

### General Instructions

USCIS provides forms free of charge through the USCIS Web site. In order to view, print, or fill out our forms, you should use the latest version of Adobe Reader, which you can download for free at <http://get.adobe.com/reader/>. If you do not have Internet access, you may call the USCIS National Customer Service Center at **1-800-375-5283** and ask that we mail a form to you. For TTY (deaf or hard of hearing) call: **1-800-767-1833**.

**Signature.** Each request must be properly signed and filed. For all signatures on this request, USCIS will not accept a stamped or typewritten name in place of a signature. If you are under 14 years of age, your parent or legal guardian may sign the application on your behalf. A legal guardian may also sign for a mentally incompetent person.

**Filing Fee.** There is no fee to file this form.

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

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

**Copies.** You may 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 a **application, petition, or request**. If you submit original documents when not required, the documents may remain a part of the record, and USCIS will not automatically return them to you.

**Translations.** If you submit a document with information in a foreign language, you must also submit a full English translation. The translator must sign a certification that the English language translation is complete and accurate, and that he or she is competent to translate from the foreign language into English.

## How To Fill Out Form I-864A

1. Type or print legibly in black ink.
2. If you need extra space to complete any item within this contract, use the space provided in **Part 9. Additional Information** or attach a separate sheet of paper; type or print your name and Alien Registration Number (A-Number) (if any) at the top of each sheet; indicate the **Page Number**, **Part Number**, and **Item Number** to which your answer refers; and sign and date each sheet.

3. Answer all questions fully and accurately. If a question does not apply to you (for example, if you have never been married and the question asks “Provide the name of your current spouse”), type or print “N/A,” unless otherwise directed. If your answer to a question which requires a numeric response is zero or none (for example, “How many children do you have” or “How many times have you departed the United States”), type or print “None,” unless otherwise directed.

**We recommend that you print or save a copy of your completed request to review in the future and for your records.**

### Specific Instructions

This form is divided into **nine** parts. The sponsor completes **Part 5. Sponsor’s Promise, Statement, Contact Information, Certification, and Signature** of this form and the household member completes **Parts 1., 2., 3., 4., and 6.** The information below provides detailed information **to help you complete** this form.

#### **Part 1. Information About You (the Household Member).**

**Item Numbers 1.a.- 1.c. Full Name.** Provide your full name.

**Item Numbers 2.a.- 2.h. Mailing Address.** Provide the address where you receive mail.

**Item Numbers 3.a.- 3.h. Physical Address.** If you reside in a location different than where you receive mail, provide **it** in the spaces.

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

**Item Number 5.a. - 5.c. Place of Birth.** Provide the city or town, state or province, and country where you were born.

**Item Number 6. U.S. Social Security Number (if any).** Provide your U.S. Social Security Number if you have one.

**Item Number 7. USCIS ELIS Account Number (if any).** If you have previously filed an application, petition, or request using the USCIS Electronic Immigration System (USCIS ELIS), provide the USCIS ELIS Account Number you were issued by the system. The USCIS ELIS Account Number is not the same as an A-Number. If you were issued a USCIS ELIS Account Number, enter it in the space provided.

#### **Part 2. Your (the Household Member’s) Relationship to the Sponsor.**

**Item Numbers 1.a.-1.c.** Select the item which best reflects your relationship to the sponsor .

If you select **Item Number 1.a.** (married to the sponsor), you do not have to reside with the sponsor, but you must provide proof that your income will continue from the same source after immigration.

If you select **Item Number 1.b.** (not married to the sponsor), you must provide proof that you currently have the same principal residence as the sponsor and that your income will continue from the same source after immigration.

If you are the household member completing this form, but are not the intending immigrant, select **Item Number 1.c.**, and select the box below that describes your relationship to the sponsor. If you select “**Other** dependent,” you must be listed as a dependent on the sponsor’s most recent Federal tax return. You do not have to provide proof that you have the same principal residence as the sponsor. If you select any other relative except for spouse, you must provide proof of the relationship and that you have the same principal residence as the sponsor.

#### **Part 3. Your (the Household Member’s) Employment and Income.**

**Item Number 1.a. - 1.d. Your (the Household Member’s) Employment.** Select all boxes that apply to you. A sponsor may not rely on a household member’s income from illegal activities, such as proceeds from illegal gambling or drug sales, to meet the income requirements, even if the household member paid taxes on that income.

**Item Number 2. Current Individual Annual Income.** Enter your current individual earned or retirement annual income that you are using to meet the requirements of this form and indicate the total on this line.

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

#### **Part 4. Your (the Household Member's) Federal Income Tax Information and Assets.**

You must provide either an IRS transcript or a photocopy from your own records of your Federal individual income tax return for the most recent tax year. If you believe additional returns may help you to establish your ability to maintain sufficient income, you may submit transcripts or photocopies of your Federal individual income tax returns for the three most recent years.

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

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

If you provide a photocopy of your tax return(s), you must include a copy of each and every Form W-2 and Form 1099 that relates to your return(s). Do not include copies of these Forms if you provide an IRS transcript of your return(s) rather than a photocopy.

If you selected **Item Number 1.b.** that you are self-employed, you should have completed one of the following forms with your Federal income tax return: Schedule C (Profit or Loss from Business), Schedule D (Capital Gains), Schedule E (Supplemental Income or Loss) or Schedule F (Profit or Loss from Farming). You must include each and every Form 1040 Schedule, if any, that you filed with your Federal tax return.

If you were required to file a Federal income tax return during any of the previous three tax years but did not do so, you must file any and all late returns with IRS and attach an IRS-generated tax return transcript documenting your late filing before submitting the Form I-864A. 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 written explanation.

If you were not required to file a Federal income tax return under U.S. tax law for any other reason, attach a written explanation including evidence of the exemption and how you qualified for it. Residence outside of the United States does not exempt U.S. citizens or lawful permanent residents from filing a U.S. Federal income tax return. See Filing Requirements in the IRS Form 1040 Filing Instructions to determine whether you were required to file.

For purposes of this form, the line for gross (total) income on IRS Forms 1040 and 1040A will be considered when determining income. For persons filing IRS Form 1040 EZ, the line for adjusted gross income will be considered.

**Obtaining Tax Transcripts.** You may use Internal Revenue Service (IRS) Form 4506-T to request tax transcripts from the IRS. Complete IRS Form 4506-T with the ending date for each of your three most recent tax years listed on line 9. Follow all instructions for completing and filing Form 4506-T with the IRS.

**Item Number 5.a. - 5.d. Assets.** Complete this item only if the sponsor is using the value of your assets to help meet the requirements of the affidavit of support. If you are using only your income to help the sponsor meet the requirements, do not complete this item.

If you are the intending immigrant and have no accompanying dependents, then do not list your assets on this form. Instead, **you must list your assets in Part 7, Item Numbers 6.- 10.** of Form I-864.

Only assets that can be converted into cash within 1 year and without considerable hardship or financial loss to the owner may be included. The owner of the asset must include a description of the asset, proof of ownership, and the basis for the owner's claim of its net cash value.

You may include the net value of your home as an asset. The net value of the home is the appraised value of the home, minus the sum of any and all loans secured by a mortgage, trust deed, or other lien on the home.



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

#### **Part 5. Sponsor's Promise, Statement, Contact Information, Certification, and Signature.**

If the sponsor you are promising to make your income available to is sponsoring the principal intending immigrant (the sponsor should have "Yes" as his or her answer to **Item Number 1. in Part 3. of his or her Form I-864**), you should list the intending immigrant in **Item Number 1.a.-1.c. of Part 5.** and then list any spouse and any and all children that are listed in the sponsor's Form I-864 in the spaces that follow in **Part 5.** of Form I-864A.

If the sponsor you are promising to make your income available to is not sponsoring the intending immigrant (this should be true only in cases with two joint sponsors, with "No" checked on **Item Number 1. in Part 3. of his or her Form I-864**), in **Item Number 1.a.-1.c. of Part 5.** Instead, list any spouse and any and all children that appear on the sponsor's Form I-864, in the spaces that follow in **Part 5.** of Form I-864A.

Select the appropriate box to indicate that you either read this request yourself or someone interpreted this request for you from English to a language in which you are fluent. If applicable, select the box to indicate if someone prepared this request for you. Further, you must sign and date your request and provide your daytime telephone number, mobile telephone number (if any), and email address (if any). Every request **MUST** contain the signature of the requestor (or parent or legal guardian, if applicable). A stamped or typewritten name in place of a signature is not acceptable.

#### **Part 6. Your (the Household Member's) Promise, Statement, Contact Information, Certification, and Signature.**

Read the household member's promise carefully, print your name in the spaces provided in **Part 6.** then sign and date the form. **If you do not print your name in the Signature section and sign and date the form, the intending immigrant cannot be issued a visa or be granted adjustment of status based upon the income and/or assets listed on this form.**

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

Select the appropriate box to indicate that you either read this request yourself or someone interpreted this request for you from English to a language in which you are fluent. If applicable, select the box to indicate if someone prepared this request for you. Further, you must sign and date your request and provide your daytime telephone number, mobile telephone number (if any), and email address (if any). Every request **MUST** contain the signature of the requestor (or parent or legal guardian, if applicable). A stamped or typewritten name in place of a signature is not acceptable.

#### **Part 7. Interpreter's Contact Information, Certification, and Signature.**

If you used anyone as an interpreter to read the instructions and questions on this request to you in a language in which you are fluent, the interpreter must fill out this section, provide his or her name, the name and address of his or her business or organization (if any), his or her daytime telephone number, and his or her email address (if any). The interpreter must sign and date the request.

#### **Part 8. Contact Information, Statement, Certification, and Signature of the Person Preparing this Request, If Other Than You (the Household Member).**

This section must contain the signature of the person who completed your request, if other than you, the household member. If the same individual acted as your interpreter and your preparer, that person should complete both **Part 7.** and **Part 8.** If the person who completed this request is associated with a business or organization, that person should complete the business or organization name and address information. Anyone who helped you prepare this request **MUST** sign and date the request. A stamped or typewritten name in place of a signature is not acceptable. If the person who helped you prepare your request is an attorney or accredited representative, he or she must also submit a completed Form G-28, Notice of Entry of Appearance as Attorney or Accredited Representative, along with your request, if his or her representation extends beyond preparation of this form.

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## Part 9. Additional Information.

If you need extra space to provide any additional information within this request, use the space provided in **Part 9. Additional Information**. If you need more space than what is provided in **Part 9.**, you may make copies of **Part 9.** to complete and file with your request, or attach a separate sheet of paper. Include your name and A-Number (if any) at the top of each sheet; indicate the **Page Number**, **Part Number**, and **Item Number** to which your answer refers; and sign and date each sheet.

### What Is The Filing Fee

There is no fee to file form I-864A.

### Where to File

This request **MUST** be filed with Form I-864.

For additional information, please see the USCIS Web site at [www.uscis.gov/I-864](http://www.uscis.gov/I-864) or call the USCIS National Customer Service Center at **1-800-375-5283**. For TTY (deaf or hard of hearing) call: **1-800-767-1833**.

### Address Change

If you have changed your address, you must inform USCIS of your new address within 30 days of the change. To do this, you must complete and file a Form I-865, Sponsor's Change of Address. For information on filing Form I-865, go to the USCIS Web site at [www.uscis.gov/I-865](http://www.uscis.gov/I-865) or contact the National Customer Service Center at **1-800-375-5283**. For TTY (deaf or hard of hearing) call: **1-800-767-1833**.

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

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

**NOTE:** Do not submit a change of address request to USCIS Lockbox facilities because these facilities do not process change of address requests.

### Processing Information

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

**Requests for More Information.** We may request that you provide more information or evidence to support your request. We may also request that you provide the originals of any copies you submit. USCIS will return any requested originals when they are no longer needed.

**Requests for Interview.** We may request that you appear at a USCIS office for an interview based on your request. 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.

**Decision.** The decision on Form I-864A involves a determination of whether you have established eligibility for the immigration benefit you are seeking. USCIS will notify you of the decision in writing.

## USCIS Forms and Information

To ensure you are using the latest version of this request, visit the USCIS Web site 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 Internet access, you may order USCIS forms by calling our toll-free number at **1-800-870-3676**. You may 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**.

Instead of waiting in line for assistance at your local USCIS office, you can now schedule an appointment through our online system, **InfoPass**, at [infopass.uscis.gov](http://infopass.uscis.gov). Use the **InfoPass** appointment scheduler and follow the screen prompts to set up your appointment. **InfoPass** generates an electronic appointment notice that appears on the screen.

## Penalties

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

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

If you fail to give 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 give this notice because you were aware that the immigrant(s) 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 the contract in **Part 8**, of Form I-864,) such failure may result in a fine of not less than \$2,000 or more than \$5,000. Otherwise, the failure to report your change of address may result in a fine not less than \$250 or more than \$2,000.

## USCIS Privacy Act Statement

**AUTHORITIES:** The information requested on this request, and the associated evidence, is contained in 8 U.S.C. 1182a(4), 1183a, 1184(a), and 1258.

**PURPOSE:** The information will be used principally by USCIS, a Consular Officer, or an immigration judge to whom it is furnished, to accompany a sponsor's Form I-864, Affidavit of Support, which supports an alien's application for benefits under the INA, specifically the assertion that he or she has adequate means of financial support and will not become a public charge.

**DISCLOSURE:** The information you provide is voluntary. However, failure to provide the requested information, and any requested evidence, may result in denial of the application for an immigrant visa or adjustment of status, and delay a final decision in your case or result in denial of your request.

**ROUTINE USES:** DHS may share the information you provide on this request with other Federal, state, local, and foreign government agencies and authorized organizations. Social Security numbers may be verified with the Social Security Administration. 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, and National File Tracking System of Records] which you can find at [www.dhs.gov/privacy](http://www.dhs.gov/privacy). DHS may also share the information, as appropriate, for law enforcement purposes or in the interest of national security.

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## Paperwork Reduction Act

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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 OMB control number. The public reporting burden for this collection of information is estimated at 1 hour and 45 minutes per response, including the time for reviewing instructions, gathering the required documentation and information, completing the request, preparing statements, attaching necessary documentation, and submitting the request. 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-864A to this address.**

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12/12/2014