

Other Common Immigration Forms

The following documents are samples of common immigration forms that are referenced in this *Guide*. They include the “enforceable” Affidavit of Support (Form I-864), the “traditional” Affidavit of Support (Form I-134), the Notice to Appear (Form I-862) that initiates removal proceedings, and the Order to Show Cause (Form I-221S) used to initiate deportation proceedings.

I-864 – AFFIDAVIT OF SUPPORT (ENFORCEABLE VERSION)

Most individuals who are immigrating based on petitions filed by their family members, and some individuals immigrating based on employment if a family member is an owner of the business, and who applied for an immigrant visa after December 19, 1997, must submit Form I-864, the Affidavit of Support. This form is an enforceable contract by means of which the immigrant’s “sponsor” promises to financially assist the immigrant and to ensure that he or she (and any accompanying family members) will be maintained at an income of at least 125 percent of federal poverty guidelines. See page 175 for federal poverty guidelines issued for 2002. The relative petitioner must be a sponsor, and if he or she does not have sufficient resources, a joint sponsor also can be obtained. See page 171 for a discussion of the Affidavit of Support requirement. Whether an immigrant has a sponsor is relevant for public benefit eligibility because the sponsor’s income may be “deemed” to be available to the immigrant under certain circumstances. See page 177 for a discussion of sponsor deeming.

OMB No. 1115-0214

U.S. Department of Justice
Immigration and Naturalization Service

Affidavit of Support Under Section 213A of the Act

START HERE - Please Type or Print

Part 1. Information on Sponsor (You)

Last Name _____ First Name _____ Middle Name _____

Mailing Address (Street Number and Name) _____ Apt./Suite Number _____

City _____ State or Province _____

Country _____ ZIP/Postal Code _____ Telephone Number _____

Place of Residence if different from above (Street Number and Name) _____ Apt./Suite Number _____

City _____ State or Province _____

Country _____ ZIP/Postal Code _____ Telephone Number _____

Date of Birth (Month, Day, Year) _____ Place of Birth (City, State, Country) _____ Are you a U.S. Citizen? Yes No

Social Security Number _____ A-Number (if any) _____

FOR AGENCY USE ONLY

This Affidavit Receipt

Meets Requirements of Section 213A

Does not meet

Officer or I.J. Signature _____

Location _____

Date _____

Part 2. Basis for Filing Affidavit of Support

I am filing this affidavit of support because (check one):

a. I filed/am filing the alien relative petition.

b. I filed/am filing an alien worker petition on behalf of the intending immigrant, who is related to me as my _____ (relationship).

c. I have ownership interest of at least 5% of _____ (name of entity which filed visa petition) which filed an alien worker petition on behalf of the intending immigrant, who is related to me as my _____ (relationship).

d. I am a joint sponsor willing to accept the legal obligations with any other sponsor(s).

Part 3. Information on the Immigrant(s) You Are Sponsoring

Last Name _____ First Name _____ Middle Name _____

Date of Birth (Month, Day, Year) _____ Sex Male Female Social Security Number (if any) _____

Country of Citizenship _____ A-Number (if any) _____

Current Address (Street Number and Name) _____ Apt./Suite Number _____ City _____

State/Province _____ Country _____ ZIP/Postal Code _____ Telephone Number _____

List any spouse and/or children immigrating with the immigrant named above in this Part: (Use additional sheet of paper if necessary.)

Name	Relationship to Sponsor(s)			Date of Birth			A-Number (if any)	Social Security Number (if any)
	Spouse	Son	Daughter	Mo.	Day	Yr.		

Form I-864 (08/26/01)

I-864 – Affidavit of Support (enforceable version)

I-134 — AFFIDAVIT OF SUPPORT (TRADITIONAL VERSION)

Individuals who are applying for LPR status and who are not subject to the requirement that they have the new, enforceable Affidavit of Support (I-864) may still submit the traditional Affidavit of Support form (I-134) in order to help show that they are not likely to become a "public charge." These forms are also used by family immigrants who applied for an immigrant visa prior to December 19, 1997. See page 167 for a discussion of the public charge ground of inadmissibility, and page 171 for a discussion of Affidavits of Support. Although this form has generally been held not to be enforceable against the sponsor, it may cause the sponsor's income to be "deemed" to be available to the immigrant if he or she applies for certain benefits within three years of entry to the United States. See page 177 for a discussion of sponsor deeming.

U.S. Department of Justice Immigration and Naturalization Service		Affidavit of Support	
<i>(ANSWER ALL ITEMS: FILL IN WITH TYPEWRITER OR PRINT IN BLOCK LETTERS IN INK.)</i>			
I, _____		residing at _____	
<small>(Name)</small>		<small>(Street and Number)</small>	
<small>(City)</small>	<small>(State)</small>	<small>(ZIP Code if in U.S.)</small>	<small>(Country)</small>
BEING DULY SWORN DEPOSE AND SAY:			
1. I was born on _____		at _____	
<small>(Date)</small>		<small>(City)</small>	<small>(Country)</small>
If you are <i>not</i> a native born United States citizen, answer the following as appropriate:			
a. If a United States citizen through naturalization, give certificate of naturalization number _____			
b. If a United States citizen through parent(s) or marriage, give citizen certificate number _____			
c. If United States citizenship was derived by some other method, attach a statement of explanation.			
d. If lawfully admitted permanent resident of the United States, give "A" number _____			
2. That I am _____ years of age and have resided in the United States since (date) _____			
3. That this affidavit is executed in behalf of the following person:			
Name _____		Sex _____	Age _____
Citizen of—(Country) _____		Marital Status _____	Relationship to Deponent _____
Presently resides at—(Street and Number) _____		(City) _____	(State) _____ (Country) _____
Name of spouse and children accompanying or following to join person:			
Spouse	Sex _____	Age _____	Child _____ Sex _____ Age _____
Child	Sex _____	Age _____	Child _____ Sex _____ Age _____
Child	Sex _____	Age _____	Child _____ Sex _____ Age _____
4. That this affidavit is made by me for the purpose of assuring the United States Government that the person(s) named in item 3 will not become a public charge in the United States.			
5. That I am willing and able to receive, maintain and support the person(s) named in item 3. That I am ready and willing to deposit a bond, if necessary, to guarantee that such person(s) will not become a public charge during his or her stay in the United States, or to guarantee that the above named will maintain his or her nonimmigrant status if admitted temporarily and will depart prior to the expiration of his or her authorized stay in the United States.			
6. That I understand this affidavit will be binding upon me for a period of three (3) years after entry of the person(s) named in item 3 and that the information and documentation provided by me may be made available to the Secretary of Health and Human Services and the Secretary of Agriculture, who may make it available to a public assistance agency.			
7. That I am employed as, or engaged in the business of _____ with _____			
		<small>(Type of Business)</small>	<small>(Name of Concern)</small>
at _____		(City) _____	(State) _____ (Zip Code) _____
<small>(Street and Number)</small>			
I derive an annual income of (if self-employed, I have attached a copy of my last income tax return or report of commercial rating concern which I certify to be true and correct to the best of my knowledge and belief. See instruction for nature of evidence of net worth to be submitted.) \$ _____			
I have on deposit in savings banks in the United States \$ _____			
I have other personal property, the reasonable value of which is \$ _____			
Form I-134(Rev. 12-1-84) Y			

I-134 — Affidavit of Support (traditional version, front)