

Affidavits of Support and Income Verification for Immigrant Visa Cases

For family reunification immigrant visa case processing, U.S. law requires certain financial documents from petitioners in order to prove that they have the resources necessary to sponsor an immigrant and to ensure that the case overcomes certain ineligibilities as specified in the Immigration and Nationality Act. Most petitioners must show that they have an income that exceeds 125% of the U.S. Department of Health and Human Services Poverty Guidelines, or find a joint sponsor who meets those guidelines.

All petitioners for immediate relative and family-preference immigrant case must submit Form I-864 and an IRS Tax Return Transcript of their most recent U.S. federal tax return. You must submit these forms even if your income does not meet the HHS guidelines and you plan to use a joint sponsor. If you did not file federal income taxes in the previous year, you must submit a letter describing why you qualify for an exemption from filing.

You may also choose to submit IRS Form 1040 or 1040EZ, however, those documents do not serve as proof of income. In order to demonstrate sufficient income to meet the HHS guidelines, you must submit either an IRS Tax Return Transcript (which covers all needs for income verification purposes), or IRS Form W2s.

All joint and co-sponsors must also submit the appropriate affidavit of support form (most commonly USCIS Form I-864) and proof of income (an IRS Tax Return Transcript or IRS Form W2s).

Please do not submit bank statements or other personal financial documents.

Frequently Asked Questions

What forms must petitioners submit?

All petitioners for immediate relative and family-preference immigrant case must submit Form I-864 and a copy of their most recent U.S. federal tax return (most commonly IRS Form 1040, Form 1040EZ or an IRS Tax Return Transcript). You must submit these forms even if your income does not meet the HHS guidelines and you plan to use a joint sponsor. If you file your income tax returns jointly you must submit your W2 forms.

What is a joint sponsor?

A joint sponsor is a third-party individual who does not reside with the petitioner who has agreed to sponsor an immigrant. They must individually meet the HHS poverty guidelines for their family size and the sponsored immigrant. For large families, it is possible to use more than one joint sponsor to sponsor all members of the family, but you cannot use more than two sponsors per case. For example, if two people are willing to sponsor a family of six, but neither of them has sufficient income to sponsor the entire family, one can sponsor three and the other the other three, covering all members of the family.

What documents must a joint sponsor submit?

Joint sponsors must submit the following three documents:

- 1) USCIS Form I-864
- 2) Previous year's federal income tax returns (IRS Form 1040 or IRS Tax Return Transcript)
- 3) Proof of income (either an IRS Tax Return Transcript or IRS Form W2s)
- 4) Proof of legal status in the United States (i.e. a copy of their U.S. passport, permanent resident card, or naturalization certificate).

What is a co-sponsor?

A co-sponsor is a member of the petitioner's household, who also agrees to sponsor an immigrant. Unlike a joint sponsor, co-sponsors must reside with the petitioner and can combine their income with the petitioner's in order to meet the HHS poverty guidelines.

What documents must a co-sponsor submit?

Co-sponsors must submit three documents:

- 1) USCIS Form I-864A
- 2) Previous year's Federal Income Tax Returns
- 3) Proof of income (either an IRS Tax Return Transcript or IRS Form W2s)
- 4) Proof of their legal status in the United States (i.e. a copy of their passport, permanent resident card, or naturalization certificate).

Who can use USCIS Form I-864EZ?

Petitioners who do not plan to use joint or co-sponsors may use Form I-864EZ. It must be accompanied their previous year's federal income tax returns and by proof of income (either an IRS Tax Return Transcript or IRS Form W2s),

Who can use USCIS Form I-864W?

Form I-864W is an application for exemption from the need to submit an affidavit of support or financial documents. This generally only applies to the biological or adopted children of U.S. citizens.

Who can use USCIS Form I-134?

Form I-134 is used only non-immigrant visa applications and to support certain Diversity Visa applicants. The most common visa category which qualifies for the use of Form I-134 is the K-type visa for the fiancés of U.S. citizens. All applicants for immediate relative or family preference visas must submit affidavits from the I-864 series.

How do you obtain an IRS Tax Return Transcript?

Tax Return Transcripts must be obtained directly from the U.S. Internal Revenue Service. You can request them online or via mail. Visit the following web address for more information:

<https://www.irs.gov/individuals/get-transcript>

How do you obtain IRS Form W2s to prove income?

Form W2s are available from your employer.

What if I am self-employed or work as an independent contractor, and do not have Form W2?

You can use a Tax Return Transcript to prove income. For independent contractors, IRS Form 1099 is also acceptable as proof of income.

Where can I find the HHS Poverty Guidelines?

See the table below, a French translation of the 2017 HHS Poverty Guidelines. Most sponsors must have income that exceeds 125% of the poverty level, based on the size of their household.

USCIS
Form I-864
Supplément

**Directives de 2017 de HHS (Service de la Santé Humaine) sur la Prise en Charge
Selon les Indications de Pauvreté
Département de la Sécurité Intérieure
Services d'Immigration et de Citoyenneté Américaine**

Directives de HHS (Service de la Santé Humaine) Selon les Indications de Pauvreté en 2017
Revenu minimum requis pour remplir le formulaire I-864

Pour les 48 Etats voisins, le District de Columbia, Puerto Rico, les Iles Vierges Américaines, Guam, et la Communauté des Iles Mariannes du Nord :

Taille du ménage du sponsor*	<u>100% Selon les Indications de pauvreté de HHS (Service de la Santé Humaine)</u> Pour les sponsors en service dans l'armée Américaine et qui pétitionnent pour leur époux/épouse ou enfant	<u>125% Selon les Indications de pauvreté de HHS (Service de la Santé Humaine)</u> Pour tous les autres sponsors
3	\$18,240	\$20,300
4	\$20,420	\$25,525
5	\$24,600	\$30,750
6	\$28,780	\$35,975
7	\$32,960	\$41,200
8	\$37,140	\$46,425
	\$41,320	\$51,650

Ajouter \$4,180 pour chaque personne en plus

Ajouter \$5,225 pour chaque personne en plus

* Toutes les personnes vivant dans le ménage en plus de la ou les personne(s) devant être prise(s) en charge par le sponsor.