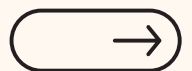




# Family-Based Immigration: Affidavits of Support (Form I-864) Income Requirements Guide

Understanding the Financial Obligations and Federal Poverty  
Guidelines for Sponsors



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# Welcome & Overview

When sponsoring a relative for a family-based green card, the U.S. sponsor must prove they have the financial means to support the immigrant so they do not rely on public benefits. This is accomplished by submitting Form I-864, Affidavit of Support.

The Form I-864 is a legally binding contract between the sponsor and the U.S. government. To qualify, the sponsor's household income must meet or exceed a specific percentage of the Department of Health and Human Services Poverty Guidelines. Missing financial data or failing to calculate household size correctly is a primary reason for processing delays and Requests for Evidence.

Important Notice: Federal poverty guidelines are updated annually by the government. This document serves as an educational guide and does not constitute formal legal advice. Gonzalez Law Offices charges for formal case evaluations and specific legal strategy sessions.

## The 4 Core Checklists for the Affidavit of Support

### Section 1: The Minimum Income Thresholds

To successfully sponsor an immigrant, you must demonstrate that your current household income meets the following baseline criteria:

- **The 125% Rule (Standard Sponsors):** Most sponsors must show an income of at least 125% of the current Federal Poverty Guidelines for their corresponding household size.
- **The 100% Rule (Military Exception):** If the sponsor is on active duty in the U.S. Armed Forces and is petitioning for their spouse or unmarried children, the income requirement drops to 100% of the Federal Poverty Guidelines.

### Section 2: Determining Your Household Size

Calculating your household size incorrectly will distort your required income target. Under USCIS rules, your household size must include:

- **The Sponsor:** Yourself.
- **The Beneficiary:** The primary immigrant relative you are sponsoring.
- **Dependents:** Your spouse and any unmarried children under the age of 21 living with you or claimed on your latest federal tax return.
- **Prior Sponsorships:** Any other immigrants you have previously sponsored using Form I-864 where the financial obligation is still active.
- **Optional Household Members:** Any relatives currently living in your principal residence who are willing to combine incomes by signing Form I-864A.

### Section 3: Essential Financial Evidence

You must back up the income figures stated on your Form I-864 with concrete documentation. Provide clear, legible photocopies; do not mail original documents.

- **Federal Tax Transcripts:** A complete IRS transcript or signed copy of your Form 1040 for the most recent tax year, including all attached schedules, W-2s, and 1099s. (Note: You may optionally submit the past 3 years of transcripts to demonstrate income stability).



- **Proof of Current Income:** Consecutive, chronological pay stubs spanning the last 3 to 6 months.
- **Employment Verification Letter:** A recent letter on corporate letterhead from your current employer stating your job title, date of hire, current salary, and nature of employment.
- **Self-Employment Verification:** If self-employed, copies of corporate tax returns, business licenses, bank statements tracking regular business revenue, and a signed ledger detailing net income.

## Section 4: What If Your Income Is Too Low?

If your current income falls below the required federal threshold, you cannot act as the sole financial sponsor. However, you can bridge the gap using these options:

- **Using Personal Assets:** You may count the value of significant assets (savings accounts, stocks, bonds, or real estate property) owned by you or the immigrant. The total cash value of the assets must typically equal 5 times the income deficit (or 3 times the deficit if a U.S. citizen is sponsoring a spouse or minor child).
- **Income from Household Members:** Relatives living in your home can pool their income with yours by signing Form I-864A (Contract Between Sponsor and Household Member).
- **Securing a Joint Sponsor:** You can utilize a Joint Sponsor. A joint sponsor is a separate individual who does not have to be related to the applicant. They must be a U.S. Citizen or Permanent Resident, reside in the U.S., and independently meet the full 125% income requirement for their own household size.

## Key Takeaways for Sponsors

- **Meticulous Review:** Even if your income is well above the requirement, minor calculation errors, missing tax schedules, or an unsigned form can halt your application entirely.
- **Active Obligation:** The financial responsibility of an I-864 sponsor remains active until the immigrant becomes a U.S. Citizen, earns 40 quarters of work credit (typically 10 years), permanently leaves the United States, or passes away. Divorce does not terminate this contract.
- **Address Updates:** By law, an I-864 sponsor must report any change of address to USCIS within 30 days using Form I-865.



## Need Personalized Guidance?

The Affidavit of Support framework is a legally binding commitment that requires precision and thorough documentation. At Gonzalez Law Offices, we help families carefully evaluate their financial profiles and confidently navigate every phase of the immigration process.

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