

From: [U.S. Citizenship and Immigration Services](#)
To:
Subject: DHS Proposes Rule to Strengthen Affidavit of Support Process
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Proposal enforces long-standing law and protects American taxpayers

WASHINGTON—The Department of Homeland Security today announced it will publish a [notice of proposed rulemaking](#) that would increase the integrity of the nation’s lawful immigration system, make it easier to hold immigrant sponsors accountable for failing to meet the obligations of contracts they sign with the federal government, and align agency policy in accordance with the May 2019 [Presidential Memorandum on Enforcing the Legal Responsibilities of Sponsors of Aliens](#).

“Reforming the immigrant sponsorship process will more effectively protect American taxpayers, ensure that aliens applying for permanent benefits don’t rely on public resources, and strengthen the accountability mechanism against those who fail to financially support aliens they sponsor,” said USCIS Deputy Director for Policy Joseph Edlow. “The department will continue to advance the president’s directive to properly enforce immigration laws and ensure the federal government is reimbursed should sponsored aliens receive public benefits, which is what Congress intended when they passed the relevant legislation.”

The proposed update would require American citizens, U.S. nationals and lawful permanent residents who choose to sponsor an immigrant by submitting a [Form I-864, Affidavit of Support Under Section 213A of the INA](#), or [Form I-864EZ, Affidavit of Support Under Section 213A of the INA](#), to provide credit reports and credit scores, certified copies of income tax returns for the last three years, and bank account information to effectively demonstrate they can maintain the required income.

Additionally, under the proposed rule, any petitioning sponsor found to have received means-tested public benefits within the last 36 months of submitting a Form I-864, or to have defaulted on previous obligations to support an immigrant, must be backed by a joint sponsor who has received no such public benefits during that time.

Other proposed changes include eliminating the subpoena requirement before USCIS can provide certain information to benefit-granting agencies and other parties authorized to pursue civil action against defaulting sponsors, and limiting the type/number of household members who can file a [Form I-864A, Contract Between Sponsor and Household Member](#).

The Affidavit of Support process 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.

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