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I-140 Evidence for Ability to Pay

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Submitted by Chief Editor on Dec 5th 2012

What kind of evidence is acceptable to show ability to pay wages in an I-140?

ANSWER:

The regulations state that for ability to pay wages, USCIS will accept copies of annual reports, federal tax returns, or audited financial statements. If the employer has more than 100 workers, a statement from a financial officer of the organization can be submitted to establish the ability to pay the proffered wage. Additional evidence, such as profit/loss statements, bank account records, or personnel records, may be submitted and will be considered at the adjudicator's discretion. Additionally, USCIS has verified that consolidated financial reports of a parent company in which the sponsoring employer is a subsidiary can be considered by adjudicators to evaluate petitioner's ability to pay wages. As these reports tend to be lengthy, employers should tab the relevant pages for adjudicator's reference.

Unless the context shows otherwise, all answers here were provided by [Rajiv](#) ^[2] and were compiled and reported by our editorial team from comments and blog on [immigration.com](#) ^[3]

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