

## PREFACE

The affidavit of support has become one of the most important—and complicated—parts of the application process in family-based immigration. Many practitioners dread having to complete the form and gather the necessary documentation. Even though the affidavit of support has been a requirement for the last 20 years, it is still a source of general confusion and misunderstanding, due to arcane rules coupled with shifting policies and procedures. This is reflected in the high number of Requests for Evidence issued by the National Benefits Center and the Immigration and Nationality Act (INA) §221(g) refusals issued by the consulates. The affidavit of support itself, Form I-864, is 12 pages in length, while the accompanying instructions number 16 pages. If you add in the Forms I-864EZ, I-864A, I-864W, I-864P, I-865, I-134, and all of their accompanying instructions, it brings the total to 90 pages. But to get a full appreciation of the forms and the requirements, one should also read the statute, the regulations, the key agency memos, and the relevant sections of the Adjudicator’s Field Manual and Foreign Affairs Manual. That would more than triple the reading assignment.

The purpose of this book is to synthesize this information and simplify the process of completing and filing the forms. At the same time, the book serves as a reference for all the detailed information written on this subject. Portions of this book first appeared in Chapter Eight of *Immigration Law and the Family*. Portions of Chapter Nine, “Ethical Issues Surrounding the Affidavit of Support,” first appeared in Chapter Ten, “Ethical Issues in Family-Based Immigration Law,” of *Immigration Law and the Family*. That chapter was originally written or updated by former CLINIC attorneys Laurie Joyce, Deborah Smith, and Mary McClenahan. That material is reprinted by permission of AILA.

Charles Wheeler  
CLINIC  
June 2017