

Some tips on the affidavit of support

Fiancee Visa Requirements

Requirements for Fiancee, Spousal, and Marriage Visas.

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- ☒ If you need more than one affidavit, fill out the entire form but leave the signature blank, then sign each copy and the original. It states in the directions that you can do this.
- ☒ Not having adequate income will not usually be a problem if you have a co-sponsor, according to experiences posted on the newsgroup, as long as the co-sponsor has adequate income/assets. Be aware that the co-sponsor must have enough income/assets for both your fiance, any fiance children that will be immigrating, and his/her own household. However, that IF the US fiance has been on welfare or other government benefits for a lifetime or has no plans to work actively, the consulate can still deny the visa based on the likelihood that the foreign fiance will become a public charge. Just having a co-sponsor may not be sufficient. An actual case has been documented wherein a fiance visa was denied because the petitioning fiance was on government benefits and would not be working, even though the US fiance had two co-sponsors.
- ☒ When assets are used, the assets must equal 5 times the difference between the annual income and the needed 125% of the poverty level, this is because the affidavit is in effect for 5 years. For instance, if you needed \$15,500 income and had an annual income of \$13,500, you would need an extra \$2,000 of assets for 5 years, or a total of \$10,000 in assets in addition to your income. In general, if you are deficient on yearly income for sponsorship and your assets are somewhat borderline, do not take chances--have a co-sponsor. If you do not have a job or a steady income from other sources (such as retirement income), you will likely have to get a co-sponsor for your spouse, even if your assets are adequate. The USCIS looks VERY CLOSELY at current income and not just the assets.
- ☒ While there are no specific income requirements listed in the [I-134](#) form directions, you will be judged by the same criteria as the [I-864](#) form requirements when they are issuing the visa at the foreign US consulate, so provide financial information for the [I-134](#) with those guidelines in mind.
- ☒ Basically, your employer letter should state "To whom it may concern: (first name,last name) has been employed full-time with the XYZ Company since 200_ as a (name of your job), and is an employee in good standing with an annual salary of \$XXXX. Signed, John Doe, Supervisor (or whatever title)" The letter should be on company letterhead.
- ☒ Some foreign U.S. consulates require a 2nd affidavit of support which is called "sponsor's financial responsibility under the social security act." It is a simple form and easily filled out and signed. The Hong Kong consulate has may require this form.
- ☒ The foreign fiance's income can NOT be counted on either affidavit (except when the foreign fiance has been living with the fiance, married, and in the US for six months), however the foreign fiance's assets CAN be used if they are readily convertible into cash. The USCIS is concerned ONLY about the US fiance's income/assets. (Note that in other situations the foreign spouse's income MAY be counted on [I-864](#) affidavit, such as foreigner in U.S. on work or student visa who marries and then files for adjustment of status. IF the foreign spouse has LIVED IN THE HOUSEHOLD of the U.S. spouse for at least 6 months, then his/her income CAN be counted. There are NO situations involving fiance visa in which foreign spouse's income can be counted, as far as I know, when interviewing for the fiance visa or when filing adjustment of status within 6 months of arrival in the US.)
- ☒ The US fiance is ALWAYS the primary sponsor, but may have a co-sponsor. If there is a co-sponsor, both the

US fiance and the co-sponsor will EACH have to fill out the affidavit [I-134](#) or [I-864](#) and EACH will have to provide supporting documentation.



NOTE: [I-864](#) SPONSOR MOVES: FOR the [I-864](#): If the sponsor or co-sponsor moves, the USCIS should be notified within 30 days via an I-865 form.

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