



December 12, 2018

PA-2018-12

## Policy Alert

**SUBJECT:** Sufficiency of Medical Certification for Disability Exceptions (Form N-648)

### Purpose

U.S. Citizenship and Immigration Services (USCIS) is issuing policy guidance in the [USCIS Policy Manual](#) to update and clarify filing procedures and adjudications on the Medical Certification for Disability Exceptions ([Form N-648](#)).

### Background

In 1994, Congress enacted legislation providing an exception to the English and civics requirements for naturalization applicants who cannot meet the requirements because of a physical or developmental disability, or mental impairment.<sup>1</sup> The Form N-648 must be completed and certified by a medical professional and attest that the applicant's condition prevents the applicant from meeting the requirements.<sup>2</sup>

This update to Volume 12 of the Policy Manual provides updated guidance on these requirements. The guidance contained in the Policy Manual is controlling and supersedes any prior guidance on the topic. This policy is effective on February 12, 2019 (see attached).

### Policy Highlights

- Clarifies filing requirements for Form N-648, including that the form must be submitted with the naturalization application.
- Clarifies that USCIS may consider a late filing if there is a credible explanation.
- Clarifies that an officer may find an N-648 insufficient if there is a finding of credible doubt, discrepancies, misrepresentation or fraud as to the applicant's eligibility for the exception.
- Clarifies that applicants may decline the English and civics test or discontinue the interview when an officer determines the Form N-648 is insufficient, but this will count as a failed attempt to pass the English and civics requirements.

**Citation:** Volume 12: Citizenship & Naturalization, Part E, English and Civics Testing and Exceptions, Chapter 3, Medical Disability Exception (Form N-648) [[12 USCIS-PM E.3](#)].

---

<sup>1</sup> See Section 108 of the Immigration and Nationality Technical Corrections Act of 1994, [Pub. L. 103-416](#) 108 Stat. 4305, 4309 (October 25, 1994) (adding [INA 312\(b\)](#)).

<sup>2</sup> Only medical doctors, doctors of osteopathy, or clinical psychologists licensed to practice in the United States (including the U.S. territories) are authorized to certify the form. See [8 CFR 312.2\(b\)\(2\)](#).

**This policy is effective on February 12, 2019 and will be incorporated into the Policy Manual accordingly.**

USCIS Policy Manual, Volume 12: Citizenship & Naturalization  
Part E, English and Civics Testing and Exceptions

### Chapter 3, Medical Disability Exception (Form N-648)

#### A. Medical Disability Exception Requirements

In 1994, Congress enacted legislation providing an exception to the English and civics requirements for naturalization applicants who cannot meet the requirements<sup>3</sup> because of a physical or developmental disability or mental impairment.<sup>4</sup>

The English and civics requirements do not apply to naturalization applicants who are unable to comply due to a “medically determinable” physical or developmental disability or mental impairment that has lasted, or is expected to last, at least 12 months. The regulations define medically determinable as an impairment that results from abnormalities which can be shown by medically acceptable clinical or laboratory diagnostic techniques.<sup>5</sup>

The applicant has the burden of proof, by a preponderance of the evidence standard, to demonstrate that he or she has a disability or impairment that affects functioning such that, even with reasonable accommodations, he or she is unable to meet the English and civics requirements for naturalization. Illiteracy alone is not a valid reason to seek an exception to the English and civics requirements. In addition, advanced age, in and of itself, is not a medically determinable physical or developmental disability or mental impairment.

A licensed medical professional<sup>6</sup> must complete the form and certify, under penalty of perjury, that the applicant’s medical condition prevents the applicant from meeting the English requirement, the civics requirement, or both requirements.

#### B. Filing

##### 1. Initial Submission

An applicant seeking an exception to the English and civics requirements must submit a Medical Certification for Disability Exceptions ([Form N-648](#)) as an attachment to the Application for

---

<sup>3</sup>The term “English and civic requirements” refers to demonstrating English language proficiency, which is determined by an ability to read, write, speak, and understand English, as well as knowledge of U.S. history and government, which is determined by a civics test. See Chapter 2, English and Civics Testing, Section A, Educational Requirements [[12 USCIS-PM E.2\(A\)](#)].

<sup>4</sup> See INA 312(b)(1). See Section 108 of the Immigration and Nationality Technical Corrections Act of 1994, [Pub. L. 103-416](#), 108 Stat. 4305, 4309 (October 25, 1994) (adding [INA 312\(b\)](#)).

<sup>5</sup> See [INA 312\(b\)](#). See [8 CFR 312.1\(b\)\(3\)](#). See [8 CFR 312.2\(b\)](#).

<sup>6</sup> See Section D, Authorized Medical Professionals [[12 USCIS-PM E.3\(D\)](#)].

Naturalization ([Form N-400](#)).<sup>7</sup> USCIS generally only considers a Form N-648 that is concurrently filed with a Form N-400 to be filed timely, but later-filed or multiple Forms N-648 may be accepted in certain circumstances as set forth below.

## 2. Late Submissions

USCIS may consider a later-filed [Form N-648](#) if the applicant provides a credible explanation for filing the N-648 after filing the [Form N-400](#) and submits sufficient evidence in support of that explanation. For example, if a significant change in the applicant's medical condition since the submission of the initial Form N-648 has taken place, a later-filed Form N-648 would be appropriate. Other explanations for not filing the Form N-648 with the initial Form N-400 may also be acceptable, and an officer should consult with his or her supervisor and USCIS counsel in those cases.

The officer should review the explanation and documentation carefully, because without sufficient probative evidence, a late submission can raise credible doubts about the validity of the medical certification, especially where little or no effort is made to explain the delay, and the applicant claims that the stated disability or impairment was present before the naturalization application was filed.<sup>8</sup> USCIS may require the submission of an additional [Form N-648](#) or refer the applicant to another medical professional for a supplemental disability determination or completion of a new Form N-648, if there are credible doubts as to the veracity of the medical certification.

## 3. Multiple Submissions

If multiple Forms N-648 are submitted at the same time, an officer should question the applicant about the reasons for any additional Forms N-648, and carefully examine any discrepancies between the documents. Two different Forms N-648 from different medical professionals may also raise questions of credibility about the validity of the medical certification. Significant discrepancies may be a basis for finding the Form N-648 insufficient. In the absence of a reasonable justification, multiple submissions may raise credible doubts about the validity of the medical certification, especially where the stated disability or impairment was not identified or discussed earlier.<sup>9</sup> USCIS may require the submission of an additional Form N-648 or refer the applicant to another medical professional for a supplemental disability determination or completion of a new Form N-648 if there are credible doubts as to the veracity of the medical certification.

---

<sup>7</sup> See [8 CFR 312.2\(b\)\(2\)](#).

<sup>8</sup> For more information about credible doubt, see Section E, Review of Medical Certification for Sufficiency, Subsection 7, Discrepancies, Misrepresentation, and Fraud [[12 USCIS-PM E.3\(E\)\(7\)](#)].

<sup>9</sup> For more information on adjudicating late or multiple submissions, see Section B, Filing [[12 USCIS-PM E.3\(B\)](#)].

#### 4. Properly Filed

### **Properly Filed Medical Certification for Disability Exceptions (Form N-648)**

- Completed, certified, and signed by all appropriate parties.

#### **In addition, the medical certification must contain the following information:**

- Clinical diagnosis of the applicant's medical condition(s) and, if applicable, the relevant medical code recognized by the Department of Health and Human Services (HHS).<sup>10</sup> This includes the most current Diagnostic and Statistical Manual of Mental Disorders (DSM) and the International Classification of Diseases (ICD) codes.
- Description of the medical condition(s) forming the basis for the disability exception.
- Date(s) the medical professional examined the applicant.
- Description of the doctor-patient relationship indicating whether the medical professional regularly treats the applicant for the cited conditions or an explanation of why he or she is certifying the disability form instead of any regularly treating medical professional.
- Statement that the medical condition has lasted, or is expected to last, at least 12 months.
- Statement whether the medical condition is the result of the illegal use of drugs.
- Explanation of what caused the medical condition, if known.
- Description of the clinical methods used to diagnose the medical condition.
- Description of the medical condition's effect on the applicant's ability to successfully complete the educational requirements for naturalization.
- Statement whether the medical professional used an interpreter to examine the applicant.

### **C. Distinction Between Medical Disability Exception and Accommodation**

Requesting an exception to the English and civics requirements is different from requesting an accommodation for the naturalization examination process.<sup>11</sup> An approved exception exempts the applicant from the English requirement, the civics requirement, or both requirements completely or partially, depending on the facts of the specific case. An accommodation, on the other hand, simply modifies the manner in which an applicant meets the educational requirements; it does not exempt the applicant from the English or civics requirements.

---

<sup>10</sup> See [45 CFR 162.1002](#). The relevant medical codes, if any, are required to ensure the medical professional provides his or her medical opinion with a certain level of specificity. The codes should not be used by officers to attempt to determine the validity of the medical diagnosis or second-guess why the diagnosis precludes the applicant from complying with the educational requirements.

<sup>11</sup> See Part C, Accommodations [[12 USCIS-PM C](#)].

Reasonable accommodations may include, but are not limited to, sign language interpreters, extended time for completing the English and civics requirements, and completing the English and civics requirements at an off-site location. A disability exception requires an applicant to show that his or her medical condition prevents the applicant from complying with the English or civics requirements or both, even with reasonable accommodations. The impact of a particular medical condition may vary between individual cases. It may be possible to accommodate one applicant who is affected by a particular medical condition, while another applicant affected by the same condition may be eligible for a disability exception. For example, someone who is visually impaired may require the accommodation of a large print version of the reading test in order to complete the requirement. However, if a person is not able to read because of the medical condition even with an accommodation, then the person needs to file a [Form N-648](#). In such cases, where an accommodation is insufficient, USCIS may accept a later filed Form N-648.

#### **D. Authorized Medical Professionals**

USCIS only authorizes the following licensed medical professionals to certify the disability exception form:

- Medical doctors;
- Doctors of osteopathy; and
- Clinical psychologists.<sup>12</sup>

These medical professionals must be licensed to practice in any state of the United States, the District of Columbia, Puerto Rico, Guam, the Virgin Islands of the United States, or the Commonwealth of the Northern Mariana Islands.

The medical professional must, at a minimum:

- Conduct at least one in-person examination of the applicant;
- Explain the nature and extent of the medical condition on [Form N-648](#);
- Explain how the medical condition relates to the applicant's inability to comply with the educational requirements;
- Attest that the medical condition has lasted or is expected to last at least 12 months; and
- Attest that the cause of the medical condition is not related to the illegal use of drugs.

---

<sup>12</sup> See [8 CFR 312.2\(b\)\(2\)](#).

The medical professional must complete the [Form N-648](#) using common terminology that a person without medical training can understand. While staff associated with the medical professional may assist in completing the form, the medical professional alone is responsible for providing the necessary information, answering the questions, and verifying and attesting to the accuracy of the form's content.

The medical professional certifying the form may choose to provide medical diagnostic reports, records, and statements as attachments to the Form N-648 as evidence of the disability. Any supporting documentation should be clearly probative of the medical disability that prevents the applicant from completing the required English and civics requirements.

Failure to correctly fill out each question with the appropriate, corresponding responses may result in a finding that the Form N-648 is insufficient.

## E. Review of Medical Certification for Sufficiency

### 1. General Guidelines for Review

The officer must carefully review the form to determine whether the applicant is eligible for the exception. The table below provides general guidelines on what steps the officer should and should not take when reviewing the [Form N-648](#).

N-648 Review Guidelines	
<b>When reviewing the form, the officer should:</b>	
<ul style="list-style-type: none"><li>• Determine whether the form has been properly completed.</li></ul>	
<ul style="list-style-type: none"><li>• Ensure that the medical professional has fully answered all of the required questions and has signed and certified the Form N-648 along with the applicant.</li></ul>	
<ul style="list-style-type: none"><li>• Ensure that the Form N-648 relates to the applicant and that there are no discrepancies between the form and other available information, including biographic data, testimony during the interview, or information contained in the applicant's A-file.</li></ul>	
<ul style="list-style-type: none"><li>• Determine whether the Form N-648 contains enough information to establish that the applicant is eligible for the exception by a preponderance of the evidence. This determination includes ensuring that the medical professional's explanation is both sufficiently detailed as well as specific to the applicant and to the applicant's stated disability (rather than a generic, "one size fits all" explanation).</li></ul>	

### N-648 Review Guidelines

- Ensure the Form N-648 fully addresses the underlying medical condition and its causal connection or nexus with the applicant's inability to comply with the English or civics requirements or both.
- If the record reflects that the applicant has a regularly treating medical professional, but another medical professional has completed the Form N-648, ensure that the Form N-648 includes a credible and sufficiently detailed explanation for the reason that the regularly treating medical professional did not complete the Form N-648.

#### **When reviewing the form, the officer should not:**

- Attempt to determine the validity of the medical diagnosis or second guess why this diagnosis precludes the applicant from complying with the English and civics requirements.
- Request to see an applicant's medical or prescription records solely to question whether there was a proper basis for the medical professional's diagnosis unless evidence exists that creates discrepancies or anomalies that those records can help resolve. The officer may ask follow-up questions to resolve any outstanding issues.
- Require that an applicant undergo specific medical, clinical, or laboratory diagnostic techniques, tests, or methods.
- Conclude that the applicant has failed to meet the burden of proof simply because he or she did not previously disclose the alleged medical condition in other immigration-related medical examinations or documents. It is appropriate, however, to consider this as a factor when determining the sufficiency of the Form N-648. The officer should always carefully examine the evidence of record and ask follow-up questions to resolve any outstanding issues.
- Refer an applicant to another medical professional solely because the applicant sought care from a professional who shares the same language, culture, ethnicity, or nationality.

## 2. Medical Examination and Demonstrating Nexus

In reviewing the request for the medical disability exception, the officer must focus on whether the medical professional has sufficiently explained with enough supporting details that the applicant has a disability or impairment and its nature. The medical professional must also explain how the applicant's disability or impairment prohibits the applicant from being able to demonstrate the English or civics requirements or both. The explanation should be sufficiently detailed and tailored to the individual applicant's diagnosed medical disabilities or impairment.

After review of the record, the officer may only grant an exception if the applicant has demonstrated by a preponderance of the evidence that there is a nexus (or causal connection) between the disability or impairment and:

- The applicant's inability to read, write, and speak words in ordinary usage in the English language;
- The applicant's inability to know and understand the fundamentals of history and of the principal form of government of the United States; or
- Both.

[Form N-648](#) requires the medical professional to describe the severity of the effects of the medical condition on the applicant's daily life. The medical professional must explain the basis of his or her assessment, such as known symptoms of the condition, tests conducted, and observations. The officer can question the applicant during the naturalization interview about the applicant's daily life activities. If discrepancies exist regarding the applicant's daily life and activities between the naturalization application and information contained in the A-file, the Form N-648 itself, or from any other source of information, the officer should question the applicant during the interview about those discrepancies.

### 3. Use of Interpreters

#### *Certification on Form N-648 and Presence of Interpreter at Medical Examination*

If it is unclear whether an interpreter was used during the medical examination, the officer must ask the applicant whether the medical examination that formed the basis of the [Form N-648](#) was performed with the assistance of an interpreter.

For example, the officer may question the applicant during the interview:

- About the applicant's visits with the medical professional and the nature of their relationship.
- About the manner of communication used to conduct the medical examination.

If an interpreter was used during the medical examination but the interpreter's certification on the [Form N-648](#) is blank, the form is considered incomplete. The officer must then provide the applicant with notice of the deficiency and an opportunity to bring a properly completed Form N-648 to the re-examination.

If necessary, the officer may also choose to subpoena and question the interpreter, if any, who was present at the medical examination about their translations during a medical examination in connection with the applicant's [Form N-648](#). If the officer wishes to question an interpreter



he or she must be under the general oath. If the person who interpreted at the medical examination is the same person as the person interpreting at the naturalization interview, the interpreter must then be disqualified from interpreting for that applicant going forward.<sup>13</sup> In this case, the officer should reschedule the interview, as needed, to permit the applicant an opportunity to find a new interpreter.

#### *Interpreter at Interview*

During the interview, the officer should question the applicant under oath in the applicant's preferred language, with use of an interpreter,<sup>14</sup> if needed, to address any issues of concern related to the [Form N-648](#). In the agency's discretion, and in all cases, the officer may also disqualify an interpreter provided by the applicant for cause and reschedule the interview.<sup>15</sup> If the office has a language service available, the officer may use the language service when the interpreter is disqualified.

#### 4. Requesting Supplemental Form N-648

In general, USCIS does not request a supplemental disability determination from another doctor after evaluating the originally submitted [Form N-648](#). However, if there is a question as to whether the medical professional actually examined and diagnosed the applicant or there are credible doubts as to the veracity of the medical certification because it is clearly contradicted by other evidence, the officer may request a new Form N-648 from a different doctor. The officer should exercise caution when requesting an applicant obtain a supplemental disability determination from another authorized medical professional. The officer should:

- Explain the reasons for doubting the veracity of the information on the original Form N-648, to include any observations or applicant responses to questions during the interview that raised issues of credible doubt or sworn statements submitted at the time of the interview;
- Consult with a supervisor and receive approval before requesting that the applicant undergo a supplemental disability determination; and
- Provide the applicant with the relevant state medical board contact information to facilitate the applicant's ability to find another medical professional.

---

<sup>13</sup> However, in the officer's discretion, a "good cause" exception may be granted that would allow the witness to interpret. See [Adjudicator's Field Manual \(AFM\) Chapter 15.7, The Role and Use of Interpreters in Domestic Field Office Interviews without USCIS-Provided Interpretation](#).

<sup>14</sup> The interpreter must be under oath, see [Adjudicator's Field Manual \(AFM\) Chapter 15.7, The Role and Use of Interpreters in Domestic Field Office Interviews without USCIS-Provided Interpretation](#).

<sup>15</sup> See [Adjudicator's Field Manual \(AFM\) Chapter 15.7, The Role and Use of Interpreters in Domestic Field Office Interviews without USCIS-Provided Interpretation](#).

## 5. Credible Doubt, Discrepancies, Misrepresentation, and Fraud

In general, USCIS should accept the medical professional's diagnosis. However, an officer may find a [Form N-648](#) insufficient if there is a finding of credible doubt, discrepancies, misrepresentation or fraud as to the applicant's eligibility for the disability exception.

The officer must provide the applicant an opportunity to address any specific discrepancies or inconsistencies during the interview. When issuing a request for evidence, the officer should only request the information necessary to make a determination on the sufficiency of the [Form N-648](#). In some cases, USCIS may require the submission of an additional Form N-648 or request the applicant's medical reports or other supplementary medical background information if there is a question whether the medical professional actually examined and diagnosed the applicant or there are credible doubts as to the veracity of the medical certification because it is clearly contradicted by other evidence.

Below are some factors that may give rise to credible doubts during the course of the [Form N-648](#) adjudication:<sup>16</sup>

- The medical professional's responses on the Form N-648 lack probative value because the responses do not contain a reasonable degree of detail or fail to provide any basis for the stated diagnosis and the nexus to the inability to learn, speak or read or understand English;
- The medical professional did not explain the specific medical, clinical, or laboratory diagnostic techniques used in diagnosing the applicant's medical condition on the Form N-648;
- The Form N-648 does not include an explanation of the doctor-patient relationship indicating that the medical professional completing the Form N-648 regularly treats the applicant for the cited conditions, or a reasonable justification for not having the Form N-648 completed by the regularly treating medical professional (if applicable);
- The Form N-648 was completed by the certifying medical professional more than 6 months prior to the filing of the naturalization application;
- The Form N-648 provides information inconsistent with information provided on the naturalization application or at the interview. For example, the effects of the medical condition on the applicant's daily life such as employment capabilities or ability to attend educational programs;

---

<sup>16</sup> The list provided is not exhaustive and is meant only to provide some examples for officers when reviewing Form N-648 sufficiency. Officers should consult with their supervisor if there are any questions.

- Previous medicals including Report of Medical Examination and Vaccination Record, Form I-693 did not identify long-term medical condition which may be inconsistent with the Form N-648's indication of when the condition began, if indicated;
- The applicant or the medical professional failed to provide a reasonable justification for the late filing of the Form N-648;
- The applicant during the interview indicates that he or she was not examined or diagnosed by the medical professional, the medical professional did not certify the form him or herself, or the applicant merely paid for the Form N-648 without a doctor's examination and diagnosis;
- The medical professional completing the Form N-648 is under investigation for immigration fraud, Medicaid fraud, or other fraud schemes by USCIS Fraud Detection and National Security (FDNS) Directorate, Immigration and Customs Enforcement, or another federal, state, or local agency, or a state medical board;
- The medical professional has engaged in a pattern of submitting Forms N-648 with similar or "boiler plate" language that does not reflect a case-specific analysis;
- The interpreter used during the medical examination, the N-400 interview, or both, is known or suspected, by FDNS or another state or federal agency, to be involved in any immigration fraud, including and especially Form N-648 related fraud;
- The evidence in the record or other credible information available to the officer indicates fraud or misrepresentation;
- The applicant provides multiple Forms N-648 with different diagnoses and information and from different doctors;
- Any other articulable grounds that are supported by the record.

If any one or more of these indicators are present, the officer should consult with his or her supervisor for next steps, which may include requesting additional documentation or finding the [Form N-648](#) insufficient.

In addition, there may be cases where USCIS suspects or determines that an applicant, interpreter, or medical professional has committed fraud in the process of seeking a medical disability exception. The officer should consult with his or her supervisor to determine whether to refer such a case to FDNS. If an officer or the local FDNS office determines that an applicant, interpreter, or medical professional has made material misrepresentations or committed fraud, the officer must explain those findings in the naturalization denial notice.

The officer should determine that a request for a medical disability exception is insufficient if:

- The [Form N-648](#) is not properly completed;
- The medical professional fails to explain how the applicant’s medical condition prohibits the applicant from meeting the English requirement, the civics requirement, or both requirements;
- The medical professional who certified the Form N-648 is not authorized to make such certification;<sup>17</sup>
- The applicant was not examined or diagnosed by the certifying medical professional;
- The applicant described in the Form N-648 is not the same person as the naturalization applicant;
- The Form N-648 was completed or certified by someone other than the certifying medical professional;
- Significant anomalies, discrepancies, or fraud indicators exist that preclude a finding of eligibility under a preponderance of the evidence standard.

The table below provides the general procedures for finding the [Form N-648](#) to be insufficient. The procedures apply to any phase of the naturalization examination, including the initial examination, re-examination, or hearing on a denial.

General Procedures Upon Determination the Form N-648 is Insufficient
If the Form N-648 is insufficient at the naturalization examination or hearing:
<ul style="list-style-type: none"><li>• USCIS proceeds with the initial or re-examination or hearing on a denial as if the applicant had not submitted a Form N-648.</li></ul>
<ul style="list-style-type: none"><li>• USCIS must provide the applicant with an opportunity to take all portions of the English and civics requirements.</li></ul>
<ul style="list-style-type: none"><li>• An applicant has a total of two opportunities to pass the English and civics requirements before the application for naturalization is adjudicated: once during the initial examination and then later during the re-examination interview.</li></ul>

---

<sup>17</sup> See Section D, Authorized Medical Professionals [[12 USCIS-PM E.3\(D\)](#)].

## General Procedures Upon Determination the Form N-648 is Insufficient

If the Form N-648 is insufficient at the naturalization examination or hearing:

- An applicant may decline to complete the English and civics requirements. However, declining to continue the interview or complete the requirements counts as a failed attempt to pass the English and civics requirements.<sup>18</sup>
- An applicant's failure to appear at the re-examination or hearing on a denial, or to complete the requirements for any reason results in a denial, unless excused by USCIS for good cause.

### F. Interview, Re-Examination and Hearing after an Insufficient Form N-648

#### 1. Initial Interview

##### *Passing the English and Civics Requirements<sup>19</sup>*

If an applicant's [Form N-648](#) is found to be insufficient, but the applicant subsequently meets the English and civics requirements in the same examination:

- The officer must provide the applicant the opportunity to proceed with the naturalization examination to determine if the applicant meets the other applicable eligibility requirements.
- The officer should not determine that the applicant engaged in fraud or lacks good moral character for the sole reason that the applicant met the educational requirements after submitting an insufficient Form N-648.
- The officer may question the applicant further, however, on the reasons for submitting the form, the applicant's relationship to the medical professional, and any other relevant factors, if deemed necessary.

##### *Failing the English and Civics Requirements*

If an applicant's [Form N-648](#) is found to be insufficient, and the applicant fails to meet the English and civics requirements:

- The officer must notify the applicant of the Form N-648 deficiencies in writing. USCIS may choose to issue the applicant a request for evidence that specifically addresses the

---

<sup>18</sup> An officer should annotate that the applicant declined to take any part of the educational requirements in the record.

<sup>19</sup> See [INA 312](#).

issues with the Form N-648.

- The officer should schedule the applicant to appear for a re-examination, and for a second opportunity to meet the English and civics requirements, between 60 and 90 days after the initial examination.

## 2. Re-Examination

If new information is received in support of a [Form N-648](#) that USCIS found insufficient at the initial interview, the officer must review the evidence at the re-examination. In addition, the officer conducting the re-examination should review the original Form N-648 and accompanying evidence for consistency with the new information.

If an applicant submits a [Form N-648](#) for the first time at the re-examination interview, the officer should carefully question the applicant as to why he or she did not submit the Form N-648 at the time of filing the naturalization application as required by the regulations, or at the initial interview.

The officer should follow the same procedure and apply the same criteria during the re-examination regarding late or multiple [Form N-648](#) submissions. The officer should carefully consider whether there is any evidence of change in medical conditions or other credible explanation justifying the initial submission of the Form N-648 at the re-examination. The officer should then weigh the explanation and evidence provided by the applicant regarding the late filing. USCIS may consider the timing of the filing and any additional Form N-648s submitted by the applicant when assessing the applicant's credibility with regard to the disability exception.

If the applicant has established that he or she is eligible for the disability exception, the officer should then allow the naturalization interview and examination to continue with the use of an interpreter, if applicable, exempting the applicant from the English or civics requirements, or both, as indicated on the form.

If, on the other hand, the applicant does not provide sufficient evidence that the late submission is due to a material change in his or her medical condition, or does not provide another credible explanation, the applicant may not be eligible for the disability exception. If the officer determines for any reason that the [Form N-648](#) is insufficient to establish eligibility for the disability waiver, the officer may not grant the exception but should afford the applicant a second opportunity to take the English and civics tests.

If the applicant fails any portion of the test or declines to continue with the re-examination, the officer must deny the naturalization application based on the applicant's failure to meet the English and civics requirements. In the naturalization denial notice, the officer must provide an explanation for finding the form insufficient to show eligibility for the disability exception.

If the officer issued a request for evidence at the initial interview and determines that the evidence submitted in response to the request for evidence is insufficient:

- The officer must proceed with the re-examination as if the applicant had not submitted a [Form N-648](#);
- The officer must provide the applicant with a second opportunity prior to adjudication to take any portion of the English and civics tests that the applicant previously failed;
- The officer must not provide the applicant a third opportunity to submit a Form N-648 or to take the English and civics tests;
- If the applicant fails any portion of the testing, including declining the test or failing to respond to test questions correctly, the officer must deny the naturalization application based on the applicant's failure to meet the English and civics requirements; and
- The officer must provide an explanation of the Form N-648's deficiencies in the naturalization application's denial notice.

### 3. Hearing on Denial

All denied naturalization applicants may file a Request for a Hearing on a Decision in Naturalization Proceedings (Under Section 336 of the INA) ([Form N-336](#)) within 30 calendar days of receiving the adverse decision.<sup>20</sup>

USCIS may conduct a full de novo hearing on a denied naturalization application, including a full review of any previously submitted [Form N-648](#) as well as other information contained in the record.<sup>21</sup> An applicant may submit additional documentation at the hearing, including a new or initial Form N-648 and relevant medical diagnostic reports, records, or statements. Although an applicant may submit a Form N-648 for the first time during a hearing, the officer may question the credibility of the N-648 as described above. At the hearing, an applicant will only be allowed to submit one Form N-648 and only allowed to attempt to satisfy the educational requirements once.

In addition, the officer also should follow the same procedures in the hearing as provided in this chapter when making a determination that a [Form N-648](#) filed for the first time at the hearing is sufficient or insufficient.

---

<sup>20</sup> See Part B, Naturalization Examination, Chapter 6, USCIS Hearing and Judicial Review [[12 USCIS-PM B.6](#)].

<sup>21</sup> See [8 CFR 336.2](#).

### G. Sufficient Form N-648

The officer should determine that a request for a medical disability exception is sufficient if, at a minimum:

- The [Form N-648](#) is properly completed per the form instructions;
- The medical professional explains in detail how the applicant’s medical condition prevents the applicant from meeting the English requirement, the civics requirement, or both requirements; and
- No anomalies, discrepancies, or fraud indicators exist, based on the totality of evidence of record, that call into question a finding of eligibility under a preponderance of the evidence standard.

The table below provides the general procedures for cases where an applicant qualifies for a disability exception. The procedures apply to any phase of the naturalization examination, including the initial examination or re-examination, or hearing on a denial.

<b>General Procedures Upon Determination the Form N-648 is Sufficient</b>
<b>If the officer determines an applicant’s Form N-648 is sufficient at the naturalization examination or hearing:</b>
<ul style="list-style-type: none"><li>• USCIS first proceeds with the interview in the applicant’s preferred language with the use of an interpreter, if applicable.</li></ul>
<ul style="list-style-type: none"><li>• If the medical professional indicated on the form that the applicant is unable to comply with any or part of the English and civics requirements, USCIS waives the indicated requirement(s).</li></ul>
<ul style="list-style-type: none"><li>• USCIS then proceeds to determine whether the applicant meets all other naturalization eligibility requirements.</li></ul>