



The Disability-Based Waiver: Citizenship for People With Disabilities

What is the Disability-Based Waiver?

To become a citizen of the U.S., most applicants must show the USCIS that they speak, understand and write basic English. Applicants also must pass a test in U.S. government and history. If you have a disability that makes you unable to learn or remember new information like English and history, you can apply for a Disability Waiver. If the Waiver is granted, you will not be required to speak English or take the history tests and can still become U.S. citizen.

Who can get a Waiver?

The Waiver is very difficult to get. It is **ONLY** for people with disabilities that make them unable to learn or remember new information. It is **NOT** for people who just have a hard time learning English or memorizing the history questions.

What kind of disabilities qualify for the Waiver?

Examples of the kinds of disabilities that qualify include: stroke, Alzheimer's, severe mental illnesses like depression and Post-Traumatic Stress Disorder, learning disabilities.

How do I apply for a Waiver?

You must ask your doctor to complete USCIS Form N-648. On the form, the doctor explains what kind of disability you have and how it makes you unable to learn or remember new information. You submit this form with your application for citizenship, USCIS Form N-400, or bring it to your interview. Seek help from a community organization or legal services office to prepare your application and accompany you to your citizenship interview.

How does USCIS decide if I get a Waiver?

At your citizenship interview, the USCIS officer will review your doctor's Form N-648. If your doctor's statement describes your disability, explains clearly how it keeps you from learning, and contains all information required by USCIS, the examiner should approve the waiver. You will be allowed to have your interview in your native language and will not have to take the history test. If the officer is not satisfied with the doctor's statement, she will not approve the waiver. She may ask you to get more information and return for a second interview, or she may conduct the interview in English and ask you to take the history test.

USCIS did not approve my Waiver. What should I do?

Get help from a community organization or legal services office. They can review your application and determine if additional information could improve your application.

If I apply for a Waiver, do I have to take the Oath of Citizenship?

Yes. Every adult must understand and take the oath to become a citizen. If the USCIS officer finds that you do not understand that you are applying for citizenship, she will not approve your application and you cannot become a citizen.

This publication provides general information concerning your rights and responsibilities. It is not intended as a substitute for specific legal advice. This information is current as of the date of its printing, February 2004.

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