



Asian Services In Action, Inc.

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U.S. Citizenship for Vulnerable Applicants

If you are a lawful permanent resident (LPR) and now seeking to become a citizen of the United States, you must fulfill certain eligibility requirements set forth in the Immigration and Nationality Act (INA) before you file the N-400, Application for Naturalization. One of the general eligibility requirements specifies that you must be able to speak, read, write and understand the English language and have knowledge of U.S. government and history. However, this eligibility requirement may place a great burden for certain applicants to pursue U.S. citizenship if they are **elderly, disabled, low-income, low-literate or illiterate, and/or limited English proficient (LEP)**. Therefore, Asian Services in Action, Inc. (ASIA) created this information sheet to provide helpful information regarding available options that will enable such individuals to pursue their pathway to U.S. citizenship. Please note that *the information provided herein is not intended to and does not constitute legal advice, and does not create an attorney-client relationship between the reader and ASIA.*

Automatic English Exemptions for Elderly Applicant. Under INA §312(b) you may qualify for automatic English exemption, meaning you do not have to take English reading/writing/speaking test, and you can take the civics test in your native language with an interpreter if one of the following conditions applies to you:

50/20: If you are 50 years of age or older and have lived in the U.S. as an LPR for more than 20 years

55/15: If you are 55 years of age or older and have lived in the U.S. as an LPR for more than 15 years

65/20: If you are 65 years of age or older and have lived in the U.S. as an LPR for more than 20 years – In this case, you will be also qualified to take the simpler version of civics test by studying only 20 questions.

When you bring an interpreter to your interview. Please make sure that your interpreter is fluent in both English and your native language, and abides by the professional rules for interpreters. An interpreter should not coach the applicant, add/omit anything, or paraphrase what the applicant or the interviewing officer says. Furthermore, your interpreter should not engage in any side-conversation with you during the interview.

Reasonable Accommodation for Disabled Applicant. If you have a physical or mental impairment that substantially limits one or more major life activities, you may request for reasonable accommodation(s) to USCIS when applying for naturalization. It can include requesting for **off-site accommodations** (e.g. off-site interview) or oath waivers due to the severity of your disability (e.g. coma, severe Alzheimer or mental retardation, or bedridden in a nursing home), sign language interpreter, oral examination for the visually impaired, or presence of family member or guardian with you during the examination if you have a mental impairment.

Medical Certification for Disability Exceptions (N-648). If you have a medically determinable physical, mental or developmental disability that is so severe making you unable to learn English, history, or civics, you may apply for a disability waiver by submitting N-648. Any licensed medical doctor (MD), clinical psychologist, or doctor of osteopathy who has examined and evaluated your disability can complete the N-648. If you are interested in requesting for a disability waiver, it is strongly recommended to consult an immigration attorney.

Expedited Processing for Elderly/Disabled Refugees losing SSI benefits. Elderly/Disabled refugees who are about to lose their SSI benefits within one year because of seven-year limit and whose N-400 has been pending for at least four months can request expedited processing of their naturalization application.

FOR FREE legal consultation and representation for your citizenship case, contact S. Eunice Park, Esq. at Asian Services In Action, Inc. at 216-881-0330, ext 214 or park@asiainc-ohio.org.

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