

Know Your Rights

Immigration Proceedings

This fact sheet is designed to help people with disabilities understand their legal rights in immigration proceedings. It covers:

- (1) Reasonable Accommodations and Modifications
- (2) How to Request an Accommodation in an Immigration Proceeding

YOU HAVE THE RIGHT TO REQUEST REASONABLE ACCOMMODATIONS OR MODIFICATIONS IN IMMIGRATION PROCEEDINGS.

An individual with a disability attending an immigration proceeding with United States Citizenship and Immigration Services (USCIS) may request reasonable accommodations or modifications in order to allow them to participate in the proceedings.ⁱ USCIS immigration proceedings include Application Support Center (ASC) appointments, InfoPass appointments, interview appointments, naturalization ceremonies, and USCIS public events such as town hall meetings.

Reasonable accommodations include changing rules, policies or procedures to afford a person with a disability a full and equal opportunity to participate in immigration proceedings.

EXAMPLE: An attendee who is unable to use his or her hands may be permitted to take any written tests orally.

Reasonable modifications may include changing the physical surroundings if necessary to afford an individual with a disability a full and equal opportunity to participate in immigration proceedings.

EXAMPLE: An attendee who must remain under constant hospital care may be permitted to participate in proceedings scheduled at the hospital.

BUT REMEMBER: While requests for accommodation are rarely denied, if an accommodation would result in a fundamental alteration in the nature of a program or an undue financial or administrative burden in conducting the program, then the accommodation can be denied. The USCIS, however, may still be required to provide an alternative accommodation.ⁱⁱ

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This publication is not intended to be legal advice or a substitute for professional services.

EXAMPLE: Printing all legal documents in Braille might be too costly. Thus, as an alternative accommodation, an agency representative could read legal documents aloud to an individual who is blind.

HOW TO REQUEST ACCOMMODATIONS:

If you need an accommodation due to a disability and it affects your access to a USCIS program or activity or if your disability prevents you from going to the designated USCIS location as scheduled, you can call the National Customer Service Center (NCSC) at 1-800-375-5283 (TDD: 1-800-767-1833).

If you are initiating contact with USCIS (e.g. for an InfoPass appointment or to attend a public event), you may call the NCSC at any time. If you need an accommodation for an appointment in conjunction with an application (e.g. an ASC or interview appointment), you should call the NCSC *after* you have received your appointment notice.

YOU HAVE THE RIGHT TO SUBMIT FORM N-648 WITH YOUR NATURALIZATION APPLICATION TO ESTABLISH ELIGIBILITY FOR AN EXCEPTION TO CERTAIN REQUIREMENTS.

The Immigration and Naturalization Act provides that the English and civics requirements of the naturalization application will not apply to any person who is “unable to demonstrate an understanding of the English language” or “knowledge and understanding of the fundamentals of the history, and of the principles and forms of government of the United States” because of a medically determinable physical or mental impairment that has lasted, or is expected to last, at least twelve months.ⁱⁱⁱ

The Medical Certification for Disability Exceptions, known as Form N-648, must be completed by a medical professional and submitted by the naturalization applicant seeking this exception at the time he or she submits the N-400 (Application for Naturalization).^{iv} Form N-648 can be found at the following website: <http://www.uscis.gov/files/form/n-648.pdf> or at DRLC’s website.

BUT REMEMBER: Receiving the Form N-648 waiver from the English and civics tests does not waive any other naturalization requirements.

For more information, visit:

United States Citizenship and Immigration Services (USCIS)
National Customer Service Center
Phone: 1-800-375-5283 TDD: 1-800-767-1833
Website: <http://www.uscis.gov/portal/site/uscis>

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