

**INTERIM MEMO FOR COMMENT**

Posted: 12-22-2010

Comment Period Ends: 1-21-2011

*This memo is in effect until further notice.*

U.S. Department of Homeland Security  
U.S. Citizenship and Immigration Services  
Office of the Director (MS 2000)  
Washington, DC 20529-2000



**U.S. Citizenship  
and Immigration  
Services**

December 14, 2010

PM-602-0019

## Policy Memorandum

SUBJECT: Revised Guidance for Determining the Sufficiency of Form N-648, Medical Certification for Disability Exceptions

Revision to *Adjudicator's Field Manual* Chapter 72 and 74 (AFM Update AD10-14)

### Purpose

This Policy Memorandum (PM) provides guidance to USCIS Officers for determining the sufficiency of Form N-648, Medical Certification for Disability Exceptions. The guidance in this memorandum supersedes all previous guidance dealing specifically with N-648s and, accordingly, revises pertinent chapters of the Adjudicator's Field Manual (AFM)<sup>1</sup>.

### Scope

Unless specifically exempted herein, this PM applies to and is binding on all USCIS employees.

### Authority

Section 312 of the Immigration and Nationality Act (INA); Title 8 Code of Federal Regulations (8 CFR) sections 312.1 and 312.2.

### Background

Section 312 of the INA, as amended, requires applicants for naturalization to demonstrate an understanding of the English language and knowledge of the history, principles and form of government of the United States. In accordance with Section 312(b)(1) of the INA, any person can seek an exception if he or she is unable to satisfy these requirements due to a physical or developmental disability or a mental impairment. Form N-648 must be certified by a qualified medical professional as mandated in 8 CFR 312.2(b)(2).

Over the past several years, U.S. Citizenship and Immigration Services (USCIS) has received significant internal and external feedback from stakeholders, including medical professionals, regarding Form N-648. In response to this feedback, USCIS initiated an in-depth evaluation of the Form N-648 process, including a review of the form, guidance memoranda, and training materials, coordinated within the Field Operations and Fraud Detection and National Security

<sup>1</sup> This guidance does not supersede the following memorandum: *Guidance on Making the Naturalization Process Accessible to Applicants with Disabilities*, issued January 21, 2003, which relates to accommodations in the naturalization process rather than matters dealing with Form N-648.

(FDNS) Directorates. As a result of this review, USCIS published a revised Form N-648 on December 14, 2010. Additionally, the Adjudicator's Field Manual (AFM) is being revised to address the Form N-648 process in general and to clarify the role of the USCIS Officer.

The revised Form N-648 process reflects a division of responsibility and expertise between USCIS and the qualified medical professional who completes the form. USCIS's review focuses on ensuring that the medical professional's submission completely addresses all required elements on the Form N-648 and protects the integrity of the N-648 process. For instance, USCIS's review for completeness ensures that the submitted form fully explains the medical diagnosis, as well as the "nexus" (connection) between the diagnosed condition and the applicant's inability to comply with the educational requirements.

As with all submissions to the agency, USCIS's review also should include vigilant and effective anti-fraud measures. USCIS Officers are called upon to exercise their expertise in identifying



(b)(2) and (b)(7)(E)<sup>2</sup>

The revised AFM provides guidance for referring possible fraud cases to FDNS.

At times, USCIS has been in the position of evaluating the medical opinions of the qualified professional who completes Form N-648, in spite of the difficulties that kind of evaluation presents for an agency unequipped with medical training or experience. The basic purpose of Form N-648 is to give USCIS the benefit of a qualified medical professional's specialized expertise. Under the revised N-648 process, USCIS will rely on the medical professional's opinion as it relates to the diagnosis and the applicant's ability to comply with the educational requirements. USCIS should not assume the role of evaluating or questioning the medical validity of that opinion except to the extent that the opinion does not establish eligibility or raises factual questions related to the form. Instead, the USCIS adjudication will serve to ensure that the Form N-648 fully explains the medical opinion and that there are no factual issues that merit further inquiry. This division of expertise best serves USCIS in fulfilling its critical responsibilities to verify the adequacy and integrity of submissions to the agency.

**Policy**

Effective immediately, all USCIS offices are directed to comply with the instructions contained in the Adjudicator's Field Manual as revised.

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<sup>2</sup> As permitted under the Freedom of Information Act (FOIA), United States Code, Title 5, Section 552, the public version of this memo and its associated AFM update are redacted versions of the complete memo and update. All redactions were made under both of the following exemptions: 5 U.S.C. 552(b)(2) to prevent the disclosure of records that are related solely to the internal personnel rules and practices of an agency; and 5 U.S.C. 552(b)(7)(E) to prevent the disclosure of techniques and procedures for law enforcement investigations or prosecutions, or would disclose guidelines for law enforcement investigations or prosecutions if such disclosure that could reasonably be expected to risk circumvention of the law. The abbreviations "(b)(2)" and "(b)(7)(E)" indicate where data have been redacted.

### **Implementation**

The AFM Chapter 74.3 entitled “Closing Actions” [Reserved] is removed and designated as Chapter 74.3 “Medical Certification for Disability Exceptions, Form N-648.”

In addition, the AFM Chapter 72.2 entitled “Examination Preparation” is amended by:

- Deleting the bullet point referring to obsolete Form “N-648B” in subchapter 72.2(d) outline;
- Redesignating paragraphs 72.2(d)(5)(J) and (K) as 74.3(f) and (g) respectively; and
- Revising chapter 72.2(d)(5) in its entirety, to include the title heading.

### **Chapter 72.2(d) – Important Forms to Review in Preparation for the Examination**

#### **(5) Form N-648: Medical Certification for Disability Exceptions**

Section 312(b) of the Act provides an exception to the English and/or U.S. history and government (civics) requirements under section 312(a) for naturalization applicants who are unable to comply with those requirements because of a physical or developmental disability or mental impairment. To qualify for the exception, a medical professional must certify that the applicant has the claimed disability or impairment that renders him or her unable to comply with the applicable requirements by completing Form N-648, Medical Certification for Disability Exceptions, on behalf of the applicant. See **AFM 74.3** for comprehensive guidance for determining the sufficiency of Form N-648.

### **Chapter 74.3 – Medical Certification for Disability Exceptions, Form N-648**

- (a) Introduction
- (b) Medical Professional
- (c) Submission of Form N-648
- (d) Determining Sufficiency of Form N-648
- (e) Form N-648 Field Office Points-of-Contact (POCs)
- (f) Reasonable Accommodations and Modifications under the Rehabilitation Act
- (g) Procedures for Waiver of the Oath of Allegiance

#### **(a) Introduction**

8 CFR 312.1(b)(3) and 312.2(b) interpret and implement the provisions of Section 312 of the INA related to the disability exceptions to the educational requirements for naturalization as well as the use of Form N-648, Medical Certification for Disability Exceptions.

According to the regulations, the English language and U.S. history and government (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 a determination made by acceptable clinical or laboratory techniques. The applicant must demonstrate a disability or impairment that affects the functioning of the individual such that, even with reasonable accommodations, he or she is unable to comply with the educational requirements for naturalization. To qualify for this exception, a medical professional must complete Form N-648 to certify the applicant’s disability or impairment and that the disability or impairment precludes the applicant from complying with the educational requirements for naturalization.

A disability or impairment that is the direct result of illegal drug use cannot form the basis for an exception under section 312(b)(1) of the INA to the English language or civics requirements for naturalization. Further, a claim of illiteracy alone cannot form the basis for exception under section 312(b)(1) of the INA unless the illiteracy is caused by a disability or impairment.

NOTE: Requesting an exception through Form N-648 is different than requesting an accommodation under section 504 of the Rehabilitation Act of 1973. Reasonable accommodations that include, but are not limited to, sign language interpreters, extended time for testing and off-site testing, do not require submission of Form N-648. See Memorandum: *Guidance on Making the Naturalization Process Accessible to Applicants with Disabilities*, issued January 21, 2003, which remains valid guidance for accommodations.

#### (b) Medical Professional

Medical doctors, doctors of osteopathy, and clinical psychologists, who are licensed to practice in any state of the United States, Washington, D.C., Guam, Puerto Rico and the Virgin Islands, are the only medical professionals eligible to certify (sign) Form N-648. While staff associated with the medical professional may assist in completing the form, the medical professional alone is responsible for verifying the accuracy of the form’s content.

The medical professional must explain the nature and extent of any medical condition and explain how the medical condition relates to the applicant’s inability to comply with the educational requirements for naturalization. Additionally, the medical professional must attest that the cause of the medical condition is not related to the illegal use of drugs. To certify a Form N-648, the medical professional must have conducted an in-person examination of the applicant. When completing the form, the medical professional is also instructed to use common terminology that a person without medical training can understand to facilitate a USCIS Officer’s ability to determine the sufficiency

of the form. While not required to, the medical professional certifying a Form N-648 may attach supporting documents, such as medical diagnostic reports and records. However, such attachments must not replace written responses to each question or item on Form N-648.

(c) Submission of Form N-648

According to 8 CFR 312.2(b)(2), Form N-648 must be submitted as an attachment to the applicant's Form N-400, Application for Naturalization. However, USCIS realizes that certain circumstances, including a medical professional's unavailability or the applicant's lack of available funds, may prevent the concurrent submission of Form N-648 and Form N-400. Therefore, the USCIS Officer must consider Form N-648 even if it is submitted after the filing of Form N-400 and must not draw any negative inference regarding the applicant's medical condition as a result of the late filing.

(d) Determining Sufficiency of Form N-648

(1) Reviewing for Completeness

When reviewing Form N-648, the USCIS Officer must verify that the form is complete. Specifically, the USCIS Officer should verify that all required questions have been answered and that the applicant and medical professional have signed the form.

A complete form must contain the following information provided by a medical professional:

- The clinical diagnosis and DSM IV code, if applicable, for the medical conditions forming the basis of the Form N-648;
- A description of the disability or impairment;
- The dates of examination;
- A description of the doctor-patient relationship indicating whether the medical professional completing the form regularly treats the applicant for the conditions listed on the Form N-648, and if not, an explanation why he or she, as opposed to the regularly treating medical professional, is completing the form.
- An assessment that the medical condition has lasted or is expected to last more than 12 months;

- Whether the medical condition is the result of the illegal use of drugs;
- An explanation of what caused the medical condition, if known;
- A description of the clinical methods used to diagnose the applicant's medical condition;
- A description of the applicant's medical condition and its effect on the applicant's ability to comply with the educational requirements for naturalization (nexus);
- The educational requirements with which the applicant cannot comply because of the medical condition;
- An indication whether an interpreter was used or a statement that the medical professional is fluent in the language spoken by the applicant, thereby not requiring the use of an interpreter during the examination.

If all of the questions on Form N-648 are not completed or the form is not signed by the medical professional and applicant, the USCIS Officer must follow the procedures stated in paragraph (d)(4) (Insufficient Form N-648 at the Initial Interview) or (d)(5) (Insufficient Form N-648 at the Subsequent Interview).

## (2) Reviewing for Sufficiency

Once it is determined that the form is complete, the USCIS Officer must review the form to determine whether the applicant is eligible for an exception to the educational requirements for naturalization. In reviewing the form, there are two possible outcomes: (1) the form is determined to be sufficient, or (2) the form is determined to be insufficient.

### (A) Role of USCIS Officer

When reviewing the Form N-648, the USCIS Officer's role is to ensure that the Form N-648 submitted relates to the applicant for naturalization who filed the Form N-648, that it fully addresses the questions about the underlying medical condition, and fully addresses the nexus (causal connection) between the medical condition and the educational requirements for naturalization. The USCIS Officer should not assume responsibility or authority to determine the validity of the qualified medical professional's diagnosis or opinion as it relates to the applicant's ability to comply with the educational requirements for naturalization.

(B) [REDACTED]

[REDACTED]

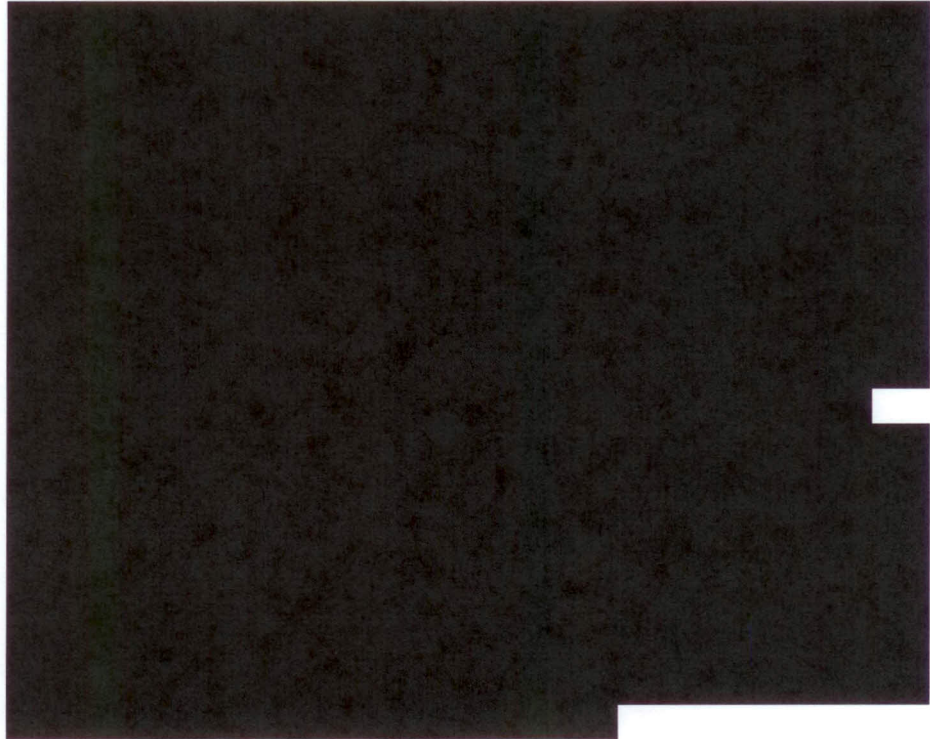
**(b)(2) and (b)(7)(E)** The USCIS Officer should not second-guess the underlying diagnosis or nexus to the educational requirements. See **AFM 74.3(d)(2)(D)** for a discussion of resolution of discrepancies, including how an Officer may refer a case to FDNS.

If the Form N-648 does not indicate anything about the applicant's ability to complete a particular activity, the USCIS Officer should not question the applicant about his or her ability to complete that activity. The USCIS Officer should not draw his or her own conclusion about the validity of the underlying diagnosis or its nexus to the educational requirements.

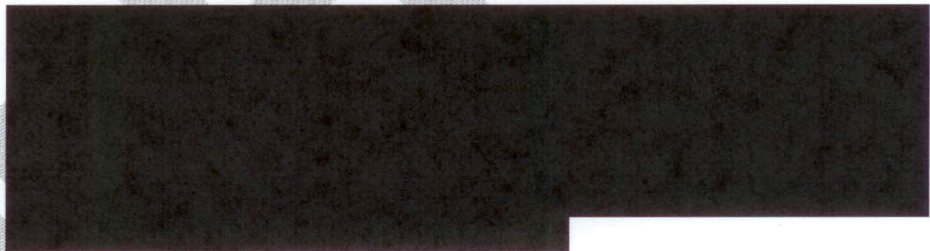
The following three examples are provided to clarify:

- [REDACTED]

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\_\_\_\_\_ (b)(2)  
and (b)(7)(E) These examples do not focus on whether the current medical conditions were previously reported to USCIS. The absence of a reported medical condition on other immigration-related records, including prior forms documenting medical examinations required to establish public health grounds of admissibility, by themselves, does not form the basis to question the sufficiency of the Form N-648.

The revised Form N-648, dated 9/24/2010, does not require the medical professional to address the severity of the effects of the medical condition(s) on the applicant's daily life.





(b)(2) and (b)(7)(E)

(C) Medical Examination and Nexus

In reviewing Form N-648, the USCIS Officer must focus on whether the medical professional has explained that the applicant has a disability or impairment and that there is a nexus (causal connection) between the disability or the impairment and the applicant's inability to comply with the educational requirements for naturalization. The medical professional must specifically explain how the applicant's disability or impairment prohibits the applicant from complying with the educational requirements.

(b)(2) and (b)(7)(E)

If the Form N-648 establishes a causal connection between the medical condition and the inability to comply with the educational requirements, the USCIS Officer should not second-guess that determination.

The Form N-648 can be used to seek an exemption from some, but not all, of the educational requirements for naturalization. See **AFM Chapter 74.3(d)(2)(D)**. Where an applicant seeks an exemption from some, but not all, of the educational requirements for naturalization, the USCIS Officer should not infer that the applicant's ability to comply with some educational requirements indicates the applicant's ability to comply with all educational requirements for naturalization. The following examples are provided for further explanation:

- If the Form N-648 indicates that the applicant cannot comply with the English portion of the test but can comply with the civics portion of the test in the applicant's native language, the USCIS Officer should not question the medical professional's opinion on this basis alone.
- If the Form N-648 establishes a nexus between a medical condition and the applicant's inability to complete the educational requirements

for naturalization, the USCIS Officer should not question the medical professional's opinion by identifying an activity that the applicant is capable of doing and conclude that this activity indicates that the applicant should also be able to pass the naturalization test.

- If the Form N-648 indicates that the applicant is not able to comply with some or all of the educational requirements, and the applicant works in a grocery store and completes an inventory form, the USCIS Officer should not question or second-guess the medical professional's opinion by concluding that anyone who can learn to complete an inventory form should also be able to pass the naturalization test. This conclusion is inappropriate because it assumes that if an applicant can complete an inventory, either (a) the medical diagnosis is in error or (b) the diagnosis, if correct, should preclude the applicant from learning how to complete a grocery inventory.

Additionally, the USCIS Officer should not question the basis upon which the medical professional arrived at the medical opinion. For example, the USCIS Officer should not:

- Require that an applicant complete specific medical, clinical, or laboratory diagnostic techniques, tests, or methods different from what was relied upon by the medical professional;
- Develop and substitute his or her own diagnosis of the applicant's medical condition in lieu of the medical professional's diagnosis;
- Use questionnaires or tests to challenge each applicant's diagnosed medical condition;
- Refer the applicant to another authorized medical professional solely because the person sought the care and services of a medical professional who shares the same language, culture, ethnicity, or nationality.
- Request to see the applicant's prescription medication(s); **or**
- Request an applicant's medical records.

However, in reviewing Form N-648, there may be factors that do raise questions about whether the medical professional certifying the form actually examined the patient, as indicated on the form, for the purpose of providing a medical assessment of the patient's condition. If the USCIS Officer determines that there are misrepresentations on the Form N-648

that indicate that the applicant on the Form N-648 was not examined by a medical professional or that the individual described on the Form N-648 is not the same individual on the N-400, the N-648 should be deemed insufficient because even though it is complete, it was invalidly completed.

There are various factors that may lead the USCIS Officer to question the applicant further about his or her medical examination or relationship with the medical professional. For example:

- [REDACTED] (b)(2) and (b)(7)(E)
- [REDACTED] (b)(2) and (b)(7)(E)

NOTE: If the interpreter certification is not complete, the USCIS Officer must ask the applicant if an interpreter was used to translate communications between the applicant and medical professional on the day of the examination that formed the basis of the Form N-648 certification. USCIS Officers must not draw a negative inference if an interpreter was not used in cases where the medical professional conducted the medical examination in the applicant's language of choice.

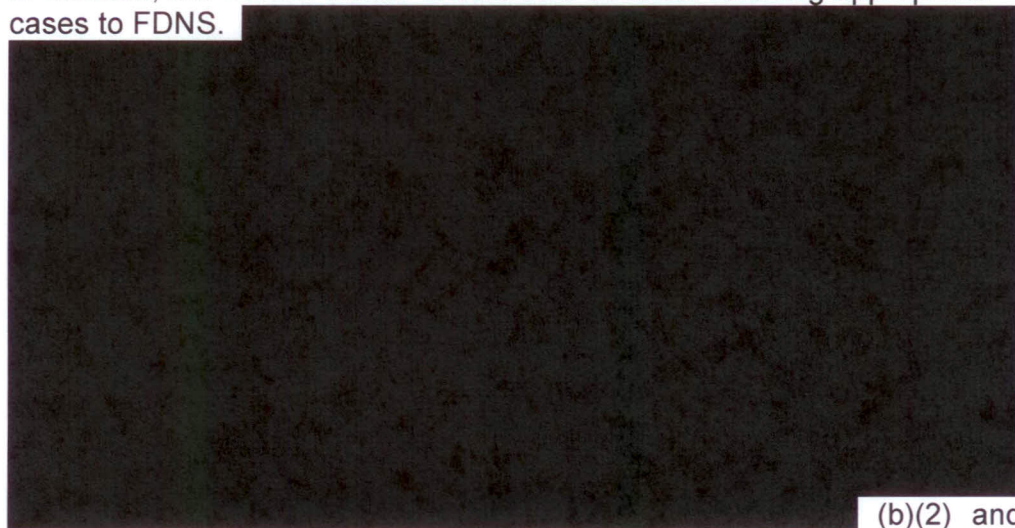
[REDACTED] (b)(2) and (b)(7)(E)

(D) Resolution by USCIS Officer

In cases where the Form N-648 is not sufficient based on any of the issues discussed above, the USCIS Officer must first question the applicant, under oath in his or her native language, using an interpreter as necessary, in an attempt to address the issues of concern (NOTE: Use of the interpreter here is for reviewing N-648 only, not for conducting the N-400 interview. Only after Form N-648 is deemed sufficient can the USCIS Officer conduct the N-400 interview in the applicant's language of choice). If the applicant is unable to answer questions or unable to provide

satisfactory responses to the questions, the Form N-648 must be deemed insufficient for purposes of that interview and the procedures outlined in **AFM 74.3(d)(4)** must be followed.

In addition, the USCIS Officer should also consider referring appropriate cases to FDNS.



(b)(7)(E)

(b)(2) and

If Form N-648 is deemed insufficient, the USCIS Officer should follow the procedures above for resolution. If the Form N-648 appears sufficient, the USCIS Officer must proceed with the N-400 interview in the applicant's language of choice but must not make a final decision on the N-400 until FDNS returns the case with its finding. If the case is referred to FDNS, the USCIS Officer must follow the current fraud referral policy, including consulting with his or her supervisor prior to making a referral to FDNS. FDNS should sufficiently prioritize these cases so the N-400 can be adjudicated within the 120 days post interview as required by 8 CFR 335.3(a).

### (3) Sufficient Form N-648

If a Form N-648 is found to be sufficient, the USCIS Officer will review question 11 on Form N-648 to determine whether the applicant is exempt from all or only some of the educational requirements. If the medical professional indicates on question 11 of Form N-648 that the applicant is exempt from all of the educational requirements, the USCIS Officer will interview the applicant on Form N-400 in the applicant's language of choice with the use of an interpreter and will not test the applicant on any of the educational requirements. If the medical professional indicates on question 11 of Form N-648 that the applicant is only exempt from some of the educational requirements, the USCIS Officer will only

test the applicant on those areas that the medical professional did not exempt and will not test the applicant on any areas that the medical professional did exempt.

After determining that a Form N-648 is complete, and that it constitutes a valid basis for granting a disability exception, the USCIS Officer must notate "Sufficient" within the USCIS Action Box on Form N-648 and mark the Naturalization Quality Procedures (NQP) processing sheet as appropriate.

#### (4) Insufficient Form N-648 at the Initial Interview

If a Form N-648 is not deemed sufficient at the initial interview, then it is insufficient for purposes of that interview. In such a case, the USCIS Officer must proceed with the N-400 interview in English as if a Form N-648 had not been submitted. If the applicant cannot meet the educational requirements, the USCIS Officer must also issue a Form N-14 to the applicant, addressing the issues with the Form N-648.

NOTE: The fact that an applicant meets the educational requirements after filing a Form N-648 does not on its own indicate that the applicant engaged in fraud or lacks good moral character. Before making a determination on the applicant's moral character, the USCIS Officer must further question the applicant on the reasons for submitting Form N-648 and the applicant's relationship to the medical professional.

When proceeding with the N-400 interview as if no N-648 had been filed, the USCIS Officer must provide the applicant with an opportunity to take each portion of the naturalization test including the civics portion and English language reading, writing, and speaking portions, and must update the NQP processing sheets accordingly. (For proper procedures in test administration see Memorandum: *The Redesigned Naturalization Test: Standardization of Procedures for Testing Naturalization Applicants on English and Civics*, Revisions to Adjudicator's Field Manual Chapter 74, (AFM Update AD08-19), dated August 14, 2008 and Memorandum: *Clarification Regarding Naturalization Testing, Revisions to Adjudicator's Field Manual Chapter 74 (AFM Update 09-16)*, dated September 9, 2009).

There may be instances where the applicant refuses to be tested or to respond to individual questions. The USCIS Officer must indicate "Applicant refused to respond" for each test question where the applicant refuses to answer. The test forms must be interfiled in accordance with existing guidance and will serve as proof that the applicant was provided with the first opportunity to be tested. According to 8 CFR, Section 312.5, if the applicant is unable to meet the educational requirements for naturalization, he or she will be afforded a second

opportunity to take the test within ninety (90) days from the date of the initial test.

If the applicant fails the test, in addition to attempting to proceed with the interview, the USCIS Officer must also issue the applicant a Form N-14, Request for Additional Evidence. The USCIS Officer must explain in detail why the submitted Form N-648 is not sufficient. The USCIS Officer must notate "Continued/RFE" within the USCIS Action Box on Form N-648 and mark the NQP processing sheet as appropriate.

If the USCIS Officer is requesting that the applicant obtain a supplemental disability determination from another authorized medical professional as part of the N-14, the USCIS Officer must articulate reasons for doubting the veracity of the information presented on the Form N-648. In such cases, the USCIS Officer must consult, and receive approval from, a supervisor before requiring the applicant to undergo a supplemental disability determination. See 8 CFR 312.2(b)(2). If the applicant is required to obtain a supplemental disability determination, the USCIS district or field office must provide the applicant with relevant state medical board contact information (Attachment A) to facilitate the applicant's ability to find an alternative medical professional.

#### (5) Insufficient Form N-648 at the Subsequent Interview

During a subsequent interview, the USCIS Officer will review the documentation submitted in response to Form N-14 issued during the initial interview pertaining to Form N-648. If the USCIS Officer determines that the documentation submitted in response to Form N-14 is sufficient to establish eligibility for the disability exception, the USCIS Officer must proceed with the interview on Form N-400 with the use of an interpreter, exempting the applicant from the English and/or civics requirements as described above in **AFM 74.3(d)(3)**.

If during a subsequent interview, the USCIS Officer determines that the documentation submitted in response to Form N-14 is insufficient to establish eligibility for the disability exception, and the applicant does not offer a new Form N-648, the USCIS Officer must afford the applicant a second opportunity to take the test including the civics portion as well as English reading, writing, and speaking portions. If the applicant fails any portion of the test or refuses to respond to test questions during the subsequent interview, the USCIS Officer must deny Form N-400 based on the applicant's failure to meet the educational requirements for naturalization pursuant to 312 of the INA and 8 CFR 312. In the denial notice, the USCIS Officer must provide a detailed explanation for finding the Form N-648 insufficient.

Although an insufficient form does not necessarily indicate fraud, where the USCIS Officer determines that the applicant or medical professional has

committed fraud in the Form N-648 application process, the USCIS Officer must articulate the findings for fraud within the denial of Form N-400. Further, any other areas of ineligibility that the USCIS Officer detects must also be identified in the notice of denial.

As required in the NQP, all Form N-400 denials involving an insufficient Form N-648 must receive supervisory concurrence. If Form N-648 is determined to be insufficient, the USCIS Officer must notate "Insufficient" within the USCIS Action Box on Form N-648 and mark the NQP processing sheets as appropriate.

**(6) N-336 Hearing (on N-400 Denial)**

Under section 336 of the INA, USCIS may conduct a *de novo* hearing on the denial of Form N-400 pursuant to 8 CFR 336.2. See **AFM 72.3(o)** for further guidance on N-336 hearings. The merits and deficiencies of the Form N-648 as they relate to the Form N-400 denial may be reviewed in the context of the N-336 hearing. An applicant may submit additional documentation for review at the N-336 hearing, to include a Form N-648. If the applicant submits a new or initial N-648 during the N-336 hearing, the USCIS Officer will determine the sufficiency of the N-648 following the procedures outlined above.

**(e) Form N-648 Field Office Points-of-Contact (POCs)**

Each USCIS district/field office must maintain a point-of-contact (POC) to serve as a subject matter expert for Form N-648. The POC must be a USCIS Officer with expert knowledge of Form N-648 or a supervisory USCIS Officer who is responsible for the adjudication of naturalization applications. In addition, the POC may serve as a liaison between the field office and interested external stakeholders, to include community-based organizations, medical associations, and medical professionals.

**(f) Reasonable Accommodations and Modifications under the Rehabilitation Act**

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**(g) Procedures for Waiver of the Oath of Allegiance**

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AD10-14 12/14/2010	<b>Chapter 72.2(d) and 74.3</b>	This memorandum revises AFM 72.2 and 74.3 to provide guidance on determining the sufficiency/insufficiency of Form N-648, Medical Certification for Disability Exceptions.
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### **Use**

This PM is intended solely for the guidance of USCIS personnel in the performance of their official duties. It is not intended to, does not, and may not be relied upon to create any right or benefit, substantive or procedural, enforceable at law or by any individual or other party in removal proceedings, in litigation with the United States, or in any other form or manner.

### **Contact Information**

Questions regarding the guidance in this memorandum may be directed through Regional channels to the Field Operations Directorate.

INTERIM