

## **ATTACHMENT F**

**SUBJECT:** Language for Use with § 337 Denials

**ATTACHMENT TO FORM N-335 WITH LANGUAGE  
FOR DENIALS BASED ON FAILURE TO MEET THE REQUIREMENTS OF § 337**

Reference is made to your Application for Naturalization, Form N-400, which you filed on \_\_\_\_\_, pursuant to Section 316(a) (INSERT APPLICABLE SECTION OF LAW) of the Immigration and Nationality Act (INA).

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(INSERT NORMAL CITATIONS, LANGUAGE, AND PARAGRAPHS FOR OTHER GROUNDS OF INELIGIBILITY)

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Under section 335 of the Immigration and Nationality Act (INA), and Title 8 of the Code of Federal Regulations (CFR), Part 335.2(a), an applicant for naturalization must appear before a Service officer for examination on his or her application. During such examination, the applicant is questioned, under oath or affirmation, about his or her responses on the N-400. If necessary, the examining officer shall repeat such questions on the application in a simplified, different or more elaborate manner until the officer is satisfied that the applicant fully understands the questions being asked or is unable to understand English. 8 C.F.R. § 335.2(b).

The Service officer must make a determination on an application for naturalization. INA 335(d). Such naturalization application shall only be granted when the adjudicating officer is satisfied that the applicant has complied with all requirements for naturalization. 8 C.F.R. § 335.3(a). Further, before an applicant may be naturalized, he or she must take an oath of allegiance (INA 337(a)) and establish that it is his or her intention, in good faith, to assume and discharge the obligations of the oath of allegiance, and that his or her attitude toward the Constitution renders him or her capable of fulfilling the obligations of such oath. 8 C.F.R. § 337.1(c).

The records reflect that you appeared before an officer of the Service on \_\_\_\_\_, (INSERT DATE) regarding your Application for Naturalization. At that time, the adjudicating officer attempted to review your application with you and determined that you were unable to answer questions regarding the information contained on your N-400 or to provide responses which would demonstrate to the satisfaction of the adjudicating officer that you have complied with the statutory requirements for naturalization.

(In particularly difficult cases, the DAO may wish to provide specific examples for clarity on review and for a better record. For example: "Specifically, DAO \_\_\_\_\_ asked you on three different occasions "What is your name?" However, you were unable to respond [through the assistance of your Service interpreter] or [through reasonable physical accommodations which would permit you to print a response] or [through the recognized method as established by your legal guardian prior to the interview, i.e. through two blinks for a "yes" response] which would indicate to the officer that you understood the nature of the questions being posed.)

[INSERT THIS ADDITIONAL PARAGRAPH IF APPLICABLE]

In addition, the Service officer requested responses to questions regarding your understanding of the requirements for attaining United States citizenship and of the oath of allegiance. The adjudicating officer determined that you were unable to demonstrate that you understood you were becoming a United States citizen, that you were forswearing allegiance to your country of nationality, and that you were personally and voluntarily agreeing to a change in your status to that of a United States citizen.

(In particularly difficult cases, the office may wish to provide specific examples for clarity on review and for a better record. For example: "Specifically, DAO \_\_\_\_\_ asked you on three different occasions "Do you understand what it means to give allegiance to a country? or Do you understand what it means to be loyal to the United States?" However, you were unable to respond [through the assistance of your Service interpreter] or [through reasonable physical accommodations which would permit you to print a response] or [through the recognized method as established by your legal guardian prior to the interview, i.e. through two blinks for a "yes" response] which would indicate to the officer that you understood the nature of the questions being posed.)

Accordingly, for the reasons set forth above, the application may not be approved and hereby is denied. No appeal lies from this decision. However, in accordance with 8 C.F.R. § 336.2(a), you may request a hearing before an immigration officer within thirty (30) days of the date of this notice. To do so, you must file with the Service the attached Form N-336 along with the correct fee.