



February 22, 2021

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Policy Alert

SUBJECT: Revising Guidance on Naturalization Civics Educational Requirement

Purpose

U.S. Citizenship and Immigration Services (USCIS) is updating policy guidance in the [USCIS Policy Manual](#) regarding the educational requirements for naturalization to demonstrate a knowledge and understanding of the fundamentals of the history, and of the principles and form of government, of the United States (civics) under section 312 of the Immigration and Nationality Act (INA).

Background

In general, applicants for naturalization must demonstrate a basic understanding of the English language and a knowledge and understanding of civics.¹ Applicants have two opportunities to pass the related English and civics tests.² On December 1, 2020, USCIS implemented a revised naturalization civics test (2020 civics test) as part of a decennial test review and update process. In addition to making changes to the test content, the 2020 civics test updated the number of questions for applicants to study (from 100 possible questions in the prior 2008 civics test to 128 possible questions in the 2020 civics test) and updated the number of questions applicants must answer correctly to pass from six out of 10 to 12 out of 20 questions.

USCIS received approximately 2,500 comments from the public regarding the 2020 civics test and the policy. Multiple commenters noted that there was little advance notice before implementation of the 2020 civics test, which raised concerns about limited time for study and preparation of training materials and resources. Due to the comments and in keeping with the Executive Order on Restoring Faith in Our Legal Immigration Systems and Strengthening Integration and Inclusion Efforts for New Americans,³ USCIS will revert to the 2008 test.

There will be a brief period during which USCIS may offer both versions of the test to accommodate certain naturalization applicants who filed on or after December 1, 2020 and before

¹ See [INA 312\(a\)](#). An applicant may be eligible for an exception to the English requirements based on age and time as a lawful permanent resident. See [INA 312\(b\)\(2\)](#). An applicant who has a qualifying physical or developmental disability or mental impairment may be eligible for a medical exception to the educational requirements. See [INA 312\(b\)\(1\)](#).

² This includes the initial examination and re-examination (if needed). See [8 CFR 312.5\(a\)](#) and [8 CFR 335.3\(b\)](#). Applicants may also have another opportunity to pass the failed portion of the tests if they request a rehearing under INA 336(a) of a denied naturalization application.

³ See [Executive Order 14012](#), signed February 2, 2021.

March 1, 2021 and are scheduled for an interview before April 19, 2021. This is because such applicants may have already been studying for the 2020 civics test. USCIS will provide notices to such applicants affected by the policy update.

This update, contained in Volume 12 of the Policy Manual, becomes effective March 1, 2021. The guidance contained in the Policy Manual is controlling and supersedes any prior guidance on the topic.

Policy Highlights

- Provides that USCIS will administer the 2008 civics test to applicants who filed for naturalization before December 1, 2020, or who will file on or after March 1, 2021.
- Provides that USCIS will give applicants the choice to either take the 2008 civics test or the 2020 civics test in cases where applicants filed their naturalization application on or after December 1, 2020 and before March 1, 2021, and where the initial examination (interview) is scheduled to occur before April 19, 2021.
- Provides that USCIS will administer the 2008 civics test to all applicants whose initial examination (interview) is scheduled to occur on or after April 19, 2021 (regardless of filing date).
- Provides that USCIS will only ask civics test questions until the applicant passes or fails either the 2008 civics test or the 2020 civics test.

Citation

Volume 12: Citizenship and Naturalization, Part E, English and Civics Testing and Exceptions, Chapter 2, English and Civics Testing [[12 USCIS-PM E.2](#)].