



February 22, 2021

PA-2021-02

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](#)].

This policy is effective on March 1, 2021 and will be incorporated into the Policy Manual accordingly.

Chapter 2. English and Civics Testing

A. Educational Requirements

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B. Exceptions

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C. Meeting Requirements under IRCA 1986

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D. English Portion of the Test

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E. Civics Portion of the Test

1. Civics Test

A naturalization applicant must demonstrate a knowledge and understanding of the fundamentals of the history, the principles, and the form of government of the United States (civics).¹ To sufficiently demonstrate knowledge of civics, an applicant for naturalization must pass a civics test by answering a certain number of questions correctly. USCIS is committed to administering a test that is an instrument of civic learning and fosters civic integration as part of the test preparation process.

A USCIS system randomly selects the test questions and an officer administers the test orally.² The officer stops the test when the applicant correctly answers the minimum number of questions required to pass the test.

On December 1, 2020, USCIS implemented a revised naturalization civics test (“2020 civics test”) as part of a decennial test review and update process. 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

¹ See [8 CFR 312.2](#).

² See [8 CFR 312.2\(c\)\(1\)](#).

in Our Legal Immigration Systems and Strengthening Integration and Inclusion Efforts for New Americans,³ USCIS will revert to the 2008 test.

There are currently two versions of the civics test: the [2020 civics test](#) with 128 questions to study, and the [2008 civics test](#) with 100 questions to study. The date the applicant filed the naturalization application and the date of the initial interview determine which test the applicant may take.

Applicable Test for Applications Filed Before December 1, 2020 or On or After March 1, 2021

An applicant who files for naturalization before December 1, 2020 or on or after March 1, 2021 takes the [2008 civics test](#).

- Passing the 2008 Civics Test – An applicant passes the civics test if he or she provides a correct answer or provides an alternative phrasing of the correct answer for six of the 10 questions.
- Failing the 2008 Civics Test – An applicant fails the civics test if he or she provides an incorrect answer or fails to respond to five out of the 10 questions.

Applicable Test for Applications Filed On or After December 1, 2020 and Before March 1, 2021

An applicant who files for naturalization on or after December 1, 2020 and before March 1, 2021 may choose to take the [2008 civics test](#) or the [2020 civics test](#), so long as his or her initial examination (interview) takes place before April 19, 2021. If the applicant has already taken the 2020 civics test at the initial exam and failed, he or she may choose to take either the 2008 civics test or the 2020 civics test at re-examination or N-336 hearing, if applicable.⁴

In cases where the initial interview takes place on or after April 19, 2021, the applicant takes the 2008 civics test.

The table below serves as a quick reference guide on the applicable version of the test for applications filed during this time frame.

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

⁴ For information on re-examination, see Chapter 3, Naturalization Interview, Section D, Subsequent Re-examination [[12 USCIS-PM B.3\(D\)](#)]. For information on N-336 hearings, see Chapter 6, USCIS Hearing and Judicial Review [[12 USCIS-PM B.6](#)].

Applications Filed On or After December 1, 2020 and Before March 1, 2021

Date of Initial Exam (Interview)	Civics Test Version on Initial Exam, Re-exam, or N-336 Hearing
Before April 19, 2021 ⁵	2020 Civics Test or 2008 Civics Test (applicant's choice)
On or After April 19, 2021	2008 Civics Test

An applicant who chooses to take the 2020 civics test (when applicable, as shown above) is subject to the requirements of the 2020 civics test. To sufficiently demonstrate knowledge of civics with the 2020 civics test, the applicant must answer correctly at least 12 of 20 questions.

- **Passing the 2020 Civics Test** – An applicant passes the civics test if he or she provides a correct answer or provides an alternative phrasing of the correct answer for at least 12 of the 20 questions.
- **Failing the 2020 Civics Test** – An applicant fails the civics test if he or she provides an incorrect answer or fails to respond to nine out of the 20 questions.

2. Special Consideration

An officer gives special consideration to an applicant who is 65 years of age or older and who has been living in the United States for periods totaling at least 20 years subsequent to a lawful admission for permanent residence.⁶ The age and time requirements must be met at the time of filing the naturalization application.

An applicant who meets the criteria for special consideration passes either the 2008 or the 2020 civics test if he or she provides a correct answer or provides an alternative phrasing of the correct answer for at least six of the 10 test questions from the specially designated list of 20 questions from the applicable test.

Applicable Test for Applications Filed Before December 1, 2020 or On or After March 1, 2021

An applicant who files for naturalization before December 1, 2020 or on or after March 1, 2021 takes the [2008 civics test](#). The test for applicants given special consideration contains 20 specially designated civics questions from the list of 100 questions on the 2008 civics test for applicants to study.

⁵ This includes interviews scheduled or to be scheduled.

⁶ See [INA 312\(b\)\(3\)](#).

Applicable Test for Applications Filed On or After December 1, 2020 and Before March 1, 2021

An applicant who files for naturalization filed on or after December 1, 2020 and before March 1, 2021 may choose to take the [2008 civics test](#) or the [2020 civics test](#), so long as his or her initial examination (interview) takes place before April 19, 2021. If the applicant has already taken the 2020 civics test at the initial exam and failed, he or she may choose to take either the 2008 civics test or the 2020 civics test at re-examination or N-336 hearing, if applicable.⁷

In cases where the initial interview takes place on or after April 19, 2021, the officer administers the 2008 civics test version. The test for applicants given special consideration contains 20 specially designated civics questions from the list of 128 questions on the 2020 civics test for applicants to study.

3. Due Consideration

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⁷ For information on re-examination, see Chapter 3, Naturalization Interview, Section D, Subsequent Re-examination [[12 USCIS-PM B.3\(D\)](#)]. For information on N-336 hearings, see Chapter 6, USCIS Hearing and Judicial Review [[12 USCIS-PM B.6](#)].