

e. Those seeking to become a naturalized United States citizen were required to complete and submit to USCIS Form N-400, titled “Application for Naturalization.”

f. An individual who applied to become a naturalized citizen of the United States was required to demonstrate to USCIS, among other characteristics, that he knew the English language, including the ability to read, write, and speak words in ordinary usage in the English language, as well as knowledge and an understanding of United States history and civics.

g. An individual who, because of a physical or mental impairment or combination of impairments, was unable to learn or demonstrate the required knowledge of the English language or United States civics and history was eligible for a waiver of those requirements.

h. USCIS would not grant the waiver, however, unless it received a signed certification from a licensed medical professional on Form N-648, “Medical Certification for Disability Exceptions,” that the applicant’s disability or impairment prevented him from demonstrating the required knowledge of the English language or United States civics and history.

i. Although staff of a medical practice could assist in its completion, Form N-648 could only be certified by a licensed medical professional. In the form, the licensed medical professional provided information pertaining to her examination and evaluation of the applicant’s disability and/or impairment, such as a basic description of the disability and/or impairment, the date she first examined

the applicant regarding the condition, whether she was the medical professional regularly treating the applicant, and clinical methods used to diagnose the condition.

j. Form N-648 required the licensed medical professional to certify that the information provided on the Form N-648 was true and correct under penalty of perjury, and to acknowledge that the knowing placement of false information on the form and related documents could subject the medical professional to criminal penalties.

k. In determining whether an applicant for United States citizenship was entitled to a waiver of the English language and United States civics and history requirements, USCIS relied upon information provided by the licensed medical professional, under penalty of perjury, on Form N-648.

2. On or about March 3, 2013, at Chicago, in the Northern District of Illinois, Eastern Division,

JASMINKA KOSTIC and
NIKKI POZDOL,

defendants herein, in a document required by the immigration laws or regulations prescribed thereunder, that is, a Form N-648 completed for submission to United States Citizenship and Immigration Services, knowingly subscribed as true under penalty of perjury a false statement with respect to a material fact, namely, false diagnoses of impairments; a false cause of the impairments; a false description of the clinical methods used to diagnose the impairments; a false certification of the applicant's inability to demonstrate the ability to read, write, and speak English and

to answer questions regarding United States history and civics, even in a language understood by the applicant; and a false length of medical treatment;

In violation of Title 18, United States Code, Sections 1546(a) and 2.

COUNT TWO

The SPECIAL JANUARY 2015 GRAND JURY further charges:

1. Subparagraphs (a) and (c) – (k) of Paragraph One of Count One of this indictment are incorporated here.

2. On or about April 24, 2006, at Chicago, in the Northern District of Illinois, Eastern Division,

JASMINKA KOSTIC,

defendant herein, knowingly attempted to procure, contrary to law, the naturalization of another person, by willfully making a misrepresentation of a material fact in a Form N-648 prepared for submission to United States Citizenship and Immigration Services, namely, false diagnoses of impairments; a false certification of the applicant's inability to learn and/or demonstrate an ability to speak, read or write English and a knowledge of U.S. history and civics, even in a language understood by the applicant; and a false length of medical treatment;

In violation of Title 18, United States Code, Section 1425(a).

A TRUE BILL:

FOREPERSON

UNITED STATES ATTORNEY