

Naturalization Integrity and Accountability Act

A BILL

To amend the Immigration and Nationality Act to expand grounds for denaturalization to include material abuse of social welfare programs and other conduct that would have rendered an individual ineligible for naturalization.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Naturalization Integrity and Accountability Act of 20XX.”

SEC. 2. FINDINGS AND PURPOSE.

(a) Findings. Congress finds that:

1. United States citizenship is a solemn and permanent grant that must be obtained and retained in accordance with the law.
2. Existing denaturalization provisions primarily address fraud, concealment, and illegal procurement but do not explicitly cover post-naturalization discovery of serious abuses of public trust that would have barred naturalization.
3. Abuse of social welfare programs undermines public confidence, imposes substantial costs on taxpayers, and may indicate a failure to meet statutory requirements for good moral character.
4. The integrity of the naturalization system depends on ensuring that citizenship is not retained when it was obtained or maintained contrary to law.

(b) Purpose.

The purpose of this Act is to:

1. Clarify and expand grounds for denaturalization;
2. Ensure consistency between eligibility for naturalization and retention of citizenship;

3. Protect due process while safeguarding the integrity of United States citizenship.
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SEC. 3. EXPANSION OF GROUNDS FOR DENATURALIZATION.

(a) Amendment to the Immigration and Nationality Act.

Section 340 of the Immigration and Nationality Act (8 U.S.C. § 1451) is amended by adding the following subsections:

“(e) Additional Grounds for Denaturalization.—

A naturalized citizen shall be subject to revocation of naturalization and cancellation of certificate of naturalization if the Government establishes a pattern of conduct demonstrating disregard for public benefit eligibility rules which shall itself constitute material abuse, regardless of the dollar amount involved, by the preponderance of the evidence in civil proceedings, provided that safeguards against arbitrary revocation are maintained that such person:

1. (1) Knowingly, recklessly, or with willful blindness or recklessly engaged in abuse, misuse, or exploitation of Federal, State, local, or Tribal public benefits or government assistance programs, non-means-tested, including but not limited to:
 - (A) obtaining, attempting to obtain, or retaining benefits through fraud, concealment, omission, misrepresentation, or identity misuse;
 - (B) receipt of benefits while knowingly, recklessly, or with willful blindness ineligible, including through failure to report income, assets, household composition, employment status, or immigration-related information when required by law;
 - (C) participation in schemes, conspiracies, or facilitation of others to improperly obtain public benefits;
 - (D) abuse of benefits by use for purposes expressly prohibited by statute or regulation;
 - (E) repeated or patterned overpayments resulting from willful or reckless disregard of reporting or eligibility requirements;
 - (F) benefits obtained by use of false, stolen, or assumed identities, including misuse of Social Security numbers;

(G) benefits obtained or retained while simultaneously claiming residency, domicile, or benefits in a foreign jurisdiction where such conduct is prohibited by law;

(H) failure to repay benefits after a final administrative or judicial determination of improper receipt, absent good cause.

Such conduct shall constitute grounds for denaturalization where:

(i) the conduct was material to eligibility for naturalization or to the assessment of good moral character; and

(ii) the conduct would have rendered the individual inadmissible, removable, or ineligible for naturalization had it been known at the time of adjudication.

2. Engaged in conduct prohibited or restricted under naturalization eligibility requirements, including but not limited to:

(A) lack of good moral character as defined in section 101(f);

(B) willful failure to support dependents;

(C) false testimony for the purpose of obtaining any immigration benefit;

(D) unlawful voting in Federal, State, or local elections;

(E) evasion of taxes or material tax fraud;

(F) failure to register for Selective Service when required;

(G) affiliation with or material support for criminal enterprises, terrorist organizations, or subversive activities as defined by law.

3. Maintained citizenship through continued violations of law that demonstrate a sustained disregard for the obligations of United States citizenship and would have constituted grounds for denial of naturalization.

and

(f) Definition of Public Benefits.—

For purposes of this section, the term ‘public benefits or government assistance’ includes any cash, voucher, subsidy, credit, grant, loan, tax benefit, housing assistance, healthcare benefit, educational assistance, disaster relief, childcare assistance, or in-kind aid funded or administered in whole or in part by a governmental entity.

SEC. 4. ADMINISTRATIVE FINDINGS.

(a) Allow denaturalization based on:

a final administrative determination of fraud or improper receipt, whether or not criminal charges were filed.

SEC. 5. LIMITATIONS AND DUE PROCESS PROTECTIONS.

(a) Burden of Proof.

The Government shall bear the burden of proving denaturalization under this Act by the preponderance of the evidence in civil proceedings, provided that safeguards against arbitrary revocation are maintained.

(b) Materiality Requirement.

No denaturalization action may be brought unless the conduct in question was material to naturalization eligibility.

(c) Statute of Limitations.

An action under subsection (e) must be commenced within 15 years of discovery of the relevant conduct by the Government.

(d) Judicial Review.

All denaturalization proceedings shall be conducted in Federal district court and subject to full judicial review.

SEC. 6. SEVERABILITY.

If any provision of this Act, or the application thereof to any person or circumstance, is held invalid, the remainder of the Act shall not be affected.

SEC. 7. EFFECTIVE DATE.

This Act shall take effect 180 days after enactment and shall apply to conduct occurring before, on, or after the date of enactment, consistent with constitutional limitations.
