



The Trump Administration's Plan to Strip Citizenship from Thousands of Americans *September 2018*

The Trump Administration has launched a denaturalization operation—a project to strip a large number of Americans of their citizenship. Denaturalization is a drastic measure that should only be taken in the most extreme circumstances. But the administration is dramatically expanding denaturalization, using questionable standards and proceedings. As with many other components of its agenda, the Trump administration is discarding longstanding legal norms and protections by adding U.S. citizens to its list of targeted individuals, and thereby sending the message that no one is safe in the United States of America.

These efforts to strip citizenship from Americans are systemic and chilling. They have made U.S. citizens fearful that mistakes made years ago on their past applications could be used to target them, take away their citizenship, and destroy their lives. The Trump administration's denaturalization efforts have made lawful permanent residents [scared to pursue citizenship](#) and fully engage civically. What was once a celebratory moment recognizing an immigrant's integration into American life now comes with an undercurrent of fear and suspicion. The Trump administration yet again uses draconian and constitutionally questionable tactics in pursuit of its nationalist vision of who belongs in the United States.

Who Are the Targets of Denaturalization?

A wide swath of individuals have been targeted for denaturalization since January 2017. These attacks are consistent with the Trump administration's fear-based narrative of who it wants the public to believe is dangerous. Under other administrations, those targeted for denaturalization were often [Nazis and other war criminals trying to escape prosecution under assumed identities](#). Now, the administration is attempting to strip citizenship from individuals based upon old removal orders issued when an applicant did not appear, discrepancies in applications, and allegations of crimes that they had not even been charged with at the time of their naturalization. U.S. citizens are entitled to an investigation and process when they are accused of crimes. As with other Americans, this should not include the threat of stripping away citizenship simply because an American naturalized rather than being born a U.S. citizen.

How Many People Are Being Targeted?

In previous years, denaturalizations were pursued in small numbers, [averaging](#) 11 per year from 1990 to 2017. Under the Trump administration, the Department of Homeland Security (DHS) has already referred [95 cases for denaturalization](#) to the Department of Justice (DOJ) since January 2017. In January 2018, U.S. Citizenship and Immigration Services (USCIS) stated its intention to refer approximately [1,600 additional citizens to DOJ for prosecution](#). In its 2019 budget request, the U.S. Immigration and Customs Enforcement (ICE) revealed its intention to review the files of [700,000](#) U.S. citizens, putting even more individuals into the denaturalization pipeline. Despite the administration's statements minimizing their denaturalization efforts, their own numbers indicate a dramatic shift from the last several decades—throwing away standards, due process, and fairness, and devaluing the sanctity of American citizenship.

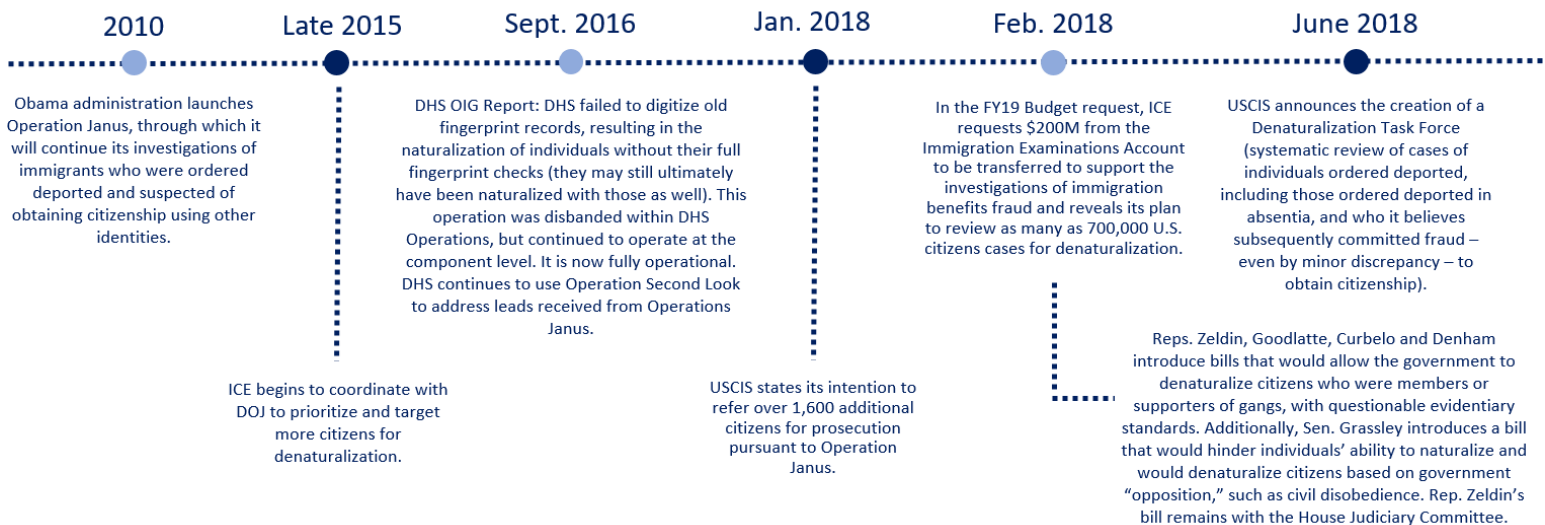
How Can Individuals Get Denaturalized?

In order to strip the citizenship of a naturalized American, the government must initiate a process called [denaturalization](#), which can only occur in federal court. A court can order civil revocation of naturalization if the government establishes that the U.S. citizen is subject to one of the grounds of revocation. A person's naturalization can be revoked either through a civil proceeding or as a result of a criminal conviction. In either case, the government must prove that the underlying act was material to the government's decision to grant citizenship.

	Civil ¹	Criminal ²
Grounds	<p>a) Illegally procured naturalization;</p> <p>b) Concealed or willfully misrepresented a material fact during naturalization proceedings to obtain citizenship;</p> <p>c) Became a member of or affiliated with a subversive group;</p> <p>d) Procured citizenship through military service and has since been discharged under other than honorable conditions; or</p> <p>e) Procured citizenship through a parent or spouse who has since been denaturalized.</p>	<i>Knowingly</i> procured or attempted to procure naturalization in an unlawful manner
Burden of Proof	Clear, convincing, and unequivocal evidence	Beyond a reasonable doubt
Right to Counsel	None	Yes
Right to Jury Trial	None	Yes
Statute of Limitations	None	10 years

Note: Any citizen (native-born or naturalized) can also lose his or her citizenship through a voluntary action pursuant to 8 U.S.C. §1481.

How Did We Get Here?



For more information, please contact Manar Waheed at mwaheed@aclu.org or Sameera Hafiz at shafiz@ilrc.org.

¹ See 8 U.S.C. §1439, 1440 and 1451.

² See 18 U.S.C. §1425.