

119TH CONGRESS
2^D SESSION

S. 4547

To amend the Immigration and Nationality Act to strengthen requirements for naturalization, to require instruction on the oath of allegiance and the principles of the Constitution, to establish consequences for fraud and concealment in the naturalization process, and for other purposes.

IN THE SENATE OF THE UNITED STATES

MAY 14, 2026

Mr. SCHMITT introduced the following bill; which was read twice and referred to the Committee on the Judiciary

A BILL

To amend the Immigration and Nationality Act to strengthen requirements for naturalization, to require instruction on the oath of allegiance and the principles of the Constitution, to establish consequences for fraud and concealment in the naturalization process, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

4 (a) SHORT TITLE.—This Act may be cited as the
5 “America First Citizenship and Allegiance Act”.

1 (b) TABLE OF CONTENTS.—The table of contents for
 2 this Act is as follows:

- Sec. 1. Short title; table of contents.
- Sec. 2. Findings.
- Sec. 3. Purposes.
- Sec. 4. Definitions.
- Sec. 5. Strengthening civics and English requirements for naturalization.
- Sec. 6. Attachment to the principles of the Constitution and allegiance to the United States.
- Sec. 7. Instruction on the oath of allegiance.
- Sec. 8. Consequences for fraud, concealment, false statements, and abuse of the naturalization process.
- Sec. 9. Preservation of denaturalization authorities.
- Sec. 10. Criminal penalties for naturalization fraud and false statements.
- Sec. 11. America 250 Citizenship Initiative.
- Sec. 12. Annual report to Congress.
- Sec. 13. Regulations.
- Sec. 14. Rule of construction.
- Sec. 15. Severability.
- Sec. 16. Effective date.

3 **SEC. 2. FINDINGS.**

4 Congress finds the following:

- 5 (1) American citizenship is not merely an ad-
 6 ministrative status, immigration benefit, welfare
 7 ticket, or entitlement to public resources.
- 8 (2) American citizenship is membership in the
 9 American political community.
- 10 (3) American citizenship carries rights, privi-
 11 leges, duties, and obligations, including allegiance to
 12 the United States, fidelity to the Constitution of the
 13 United States, obedience to the laws of the United
 14 States, and attachment to the principles of repub-
 15 lican self-government.

1 (4) The United States is a sovereign Nation
2 with the inherent authority to determine who may
3 join the Nation as a citizen.

4 (5) Naturalization is the formal act by which an
5 alien is admitted into the American people and as-
6 sumes the obligations of American citizenship.

7 (6) Naturalization is not a ministerial trans-
8 action. It is a solemn act of allegiance to the United
9 States.

10 (7) An applicant for naturalization must dem-
11 onstrate more than physical presence, technical eligi-
12 bility, or completion of paperwork.

13 (8) An applicant for naturalization must dem-
14 onstrate good moral character, attachment to the
15 principles of the Constitution of the United States,
16 and favorable disposition toward the good order and
17 happiness of the United States.

18 (9) The oath of allegiance is not ceremonial lan-
19 guage alone. It is the formal promise by which a new
20 citizen renounces prior political allegiance, pledges
21 true faith and allegiance to the United States, and
22 accepts the duties of American citizenship.

23 (10) A person who seeks naturalization should
24 understand the English language, the Declaration of
25 Independence, the Constitution of the United States,

1 the Bill of Rights, the rule of law, separation of
2 powers, Federalism, equal citizenship, religious lib-
3 erty, freedom of speech, and the duties of citizen-
4 ship.

5 (11) A person who knowingly engages in, in-
6 cites, prepares, plans, assists, or provides material
7 support for terrorism, violent revolution, political vi-
8 olence, the overthrow of constitutional government,
9 transnational criminal organizations, cartels, or
10 criminal gangs is not attached to the principles of
11 the Constitution of the United States and is not well
12 disposed to the good order and happiness of the
13 United States.

14 (12) A person who knowingly acts as an agent,
15 representative, or instrumentality of a foreign power,
16 or knowingly acts under the direction or control of
17 a foreign power, in a manner materially inconsistent
18 with allegiance to the United States, is not attached
19 to the principles of the Constitution of the United
20 States and is not well disposed to the good order
21 and happiness of the United States.

22 (13) Fraud, concealment, false statements, false
23 identity, fraudulent documents, unlawful voting, ob-
24 struction of background checks, and concealment of
25 criminal, terrorist, gang, cartel, or foreign-power af-

1 filiations corrupt the naturalization process and at-
2 tack the integrity of American citizenship.

3 (14) Congress has a duty to ensure that natu-
4 ralization remains a meaningful act of allegiance, as-
5 similation, and membership in the American Nation.

6 **SEC. 3. PURPOSES.**

7 The purposes of this Act are—

8 (1) to restore naturalization as a serious act of
9 joining the American people;

10 (2) to reaffirm that American citizenship is a
11 bond of allegiance, constitutional attachment, civic
12 duty, and membership in the Nation;

13 (3) to strengthen the civics, English, and con-
14 stitutional-attachment requirements for naturaliza-
15 tion;

16 (4) to ensure that applicants for naturalization
17 understand the oath of allegiance before becoming
18 citizens;

19 (5) to prevent persons who engage in, incite,
20 prepare, plan, assist, or provide material support for
21 terrorism, violent revolution, political violence, crimi-
22 nal gangs, cartels, or the overthrow of constitutional
23 government from obtaining citizenship;

24 (6) to prevent persons knowingly acting as
25 agents, representatives, or instrumentalities of a for-

1 eign power, or knowingly acting under the direction
2 or control of a foreign power, in a manner materially
3 inconsistent with allegiance to the United States,
4 from obtaining citizenship;

5 (7) to impose meaningful consequences on per-
6 sons who defraud, corrupt, obstruct, or abuse the
7 naturalization process; and

8 (8) to ensure that the 250th anniversary of the
9 Declaration of Independence is marked by a renewed
10 national commitment to American citizenship, con-
11 stitutional liberty, and civic obligation.

12 **SEC. 4. DEFINITIONS.**

13 In this Act:

14 (1) ALIEN.—The term “alien” has the meaning
15 given such term in section 101(a)(3) of the Immi-
16 gration and Nationality Act (8 U.S.C. 1101(a)(3)).

17 (2) APPLICANT.—The term “applicant” means
18 an alien who applies for naturalization under title
19 III of the Immigration and Nationality Act (8
20 U.S.C. 1401 et seq.).

21 (3) FOREIGN POWER.—The term “foreign
22 power” means—

23 (A) a foreign government;

24 (B) a faction of a foreign nation or foreign
25 government;

1 (C) an entity that is directed or controlled
2 by a foreign government;

3 (D) a foreign military, paramilitary, intel-
4 ligence, security, or law-enforcement service;

5 (E) a foreign terrorist organization des-
6 ignated under section 219 of the Immigration
7 and Nationality Act (8 U.S.C. 1189);

8 (F) a transnational criminal organization,
9 cartel, or criminal gang that is based primarily
10 outside the United States; or

11 (G) any person or entity knowingly acting
12 as an agent, representative, instrumentality, or
13 proxy of an entity described in subparagraphs
14 (A) through (F).

15 (4) MATERIAL FACT.—The term “material
16 fact” means any fact that has a natural tendency to
17 influence, or is capable of influencing, a decision of
18 the Secretary of Homeland Security, the Attorney
19 General, or any other officer or employee of the
20 United States concerning eligibility for naturaliza-
21 tion, good moral character, attachment to the prin-
22 ciples of the Constitution, admissibility, removability,
23 identity, criminal history, national-security risk, im-
24 migration history, or eligibility for any immigration
25 benefit.

1 (5) NATURALIZATION PROCESS.—The term
2 “naturalization process” means any application,
3 interview, examination, investigation, oath ceremony,
4 background check, biometric collection, submission
5 of evidence, administrative proceeding, judicial pro-
6 ceeding, or other act or proceeding related to natu-
7 ralization under title III of the Immigration and Na-
8 tionality Act.

9 (6) SECRETARY.—The term “Secretary” means
10 the Secretary of Homeland Security.

11 (7) MATERIAL SUPPORT.—The term “material
12 support” means material support or resources, as
13 defined in section 2339A(b) of title 18, United
14 States Code.

15 (8) TERRORIST ACTIVITY.—The term “terrorist
16 activity” has the meaning given such term in section
17 212(a)(3)(B)(iii) of the Immigration and Nationality
18 Act (8 U.S.C. 1182(a)(3)(B)(iii)).

19 (9) TERRORIST ORGANIZATION.—The term
20 “terrorist organization” means an organization de-
21 scribed in subclause (I), (II), or (III) of section
22 212(a)(3)(B)(vi) of the Immigration and Nationality
23 Act (8 U.S.C. 1182(a)(3)(B)(vi)).

1 **SEC. 5. STRENGTHENING CIVICS AND ENGLISH REQUIRE-**
2 **MENTS FOR NATURALIZATION.**

3 (a) IN GENERAL.—Section 312 of the Immigration
4 and Nationality Act (8 U.S.C. 1423) is amended—

5 (1) in subsection (a)—

6 (A) in paragraph (1), by striking “an un-
7 derstanding of the English language” and in-
8 serting “a sufficient understanding of the
9 English language to read, write, speak, and un-
10 derstand ordinary English, including the
11 English language used in the oath of allegiance
12 described in section 337”;

13 (B) in paragraph (2), by striking “a
14 knowledge and understanding of the fundamen-
15 tals of the history, and of the principles and
16 form of government, of the United States” and
17 inserting “a substantial knowledge and under-
18 standing of the history, principles, form of gov-
19 ernment, constitutional structure, and civic obli-
20 gations of the United States”; and

21 (C) by adding at the end the following:

22 “(3) The examination required under paragraph
23 (2) shall include questions testing the applicant’s
24 knowledge and understanding of—

25 “(A) the Declaration of Independence;

26 “(B) the Constitution of the United States;

- 1 “(C) the Bill of Rights;
- 2 “(D) the separation of powers;
- 3 “(E) Federalism;
- 4 “(F) the rule of law;
- 5 “(G) equal citizenship under law;
- 6 “(H) religious liberty;
- 7 “(I) freedom of speech;
- 8 “(J) the history of the United States;
- 9 “(K) the duties and obligations of citizen-
- 10 ship;
- 11 “(L) the meaning of the oath of allegiance
- 12 described in section 337; and
- 13 “(M) the requirement that a citizen bear
- 14 true faith and allegiance to the United States.
- 15 “(4) Except as otherwise provided in subsection
- 16 (b) or any other provision of Federal law, the exam-
- 17 ination required under paragraph (2) shall be ad-
- 18 ministered in the English language.
- 19 “(5) Except as otherwise provided in subsection
- 20 (b) or any other provision of Federal law, the Sec-
- 21 retary shall ensure that an applicant may not satisfy
- 22 the requirement under paragraph (2) unless the ap-
- 23 plicant correctly answers not less than 80 percent of
- 24 the questions asked during the examination.

1 “(6) Except as otherwise provided in subsection
2 (b) or any other provision of Federal law, the Sec-
3 retary shall ensure that not less than 50 percent of
4 the questions asked during the examination required
5 under paragraph (2) concern the Constitution of the
6 United States, the Declaration of Independence, the
7 Bill of Rights, the structure of the Government of
8 the United States, or the oath of allegiance de-
9 scribed in section 337.”; and

10 (2) by adding at the end the following:

11 “(c) REVIEW AND PUBLICATION OF NATURALIZA-
12 TION EXAMINATION MATERIALS.—

13 “(1) IN GENERAL.—Not later than 180 days
14 after the date of enactment of the America First
15 Citizenship and Allegiance Act, the Secretary shall
16 revise the naturalization examination and study ma-
17 terials used to administer this section to comply with
18 the requirements of such Act.

19 “(2) PUBLICATION.—The Secretary shall make
20 publicly available the study materials described in
21 paragraph (1), including a description of the sub-
22 jects tested and the minimum passing standards.

23 “(3) REVIEW.—Not less frequently than once
24 every 4 years, the Secretary shall review and, as ap-
25 propriate, revise the examination and study mate-

1 rials described in paragraph (1) to ensure that such
2 examination and materials adequately test an appli-
3 cant’s knowledge of the subjects described in sub-
4 section (a)(3).

5 “(d) REPORT ON WAIVERS.—Not later than 1 year
6 after the date of enactment of the America First Citizen-
7 ship and Allegiance Act, and annually thereafter, the Sec-
8 retary shall submit to the Committees on the Judiciary
9 of the Senate and the House of Representatives a report
10 identifying—

11 “(1) the number of applicants granted a waiver
12 or exception from any English-language requirement
13 under this section;

14 “(2) the number of applicants granted a waiver
15 or exception from any civics or history requirement
16 under this section;

17 “(3) the statutory basis for each category of
18 waiver or exception;

19 “(4) the number of applicants who failed the
20 examination required under subsection (a)(2);

21 “(5) the number of applicants who passed the
22 examination required under subsection (a)(2); and

23 “(6) any recommendations for improving the in-
24 tegrity and rigor of the naturalization examina-
25 tion.”.

1 (b) EFFECTIVE DATE.—The amendments made by
 2 this section shall apply to any application for naturaliza-
 3 tion filed on or after the date that is 180 days after the
 4 date of enactment of this Act.

5 **SEC. 6. ATTACHMENT TO THE PRINCIPLES OF THE CON-**
 6 **STITUTION AND ALLEGIANCE TO THE UNITED**
 7 **STATES.**

8 (a) IN GENERAL.—Section 316 of the Immigration
 9 and Nationality Act (8 U.S.C. 1427) is amended by add-
 10 ing at the end the following:

11 “(h) ATTACHMENT TO THE PRINCIPLES OF THE
 12 CONSTITUTION AND ALLEGIANCE TO THE UNITED
 13 STATES.—

14 “(1) IN GENERAL.—For purposes of this chap-
 15 ter, an applicant shall not be regarded as attached
 16 to the principles of the Constitution of the United
 17 States or well disposed to the good order and happi-
 18 ness of the United States if the applicant know-
 19 ingly—

20 “(A) engages in, incites, prepares, plans,
 21 assists, or provides material support for ter-
 22 rorism or terrorist activity;

23 “(B) advocates or teaches the duty, neces-
 24 sity, or propriety of the overthrow by force, vio-
 25 lence, or other unlawful means of the Govern-

1 ment of the United States or the constitutional
2 order of the United States;

3 “(C) engages in, incites, prepares, plans,
4 assists, or provides material support for assas-
5 sination, sabotage, kidnapping, political vio-
6 lence, or other unlawful violence as a means of
7 political coercion;

8 “(D) participates in, assists, or provides
9 material support to a transnational criminal or-
10 ganization, cartel, or criminal gang;

11 “(E) knowingly acts as an agent, rep-
12 resentative, or instrumentality of a foreign
13 power, or knowingly acts under the direction or
14 control of a foreign power, in a manner materi-
15 ally inconsistent with allegiance to the United
16 States;

17 “(F) conceals any affiliation, association,
18 agency relationship, representative capacity, or
19 conduct described in subparagraphs (A)
20 through (E);

21 “(G) makes any false statement or mate-
22 rial misrepresentation concerning the appli-
23 cant’s allegiance to the United States, attach-
24 ment to the principles of the Constitution of the
25 United States, willingness to take the oath of

1 allegiance, or disposition toward the good order
2 and happiness of the United States; or

3 “(H) refuses to affirm, without mental res-
4 ervation, the oath of allegiance described in sec-
5 tion 337.

6 “(2) FOREIGN POWER.—In this subsection, the
7 term ‘foreign power’ has the meaning given such
8 term in section 4 of the America First Citizenship
9 and Allegiance Act.

10 “(3) MATERIAL SUPPORT.—In this subsection,
11 the term ‘material support’ has the meaning given
12 such term in section 4 of the America First Citizen-
13 ship and Allegiance Act.

14 “(4) TERRORIST ACTIVITY.—In this subsection,
15 the term ‘terrorist activity’ has the meaning given
16 such term in section 4 of the America First Citizen-
17 ship and Allegiance Act.

18 “(5) RULE OF CONSTRUCTION.—Nothing in
19 this subsection may be construed to authorize the
20 denial of an application for naturalization based
21 solely on—

22 “(A) speech protected by the First Amend-
23 ment to the Constitution of the United States;

24 “(B) religious belief;

25 “(C) lawful association;

1 “(D) familial relationship;

2 “(E) nationality;

3 “(F) ethnicity;

4 “(G) dual nationality;

5 “(H) lawful contact with a foreign govern-
6 ment;

7 “(I) lawful contact with a foreign political
8 party; or

9 “(J) lawful advocacy that does not involve
10 force, violence, material support for unlawful
11 activity, terrorism, fraud, concealment, or con-
12 duct inconsistent with allegiance to the United
13 States.

14 “(6) BURDEN OF PROOF.—Nothing in this sub-
15 section may be construed to alter the burden of an
16 applicant for naturalization to establish eligibility for
17 naturalization under this chapter.”.

18 (b) CONFORMING AMENDMENT.—Section 316(a) of
19 the Immigration and Nationality Act (8 U.S.C. 1427(a))
20 is amended by inserting “, including the requirements
21 under subsection (h),” after “Constitution of the United
22 States”.

23 (c) EFFECTIVE DATE.—The amendments made by
24 this section shall apply to any application for naturaliza-

1 tion pending on or filed on or after the date of enactment
2 of this Act.

3 **SEC. 7. INSTRUCTION ON THE OATH OF ALLEGIANCE.**

4 (a) IN GENERAL.—Section 337 of the Immigration
5 and Nationality Act (8 U.S.C. 1448) is amended—

6 (1) by redesignating subsections (c) and (d) as
7 subsections (d) and (e), respectively; and

8 (2) by inserting after subsection (b) the fol-
9 lowing:

10 “(c) INSTRUCTION ON THE OATH OF ALLEGIANCE.—

11 “(1) IN GENERAL.—Before administering the
12 oath of allegiance under subsection (a), the Sec-
13 retary shall ensure that each applicant for natu-
14 ralization receives instruction, in the English lan-
15 guage, on the meaning of the oath of allegiance.

16 “(2) CONTENTS.—The instruction required
17 under paragraph (1) shall include instruction on—

18 “(A) allegiance to the United States;

19 “(B) renunciation of prior political alle-
20 giance to any foreign prince, potentate, state, or
21 sovereignty;

22 “(C) the duty to support and defend the
23 Constitution and laws of the United States;

24 “(D) the obligation to bear true faith and
25 allegiance to the United States;

1 “(E) the duty to obey the laws of the
2 United States;

3 “(F) the rights, privileges, duties, and obli-
4 gations of American citizenship;

5 “(G) equal citizenship under law;

6 “(H) the distinction between citizenship,
7 lawful permanent residence, temporary pres-
8 ence, parole, and other immigration statuses;
9 and

10 “(I) the consequences of false statements,
11 concealment of material facts, fraud, or refusal
12 to take the oath without mental reservation.

13 “(3) CERTIFICATION.—Before administering
14 the oath of allegiance, the Secretary shall require the
15 applicant to certify, in writing and under penalty of
16 perjury, that the applicant—

17 “(A) received the instruction required
18 under this subsection;

19 “(B) understands the oath of allegiance;

20 “(C) is willing to take the oath freely and
21 without mental reservation; and

22 “(D) understands that a false statement or
23 concealment of a material fact concerning the
24 oath of allegiance may result in denial of natu-
25 ralization, civil denaturalization, criminal pros-

1 ecution, removal, or other consequences pro-
2 vided by law.

3 “(4) WAIVERS, MODIFICATIONS, AND ACCOM-
4 MODATIONS.—The requirements of this subsection
5 shall not apply to a person for whom the taking of
6 the oath is waived under subsection (a). In the case
7 of a person who is permitted to take a modified oath
8 under subsection (a), the instruction and certifi-
9 cation required under this subsection shall be con-
10 formed to the oath that such person is required to
11 take. The Secretary shall provide reasonable accom-
12 modations for any person with a disability, con-
13 sistent with subsection (a) and section 312(b).

14 “(5) RULE OF CONSTRUCTION.—Nothing in
15 this subsection may be construed to alter, limit, or
16 supersede any accommodation, modification, waiver,
17 or exception expressly provided by this section, sec-
18 tion 312(b), or any other provision of law.”.

19 (b) EFFECTIVE DATE.—The amendments made by
20 this section shall apply to any oath of allegiance adminis-
21 tered on or after the date that is 180 days after the date
22 of enactment of this Act.

1 **SEC. 8. CONSEQUENCES FOR FRAUD, CONCEALMENT,**
2 **FALSE STATEMENTS, AND ABUSE OF THE**
3 **NATURALIZATION PROCESS.**

4 (a) IN GENERAL.—Chapter 2 of title III of the Immi-
5 gration and Nationality Act (8 U.S.C. 1421 et seq.) is
6 amended by inserting after section 318 the following:

7 **“SEC. 318A. NATURALIZATION PROCESS INTEGRITY.**

8 “(a) MANDATORY DENIAL.—The Secretary shall
9 deny an application for naturalization if the Secretary de-
10 termines that the applicant knowingly—

11 “(1) made a false statement or material mis-
12 representation in the naturalization process;

13 “(2) concealed a material fact in the naturaliza-
14 tion process;

15 “(3) submitted, presented, procured, or relied
16 upon any fraudulent, altered, forged, counterfeit, un-
17 lawfully obtained, or materially inaccurate document
18 in the naturalization process;

19 “(4) used a false identity, alias, false date of
20 birth, false place of birth, false nationality, false im-
21 migration history, or false Social Security account
22 number in the naturalization process;

23 “(5) falsely claimed eligibility for naturaliza-
24 tion;

25 “(6) obstructed, impeded, delayed, or refused to
26 cooperate with any background check, biometric

1 check, criminal-history check, immigration-history
2 check, national-security check, interview, investiga-
3 tion, or request for evidence required for naturaliza-
4 tion;

5 “(7) concealed any criminal conduct, arrest,
6 charge, conviction, sentence, prior removal, prior un-
7 lawful presence, unlawful voting, unlawful registra-
8 tion to vote, unlawful employment, immigration
9 fraud, benefit fraud, tax fraud, gang affiliation, car-
10 tel affiliation, terrorist affiliation, association with a
11 foreign terrorist organization, or conduct described
12 in section 316(h), if disclosure of such information
13 was required by statute, regulation, form, instruc-
14 tion, interview, request for evidence, or other lawful
15 request in the naturalization process;

16 “(8) procured testimony, sponsorship, docu-
17 mentation, translation, interpretation, representa-
18 tion, or evidence through fraud, coercion, bribery,
19 threat, concealment, or material misrepresentation;
20 or

21 “(9) engaged in any other fraudulent or ob-
22 structive conduct that was material to the adjudica-
23 tion of the application for naturalization.

24 “(b) PERMANENT BAR FOR SERIOUS NATURALIZA-
25 TION FRAUD OR CONCEALMENT.—

1 “(1) IN GENERAL.—Except as provided in sub-
2 section (c), an alien described in paragraph (2) shall
3 be permanently ineligible for naturalization.

4 “(2) ALIENS DESCRIBED.—An alien is de-
5 scribed in this paragraph if the alien knowingly en-
6 gaged in conduct described in subsection (a) and
7 such conduct involved or concealed—

8 “(A) terrorism;

9 “(B) espionage;

10 “(C) sabotage;

11 “(D) knowingly acting as an agent, rep-
12 resentative, or instrumentality of a foreign
13 power, or knowingly acting under the direction
14 or control of a foreign power, in a manner ma-
15 terially inconsistent with allegiance to the
16 United States;

17 “(E) participation in, assistance to, or ma-
18 terial support for a transnational criminal orga-
19 nization, cartel, or criminal gang;

20 “(F) a crime of violence, as defined in sec-
21 tion 16 of title 18, United States Code;

22 “(G) an aggravated felony, as defined in
23 section 101(a)(43);

1 “(H) a sex offense, as defined in section
2 111 of the Sex Offender Registration and Noti-
3 fication Act (34 U.S.C. 20911);

4 “(I) child exploitation;

5 “(J) human trafficking;

6 “(K) unlawful voting or unlawful registra-
7 tion to vote;

8 “(L) use of a false identity;

9 “(M) prior removal;

10 “(N) a false claim of United States citizen-
11 ship;

12 “(O) fraud against the United States, a
13 State, a unit of local government, or an Indian
14 Tribe;

15 “(P) benefit fraud involving an amount
16 equal to or greater than \$10,000; or

17 “(Q) any offense involving bribery, ob-
18 struction of justice, perjury, subornation of per-
19 jury, witness tampering, or destruction of
20 records in connection with the naturalization
21 process.

22 “(c) EXCEPTION FOR CERTAIN REASONABLE BELIEF
23 CASES.—Subsection (b)(2)(N) shall not apply if the alien
24 establishes, by clear and convincing evidence, that each
25 natural parent of the alien, or, in the case of an adopted

1 alien, each adoptive parent of the alien, is or was a citizen
2 of the United States, the alien permanently resided in the
3 United States before attaining the age of 16 years, and
4 the alien reasonably believed at the time of the false claim
5 that the alien was a citizen of the United States.

6 “(d) 10-YEAR BAR FOR OTHER MATERIAL FRAUD OR
7 CONCEALMENT.—Except as provided in subsection (b), an
8 alien who knowingly engages in conduct described in sub-
9 section (a) shall be ineligible for naturalization for a pe-
10 riod of not less than 10 years beginning on the date on
11 which the Secretary denies the application for naturaliza-
12 tion or determines that the alien engaged in such conduct,
13 whichever occurs later.

14 “(e) EFFECT OF WITHDRAWAL, CORRECTION, OR
15 CLAIM OF IMMATERIALITY.—

16 “(1) NO CURE BY WITHDRAWAL.—Conduct de-
17 scribed in subsection (a) is not cured merely because
18 the applicant withdraws the application for natu-
19 ralization after such conduct occurs.

20 “(2) NO CURE BY CORRECTION AFTER DETEC-
21 TION.—Conduct described in subsection (a) is not
22 cured merely because the applicant corrects, supple-
23 ments, or amends the record after the false state-
24 ment, misrepresentation, concealment, fraud, or ob-
25 struction is detected by the Department of Home-

1 land Security, the Department of Justice, the De-
2 partment of State, or any other Federal, State,
3 local, Tribal, territorial, or foreign authority.

4 “(3) NO DEFENSE BASED SOLELY ON CLAIM OF
5 ULTIMATE ELIGIBILITY.—It shall not be a defense to
6 a determination under this section that the applicant
7 asserts that the false statement, misrepresentation,
8 concealment, fraud, or obstruction was unnecessary
9 to ultimate eligibility for naturalization, if the fact
10 at issue was material.

11 “(f) MANDATORY REFERRAL.—

12 “(1) IN GENERAL.—If the Secretary determines
13 that there is credible evidence that an applicant has
14 engaged in conduct described in subsection (a), the
15 Secretary shall refer the matter, as appropriate,
16 to—

17 “(A) U.S. Immigration and Customs En-
18 forcement;

19 “(B) the Department of Justice;

20 “(C) the Department of State;

21 “(D) the Federal Bureau of Investigation;

22 “(E) the Inspector General of the Depart-
23 ment of Homeland Security; or

24 “(F) any other appropriate Federal agen-
25 cy.

1 “(2) CONTENTS OF REFERRAL.—A referral
2 under paragraph (1) shall include any relevant appli-
3 cation materials, interview records, sworn state-
4 ments, documentary evidence, biometric information,
5 fraud findings, criminal-history information, immi-
6 gration-history information, and national-security in-
7 formation available to the Secretary, consistent with
8 applicable law.

9 “(g) REMOVAL PRIORITY.—An alien who is denied
10 naturalization under this section shall be treated as a pri-
11 ority for removal if the alien is otherwise removable under
12 this Act.

13 “(h) LIMITATION ON SUBSEQUENT IMMIGRATION
14 BENEFITS.—

15 “(1) IN GENERAL.—Except as provided in para-
16 graph (2), an alien who is denied naturalization
17 under subsection (a) may not receive any discre-
18 tionary immigration benefit under this Act during
19 the period of ineligibility described in subsection (b)
20 or (d).

21 “(2) EXCEPTIONS.—Paragraph (1) shall not
22 apply to—

23 “(A) withholding of removal;

24 “(B) protection under the Convention
25 Against Torture;

1 “(C) an application, petition, or request for
2 relief or protection for which eligibility is re-
3 quired by Federal law to be available notwith-
4 standing fraud or misrepresentation;

5 “(D) a law-enforcement certification, pro-
6 tection, or benefit made available to victims,
7 witnesses, or cooperators, if the Secretary or
8 the Attorney General determines that such cer-
9 tification, protection, or benefit is in the na-
10 tional interest; or

11 “(E) any other protection that the United
12 States is required to provide under Federal law.

13 “(i) RECORD OF FRAUD DETERMINATION.—The Sec-
14 retary shall maintain a record of any denial or determina-
15 tion under this section and shall ensure that such record
16 is available to officers and employees of the Department
17 of Homeland Security for purposes of adjudicating any
18 subsequent immigration application, petition, request, or
19 benefit.

20 “(j) NOTICE.—The Secretary shall provide an alien
21 denied naturalization under this section with written no-
22 tice describing—

23 “(1) the basis for the denial;

24 “(2) any period of ineligibility imposed under
25 subsection (b) or (d);

1 “(3) any referral made under subsection (f), to
2 the extent disclosure is not prohibited by law or con-
3 trary to law-enforcement or national-security inter-
4 ests; and

5 “(4) any administrative or judicial review avail-
6 able under law.

7 “(k) RULE OF CONSTRUCTION.—Nothing in this sec-
8 tion may be construed to limit—

9 “(1) the authority of the United States to pros-
10 ecute any offense;

11 “(2) the authority of the United States to ini-
12 tiate removal proceedings;

13 “(3) the authority of the United States to deny
14 any immigration benefit;

15 “(4) the authority of the United States to bring
16 a civil denaturalization action under section 340;

17 “(5) any ground of inadmissibility or deport-
18 ability under this Act; or

19 “(6) any other consequence provided by law for
20 fraud, concealment, false statements, false docu-
21 ments, perjury, unlawful voting, false claims of citi-
22 zenship, or obstruction.

23 “(l) DEFINITIONS.—In this section, the terms ‘for-
24 eign power’, ‘material fact’, and ‘naturalization process’

1 have the meanings given such terms in section 4 of the
2 America First Citizenship and Allegiance Act.”.

3 (b) CLERICAL AMENDMENT.—The table of contents
4 for the Immigration and Nationality Act is amended by
5 inserting after the item relating to section 318 the fol-
6 lowing:

“Sec. 318A. Naturalization process integrity.”.

7 (c) CONFORMING AMENDMENT.—Section 318 of the
8 Immigration and Nationality Act (8 U.S.C. 1429) is
9 amended by inserting after “deportability pursuant to a
10 warrant of arrest issued under the provisions of this or
11 any other Act” the following: “, or while a fraud deter-
12 mination, background-check investigation, national-secu-
13 rity investigation, or referral described in section 318A(f)
14 remains pending with respect to the applicant”.

15 (d) EFFECTIVE DATE.—The amendments made by
16 this section shall apply to—

17 (1) any application for naturalization filed on or
18 after the date of enactment of this Act;

19 (2) any application for naturalization pending
20 on the date of enactment of this Act, except that an
21 applicant shall be provided a reasonable opportunity
22 to supplement or correct the application in accord-
23 ance with procedures established by the Secretary;
24 and

1 (3) any false statement, material misrepresenta-
2 tion, concealment, obstruction, fraudulent submis-
3 sion, or other conduct described in section 318A(a)
4 of the Immigration and Nationality Act, as added by
5 subsection (a), that occurs on or after the date of
6 enactment of this Act.

7 **SEC. 9. PRESERVATION OF DENATURALIZATION AUTHORI-**
8 **TIES.**

9 (a) IN GENERAL.—Nothing in this Act, or the
10 amendments made by this Act, shall be construed to limit,
11 impair, or otherwise affect the authority of the United
12 States to institute proceedings under section 340 of the
13 Immigration and Nationality Act (8 U.S.C. 1451), includ-
14 ing proceedings based on concealment of a material fact,
15 willful misrepresentation, illegal procurement of natu-
16 ralization, lack of good moral character, lack of attach-
17 ment to the principles of the Constitution of the United
18 States, or lack of disposition to the good order and happi-
19 ness of the United States.

20 (b) EFFECT OF NATURALIZATION PROCESS VIOLA-
21 TION.—If an alien is naturalized notwithstanding conduct
22 described in section 318A of the Immigration and Nation-
23 ality Act, as added by section 8 of this Act, such conduct
24 may constitute evidence that the order admitting such per-
25 son to citizenship was illegally procured or procured by

1 concealment of a material fact or by willful misrepresenta-
 2 tion for purposes of section 340 of the Immigration and
 3 Nationality Act (8 U.S.C. 1451).

4 (c) RULE OF CONSTRUCTION.—Nothing in this sec-
 5 tion shall be construed—

6 (1) to require the United States to institute
 7 proceedings under section 340 of the Immigration
 8 and Nationality Act (8 U.S.C. 1451);

9 (2) to limit any ground for denaturalization or
 10 revocation of naturalization under section 340 of the
 11 Immigration and Nationality Act (8 U.S.C. 1451) or
 12 any other provision of law; or

13 (3) to create any defense to denaturalization or
 14 revocation of naturalization that is not otherwise
 15 available under law.

16 **SEC. 10. CRIMINAL PENALTIES FOR NATURALIZATION**
 17 **FRAUD AND FALSE STATEMENTS.**

18 (a) NATURALIZATION FRAUD.—Section 1425 of title
 19 18, United States Code, is amended—

20 (1) by striking the undesignated matter fol-
 21 lowing subsection (b); and

22 (2) by inserting after subsection (b) the fol-
 23 lowing:

24 “(c) PENALTIES.—A person who violates subsection
 25 (a) or (b) shall be fined under this title, imprisoned—

1 “(1) not more than 25 years, if the offense was
2 committed to facilitate an act of international ter-
3 rorism, as defined in section 2331;

4 “(2) not more than 20 years, if the offense was
5 committed to facilitate a drug trafficking crime, as
6 defined in section 929(a), or transnational criminal
7 activity;

8 “(3) not more than 10 years, in the case of the
9 first or second such offense, if the offense was not
10 committed to facilitate an act of international ter-
11 rorism, a drug trafficking crime, or transnational
12 criminal activity; or

13 “(4) not more than 15 years, in the case of any
14 other offense, or both.

15 “(d) FORFEITURE.—Any document, thing of value,
16 or proceeds obtained as a result of an offense under this
17 section shall be subject to forfeiture to the United States.

18 “(e) IMMIGRATION CONSEQUENCES.—A conviction
19 under this section shall be deemed to involve moral turpi-
20 tude, fraud, and obstruction of the naturalization process
21 for purposes of the Immigration and Nationality Act.”.

22 (b) FALSE STATEMENTS RELATING TO NATURALIZA-
23 TION, CITIZENSHIP, OR REGISTRY.—Section 1015 of title
24 18, United States Code, is amended—

1 (1) by striking the undesignated matter fol-
2 lowing subsection (f); and

3 (2) by inserting after subsection (f) the fol-
4 lowing:

5 “(g) PENALTY.—Except as provided in subsection
6 (h), a person who violates this section shall be fined under
7 this title, imprisoned not more than 10 years, or both.

8 “(h) ENHANCED PENALTY.—If an offense under this
9 section involves terrorism, espionage, sabotage, a
10 transnational criminal organization, cartel activity, gang
11 activity, a sex offense, child exploitation, human traf-
12 ficking, unlawful voting, false identity, prior removal, or
13 knowingly acting as an agent, representative, or instru-
14 mentality of a foreign power, or knowingly acting under
15 the direction or control of a foreign power, in a manner
16 materially inconsistent with allegiance to the United
17 States, the defendant shall be fined under this title, im-
18 prisoned not more than 20 years, or both.”.

19 (c) DOCUMENT FRAUD.—Section 274C(e)(1) of the
20 Immigration and Nationality Act (8 U.S.C. 1324c(e)(1))
21 is amended—

22 (1) in subparagraph (A), by striking “not less
23 than \$250 and not more than \$2,000” and inserting
24 “not less than \$2,500 and not more than \$10,000”;
25 and

1 (2) in subparagraph (B), by striking “not less
2 than \$2,000 and not more than \$5,000” and insert-
3 ing “not less than \$10,000 and not more than
4 \$25,000”.

5 (d) DEFINITION.—In this section, the term
6 “transnational criminal activity” means criminal activity
7 carried out by, at the direction of, or in material coordina-
8 tion with a transnational criminal organization, cartel, or
9 criminal gang that is based primarily outside the United
10 States.

11 (e) RULE OF CONSTRUCTION.—Nothing in this sec-
12 tion, or the amendments made by this section, may be con-
13 strued to limit the authority of the United States to pur-
14 sue denaturalization, removal, forfeiture, civil penalties,
15 criminal penalties, or any other remedy available under
16 law.

17 **SEC. 11. AMERICA 250 CITIZENSHIP INITIATIVE.**

18 (a) IN GENERAL.—Not later than 180 days after the
19 date of enactment of this Act, the Secretary shall establish
20 an initiative, to be known as the “America 250 Citizenship
21 Initiative”, to revise and strengthen naturalization mate-
22 rials, oath-of-allegiance materials, and civics resources in
23 connection with the 250th anniversary of the Declaration
24 of Independence.

1 (b) CONTENTS.—The initiative established under
2 subsection (a) shall include—

3 (1) revised study materials for the naturaliza-
4 tion examination required under section 312 of the
5 Immigration and Nationality Act;

6 (2) a citizenship guide explaining the Declara-
7 tion of Independence, the Constitution of the United
8 States, the Bill of Rights, separation of powers, Fed-
9 eralism, religious liberty, freedom of speech, equal
10 citizenship, the rule of law, and the duties of citizen-
11 ship;

12 (3) model materials for oath-of-allegiance cere-
13 monies;

14 (4) materials explaining the distinction between
15 citizenship, lawful permanent residence, temporary
16 presence, parole, and other immigration statuses;

17 (5) materials explaining that citizenship re-
18 quires allegiance to the United States and attach-
19 ment to the principles of the Constitution of the
20 United States;

21 (6) materials explaining the consequences of
22 fraud, concealment, false statements, false docu-
23 ments, unlawful voting, false claims of citizenship,
24 and abuse of the naturalization process; and

1 (7) such other materials as the Secretary deter-
2 mines appropriate to promote understanding of
3 American citizenship, constitutional liberty, civic ob-
4 ligation, and allegiance to the United States.

5 (c) USE OF MATERIALS.—The Secretary shall ensure
6 that the materials developed under this section are incor-
7 porated into—

8 (1) naturalization study materials;

9 (2) applicant preparation materials;

10 (3) oath-of-allegiance instruction required under
11 section 337(c) of the Immigration and Nationality
12 Act, as added by section 7 of this Act; and

13 (4) public-facing materials concerning natu-
14 ralization and citizenship.

15 (d) CONSULTATION.—In carrying out this section,
16 the Secretary shall consult with—

17 (1) the Archivist of the United States;

18 (2) the Secretary of Education;

19 (3) the Director of the National Park Service;

20 (4) the Librarian of Congress;

21 (5) the Director of the Administrative Office of
22 the United States Courts; and

23 (6) such other Federal officials as the Secretary
24 determines appropriate.

1 (e) LIMITATION.—Nothing in this section may be
2 construed to authorize the Secretary to create any new
3 grant program.

4 **SEC. 12. ANNUAL REPORT TO CONGRESS.**

5 (a) IN GENERAL.—Not later than 1 year after the
6 date of enactment of this Act, and annually thereafter for
7 5 years, the Secretary shall submit to the Committees on
8 the Judiciary of the Senate and the House of Representa-
9 tives a report concerning implementation of this Act.

10 (b) CONTENTS.—Each report required under sub-
11 section (a) shall include—

12 (1) the number of naturalization applications
13 received;

14 (2) the number of naturalization applications
15 approved;

16 (3) the number of naturalization applications
17 denied;

18 (4) the number of denials based on failure to
19 satisfy English-language requirements;

20 (5) the number of denials based on failure to
21 satisfy civics or history requirements;

22 (6) the number of denials based on failure to
23 demonstrate attachment to the principles of the
24 Constitution of the United States;

1 (7) the number of denials based on failure to
2 demonstrate favorable disposition toward the good
3 order and happiness of the United States;

4 (8) the number of denials based on false state-
5 ments, material misrepresentation, concealment of
6 material facts, false identity, fraudulent documents,
7 obstruction, or fraud;

8 (9) the number of referrals made under section
9 318A(f) of the Immigration and Nationality Act, as
10 added by section 8;

11 (10) the number of aliens denied naturalization
12 who were placed in removal proceedings;

13 (11) the number of applicants granted waivers
14 or exceptions from English-language or civics re-
15 quirements, disaggregated by statutory basis;

16 (12) the number of oath ceremonies conducted;

17 (13) the number of applicants who failed to cer-
18 tify understanding of the oath of allegiance;

19 (14) the status of the America 250 Citizenship
20 Initiative; and

21 (15) recommendations for legislation or admin-
22 istrative action to improve the integrity of the natu-
23 ralization process.

1 (c) FORM.—The report required under subsection (a)
2 shall be submitted in unclassified form, but may include
3 a classified annex.

4 **SEC. 13. REGULATIONS.**

5 (a) IN GENERAL.—Not later than 180 days after the
6 date of enactment of this Act, the Secretary, in consulta-
7 tion with the Attorney General as appropriate, shall pro-
8 mulgate regulations to carry out this Act and the amend-
9 ments made by this Act, including regulations con-
10 cerning—

11 (1) the naturalization examination required
12 under section 312 of the Immigration and Nation-
13 ality Act;

14 (2) instruction on the oath of allegiance re-
15 quired under section 337(c) of the Immigration and
16 Nationality Act;

17 (3) determinations of attachment to the prin-
18 ciples of the Constitution of the United States under
19 section 316(h) of the Immigration and Nationality
20 Act;

21 (4) fraud determinations under section 318A of
22 the Immigration and Nationality Act;

23 (5) permanent and temporary bars to natu-
24 ralization under section 318A of the Immigration
25 and Nationality Act;

- 1 (6) referrals to Federal law-enforcement agen-
- 2 cies;
- 3 (7) recordkeeping requirements;
- 4 (8) notice to applicants; and
- 5 (9) implementation of the America 250 Citizen-
- 6 ship Initiative.

7 (b) NO DELAY.—The failure of the Secretary to pro-

8 mulgate regulations under subsection (a) shall not delay

9 the effective date of this Act or the amendments made

10 by this Act.

11 **SEC. 14. RULE OF CONSTRUCTION.**

12 Nothing in this Act, or the amendments made by this

13 Act, may be construed—

14 (1) to authorize the denial of naturalization

15 based solely on speech protected by the First

16 Amendment to the Constitution of the United

17 States;

18 (2) to authorize the denial of naturalization

19 based solely on religious belief, lawful association,

20 familial relationship, nationality, ethnicity, dual na-

21 tionality, or lawful contact with a foreign govern-

22 ment;

23 (3) to limit the authority of the United States

24 to deny naturalization to any applicant who fails to

25 establish eligibility for naturalization;

1 (4) to limit the authority of the United States
2 to bring denaturalization proceedings under section
3 340 of the Immigration and Nationality Act (8
4 U.S.C. 1451);

5 (5) to limit the authority of the United States
6 to initiate removal proceedings;

7 (6) to limit any ground of inadmissibility or de-
8 portability under the Immigration and Nationality
9 Act;

10 (7) to limit the authority of the United States
11 to investigate or prosecute fraud, false statements,
12 false documents, false claims of citizenship, unlawful
13 voting, obstruction, perjury, bribery, terrorism, espi-
14 onage, sabotage, gang activity, cartel activity, or
15 transnational criminal activity;

16 (8) to create any entitlement to naturalization,
17 citizenship, or any immigration benefit;

18 (9) to alter the requirement that an applicant
19 for naturalization bears the burden of establishing
20 eligibility for naturalization;

21 (10) to affect the citizenship or nationality sta-
22 tus of any person who is a citizen or national of the
23 United States on the date of enactment of this Act;
24 or

1 (11) to alter the allocation of authority between
2 the Secretary of Homeland Security and the Attor-
3 ney General under the Immigration and Nationality
4 Act, the Homeland Security Act of 2002, or any
5 other provision of law.

6 **SEC. 15. SEVERABILITY.**

7 If any provision of this Act, an amendment made by
8 this Act, or the application of such provision or amend-
9 ment to any person or circumstance is held to be unconsti-
10 tutional or otherwise invalid, the remainder of this Act,
11 the amendments made by this Act, and the application of
12 the provisions and amendments to any other person or cir-
13 cumstance shall not be affected.

14 **SEC. 16. EFFECTIVE DATE.**

15 Except as otherwise provided in this Act, this Act and
16 the amendments made by this Act shall take effect on the
17 date of enactment of this Act.

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