

Can Your U.S. Citizenship Be Revoked?

Although rare, it is possible for a naturalized U.S. citizen to have his or her citizenship stripped through a process called "denaturalization." Former citizens who are denaturalized are subject to removal (deportation) from the United States. Natural-born U.S. citizens may not have their citizenship revoked against their will, but may choose to [renounce their citizenship](#) on their own.

This article covers the grounds for having one's citizenship revoked, the basics of the [denaturalization process](#), and defenses to denaturalization.

Grounds for Denaturalization

1. **Falsification or Concealment of Relevant Facts:** You must be absolutely truthful when filling out paperwork and answering interview questions related to the naturalization application process. Even if the [U.S. Citizenship and Immigration Service](#) (USCIS) fails to recognize any lies or omissions at first, the agency may file a denaturalization action against you after citizenship has been granted. Examples include failure to disclose criminal activities or lying about one's real name or identity.
2. **Refusal to Testify Before Congress:** You may not refuse to testify before a U.S. congressional committee whose job it is to investigate your alleged involvement in subversive acts, such as those intended to harm U.S. officials or overthrow the U.S. government. This requirement to testify in order to maintain citizenship status expires after 10 years.
3. **Membership in Subversive Groups:** Your [citizenship may be revoked](#) if the U.S. government can prove that you joined a subversive organization within five years of becoming a naturalized citizen. Membership in such organizations is considered a violation of the oath of U.S. allegiance. Examples include the Nazi Party and Al Qaeda.
4. **Dishonorable Military Discharge:** Since you may become a naturalized U.S. citizen by virtue of serving in the U.S. military, your citizenship may be revoked if you are [dishonorably discharged](#) before serving five years. Reasons for dishonorable discharge, which must follow a [general court-martial](#), include desertion and sexual assault.

The Denaturalization Process

Denaturalization, in which a naturalized citizen is stripped of his or her citizenship, is a process that occurs in federal court (typically in the district court where the defendant last resided) and follows the standard rules of federal civil court cases. As such, it is not an immigration case even though it affects immigration status.

Naturalized citizens found to be in violation of the terms of citizenship must leave the country. Children granted citizenship based on their parent's status may also lose their citizenship after that parent has been denaturalized.

As with any other civil case, the denaturalization process begins with a formal complaint against the defendant, who may respond to the complaint and defend himself or herself at trial (or hire an immigration attorney). The defendant has 60 days to file an answer to the complaint, where he or she may claim the action is based on wrong information or that the statute of limitations has expired, for example.

The U.S. government has a high bar for proving a defendant meets the criteria for denaturalization (a heavier burden of proof than most civil cases, but not as great a burden as criminal cases), according to the [USCIS Adjudicator's Field Manual](#):

"Because citizenship is such a precious right, it cannot be taken away unless the government is able to meet a high burden of proof... Accordingly, a case should only be referred for denaturalization where there is objective evidence to establish that the individual was not eligible for naturalization, or procured naturalization by willful concealment or material misrepresentation."

If your U.S. citizenship is revoked, you may be deported soon after the verdict is issued.

Appeals & Defenses

As with other types of court cases, individuals whose citizenship is revoked may [appeal the decision](#) if there is reason to believe the lower court made legal errors. Also, those facing denaturalization are not considered to be "concealing" relevant facts if there was no inquiry about them or if there is a lack of evidence pointing to an intentional concealment of relevant facts.

For example, a naturalized citizen belonging to the Communist Party was asked if he belonged to any organization advocating the overthrow of the U.S. government, answering "no." Unless there is sufficient evidence that this person knew the Communist Party engaged in such activities, he did not conceal any relevant facts. However, failure to mention an association with Al Qaeda (or any other terrorist organization) *is* considered concealment of relevant information.

Questions About Your U.S. Citizenship Being Revoked? Talk to an Attorney

Maybe you're fed up with the U.S. and want to renounce your citizenship. Or maybe you are a naturalized citizen being threatened with deportation because the government claims that you're a member of an "Anti-American" political party. Whatever your situation, it's best to contact a skilled [immigration attorney](#) to help you understand U.S. immigration laws and how they apply to your particular situation.