

Calendar No. 301

119TH CONGRESS
2^D SESSION

S. 3674

To expand and clarify the grounds for civil denaturalization proceedings for individuals who have defrauded a governmental program, joined a terrorist organization, or committed certain criminal offenses.

IN THE SENATE OF THE UNITED STATES

JANUARY 15, 2026

Mr. SCHMITT introduced the following bill; which was read the first time

JANUARY 26, 2026

Read the second time and placed on the calendar

A BILL

To expand and clarify the grounds for civil denaturalization proceedings for individuals who have defrauded a governmental program, joined a terrorist organization, or committed certain criminal offenses.

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 TITLES.**

4 This Act may be cited as the “Stop Citizenship Abuse
5 and Misrepresentation Act” or the “SCAM Act”.

1 **SEC. 2. FINDINGS; SENSE OF CONGRESS.**

2 (a) FINDINGS.—Congress finds the following:

3 (1) Becoming a naturalized United States cit-
4 izen means not only having the right to live and
5 work in the United States and gaining access to var-
6 ious social, economic, and political benefits, but also
7 accepting sacred duties and obligations to our Na-
8 tion.

9 (2) In recent years, many naturalized citizens
10 have betrayed those sacred duties and obligations,
11 eschewed responsible citizenship, and instead viewed
12 their new citizenship status as a purely administra-
13 tive benefit granting them access to privileges, im-
14 munities, and benefits they can leverage for their
15 own personal gain.

16 (3) Naturalization is a long-standing, time-hon-
17 ored, and essential American tradition.

18 (4) An applicant wishing to become a citizen of
19 the United States must demonstrate, at the time of
20 naturalization, that he or she is—

21 (A) a person of good moral character;

22 (B) attached to the principles of the Con-
23 stitution of the United States; and

24 (C) well disposed to the good order and
25 happiness of the United States.

1 (5) Any person who has been convicted of fraud
2 against a governmental program demonstrates moral
3 turpitude and any person who has been convicted of
4 fraud against a governmental program after being
5 extended the privilege of United States citizenship
6 demonstrates, both at the time of such conviction
7 and at the time of his or her naturalization, that he
8 or she is not and was not—

9 (A) a person of good moral character;

10 (B) attached to the principles of the Con-
11 stitution of the United States; and

12 (C) well disposed to the good order and
13 happiness of the United States.

14 (6) Any person who affiliates with a foreign ter-
15 rorist organization, such as a drug cartel, or engages
16 in espionage puts our Nation's security at great risk
17 of degradation and any person who affiliates with a
18 foreign terrorist organization or engages in espio-
19 nage after being extended the privilege of United
20 States citizenship demonstrates, both at the time of
21 such affiliation or espionage and at the time of his
22 or her naturalization, that he or she is not and was
23 not—

24 (A) a person of good moral character;

1 (B) attached to the principles of the Con-
2 stitution of the United States; and

3 (C) well disposed to the good order and
4 happiness of the United States.

5 (7) Any alien who has been convicted of an ag-
6 gravated felony is deportable and designated as per-
7 manently ineligible for naturalization and any person
8 who has been convicted of an aggravated felony after
9 being extended the privilege of United States citizen-
10 ship demonstrates, both at the time of such convic-
11 tion and at the time of his or her naturalization,
12 that he or she is not and was not—

13 (A) a person of good moral character;

14 (B) attached to the principles of the Con-
15 stitution of the United States; and

16 (C) well disposed to the good order and
17 happiness of the United States.

18 (8) As the Supreme Court has noted: “An alien
19 has no moral nor constitutional right to retain the
20 privileges of citizenship if, by false evidence or the
21 like, an imposition has been practiced upon the
22 court, without which the certificate could not and
23 would not have been issued.” (*Johannessen v.*
24 *United States*, 225 U.S. 227, 241 (1912)).

1 (9) The Supreme Court has also explained: “No
2 alien has the slightest right to naturalization unless
3 all statutory requirements are complied with; and
4 every certificate of citizenship must be treated as
5 granted upon condition that the government may
6 challenge it . . . and demand its cancelation unless
7 issued in accordance with such requirements. If pro-
8 cured when prescribed qualifications have no exist-
9 ence in fact, it is illegally procured” (United
10 States v. Ginsberg, 243 U.S. 472, 475 (1917)).

11 (b) SENSE OF CONGRESS.—It is the sense of Con-
12 gress that the Supreme Court, in *Costello v. INS*, 376
13 U.S. 120 (1964), misconstrued the effects of
14 denaturalization under section 340 of the Immigration
15 and Nationality Act (8 U.S.C. 1451) for the reasons stat-
16 ed in the concurring opinion in *Castillo v. Bondi*, 140
17 F.4th 777 (6th Cir. 2025) (Thapar, J., concurring).

18 **SEC. 3. PURPOSE.**

19 The purpose of this Act is to expand and clarify the
20 grounds for the United States to pursue civil
21 denaturalization proceedings against individuals who have
22 proven, by defrauding a governmental program, affiliating
23 with a foreign terrorist organization, or committing cer-
24 tain criminal offenses, that, at the time they were natural-
25 ized, they lacked the good moral character, attachment to

1 the Constitution of the United States, and disposition to
 2 the good order and happiness of the United States that
 3 our Nation demands of those who desire to become natu-
 4 ralized citizens.

5 **SEC. 4. EXPANDING AND CLARIFYING DENATURALIZATION**
 6 **FOR INDIVIDUALS WHO LACK GOOD MORAL**
 7 **CHARACTER AND AN ATTACHMENT TO THE**
 8 **CONSTITUTION OF THE UNITED STATES AND**
 9 **ARE NOT WELL DISPOSED TO THE GOOD**
 10 **ORDER AND HAPPINESS OF THE UNITED**
 11 **STATES.**

12 Section 340 of the Immigration and Nationality Act
 13 (8 U.S.C. 1451) is amended—

14 (1) in subsection (a), by inserting “the Attorney
 15 General or” after “It shall be the duty of”;

16 (2) by redesignating subsections (d), (e), (f),
 17 (g), and (h) as subsections (i), (j), (k), (l), and (m),
 18 respectively; and

19 (3) by inserting after subsection (c) the fol-
 20 lowing:

21 “(d) MEMBERSHIP IN FOREIGN TERRORIST ORGANI-
 22 ZATION.—If a person, during the 10-year period beginning
 23 on the date on which he or she was naturalized under this
 24 chapter, associates with, conspires with, aids, or abets any
 25 foreign terrorist organization (as designated under section

1 219(a)), such action shall be considered prima facie and
2 sufficient evidence that—

3 “(1) such person, at the time of his or her nat-
4 uralization—

5 “(A) was not a person of good moral char-
6 acter;

7 “(B) was not attached to the principles of
8 the Constitution of the United States; and

9 “(C) was not well disposed to the good
10 order and happiness of the United States;

11 “(2) the order admitting such person to citizen-
12 ship—

13 “(A) was obtained by concealment of a ma-
14 terial fact or by willful misrepresentation; and

15 “(B) shall be revoked and set aside, along
16 with the cancellation of his or her certificate of
17 naturalization; and

18 “(3) such revocation and setting aside of such
19 admission order and such cancellation of such cer-
20 tificate of naturalization shall be effective as of the
21 original date of such order and certificate, respec-
22 tively.

23 “(e) DEFRAUDING FEDERAL, STATE, LOCAL, OR
24 TRIBAL GOVERNMENTS.—If a person who has been natu-
25 ralized under this chapter is convicted of, admits to having

1 committed, or admits to committing acts constituting the
2 essential elements of, an offense involving fraud, an at-
3 tempt to defraud, or conspiracy to defraud the Federal
4 Government, a State government, a local government, or
5 a tribal government (such as defrauding the United States
6 Government of a Federal public benefit (as defined in sec-
7 tion 401 of the Personal Responsibility and Work Oppor-
8 tunity Reconciliation Act of 1996 (8 U.S.C. 1611(e)) or
9 defrauding a State or local government of a State or local
10 public benefit (as defined in section 411(c) of such Act
11 (8 U.S.C. 1621(c))), of at least \$10,000, and any act or
12 acts leading to such conviction or admission began or oc-
13 curred during the 10-year period beginning on the date
14 of his or her naturalization, such conviction or admission
15 shall be considered prima facie and sufficient evidence
16 that—

17 “(1) such person, at the time of his or her nat-
18 uralization—

19 “(A) was not a person of good moral char-
20 acter;

21 “(B) was not attached to the principles of
22 the Constitution of the United States; and

23 “(C) was not well disposed to the good
24 order and happiness of the United States;

1 “(2) the order admitting such person to citizen-
2 ship—

3 “(A) was obtained by concealment of a ma-
4 terial fact or by willful misrepresentation; and

5 “(B) shall be revoked and set aside, along
6 with the cancellation of his or her certificate of
7 naturalization; and

8 “(3) such revocation and setting aside of such
9 admission order and such cancellation of such cer-
10 tificate of naturalization shall be effective as of the
11 original date of such order and certificate, respec-
12 tively.

13 “(f) COMMITTING AN AGGRAVATED FELONY OR ES-
14 PIONAGE OFFENSE.—If a person who has been natural-
15 ized under this chapter is convicted of, admits to having
16 committed, or admits to committing acts constituting the
17 essential elements of, an aggravated felony or espionage
18 offense (including any offense described in section 792,
19 793, 794, 795, 796, 797, 798, 951, 1030(a)(1), 1831,
20 1832, 2152, 2153, 2154, 2155, or 2156 of title 18, United
21 States Code; or an offense described in section 783 or
22 3121 of title 50, United States Code), and any act or acts
23 leading to such conviction or admission began or occurred
24 during the 10-year period beginning on the date on which
25 he or she was naturalized, such conviction or admission

1 shall be considered prima facie and sufficient evidence
2 that—

3 “(1) such person, at the time of his or her nat-
4 uralization—

5 “(A) was not a person of good moral char-
6 acter;

7 “(B) was not attached to the principles of
8 the Constitution of the United States; and

9 “(C) was not well disposed to the good
10 order and happiness of the United States;

11 “(2) the order admitting such person to citizen-
12 ship—

13 “(A) was obtained by concealment of a ma-
14 terial fact or by willful misrepresentation; and

15 “(B) shall be revoked and set aside, along
16 with the cancellation of his or her certificate of
17 naturalization; and

18 “(3) such revocation and setting aside of such
19 admission order and such cancellation of such cer-
20 tificate of naturalization shall be effective as of the
21 original date of such order and certificate, respec-
22 tively.

23 “(g) FALLBACK PROVISION.—If the 10-year period
24 set forth in subsection (d), (e), or (f) is held to be uncon-

1 stitutional or constitutionally insufficient by final judicial
2 decision, for purposes of interpreting this Act—

3 “(1) such 10-year period shall be deemed to be
4 a 5-year period, consistent with the published judi-
5 cial opinion in *Luria v. United States*, 231 U.S. 27
6 (1913); and

7 “(2) every court of the United States shall con-
8 strue such period to be 5 years.

9 “(h) EFFECTS OF DENATURALIZATION.—

10 “(1) EFFECTIVE DATE.—The revocation and
11 setting aside of a person’s admission order and can-
12 cellation of the person’s certificate of naturalization
13 under this section shall be effective as of the original
14 date of such order and certificate, respectively. Such
15 denaturalization shall have retroactive effect, and
16 the certificate of naturalization shall be treated as
17 void from the date on which it was issued.

18 “(2) REMOVABILITY.—Any person whose cer-
19 tificate of naturalization is cancelled under this sec-
20 tion shall be removable pursuant to expedited pro-
21 ceedings described in section 238, regardless of—

22 “(A) the person’s immigration status after
23 denaturalization; and

24 “(B) the time that has elapsed since the
25 date on which such person was naturalized.”.

1 **SEC. 5. SEVERABILITY.**

2 If any provision of this Act, an amendment made by
3 this Act, or the application of such a provision or amend-
4 ment to any particular person or circumstance is held to
5 be unconstitutional, the remaining provisions of this Act
6 and amendments made by this Act, and the application
7 of such provisions and amendments to any other person
8 or circumstance, shall not be affected.

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