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**From:** U.S. Citizenship and Immigration Services <uscis@public.govdelivery.com>  
**Sent:** Friday, April 24, 2020 10:11 AM  
**To:**  
**Subject:** USCIS Updates Policy on False Claims of U.S. Citizenship

*Updates Align with Board of Immigration Appeals Decision and Statute*

U.S. Citizenship and Immigration Services today announced it is updating its [Policy Manual](#) to align with the Department of Justice’s Board of Immigration Appeals’ (BIA) precedent decision in [Matter of Zhang](#). Decided in June 2019, the BIA held in this decision that false claims of U.S. citizenship do not need to be knowingly made to make an alien deportable under the Immigration and Nationality Act (INA). The [Policy Manual](#) also applies the BIA’s decision to the false claim to U.S. citizenship ground of inadmissibility, as it is virtually identical to the ground of deportability.

Under the law, an alien is inadmissible or deportable if the alien falsely represents him or herself to be a citizen of the United States for any purpose or benefit under immigration law or under other federal or state law. The only exception Congress provided to the false claim to U.S. citizenship ground of inadmissibility requires that each parent of the alien is or was a U.S. citizen, the alien permanently resided in the United States before the age of 16, and the alien reasonably believed he or she was a U.S. citizen when claiming to be one.

Aliens applying for refugee status and for adjustment of status based on refugee or asylee status, as well as legalization applicants, may be eligible to apply for a waiver of this ground of inadmissibility. This ground of inadmissibility does not apply to special immigrant juveniles seeking adjustment of status, or to registry applicants.

*Matter of Zhang* clarified that it is not necessary for the government to show intent when it comes to false representations to U.S. citizenship. This guidance aligns with that decision and addresses inadmissibility for falsely claiming U.S. citizenship for any purpose or benefit under the INA or any other federal or state law, provided that the alien made the false claim on or after Sept. 30, 1996.

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