IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS

UNITED STATES OF AMERICA, Plaintiff, v. HARINDER SINGH, Axxx-xxx-093,[1] a.k.a. HARINDER SINGH SANGHERA, Axxx-xxx-619, a.k.a. RUSHPAL SINGH, Defendant.	)	Civil Action No. **COMPLAINT TO REVOKE NATURALIZATION**

I. PRELIMINARY STATEMENT OF THE CASE

The United States of America ("Plaintiff") brings this civil action against Defendant Harinder Singh, a.k.a. Harinder Singh Sanghera a.k.a. Rushpal Singh ("Defendant") to revoke his naturalized U.S. citizenship under 8 U.S.C. § 1451(a). Plaintiff alleges that Defendant procured his naturalization unlawfully and that he willfully misrepresented and concealed material facts in applying to naturalize.

Before he naturalized as a U.S. citizen in 2008 under the identity Harinder Singh, Defendant was previously ordered excluded and deported from the United States under the identity Harinder Singh Sanghera a.k.a Rushpal Singh. In 1991, officers with the former Immigration and Naturalization Service ("INS")[2] encountered Defendant when he arrived at J.F.K. International

[1] Pursuant to the Privacy Act, 5 U.S.C. § 552a(b), Plaintiff will redact information throughout this document and its exhibits that includes social security numbers, dates of birth, places of birth, alien numbers, passport numbers, phone numbers, and tax information, which are precluded from disclosure. *See, Yith v. Nielsen*, No. 14-CV-01875, 2019 WL 2567290, at *5 (E.D. Cal. June 21, 2019); *Rouse v. U.S. Dep't of State*, 567 F.3d 408, 413 (9th Cir. 2009) ("The Privacy Act was designed to 'protect the privacy of individuals' through regulation of the 'collection, maintenance, use, and dissemination of information' by federal agencies.") (citing 5 U.S.C. § 552a).

[2] On March 1, 2003, the INS ceased to exist as an independent agency within the Department of Justice, and many of its functions were transferred to the newly formed Department of Homeland

Airport. He identified himself as "Rushpal Singh." Defendant was issued a Form I-546, Order to Appear for Deferred Inspection on the same day. Defendant was ordered to appear on October 07, 1991. Defendant failed to appear at his appointment for deferred inspection. In February 1993, Defendant appeared at J.F.K. International Airport and stated that he had moved to Kansas and acknowledged failing to appear for his deferred inspection. In November 1993, Defendant requested relief from deportation. In his application, Defendant represented that his name was Harinder Singh Sanghera and that he had used the name Rushpal Singh. On August 21, 1995, an immigration judge denied Defendant's application for relief and ordered Defendant excluded and deported. On August 31, 1995, Defendant appealed the immigration judge's decision. The Board of Immigration Appeals dismissed the appeal and upheld the immigration judge's decision. The United States has no record that Defendant ever departed the United States pursuant to his exclusion and deportation order.

On June 18, 1996, Defendant, after being ordered excluded and deported using the identity Harinder Singh Sanghera a.k.a Rushpal Singh, and now using the identity Harinder Singh, filed an application for an immigration benefit with the INS. In this application, Defendant changed, *inter alia*, his name, date of birth, date of entry into the United States, and the factual basis for his claim. In August 1996, the INS granted Defendant's application. On October 24, 2000, the INS approved Defendant's adjustment of status application under the identity Harinder Singh. On January 02, 2008, Defendant naturalized under the identity and immigration history of Harinder Singh. Defendant did not disclose his prior immigration history under the Harinder Singh Sanghera a.k.a

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Security. *See* Homeland Security Act of 2002, Pub. L. No. 107-296, §§ 441, 451, 471, 116 Stat. 2135 (Nov. 25, 2002). The INS was divided into several separate agencies, including United States Citizenship and Immigration Services ("USCIS"), Customs and Border Protection, and Immigration and Customs Enforcement. USCIS assumed naturalization authority from the INS. This Complaint will refer to INS where appropriate.

Rushpal Singh identity in any of his immigration applications or proceedings under the Harinder Singh identity.

Defendant's actions and conduct statutorily barred him from becoming a U.S. citizen and render his naturalization unlawfully procured. Thus, with the attached affidavit showing good cause, Plaintiff brings this civil action to revoke and set aside the order admitting Defendant to citizenship and to cancel his certificate of naturalization.

II. JURISDICTION AND VENUE

1. This is an action under 8 U.S.C. § 1451(a) to revoke and set aside the order admitting Defendant to U.S. citizenship and to cancel Certificate of Naturalization No. 30729968, issued January 02, 2008.

2. This Court has jurisdiction pursuant to 28 U.S.C. §§ 1331 and 1345 for a cause of action under 8 U.S.C. § 1451(a).

3. Venue is proper in this district pursuant to 8 U.S.C. § 1451(a) and 28 U.S.C. § 1391, because Defendant resides in Olathe, Kansas, within the jurisdiction and venue of this Court.

III. PARTIES

4. Plaintiff is the United States of America.

5. Defendant is a naturalized U.S. citizen and purports to be a native of India. Harinder Singh, Harinder Singh Sanghera, and Rushpal Singh are one and the same person.

IV. FACTUAL ALLEGATIONS

6. The affidavit of Keila Alvarado, Immigration Services Officer, USCIS, an agency within the Department of Homeland Security, showing good cause for this action, as required by 8 U.S.C. § 1451(a), is attached as Exhibit A.

A. Defendant's Immigration Proceedings Under the Identity Harinder Singh Sanghera/Rushpal Singh.

7. On or about September 18, 1991, INS officers encountered Defendant when he arrived at J.F.K. International Airport. Defendant lacked documents permitting him to enter the United States. The INS officers took a sworn statement, attached as Exhibit B,[3] during which Defendant stated, *inter alia*, the following:

a. his true and correct name was Rushpal Singh;

b. he had never used or been known by any other name;

c. he was born in 1968 in India; and

d. he did not have any travel documents in his possession.

8. The INS assigned Defendant alien registration number Axxx-xxx-619 and paroled him into the United States. See Ex. B.

9. On or about September 19, 1991, Defendant, using the name Rushpal Singh, provided fingerprints as part of Form I-546, when the INS charged him with illegal entry. See Ex. B.

10. On February 26, 1993, the INS served Defendant, under the name Rushpal Singh, with a Form I-122, Notice to Applicant for Admission Detained/Deferred for Hearing Before Immigration Judge, thereby placing him into exclusion proceedings. Attached as Exhibit C. The INS charged Defendant with being excludable based on three charges:

a. under 8 U.S.C. § 1182(a)(7)(B)(i)(II) for not being in possession of a valid, unexpired non-immigrant visa;

b. under 8 U.S.C. § 1182(a)(7)(B)(i)(I) for not being in possession of a valid, unexpired travel document; and

[3] Exhibits reflecting immigration documents are excerpted from a certified copy of the alien file (A File) associated with the respective alien number (A Number).

c. under 8 U.S.C. § 1182(a)(7)(A)(i)(I) for not being in possession of a valid, unexpired immigrant visa.

11. On November 16, 1993, Defendant appeared in immigration court and advised the Court that his name was "Harinder Singh Sanghera." Defendant conceded excludability and requested relief from deportation.

12. On or about December 16, 1993, Defendant, using the identity Harinder Singh Sanghera, filed an application for an immigration benefit with the immigration court. Filed under seal as Exhibit D.

13. In the application, Defendant stated/represented the following:

a. his name was Harinder Singh Sanghera, but he had also used the name Rushpal Singh;

b. he was born on May xx, 1967, in Jalandhar, India; and

c. he had last arrived in the United States on September 18, 1991.

14. Defendant signed the application under penalty of perjury on or about December 13, 1993, declaring the contents of the application and all accompanying documents were "true and correct."

15. On August 21, 1995, Defendant appeared in immigration court and provided testimony in support of his application.

16. Following Defendant's testimony, the immigration judge denied Defendant's application and ordered Defendant, under the identity Harinder Singh Sanghera a.k.a Rushpal Singh, to be excluded and deported from the United States. Memorandum of Oral Decision of the Immigration Judge, dated August 21, 1995, filed under seal as Exhibit E.

17. On August 31, 1995, Defendant, through counsel, filed a Notice of Appeal to the Board of Immigration Appeals ("BIA").

18. On April 30, 1997, the BIA dismissed Defendant's appeal and upheld the immigration judge's decision. Filed under seal as Exhibit F.

19. The government has no record that Defendant departed the United States pursuant to the deportation order.

B. Defendant's Application for an Immigrant Benefit Under the Identity Harinder Singh.

20. On June 18, 1996, Defendant, using a different identity, Harinder Singh, filed a second application for an immigration benefit ("second application") with the INS. Filed under seal as Exhibit G.

21. In the second application, Defendant represented that:

a. his name was Harinder Singh;

b. he had no Alien Registration Number (A#);

c. he had no "other names used (including Maiden Name and all aliases)";

d. he was born on [redacted], in Jullunder, Punjab, India;

e. he last arrived in the United States on May 30, 1994, at Brownsville, Texas;

f. he had never filed application for an immigration benefit in the United States;

g. he was "not now in exclusion or deportation proceedings";

h. he entered the United States without inspection on May 30, 1994; and

i. stated that he departed India in April 1994.

22. Defendant signed the second application under penalty of perjury on or about August 15, 1996, declaring the contents of the application and all accompanying documents were "true and correct."

23. On August 16, 1997, the INS granted Defendant's second application.

C. Defendant's Adjustment Application Under the Identity Harinder Singh.

24. On December 05, 1997, Defendant filed with the INS a Form I-485, Application to Register Permanent Residence or Adjust Status (I-485). Attached as Exhibit H.

25. In the adjustment application, Defendant stated/represented as follows:

a. his name was Harinder Singh;

b. he was born on [redacted] in India;

c. he last arrived in the United States on May 30, 1994;

d. He had never been arrested, cited, or detained by any law enforcement officer (including USCIS or former INS and military officers) for any reason;

e. He had never given any false or misleading information to any U.S. government official while applying for any immigration benefit or to prevent deportation, exclusion, or removal;

f. He had never been ordered to be removed, excluded, or deported from the United States;

g. He had never applied for any kind of relief from removal, exclusion, or deportation; and

h. he had never sought to procure, or procured, a visa, or other documentation, for entry into the United States, or any immigration benefit by fraud or willful misrepresentation of a material fact.

26. On or about November 26, 1997, Defendant signed his adjustment application, thereby certifying under penalty of perjury that its contents were true and correct.

27. In conjunction with and in support of his Adjustment Application, Defendant filed a second Form G-325A, Biographic Information, Attached as Exhibit I, in which Defendant represented, under severe penalties for knowingly and willfully falsifying or concealing a material fact, that:

a. his name was Harinder Singh;

b. he was born on [redacted] in VPO Bilga, Jullunder, India; and

c. did not list any previous or other names used.

28. On August 07, 1999, Singh appeared for an adjustment of status interview at the INS Office in Chicago, Illinois.

29. Based on Singh's testimony and the representations he made on his application for adjustment of status, INS approved Singh's Form I-485 on October 24, 2000. His date of adjustment as lawful permanent resident was rolled back to October 24, 1999.

30. On September 21, 2001, Defendant, using the name Harinder Singh, provided a fingerprint in connection with his Adjustment Application. Fingerprint Analysis Laboratory Report, dated November 20, 2018, Attached as Exhibit J, pg. 10.

D. Defendant's Naturalization Application Under the Identity Harinder Singh.

31. On August 20, 2004, Defendant, using the identity Harinder Singh, filed a Form N-400, Application for Naturalization (naturalization application), with USCIS, based, *inter alia*, on having been a lawful permanent resident for at least five years. Attached as Exhibit K.

32. In his naturalization application, in response to Question A in Part 1, Defendant represented that his name was Harinder Singh.

33. In his naturalization application, in response to Part 1, he listed the A-number (Axxx-xxx-093) that had been assigned to him using the identity, Harinder Singh.

34. In his naturalization application, in response to Question C in Part 1, Defendant stated "none" in response to question asking him to provide any other names he has used.

35. In his naturalization application, in response to Question B in Part 3, Defendant represented that his date of birth was January xx, 1969.

36. In his naturalization application, Defendant answered "no" to Question 16 in Part 10, which asked: "Have you **EVER** been arrested, cited, or detained by any law enforcement officer (including INS and military officers) for any reason?" (emphasis in original);

37. In his naturalization application, Defendant answered "no" to Question 23 in Part 10, which asked: "Have you **EVER** given false or misleading information to any U.S. Government official while applying for any immigration benefit or to prevent deportation, exclusion, or removal?" (emphasis in original);

38. In his naturalization application, Defendant answered "no" to Question 24 in Part 10, which asked: "Have you **EVER** lied to any U.S. Government official to gain entry or admission into the United States?" (emphasis in original);

39. In his naturalization application, Defendant answered "no" to Question 27 in Part 10, which asked: "Have you **EVER** been ordered to be removed, excluded, or deported from the United States?" (emphasis in original); and

40. In his naturalization application, Defendant answered "no" to Question 28 in Part 10, which asked: "Have you **EVER** applied for any kind of relief from removal, exclusion, or deportation?" (emphasis in original).

41. On January 06, 2005, Singh appeared for his naturalization interview at the USCIS Chicago Field Office. He did not make any changes to the representations described above. Defendant signed his naturalization application under penalty of perjury pursuant to the laws of the

United States, thereby certifying that the application and the evidence submitted with it were all true and correct.

42. On the basis of his written application and the testimony he provided during his naturalization interviews, USCIS approved Singh's Form N-400 on December 13, 2007.

43. On January 2, 2008, Defendant took the oath of allegiance and became a naturalized U.S. citizen.

44. On January 2, 2008, USCIS issued Defendant, under the identity Harinder Singh, Certificate of Naturalization No. [redacted] Attached as Exhibit L.

F. Fingerprint Analysis Confirms Harinder Singh Sanghera a.k.a Rushpal Singh and Harinder Singh are the Same Individual

45. On or about September 19, 1991, Defendant, using the name Rushpal Singh, provided fingerprints as part of Form I-546, when the INS charged him with illegal entry.

46. On or about December 16, 1993, Defendant, using the name Harinder Singh Sanghera, submitted an application for immigration benefits with the immigration court, with which he provided fingerprints.

47. On or about December 26, 1995, Defendant, using the name Harinder Singh, submitted an application for immigration benefits with the immigration court, with which he provided fingerprints.

48. On or about November 27, 1997, Defendant, using the name Harinder Singh Sanghera, submitted an application for adjustment of status, with which he submitted fingerprints.

49. On or about December 28, 2005, January 05, 2006, and October 09, 2007, Defendant, under the name Harinder Singh, submitted his N-400 fingerprint impressions using the name Harinder Singh.

50. Analysis and comparison of the fingerprint submissions described in Paragraphs 45 through 51 above confirm that the same individual provided all the fingerprint impressions. Exhibit J.

V. GOVERNING LAW

A. Congressionally Imposed Prerequisites to the Acquisition of Citizenship

51. No alien has a right to naturalization "unless all statutory requirements are complied with." *United States v. Ginsberg*, 243 U.S. 472, 474-75 (1917). Indeed, the Supreme Court has underscored that "[t]here must be strict compliance with all the congressionally imposed prerequisites to the acquisition of citizenship." *Fedorenko v. United States*, 449 U.S. 490, 506 (1981); *see also id.* ("An alien who seeks political rights as a member of this Nation can rightfully obtain them only upon the terms and conditions specified by Congress[.]") (quoting *Ginsberg*, 243 U.S. at 474)).

52. Congress has mandated that an individual may not naturalize unless that person "during all periods referred to in this subsection has been and still is a person of good moral character . . . ." 8 U.S.C. § 1427(a)(3). The required statutory period for good moral character begins five years before the date the applicant files the application for naturalization, and it continues until the applicant takes the oath of allegiance and becomes a U.S. citizen. *Id.*

53. Congress has defined the term "lawfully admitted for permanent residence" to mean "the status of having been lawfully accorded the privilege of residing permanently in the United States as an immigrant in accordance with the immigration laws." *See* 8 U.S.C. § 1101(a)(20).

54. The term "lawfully" requires compliance with substantive legal requirements for admission, and not mere procedural regularity. *See* 8 U.S.C. § 1101(a)(20); *Monet v. INS*, 791 F.2d 752, 753 (9th Cir. 1978).

55. An individual who, by fraud or willfully misrepresenting a material fact, seeks to procure (or has sought to procure or has procured) a visa, other documentation, or admission into the United States or other benefit provided for in the Immigration and Nationality Act ("INA") is inadmissible. *See* 8 U.S.C. § 1182(a)(6)(C)(i).

B. The Denaturalization Statute

56. Recognizing that there are situations where an individual has naturalized despite failing to comply with all congressionally imposed prerequisites to the acquisition of citizenship or by concealing or misrepresenting facts that are material to the decision on whether to grant his or her naturalization application, Congress enacted 8 U.S.C. § 1451.

57. Under 8 U.S.C. § 1451(a), this Court must revoke a U.S. citizen's naturalization and cancel his Certificate of Naturalization if naturalization was either:

(a) illegally procured, or

(b) procured by concealment of a material fact or by willful misrepresentation.

58. Failure to comply with any of the congressionally imposed prerequisites to the acquisition of citizenship renders the citizenship "illegally procured." *Fedorenko*, 449 U.S. at 506.

59. Naturalization was procured by concealment of a material fact or by willful misrepresentation, where: (i) the naturalized citizen misrepresented or concealed some fact during the naturalization process; (ii) the misrepresentation or concealment was willful; (iii) the fact was material; and (iv) the naturalized citizen procured citizenship as a result of the misrepresentation or concealment. *Kungys v. United States*, 485 U.S. 759, 767 (1988).

60. Where the government establishes that a defendant's citizenship was procured illegally or by concealment of a material fact or by willful misrepresentation, "district courts lack

equitable discretion to refrain from entering a judgment of denaturalization." *Fedorenko*, 449 U.S. at 517.

VI. CAUSES OF ACTION

COUNT ONE
ILLEGAL PROCUREMENT OF NATURALIZATION NOT LAWFULLY ADMITTED FOR PERMANENT RESIDENCE
(Adjustment Procured by Fraud or Willful Misrepresentation)

61. The United States realleges and incorporates by reference the allegations set forth in Sections I through V of this complaint.

62. To qualify for naturalization, an applicant must have been "lawfully admitted" to the United States for permanent residence. *See* 8 U.S.C. §§ 1427(a)(1), 1429.

63. As noted above, the term "lawfully" denotes compliance with substantive legal requirements, not mere procedural regularity. *See* 8 U.S.C. § 1101(a)(20); *Monet v. INS*, 791 F.2d 752, 753 (9th Cir. 1978).

64. Among the applicable provisions in the INA at the time of Defendant's adjustment of status to permanent resident was the requirement that he be admissible to the United States. *See* 8 U.S.C. §§ 1159(b)(5), 1255(a).

65. Under the law in effect at the time that Defendant adjusted his status, an individual who by fraud or by willfully misrepresenting a material fact was seeking to procure (or had sought to procure or had procured) a visa, other documentation, admission into the United States, or other benefit provided under the INA, was inadmissible. *See* 8 U.S.C. § 1182(a)(6)(C)(i).

66. Defendant was never lawfully admitted to the United States as a permanent resident and cannot satisfy the requirements of 8 U.S.C. §§ 1427(a)(1) and 1429, because he was inadmissible at the time of his adjustment to permanent resident status.

67. Defendant sought to procure admission into the United States and other benefits provided for in the INA by fraud or willfully misrepresenting a material fact. Specifically, at the time Defendant adjusted his status to permanent resident using the name Harinder Singh, he had previously sought to procure and had been denied an immigration benefit using the name Harinder Singh Sanghera (a.k.a. Rushpal Singh). Indeed, at the time that Defendant adjusted to permanent resident status, he was the subject of an outstanding order of exclusion and deportation under the name Harinder Singh Sanghera (a.k.a. Rushpal Singh).

68. Because Defendant made sworn statements in immigration benefit applications that cannot be simultaneously true, he was inadmissible.

69. Defendant's false statements regarding his name, alien number, date of birth, date of entry into the United States, and his immigration history were material to determining his eligibility for the immigration benefits for which he applied. Defendant's false statements had the natural tendency to influence a decision by the immigration officer(s) to approve his application(s). Defendant thus sought to procure an immigration benefit by fraud or willfully misrepresenting a material fact.

70. Because Defendant was inadmissible at the time he adjusted to permanent resident status, he was never lawfully admitted for permanent residence in accordance with the substantive legal requirements to obtain that status.

71. Because Defendant was never lawfully admitted for permanent residence, he was and remains ineligible for naturalization under 8 U.S.C. §§ 1427(a)(1) and 1429.

72. Because he was ineligible to naturalize, Defendant illegally procured his citizenship, and this Court must revoke his citizenship as provided for in 8 U.S.C. § 1451(a).

COUNT TWO
ILLEGAL PROCUREMENT OF NATURALIZATION
NOT LAWFULLY ADMITTED FOR PERMANENT RESIDENCE
(Due to Jurisdictional Defect in the Underlying Approval)

73. The United States realleges and incorporates by reference the allegations set forth in Sections I through V of this Complaint.

74. To be eligible for naturalization, an applicant must have been lawfully admitted for permanent residence in accordance with all applicable provisions of the INA. INA § 318; 8 U.S.C. § 1429

75. Under the law in effect at the time of Singh's application, jurisdiction over exclusion proceedings was vested with the Immigration Judge and, upon appeal, the Board of Immigration Appeals (BIA). Any application for relief affecting those proceedings was required to be filed with the court having jurisdiction over the prior proceeding, including in conjunction with a motion to remand or reopen. 8 C.F.R. § 208.4(c)(3) (1996).

76. On August 31, 1995, Singh, while in exclusion proceedings under the name "Harinder Singh Sanghera," appealed the immigration judge's denial of his application for relief to the BIA. While the appeal remained pending, Singh filed an application with INS on June 18, 1996 under the name "Harinder Singh." The INS approved the application on August 16, 1996, without knowledge of the pending exclusion proceedings.

77. Because the BIA had exclusive jurisdiction over matters arising from Singh's exclusion proceedings at the time of the INS approval, the approval was not lawfully granted. Therefore, Singh was not lawfully admitted for permanent residence based on that approval. Consequently, his subsequent naturalization was illegally procured.

78. Because Defendant was never lawfully admitted for permanent residence, he was and remains ineligible for naturalization under 8 U.S.C. §§ 1427(a)(1) and 1429.

79. Because he was ineligible to naturalize, Defendant illegally procured his citizenship, and this Court must revoke his citizenship as provided for in 8 U.S.C. § 1451(a).

COUNT THREE
ILLEGAL PROCUREMENT OF NATURALIZATION
Lack of Good Moral Character
Unlawful Act

80. As an applicant for naturalization under section 316(a) of the INA, Singh was required to establish that he was a person of good moral character during the period beginning five years prior to the filing of his application for naturalization and continuing until the time of admission to citizenship. This period is generally referred to as the "statutory period."

81. Singh filed his application for naturalization on August 20, 2004; accordingly, he was required to establish that he was a person of good moral character from August 21, 1999, until the time of his admission to citizenship on January 02, 2008.

82. Under the law then in effect, an individual could not establish good moral character if, during the statutory period, he committed unlawful acts that adversely reflected on his moral character, unless he could establish extenuating circumstances. INA § 101(f); 8 U.S.C. §1101(f); 8 C.F.R. § 316.10(b)(3)(iii).

83. Based on the facts contained above, during the statutory period Singh committed unlawful acts that adversely reflected on his moral character. Specifically, Singh provided false information regarding his identity, immigration history, and whether he had ever provided false or misleading information, or lied, to any U.S. Government official while applying for any immigration benefit or to prevent deportation. Singh cannot establish extenuating circumstances for this violation in light of the deliberate and continuing nature of his violations. Accordingly, he was not eligible for naturalization and illegally procured his naturalization.

COUNT FOUR
PROCUREMENT OF NATURALIZATION BY CONCEALMENT OF A MATERIAL FACT OR WILLFUL MISREPRESENTATION

84. The United States realleges and incorporates by reference the allegations set forth in Sections I through V of this Complaint.

85. Under 8 U.S.C. § 1451(a), this Court must revoke Defendant's citizenship and cancel his Certificate of Naturalization because he procured his naturalization by concealment of a material fact or by willful misrepresentation.

86. As set forth herein, throughout the naturalization process, Defendant willfully misrepresented and concealed, among other things: (i) his use of another identity, including a different date of birth; (ii) his prior order of exclusion and deportation; (iii) his prior application for an immigration benefit; (iv) that he had given false or misleading information to a U.S. Government official while applying for any immigration benefit or to prevent deportation, exclusion, or removal; (v) that removal, exclusion, rescission, or deportation proceedings were pending against him; (vi) that he had lied to a U.S. Government official to gain entry or admission into the United States; (vii) that he had been ordered to be removed, excluded, or deported from the United States; (viii) and that he had previously applied for relief from removal, exclusion, or deportation. Defendant knew each of these statements to be false.

87. Defendant made such misrepresentations voluntarily and deliberately, despite knowing that such representations were false and misleading. Accordingly, Defendant made these misrepresentations willfully.

88. Defendant's misrepresentations were material to his naturalization because the disclosure of his multiple identities, multiple claimed dates of birth, prior application for an immigration benefit, prior order of exclusion and deportation, and prior representations to U.S.

Government officials while applying for an immigration benefit would have had a natural tendency to influence USCIS's decision whether to approve Defendant's application for naturalization. Indeed, had USCIS been aware of this information, it would have denied his naturalization application.

89. Defendant thus procured his naturalization by willful misrepresentation and concealment of material facts, and this Court must revoke his citizenship pursuant to 8 U.S.C. § 1451(a).

PRAYER FOR RELIEF

WHEREFORE, Plaintiff, the United States of America, respectfully requests:

(1) A declaration that Defendant illegally procured his citizenship;

(2) A declaration that Defendant procured his citizenship by concealment of material fact and by willful misrepresentation;

(3) Judgment revoking and setting aside the order admitting Defendant to citizenship and canceling Certificate of Naturalization No. [redacted] effective as of the original date of the certificate, January 02, 2008;

(4) Judgment forever restraining and enjoining Defendant from claiming any rights, privileges, benefits, or advantages under any document which evidences United States citizenship obtained as a result of his January 02, 2008, naturalization;

(5) Judgment requiring the Defendant, within ten (10) days of the entry of judgment against him, to surrender and deliver his Certificate of Naturalization No. [redacted] and any copies thereof in his possession or control (and to make good faith efforts to recover and then surrender any copies thereof that he knows are in the possession or control of others), to the Attorney General, or his designated representative, including undersigned counsel;

(6) Judgment requiring the Defendant, within ten (10) days of the entry of judgment, to surrender and deliver any other indicia of U.S. citizenship (including, but not limited to, United States passports and passport cards, Enhanced Driver's License, and other relevant documents), whether current or expired, and any copies thereof in his possession or control—and to make good faith efforts to recover and then surrender any copies thereof that he knows are in the possession or control of others—to the Attorney General, or her representative, including undersigned counsel; and

(7) Judgment granting the United States any other relief that may be lawful and proper in this case.

Dated: August 7, 2026

RYAN A. KRIEGSHAUSER
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District of Kansas

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REQUEST FOR PLACE OF TRIAL

Plaintiff United States of America hereby requests that trial of the above-entitled matter be held in Wichita, Kansas.

/s/ Brian E. Vanorsby
Brian E. Vanorsby
Assistant United States Attorney

UNITED STATES OF AMERICA	)	
	)	
In the Matter of the Revocation	)	AFFIDAVIT OF GOOD CAUSE
of the Naturalization of	)	
	)	
Harinder SINGH, [redacted]-093,	)	
a/k/a Harinder Singh SANGHERA,	)	
[redacted]-619	)	
	)	

I, Keila Alvarado, declare under penalty of perjury as follows:

I am an Officer with U.S. Citizenship and Immigration Services (USCIS), Department of Homeland Security (DHS).[1] In this capacity, I have access to the official records of DHS, including the immigration files of Harinder Singh, [redacted]-093, a.k.a. Harinder Singh Sanghera a.k.a. Rushpal Singh, [redacted]-619 (hereafter Singh).

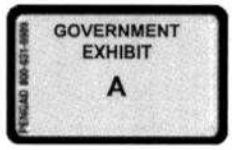
I have examined records relating to Singh, including but not limited to, his immigration files. Based upon my review of records relating to Singh, I state, on information and belief, that the information set forth in this Affidavit of Good Cause is true and correct.

Based on the facts and law contained herein, good cause exists to institute proceedings pursuant to section 340(a) of the Immigration and Nationality Act (INA), 8 U.S.C. § 1451(a)[2], to revoke the citizenship of Singh and to cancel his Certificate of Naturalization.

The last known place of residence for Singh is [redacted]

[1] Pursuant to the Department of Homeland Security Reorganization Plan, Homeland Security Act of 2002, Pub. L. No. 107-296, 116 Stat. 2135 (2002), 6 U.S.C. §§ 101-557, as of March 1, 2003, the Immigration and Naturalization Service (INS) was abolished and its functions were transferred to USCIS within the DHS. This Affidavit will refer to INS or USCIS as appropriate.

[2] While some provisions of the Immigration and Nationality Act, as contained in the United States Code, have been renumbered throughout the years, not all provisions have undergone such renumbering. Where necessary, this Affidavit of Good Cause lists the applicable year for a United States Code reference. If no year is included within the citation, it means that the United States Code citation is the same today as it was during the time in question.



BACKGROUND

DHS records, including fingerprint comparison, establish that the person who naturalized as Harinder Singh is the same person who was previously ordered excluded under the name Harinder Singh Sanghera.

Immigration History as Harinder Singh Sanghera,
D.O.B May [redacted] 1967, [redacted]-619

1. On September 18, 1991, the individual in question, using the name Rushpal Singh and a date of birth of [redacted], arrived at John F. Kennedy International Airport. He was referred to deferred inspections for not having a passport or visa. An INS Officer interviewed him in the Punjabi language and took a sworn statement. In his sworn statement, Singh represented that:
   - His name was Rushpal Singh;
   - He had never used or been known by a different name;
   - He was born on [redacted]
2. On September 19, 1991, he was issued a Form I-546, Order to Appear for Deferred Inspection. He was to appear at 26 Federal Plaza, 8th Floor, Room 120, New York, New York on October 07, 1991, at 10:00 A.M. He failed to appear for his appointment at Deferred Inspections.
3. On February 26, 1993, he appeared with his attorney at John F. Kennedy International Airport. He stated that he moved to Kansas, and he was discouraged by friends from appearing for inspection. He requested that his file be reopened. INS issued Form I-122, Notice to Applicant for Admission Detained/Deferred for Hearing Before Immigration Judge. He was informed that his exclusion hearing would be held at the Office of the Immigration Judge in New York. He was assigned alien registration number [redacted]-619.
4. On November 16, 1993, he appeared with counsel for a hearing. He claimed that his name was Harinder Singh Sanghera, conceded excludability, and requested relief from deportation.
5. On December 16, 1993, Singh filed an application for immigration benefits with the immigration court.

On his application, he represented that:

- His name was Harinder Singh Sanghera;
- He had used the name Rushpal Singh;
- He was born on [redacted]
- He arrived in the United States on September 18, 1991.

6. On August 21, 1995, Singh testified at his merits hearing. Following the hearing, the Immigration Judge denied his application and ordered him excluded and deported to India.
7. On August 31, 1995, Singh filed Form EOIR-29, Notice of Appeal to the Board of Immigration Appeals (BIA) of Decision of Immigration Judge. On April 30, 1997, the BIA dismissed his appeal and upheld the immigration judge's decision. There is no evidence that he filed a petition for review or a motion to reopen or reconsider.
8. There is no record that he ever departed the United States pursuant to this exclusion and deportation order.

Immigration History as Harinder Singh
D.O.B January [redacted] 1969, [redacted]-093

9. On June 18, 1996, the same individual, using the name Harinder Singh and a date of birth of January [redacted] 1969, filed an application for immigration benefits with INS. Under this identity, INS assigned him alien registration number [redacted]-093.
10. On his application, Singh represented the following:
    - His name was Harinder Singh;
    - His date of birth was [redacted]
    - He entered the United States without inspection on May 30, 1994;
    - He Left India in April 1994.
11. On August 15, 1996, Singh appeared for an interview regarding his application. On August 16, 1996, the INS granted the application
12. On December 05, 1997, Singh filed a Form I-485, Application to Register Permanent Residence or Adjust Status, which he signed under penalty of perjury. On his Form I-485, Singh represented that:
    - His name was Harinder Singh;
    - He was born on [redacted]
    - His alien registration number was [redacted]-093;

- He last entered the United States on May 30, 1994, without inspection;
- He had no organization affiliations;
- He had not been excluded within the past year;
- He was not in exclusion or deportation proceedings; and
- He had not, by fraud or willful misrepresentation of a material fact, ever sought to procure, or procured, a visa, other documentation, entry into the United States, or any immigration benefit.

13. Along with his Form I-485, Singh submitted Form G-325A, Biographic Information, which he signed under severe penalty of law for knowingly and willfully falsifying or concealing a material fact. On his Form G-325A, Singh represented that:
    - His name was Harinder Singh;
    - His date of birth was [redacted]
    - His alien registration number was [redacted]-093; and
    - He had not used any other names.
14. On August 07, 1999, Singh appeared for an adjustment of status interview at the INS Office in Chicago, Illinois.
15. Based on Singh's testimony and the representations he made on his application for adjustment of status, INS approved Singh's Form I-485 on October 24, 2000. His date of adjustment as lawful permanent resident was rolled back to October 24, 1999.
16. On August 20, 2004, Singh filed a Form N-400, Application for Naturalization, which he signed under penalty of perjury. On his Form N-400, Singh represented that:
    - His name was Harinder Singh;
    - He had not used any other names;
    - He was born on [redacted], in India;
    - He had no organization affiliations;
    - He had never committed any crimes for which he was not arrested;
    - He had never been arrested, cited, or detained by any law enforcement officer (including USCIS or former INS and military officers) for any reason;
    - He had never given any false or misleading information to any U.S. government official while applying for any immigration benefit or to prevent deportation, exclusion, or removal;

- He had never lied to any U.S. government official to gain entry or admission into the United States;
- He had never been ordered to be removed, excluded, or deported from the United States; and
- He had never applied for any kind of relief from removal, exclusion, or deportation.

17. On January 06, 2005, and December 13, 2007, Singh appeared for his naturalization interviews at the USCIS Chicago Field Office. During these interviews, two corrections were made to his Form N-400. These corrections did not alter any of the representations described in paragraph 16. On both dates, Singh signed and affirmed, under penalty of perjury, that the contents of his Form N-400, including any corrections made, were true and correct. On the basis of his written application and the testimony he provided during his naturalization interviews, USCIS approved Singh's Form N-400 on December 13, 2007.
18. On January 02, 2008, Singh attended a naturalization ceremony in Chicago, Illinois. He was issued Certificate of Naturalization #[redacted]

ILLEGAL PROCUREMENT OF NATURALIZATION

Illegal Procurement of Naturalization
Not Lawfully Admitted for Permanent Residence
Inadmissible Based on Fraud or Misrepresentation

19. To be eligible for naturalization, an applicant must have been lawfully admitted for permanent residence in accordance with all applicable provisions of the INA. INA § 318; 8 U.S.C. § 1429.
20. Among the INA provisions applicable at the time of Singh's adjustment of status to permanent resident was the requirement that he be admissible to the United States. INA § 209(b)(5); 8 U.S.C. § 1159(b)(5).
21. Under the law then in effect, an individual who by fraud or willfully misrepresenting a material fact was seeking to procure (or had sought to procure or had procured) a visa, other documentation, admission into the United States, or other benefit provided under the INA was inadmissible. INA § 212(a)(6)(C)(i); 8 U.S.C. § 1182(a)(6)(C)(i).

22. Based on the information contained above, Singh willfully misrepresented material facts, specifically, his identity and immigration history.
23. Because Singh misrepresented material facts, he was inadmissible to the United States at the time of his adjustment of status and was not lawfully admitted for permanent residence; accordingly, he illegally procured his naturalization.

Illegal Procurement of Naturalization
Not Lawfully Admitted for Permanent Residence
Due to Jurisdictional Defect in the Underlying Approval

24. To be eligible for naturalization, an applicant must have been lawfully admitted for permanent residence in accordance with all applicable provisions of the INA. INA § 318; 8 U.S.C. § 1429.
25. Under the law in effect at the time of Singh's application, jurisdiction over exclusion proceedings was vested with the Immigration Judge and, upon appeal, the Board of Immigration Appeals (BIA). Any application for relief affecting those proceedings was required to be filed with the court having jurisdiction over the prior proceeding, including in conjunction with a motion to remand or reopen. 8 C.F.R. § 208.4(c)(3) (1996).
26. On August 31, 1995, Singh, while in exclusion proceedings under the name "Harinder Singh Sanghera," appealed the immigration judge's denial of his application for relief to the BIA. While the appeal remained pending, Singh filed an application with INS on June 18, 1996. The INS approved the application on August 16, 1996, without knowledge of the pending exclusion proceedings.
27. Because the BIA had exclusive jurisdiction over matters arising from Singh's exclusion proceedings at the time of the INS approval, the approval was not lawfully granted. Therefore, Singh was not lawfully admitted for permanent residence based on that approval. Consequently, his subsequent naturalization was illegally procured.

Illegal Procurement of Naturalization
Lack of Good Moral Character
Unlawful Acts

28. As an applicant for naturalization under section 316(a) of the INA, Singh was required to establish that he was a person of good moral character during the period beginning five

years prior to the filing of his application for naturalization and continuing until the time of admission to citizenship. This period is generally referred to as the "statutory period."

29. Singh filed his application for naturalization on August 20, 2004; accordingly, he was required to establish that he was a person of good moral character from August 21, 1999, until the time of his admission to citizenship on January 02, 2008.
30. Under the law then in effect, an individual could not establish good moral character if, during the statutory period, he committed unlawful acts that adversely reflected on his moral character, unless he could establish extenuating circumstances. INA § 101(f); 8 U.S.C. §1101(f); 8 C.F.R. § 316.10(b)(3)(iii).
31. Based on the facts contained above, during the statutory period Singh committed unlawful acts that adversely reflected on his moral character. Specifically, Singh provided false information regarding his identity, immigration history, and whether he had ever provided false or misleading information, or lied, to any U.S. Government official while applying for any immigration benefit or to prevent deportation. Singh cannot establish extenuating circumstances for this violation in light of the deliberate and continuing nature of his violations. Accordingly, he was not eligible for naturalization and illegally procured his naturalization.

PROCUREMENT OF NATURALIZATION BY WILLFUL MISREPRESENTATION OR CONCEALMENT OF MATERIAL FACTS

32. A naturalized citizen is subject to revocation of naturalization if he procured naturalization by willfully misrepresenting or concealing material facts.
33. Based on the facts contained above, Singh willfully misrepresented his identity and immigration history throughout the naturalization process.
34. The misrepresentations made by Singh during the naturalization process were material to determining his eligibility for naturalization because they would have had the natural tendency to influence the decision whether to approve his naturalization application. In fact, Singh misrepresented and concealed facts that would have shown that he was not lawfully admitted for permanent residence in accordance with all applicable provisions of the INA and thus was ineligible for naturalization under INA § 318, 8 U.S.C. § 1429.

35. Singh was able to procure his naturalization because he concealed or misrepresented material facts regarding his identity and immigration history.

DECLARATION IN LIEU OF JURAT
(28 U.S.C. § 1746)

I declare under penalty of perjury that the foregoing is true and correct.

Executed on July 23,2026 at Raleigh, Nort Carolina.

Keila Alvarado
Immigration Services Officer
United States Citizenship and Immigration Services
Department of Homeland Security

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS

UNITED STATES OF AMERICA, Plaintiff, v. HARINDER SINGH, Axxx-xxx-093,[1] a.k.a. HARINDER SINGH SANGHERA, Axxx-xxx-619, a.k.a. RUSHPAL SINGH, Defendant.	)	Civil Action No.

INDEX OF EXHIBITS TO COMPLAINT TO REVOKE NATURALIZATION

Pursuant to D. Kan. Local Rule 7.1, Plaintiff respectfully provides the following index of exhibits filed contemporaneous with the filing of Complaint to Revoke Naturalization.

Exhibit	Description
A	Affidavit of Keila Alvarado
B	Sworn Statement
C	Form I-122, Notice to Applicant for Admission Detained/Deferred for Hearing Before Immigration Judge
D	Application for an Immigration Benefit with the Immigration Court (filed under seal)
E	Memorandum of Oral Decision of the Immigration Judge, dated August 21, 1995 (filed under seal)
F	Decision of the Board of Immigration Appeals (filed under seal)
G	Application for Immigration Benefit (filed under seal)

1 Pursuant to the Privacy Act, 5 U.S.C. § 552a(b), Plaintiff will redact information throughout this document and its exhibits that includes social security numbers, dates of birth, places of birth, alien numbers, passport numbers, phone numbers, and tax information, which are precluded from disclosure. *See, Yith v. Nielsen*, No. 14-CV-01875, 2019 WL 2567290, at *5 (E.D. Cal. June 21, 2019); *Rouse v. U.S. Dep't of State*, 567 F.3d 408, 413 (9th Cir. 2009) ("The Privacy Act was designed to 'protect the privacy of individuals' through regulation of the 'collection, maintenance, use, and dissemination of information' by federal agencies.") (citing 5 U.S.C. § 552a).

H	Application to Register Permanent Residence or Adjust Status (I-485)
I	Biographic Information (Form G-325A)
J	Fingerprint Analysis Laboratory Report, dated November 20, 2018
K	Application for Naturalization (Form N-400)
L	Certificate of Naturalization No. [redacted]