



NATURALIZATION ALERT

Memos on Good Moral Character (GMC) and Neighborhood Visits

By Peggy Gleason

I. Introduction

This practice alert covers recent U.S. Citizenship and Immigration Services (USCIS) policy statements announced in August 2025 that could affect naturalization applicants. Two announcements directly pertain to naturalization applicants, while two others are directed at other types of immigration benefits applications. Note from the outset that these announcements do not change the legal eligibility requirements for naturalization.¹ The announcements are policy interpretations by USCIS.

With legal authority, the statute is always the controlling authority, followed by regulations. Here, neither of those has changed. Courts and the Board of Immigration Appeals can interpret statutes and regulations, and their precedent decisions are also controlling. Agencies can also make administrative interpretations with lesser legal authority. Most USCIS policy guidance of this kind is found in the USCIS Policy Manual.²

¹ To become a naturalized citizen, an applicant must meet nine basic requirements. There are some exceptions to these requirements that are written in to the statute and regulations for particular groups of applicants. The requirements can be found in the Immigration and Nationality Act (INA) §§ 312 through 337 and Title 8 of the Code of Federal Regulations (CFR) §§ 310 through 331.3 The nine requirements are that an applicant must:

- Be a lawful permanent resident;
- Be at least eighteen years old ;
- Have good moral character, keeping in mind certain specific “bars;”
- Be able to read, write, and speak English;
- Be able to demonstrate knowledge sufficient to pass a test on U.S. history and government;
- Have been a lawful permanent resident in the United States for at least five years (except in certain circumstances);
- Have continuous residence in the United States for the last five years (except in certain circumstances);
- Have been physically present in the United States for at least half of the five-year period (except in certain circumstances); and
- Take a loyalty oath to the United States and be attached to the principles of the U.S. Constitution.

For more information on naturalization law, please see the ILRC’s manual entitled, *Naturalization and U.S. Citizenship: The Essential Legal Guide*.

² USCIS centralizes its administrative guidance in the Policy Manual, which ultimately replaces the former guide used by adjudicators called the Adjudicator’s Field Manual. USCIS, *About the Policy Manual*, <https://www.uscis.gov/policy-manual> .

Administrative interpretations must comply with the statute and regulations. If the agency makes interpretations that contradict the statute and regulations, they are “ultra vires,” meaning beyond the power or legal authority granted to the agency. Such interpretations are in violation of the law, and they are subject to challenge.

II. Memorandum on GMC Evaluation

On August 15, 2025, USCIS issued a memo which states an intent to change how the agency will assess whether applicants meet the good moral character (“GMC”) requirements for naturalization.³ The memo can be found by searching the USCIS website, but as of the writing of this practice advisory, it is not in the official USCIS policy repository, the USCIS Policy Manual.

The language in the memo is vague, and it has no explicit effective date. It also contradicts existing law in statute and regulations as well as USCIS’s own Policy Manual, which has not changed on this topic.⁴

The existing requirement for naturalization is that during a specified period, generally five years before filing for naturalization but shorter for certain categories of applicants, the applicant must demonstrate that they have been and continue to be a person of good moral character, including the time between the naturalization interview and the oath of allegiance.⁵ The standard for evaluating GMC is that of the “average citizen in the community of residence.”⁶ There are certain acts and circumstances that are listed in the INA and the regulations that can be either a permanent bar to GMC,⁷ or a temporary bar if they take place during the period for which GMC is required by the statute.⁸ The statute describes GMC in the negative without defining it, stating certain acts that will prevent a finding of GMC if they occur during the statutory period. The statute also provides that there is a discretionary element to GMC adjudications.⁹

³ USCIS, *Restoring a Rigorous, Holistic, and Comprehensive Good Moral Character Evaluation Standard for [Noncitizens] Applying for Naturalization* (August 15, 2025)

https://www.uscis.gov/sites/default/files/document/policy-alerts/08.15.2025-Restoring_a_Good_Moral_Character_Evaluation_Standard_for_Aliens_Applying_for_Naturalization-Policy_Memorandum_FINAL.pdf .

⁴ 12 USCIS-PM F. describes the USCIS’s official interpretations of the GMC requirement, <https://www.uscis.gov/policy-manual/volume-12-part-f>.

⁵ 8 CFR § 316.10(a)(1).

⁶ 8 CFR § 316.10(a)(2).

⁷ 8 CFR § 316.10(b)(1).

⁸ 8 CFR § 316.10(b)(2).

⁹ INA § 101(f), states: “For the purposes of this chapter-

No person shall be regarded as, or found to be, a person of good moral character who, during the period for which good moral character is required to be established is, or was-

(1) a habitual drunkard;

(2) Repealed. Pub. L. 97–116, §2(c)(1), Dec. 29, 1981, 95 Stat. 1611 .

(3) a member of one or more of the classes of persons, whether inadmissible or not, described in paragraphs (2)(D), (6)(E), and (10)(A) of section 1182(a) of this title; or subparagraphs (A) and (B) of section 1182(a)(2) of this title and subparagraph (C) thereof of such section ⁷ (except as such paragraph relates to a

The new memo urges a GMC standard that would “go beyond the absence of disqualifying acts” and urges that, “[g]oing forward, USCIS officers must account for [a noncitizen’s] positive attributes, and not simply the absence of misconduct.”¹⁰ **Essentially, this new memo attempts to make the GMC requirement more rigorous and raise the bar to have and prove GMC.**

It is the ILRC’s opinion that this memo contradicts the structure of the statute and the regulations on GMC, which define GMC only in negative terms—that is, the law says what acts or circumstances will negate or weigh against GMC without defining it in substance.¹¹ The presence of certain defined circumstances in the history of a naturalization applicant must be examined in a totality of circumstances approach to determine whether the GMC requirement is met.¹² The memo also acknowledges the existing law in the Ninth Circuit, which requires a full balancing test of all positive and negative factors including education, family responsibilities, and employment when evaluating moral character.¹³ The memo nevertheless seems to raise the standard for approval by creating a bright line rule which does not exist in the statute or regulations, and therefore is *ultra vires*, or outside the law. If Congress intended to add this bright line rule of adding a requirement that positive attributes be documented for all applicants, they would have done so in section 101(f) of the INA, but Congress did not.

If adjudicators start applying the guidance outlined in the memo, it is possible that applicants will be asked additional questions during their interviews or be expected to submit additional materials with their applications. For now, we are suggesting that practitioners make applicants aware of the memo but not provide additional documentation that is not required by the statute, regulations, or USCIS Policy Manual. No one knows how USCIS adjudicators will implement the requirements stated in this memo. At this point, it is hard to predict what sorts of documents will be sufficient or if adjudicators will request certain additional documents to comply with the memo.

single offense of simple possession of 30 grams or less of marihuana), if the offense described therein, for which such person was convicted or of which he admits the commission, was committed during such period;

- (4) one whose income is derived principally from illegal gambling activities;
- (5) one who has been convicted of two or more gambling offenses committed during such period;
- (6) one who has given false testimony for the purpose of obtaining any benefits under this chapter;
- (7) one who during such period has been confined, as a result of conviction, to a penal institution for an aggregate period of one hundred and eighty days or more, regardless of whether the offense, or offenses, for which he has been confined were committed within or without such period;
- (8) one who at any time has been convicted of an aggravated felony (as defined in subsection (a)(43)); or
- (9) one who at any time has engaged in conduct described in section 1182(a)(3)(E) of this title (relating to assistance in Nazi persecution, participation in genocide, or commission of acts of torture or extrajudicial killings) or 1182(a)(2)(G) of this title (relating to severe violations of religious freedom).

The fact that any person is not within any of the foregoing classes shall not preclude a finding that for other reasons such person is or was not of good moral character.”

¹⁰ USCIS, Policy Memorandum, PM-602-0188, *Restoring a Rigorous, Holistic and Comprehensive Good Moral Character Evaluation Standard for [Noncitizens] Applying for Naturalization* (August 15, 2025).

¹¹ INA § 101(f).

¹² 12 USCIS-PM F.5.; *Torres Guzman v. INS*, 804 F. 2d 531 (9th Cir. 1986); *Matter of Sanchez-Linn*, 20 I&N 362 (BIA 1991).

¹³ *Hussein v. Barrett*, 820 F. 3d 1083 (9th Cir. 2016).

III. Positive Attributes or Contributions

While the memo recognizes the need for a totality of the circumstances test, it places a new emphasis on the need to demonstrate positive attributes or contributions in all naturalization cases, not just the absence of negative factors. The memo goes on to name specific positive and negative factors to consider, several of which contradict existing guidance.

For positive factors, the memo urges adjudicators to look for:

“Sustained community involvement and contributions in the United States.

- Family caregiving, responsibility, and ties in the United States.
- Educational attainment.
- Stable and lawful employment history and achievements.
- Length of lawful residence in the United States.
- Compliance with tax obligations and financial responsibility in the United States.”

These factors are not in statute or regulations, nor are they in the USCIS Policy Manual. They are not new eligibility criteria for naturalization since the law has not changed. There is an existing requirement that naturalization applicants who fail to pay taxes or willfully fail to support dependents during the statutory GMC period must establish extenuating circumstances to demonstrate GMC, but that standard is much more generous and forgiving than what is stated in this memo.¹⁴ Notably, the memo does not address the existing standard guidance.

For most applicants, the data on their completed N-400 form could be sufficient to demonstrate the new requirements set out in the memo as the form contains the following information:

- Time in the United States as a lawful permanent resident (Part 4 of the application);
- Employment and/or education history (Part 7 of the application);
- Compliance with tax obligations (Part 9 of the application); and
- Financial responsibility (Parts 6 and 9 of the application); and
- Family caregiving, responsibility, and ties in the United States (Parts 4, 6, 7 and 9 of the application).

Applicants should be prepared to point out these positive factors that are already contained within the application if asked.

IV. Rehabilitation and Wrongdoing

The memo goes on to say that acts showing rehabilitation and reformation should be examined if the applicant has “engaged in wrongdoing.” Specific circumstances showing such rehabilitation include, according to the memo, but in contradiction to USCIS’s Policy Manual:

¹⁴ 8 CFR § 316.10(b)(3)(i); 12 USCIS-PM F.5.K., Conditional Bars to Good Moral Character, discusses *willful* failure to support dependents as a negative act if it occurs during the years when GMC is required. The applicant who makes a good faith effort to repay or who is unemployed can be forgiven for this circumstance. Failure to pay taxes is considered a conditional act that can be a negative consideration in assessing GMC, but the USCIS Policy Manual explicitly allows an applicant to establish extenuating circumstances or to make arrangements in a payment plan to pay overdue taxes. 12 USCIS-PM F.5.L.1.

“Rectifying overdue child support payments or other family obligations.

- Compliance with probation or other conditions imposed by a court.
- Community testimony from credible sources attesting to [noncitizen’s] ongoing GMC.
- Reformation or mentoring those with similar past.
- Full repayment of overpayment of benefits such as SSI.
- Full payment of overdue taxes.”

As noted, the USCIS Policy Manual does not require full repayment of taxes, but a case-by-case analysis of the tax obligations by adjudicators to review for extenuating circumstances and a good faith effort to correct any inconsistencies, including making arrangements for a payment plan. Other factors named here, such as probation, are already in existing regulations, but the requirement is different. Regulations provide that GMC may not be established while an individual is on probation but may be approved after probation is completed.¹⁵

Practice Tip: Practitioners should regard this new memo with skepticism and be prepared to show adjudicators where it conflicts with the statute, regulations, and USCIS Policy Manual. To date, there are no reports that adjudicators are trained in applying the standards the memo describes. To be cautious, however, the affirmative factors that the memo requests adjudicators to examine might be recited in a brief paragraph in a cover letter where possible. Applicants should be advised that USCIS might ask questions in these areas. Applicants could also point out during an interview where in the N-400 many of these positive factors, such as length of residence in the United States, education, employment, and family ties are already captured. Documentation of affirmative factors is not required by the N-400 or its instructions. If practitioners and applicants have time to gather documentation of positive equities, it is best to keep those in reserve should a question at interview or an RFE ask the applicant to produce them.

V. Memo on Neighborhood Visits for Naturalization Applicants

On August 22, 2025, USCIS issued a memo that prescribes neighborhood visits to investigate naturalization applicants for scrutiny of the applicant’s residency, GMC, and attachment to the U.S. Constitution. As with the GMC memo, this change in policy was not included in the official USCIS policy announcements, and it does not exist in the Policy Manual. As with the GMC memo, it is a policy memo issued without an author.¹⁶

The memo purports to revive an anachronistic provision of the INA that allowed for personal investigations of naturalization applicants, a provision which the Attorney General can waive, and which has not been used since 1991. As stated by the former Commissioner of the agency, Doris Meissner, the neighborhood visits were discontinued in the 1990s because they

¹⁵ 8 CFR § 316.10(c)(1).

¹⁶ USCIS Policy Memorandum, *Resumption of Personal Investigations of [Noncitizens] Applying for Naturalization (INA 335(a))* (Aug. 22, 2025) https://www.uscis.gov/sites/default/files/document/policy-manual/PM-602-0189_INA335.pdf.

were labor intensive and seldom produced useful information. Instead, USCIS relies on background checks.¹⁷

The memo states that neighborhood visits will be implemented by instructions in the USCIS Policy Manual, but there are no provisions in the Policy Memo to date that cover this. The decision to conduct or waive a neighborhood investigation will be made on “an individualized discretionary basis after reviewing relevant information contained in the records before USCIS.”¹⁸

The memo suggests that USCIS may request additional information from naturalization applicants such as testimonial letters from neighbors, employers, co-workers, and business associates. It also states that if such evidence is not contained in the naturalization application, USCIS may request it with an RFE. The decision whether to conduct a neighborhood investigation will be based on evidence presented, and an applicant’s “failure or refusal to provide such evidence may lead to a neighborhood investigation which may impact the [noncitizen’s] ability to establish their eligibility for naturalization.”¹⁹

Unless and until there are operational instructions on how this memo will be implemented, we advise applicants to refrain from submitting extra documents except in response to an RFE. The statute, regulations, and USCIS Policy Manual have not changed, and until there are some clear instructions from USCIS, applicants have no way of knowing what specifically is required.

VI. Revisions to USCIS Policy Manual of False Claim to U.S. Citizenship and Inadmissibility

Not impacting naturalization eligibility, but of interest, are two other policy announcements in late August. On August 20, 2025, USCIS revised the chapter of the USCIS Policy Manual that describes inadmissibility for false claims to U.S. citizenship.²⁰ The USCIS Policy Manual has not been changed with respect to the impact of false claims on GMC for naturalization.²¹

A false claim to U.S. citizenship can render an applicant inadmissible²² or deportable,²³ as well as being a conditional bar to GMC as an unlawful act that occurs during the statutory period for

¹⁷ CBS News, *USCIS to Resume “neighborhood checks” for Citizenship Applications as part of Trump Push to Heavily Vet Immigrants* (Aug. 26, 2025) <https://www.cbsnews.com/news/neighborhood-checks-citizenship-applications/>.

¹⁸ USCIS Policy Memorandum, *Resumption of Personal Investigations of [Noncitizens] Applying for Naturalization (INA 335(a))* (Aug. 22, 2025).

¹⁹ *Id.*

²⁰ USCIS, Policy Alert, *False Claim to U.S. Citizenship* (Aug. 20, 2025) revising Volume 8: Admissibility , Part K, <https://www.uscis.gov/sites/default/files/document/policy-manual-updates/20250820-FalseClaimToUSCitizens>.

²¹ 12 USCIS-PM F.5., Conditional Bars for Acts in the Statutory Period, describes a false claim to U.S. citizenship as a conditional bar but advises adjudicators that it must be knowing and must be examined on a case-by-case basis for extenuating circumstances.

²² INA § 212(a)(6)(C)(ii)(I).

²³ INA § 237(a)(3)(D)(i).

which GMC is required.²⁴ The new language was added to the USCIS Policy Manual in the chapter that covers inadmissibility and emphasizes that a false claim need not be made knowingly to trigger inadmissibility. It is not a substantial change from prior USCIS policy.²⁵ USCIS did not change the language in Volume 12 the Policy Manual regarding false claims and their impact on GMC for naturalization as an unlawful act: guidance there requires that the act of the false claim be “knowing” in order to impact GMC.²⁶

VII. USCIS Consideration of “Anti-Americanism”

In another recent development, USCIS has added new factors for consideration in discretionary applications.²⁷ Naturalization is not an application where discretion is an element.²⁸ Discretion can be an element in determining GMC, but discretion is not one of the eligibility criteria for naturalization. However, discretion is an element in adjustment of status and employment authorization, among other applications. We include reference to it here for awareness, while reiterating that it **does not apply** to naturalization.

The changes add language stating that discretion can include negative consideration of “Anti-American” or “terrorist” activities when making certain discretionary decisions, described as “circumstances where [a noncitizen] has endorsed, promoted, supported, or otherwise espoused the views of a terrorist organization or group, including those who support or promote anti-American ideologies or activities, antisemitic terrorism, antisemitic terrorist organizations, and antisemitic ideologies, in any case involving an exercise of discretion. In cases where the [non-citizen] engaged in such activities, USCIS will enforce all relevant immigration laws to the maximum degree, including the use of discretion, to deny the benefit request.”²⁹ Here, too, it is still unclear how this will be applied in discretionary benefits adjudications.

²⁴ 12 USCIS-PM F.5.

²⁵ USCIS, Policy Alert, *False Claim to U.S. Citizenship* (Aug. 20, 2025) revising Volume 8: Admissibility, Part K, <https://www.uscis.gov/sites/default/files/document/policy-manual-updates/20250820-FalseClaimToUSCitizens>. The revisions emphasize that the BIA’s decision in *Matter of Zhang*, 27 I&N Dec. 569 (BIA 2019), applies to determinations of inadmissibility and supersedes all prior USCIS interpretations on false claims to U.S. citizenship. *Zhang* held that it is not necessary to show intent to find a noncitizen deportable for a false claim to U.S. citizenship, and USCIS also applies this holding to inadmissibility findings.

²⁶ 12 USCIS-PM F.5.

²⁷ USCIS, Policy Alert, *Clarifying Discretionary Factors in Certain Immigration Benefit Requests* (Aug. 19, 2025) <https://www.uscis.gov/sites/default/files/document/policy-manual-updates/20250819-DiscretionaryFactors.pdf>.

²⁸ The USCIS Policy Manual lists which applications have discretion as an element, and which do not at I USCIS-PM E.8. Naturalization is not a discretionary application, nor is an application for a Certificate of Citizenship, <https://www.uscis.gov/policy-manual/volume-1-part-e-chapter-8>.

²⁹ USCIS, Policy Alert, *False Claim to U.S. Citizenship* (Aug. 20, 2025) revising Volume 8: Admissibility, Part K, <https://www.uscis.gov/sites/default/files/document/policy-manual-updates/20250820-FalseClaimToUSCitizens>.

VIII. Conclusion

To state the obvious, this is a challenging environment for immigration advocates and naturalization applicants. The standards described in these memos will disproportionately impact low-income or low-literacy applicants who actually meet the requirements for naturalization but may not have all the documents for positive attributes that these memos suggest. This is yet another indication that the present administration wants to create barriers to immigration benefits for certain groups of people that they dislike.

The GMC eligibility requirement for naturalization has not changed. The GMC memo does not change the statute, the regulations or the USCIS Policy Manual. Advocates should be prepared to challenge adjudicators who vary from the published policies by presenting the text of the USCIS Policy Manual, regulations, and INA. No additional documents are required by the N-400 and instructions. A paragraph in a cover letter might summarize an applicant's positive equities, but any documentation gathered of these factors may best be held in abeyance until USCIS requests it specifically.

The neighborhood visits policy announcement has no implementation details. At this time, the legal requirements for naturalization have not changed and the form and instructions do not require extra documentation.

False claims to U.S. citizenship have to be “knowing” to be a conditional bar to GMC as an unlawful act, but in inadmissibility and deportability evaluations, intent is not required.

Changes to discretionary factors to include anti-Americanism in the USCIS Policy Manual should not impact a naturalization adjudication. Naturalization is not a discretionary application.

Resources: Ready to Stay, with ILRC, recently issued a practice advisory, Risk Assessment for Naturalization Applicants. This was issued before the recent USCIS memos, but it has valuable information. Also see the ILRC manual, *Naturalization and U.S. Citizenship: The Essential Legal Guide* (updated February 2025, before these new USCIS memos).



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