



August 15, 2025

PM-602-0188

Policy Memorandum

SUBJECT: Restoring a Rigorous, Holistic, and Comprehensive Good Moral Character Evaluation Standard for Aliens Applying for Naturalization

Purpose

Evaluating aliens seeking to become naturalized is the most sacred and profound responsibility that U.S. Citizenship and Immigration Services (USCIS) is charged with performing. Becoming a naturalized U.S. citizen means being an active and responsible member of society instead of just having a right to live and work in the United States. Among other eligibility factors, aliens applying for naturalization must demonstrate that he or she has been and continues to be an individual of good moral character (GMC). Evaluating GMC involves more than a cursory mechanical review focused on the absence of wrongdoing. It entails a holistic assessment of an alien's behavior, adherence to societal norms, and positive contributions that affirmatively demonstrate good moral character.

This memorandum charts an improved direction for making GMC determinations and signals a return to a comprehensive, totality of circumstances approach to GMC under section 101(f) of the Immigration and Nationality Act (INA).

Authority

- [INA 101\(a\)\(43\)](#) – Definition of “aggravated felony”
- [INA 103\(a\)](#) – Powers and duties of the Secretary of Homeland Security

Background

Pre-1990 Discretionary Framework

Before the early 1990s, INS officers determined GMC broadly through a model that treated the bars in INA 101(f) as the minimum disqualifiers, not as exclusive criteria. Officers considered

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rehabilitative evidence, volunteer service, family responsibilities, and other positive traits in weighing GMC.¹

Post-1990 Statutory Changes

The Immigration Act of 1990² expanded the definition of “aggravated felony” to include offenses committed on or after November 29, 1990, creating a permanent bar to GMC and moving away from considering individual circumstances for those convictions. Later, Illegal Immigration Reform and Immigrant Responsibility Act (IIRIRA)³ introduced fixed bars for issues like drug offenses, fraud, and misrepresentation, further pushing the policy toward a firm checklist that equated GMC with the absence of statutory disqualifications rather than the presence of positive moral conduct and character.

Current Legal Framework

Under INA 316(a) and 8 CFR 316.2, officers apply the preponderance of evidence standard to all naturalization requirements. Although certain bars remain unconditional and permanent (e.g., murder, aggravated felony, torture and genocide) for which no exceptions exist, the statute also includes a “catch-all clause”, stating that an alien may lack good moral character even if he or she does not commit an offense within one of the nine enumerated classes.⁴ In assessing conditional bars officers have authority—and now explicit directive—to weigh all relevant evidence, both adverse and favorable, before granting or denying naturalization.

GMC Standard: Naturalization is envisioned not simply as a procedural immigration benefit—the greatest of all—but a significant legal transformation, an assimilation to a country that demands both allegiance and character. A step towards naturalization is determining whether an alien has met the requirement of demonstrating GMC. Section 316(a)(3) requires that an alien applying for naturalization “has been and still is a person of good moral character” during the statutory period. USCIS determines whether an alien has met the GMC requirement on a case-by-case basis. The standard of proof for all naturalization decisions, including GMC, is preponderance of the evidence. This means that aliens must show it is more likely than not that they have met all the requirements for naturalization.

The regulations and policy affirm that GMC findings must go beyond the absence of disqualifying acts, it must reflect a genuine positive assessment of who the alien is and how they have lived in their community. Thus, GMC has generally meant a character commensurate with the standards of average citizens of the community in which the alien resides.⁵

¹ See [Citizenship USA “CUSA” Office of Inspector General Report](#), regarding [the “good moral character” standard and changes in the naturalization process](#).

² See Pub. L. 101-649, 104 Stat. 4978, 1990.

³ See Pub. L. 104-208, 110 Stat. 3009, 1996.

⁴ See [INA 101\(f\)](#).

⁵ See *In re Mogus*, 73 F.Supp. 150 (W.D. Pa. 1947) (moral standard of average citizen).

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Furthermore, case law has echoed this understanding. In *Hussein v. Barrett*,⁶ the court recognized the importance of considering both negative and positive counterbalancing factors, including education, family responsibilities, and employment, when evaluating moral character. And in *Matter of Castillo-Perez*,⁷ the Attorney General reaffirmed that repeated criminal conduct such as multiple DUI convictions undermines moral character unless rebutted by affirmative evidence of reform. In summary, the INA “does not specifically define what ‘good moral character’ is”--but it does “quite explicitly state[] what it is *not*.”⁸ Section 101(f) of the Act provides that “[n]o 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,” a person falling within any of nine listed categories. Although a “moral conventions” test may sometimes be “difficult” to apply,⁹ that does not mean it lacks discernible content.

Totality of Circumstances Approach: Going forward, USCIS officers must account for an alien’s positive attributes and not simply the absence of misconduct. In evaluating whether or not an alien has met the requirement of establishing GMC the Officer must take a holistic approach in evaluating whether or not an alien seeking naturalization has affirmatively established that he or she has met their burden of establishing that they are worthy of assuming the rights and responsibilities of United States Citizenship.

Greater Emphasis on Positive Attributes or Contributions

USCIS will place greater emphasis on an alien’s positive attributes and contributions in GMC determinations. These positive factors include, but are not limited to:

- 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.

Greater Scrutiny of Disqualifying Behavior and Action

USCIS will focus greater attention on whether an alien has engaged in any behavior or act that disqualifies the alien from being found to be a person of good moral character. Disqualifying behavior or actions include, but are not limited to:

- Permanent bars to GMC,¹⁰ such as murder, aggravated felony, crimes of violence, persecution, genocide, torture, or severe violations of religious freedom.

⁶ See *Hussein v. Barrett*, 820 F.3d 1083 (9th Cir. 2016).

⁷ See *Matter of Castillo-Perez*, 27 I&N Dec. 664 (A.G. 2019).

⁸ See *United States v. Jean-Baptiste*, 395 F.3d 1190, 1193 (11th Cir. 2005).

⁹ See *Repouille v. United States*, 165 F.2d 152, 153 (2d Cir. 1947).

¹⁰ See USCIS Policy Manual, [12 USCIS-PM F.4](#), Permanent Bars to Good Moral Character.

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- Conditional bars to GMC,¹¹ such as controlled substances violations, two or more convictions for driving under the influence (DUI), false claim to U.S. citizenship, unlawful voter registration, or unlawful voting.
- Any other acts that are contrary to the average behavior of citizens in the jurisdiction where aliens reside. These could be actions that, while technically lawful, may be inconsistent with civic responsibility within the community, such as reckless or habitual traffic infractions, or harassment or aggressive solicitation.
- In assessing acts that are unlawful or contrary to the average behavior of citizens of the community in which the alien resides USCIS will review all available documentation and question aliens seeking naturalization regarding the specific circumstances of their actions to determine if a particular situation or act should bar an alien from naturalization.

Rehabilitation and Reformation

USCIS will also focus greater attention on ensuring that aliens who have engaged in wrongdoing are properly rehabilitated and reformed. Consistent with the totality of circumstances approach, evidence of genuine rehabilitation may support a finding of GMC. This includes, but is not limited to:

- 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 alien's ongoing GMC.
- Reformation or mentoring those with similar past.
- Full repayment of overpayment of benefits such as SSI.
- Full payment of overdue taxes.

This approach will empower USCIS officers to review the complete history of aliens seeking naturalization, where no regulatory or statutory bars exist, and require such aliens to present their full story, demonstrating how their life aligns with a pattern of behavior that is consistent with the current ethical standards and expectations of the community in which they reside.

¹¹ See USCIS Policy Manual, [12 USCIS-PM F.5](#), Conditional Bars for Acts in Statutory Period.