If you are preparing to apply for U.S. citizenship — or are already in the middle of the process — a recent policy change from U.S. Citizenship and Immigration Services (USCIS) deserves your immediate attention. The agency has issued new guidance that expands how adjudication officers evaluate **good moral character (GMC)** by factoring in an applicant's public benefits history and financial obligations.

Here is what the update means, what it does *not* mean, and how you can protect your naturalization case.

What Changed?

Under the Immigration and Nationality Act, every naturalization applicant must demonstrate good moral character during the statutory period — typically the three or five years immediately before filing Form N-400. USCIS officers have always had discretion to look at a range of conduct when making that determination.

The new guidance makes explicit that officers **may now consider**:

- **Public benefits fraud** — obtaining government benefits through misrepresentation, false documents, or failure to report changes in income or household composition.
- **Failure to support dependents** — neglecting a legal duty to provide financial support to a spouse, child, or other dependent.

- **Unmet financial sponsorship obligations** — failing to honor commitments made on Form I-864, Affidavit of Support, which is a legally enforceable contract between the sponsor and the U.S. government.

USCIS has also announced plans to **update Form N-400** to collect additional information related to public benefits receipt and dependent support — meaning applicants will likely face new questions on the application itself.

What Has *Not* Changed?

It is critical to understand what this guidance does **not** say:

> **Legally receiving public benefits does not automatically disqualify you from citizenship.**

Programs like Medicaid, SNAP, housing assistance, or other federal and state benefits — when received lawfully and in accordance with eligibility rules — are not, by themselves, a bar to good moral character. The focus of the new guidance is on **fraud, misuse, and failure to meet financial obligations**, not on the mere act of using benefits you are entitled to receive.

Additionally, officers are required to **evaluate each applicant's circumstances individually**. There is no blanket rule or

automatic denial. Context matters — and that is exactly where proper legal preparation becomes essential.

Why This Matters for Applicants

This expanded review introduces several practical risks for citizenship applicants:

1. Greater Scrutiny at the Interview

Officers now have clear authority to ask detailed questions about your benefits history, your dependents, and whether you have met your sponsorship obligations. Vague or inconsistent answers could raise red flags.

2. New Questions on Form N-400

Once the updated form is released, applicants will need to disclose information they may not have been asked before. Incomplete or inaccurate responses — even unintentional ones — can create serious problems, including allegations of misrepresentation.

3. Affidavit of Support Liability

If you previously sponsored a family member's green card by signing Form I-864, your obligation to support that person financially does not expire upon divorce or separation. It continues until the sponsored immigrant works 40 qualifying quarters, becomes a U.S. citizen, permanently leaves the country, or passes away. Failing to honor this commitment could now weigh against your own moral character determination.

4. Past Conduct Can Resurface

Even if a benefits-related issue occurred years ago and was resolved, it could still be relevant if it falls within the statutory period — or if USCIS determines it reflects on your overall character.

How to Protect Your Naturalization Case

If any of the following apply to you, it is important to address them **before** filing your N-400:

- You received public benefits during the statutory period
- You have ever been investigated for or accused of benefits fraud
- You signed an Affidavit of Support (Form I-864) for a family member

- You have outstanding child support or spousal support obligations
- You are unsure whether your benefits were received in full compliance with program rules

Here are the steps we recommend:

1. **Gather your records.** Collect documentation of all public benefits received, child or spousal support payments, and any I-864 obligations. Having a clear paper trail is your best defense.
2. **Review your I-864 history.** If you sponsored someone, confirm whether your obligation has terminated — and if not, ensure you are meeting it.
3. **Resolve outstanding issues.** Address unpaid support, overpayment notices, or any pending investigations before they become obstacles at your interview.
4. **Be truthful on the application.** Misrepresentation on Form N-400 is itself a bar to good moral character — and can carry consequences far beyond a denied citizenship application.
5. **Consult an experienced immigration attorney.** The intersection of benefits law, family law, and immigration law is complex. An attorney can assess your specific situation, identify risks, and help you present the strongest possible case.

The Bottom Line

USCIS is sending a clear signal: financial responsibility is now a more prominent factor in the citizenship equation. But this

guidance is not designed to punish people for being poor or for using benefits they are legally entitled to receive. It targets **fraud, neglect of dependents, and broken sponsorship promises**.

The key takeaway? **Preparation and transparency are everything.** The applicants who will navigate this change successfully are those who understand the new expectations, organize their records, and address potential issues head-on — ideally with qualified legal counsel at their side.

How Lunel Law Can Help

At **Lunel Law**, we understand that the path to citizenship is both deeply personal and legally complex. Our immigration team stays current on every policy shift so that our clients are never caught off guard.

If you are considering applying for naturalization — or if you have concerns about how this new guidance may affect a pending application — we are here to help. We will review your situation, identify any areas of risk, and guide you through the process with clarity and confidence.

NOTE

This blog post is for informational purposes only and does not constitute legal advice. Immigration law is highly fact-specific, and outcomes vary based on individual circumstances. For guidance tailored to your situation, please consult directly with a

qualified immigration attorney.