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U.S. Citizenship
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USCIS Updates Military Naturalization Guidance for Calixto Class Members

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U.S. Citizenship and Immigration Services published updated guidance in the [USCIS Policy Manual](#) as a result of a settlement agreement in *Calixto v. Department of the Army*, Civ. A. No. 18-1551 (PLF) (D.D.C.), known as the Calixto Agreement. In the Calixto Agreement, effective Sept. 22, 2022, the U.S. Army agreed to certify [Form N-426, Request for Certification of Military or Naval Service](#), for Calixto class members. As a result, these class members may become eligible for naturalization under section 329 of the Immigration and Nationality Act (INA), even before attending initial entry training. This update applies only to Calixto class members filing for military naturalization.

This [guidance \(PDF, 332.65 KB\)](#), contained in Volume 12 of the Policy Manual, applies to all currently pending applications as well as to applications filed on or after Sept. 22, 2022. The updated guidance:

- Provides that USCIS considers Calixto class members who have a certified Form N-426 to have met the required period of honorable service for naturalization eligibility under INA 329; and
- Explains that Calixto class members may provide a copy of the Calixto Agreement, along with a certified Form N-426 and [Form N-400, Application for Naturalization](#), as a substitute for identifying the type and duration of service in the Form N-426, and as evidence of honorable service or an under honorable conditions discharge. Including the agreement and annotating Form N-400 and Form N-426 with "Calixto" at the top will help USCIS identify Calixto class members and process their applications more efficiently. Applicants who file Form N-400 online do not need to write "Calixto" at the top of their Form N-400 but should write it at the top of their Form N-426.

The U.S. Army entered into the Calixto Agreement on Sept. 22, 2022. Calixto class members are individuals who enlisted in the U.S. Army as part of the Military Accessions Vital to National Interest (or MAVNI) pilot program on or before Sept. 30, 2017, who were not discharged as of Sept. 22, 2022, or had received a discharge that was not characterized as honorable, general under honorable conditions, other than honorable conditions, bad conduct, or dishonorable. The class includes those who enlisted in the Selected Reserve of the Ready Reserve Delayed Training Program or Regular Army Delayed Entry Program. For more information on requesting a certified Form N-426, please reach out to the Army at usarmy.pentagon.hqda-otjag.mbx.mavnissettlement@army.mil, and visit the [Army Judge Advocate General website](#).

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