U.S. Department of Homeland Security
U.S. Citizenship and Immigration Services
Office of the Director
Camp Springs, MD 20588-0009

U.S. Citizenship and Immigration Services

September 26, 2025 PA-2025-22

Policy Alert

SUBJECT: Naturalization Guidance for Alien Service Members

Purpose

U.S. Citizenship and Immigration Services (USCIS) is issuing guidance in the USCIS Policy Manual to explain why uncharacterized discharges no longer meet the requirement of a separation "under honorable conditions" for former alien service members to naturalize under Sections 328 and 329 of the Immigration and Nationality Act (INA), and to explain changes in process for former alien service members who had been receiving naturalization interviews and oath ceremony services at land ports of entry.

Background

Since World War I, the United States has accorded servicemen certain exemptions from the then-existing naturalization requirements.[1] Alien military service members and certain veterans who have served honorably[2] in the U.S. armed forces may qualify for naturalization with some statutory exemptions to the general requirements in recognition of their important sacrifices and commitment to the security of the United States.

The requirement for honorable service is what frames the special provision for the military service aside from the general requirements for other aliens. The requirement that qualifying military service is honorable aligns with a devotion to duty and loyalty, while contributing to the well-being of the nation and its citizens, thereby reflecting a commitment to serving the nation, upholding the law, and demonstrating integrity and courage.

An alien who has served honorably in the U.S. armed forces, and if separated, was separated "under honorable conditions," may be eligible for naturalization under INA 328 if he or she served 1 year or more at any time, or under INA 329 if he or she served for any length of time during a specifically designated period of hostility.

[1] See The Immigrant Army: Immigrant Service Members in World War I.
[2] See INA 328(a) and INA 329(a).

USCIS is unable to make a determination about an alien service member's type of service characterization or discharge independent of the U.S. Department of War (DOW).[3] Both INA 328[4] and INA 329[5] are clear that the separation must be "under honorable conditions" and the authority to determine if the discharge was "under honorable conditions" rests with the DOW. On August 1, 2024, the then-U.S. Department of Defense (DOD) amended the Department of Defense Instructions (DODI) to no longer include language that the court in *Alam v. USCIS* identified[6] as treating an "uncharacterized" discharge as "under honorable conditions" for "administrative matters." USCIS is now updating its guidance for consistency with the DODI.

In addition, USCIS is rescinding guidance related to offering naturalization interviews and oath ceremonies for former service members at ports of entry based on Executive Order 14148, Initial Recissions of Harmful Executive Orders and Actions (January 20, 2025), which rescinds guidance related to Executive Order 14012, Restoring Faith in Our Legal Immigration Systems and Strengthening Integration and Inclusion Efforts for New Americans.[7]

This guidance, contained in Volume 12 of the Policy Manual, is effective immediately and applies to all naturalization applications pending or filed on or after the publication date. The guidance contained in the Policy Manual is controlling and supersedes any related prior guidance.

Policy Highlights

- Explains that "Honorable" and "General-Under Honorable Conditions" are the only two accepted discharge characterizations to determine if an alien qualifies as having served under "honorable conditions."

- Provides that the DOW's discharge description of "Uncharacterized" on the DD Form 214 will no longer be deemed as a separation under "honorable conditions" when the separation occurred on or after August 1, 2024.[8]

- Identifies that aliens who separated or were discharged from the military under less than honorable conditions for reasons like failure to comply with COVID vaccination requirements may request a change in the "characterization of their discharge" with DOW and that USCIS will rely on submitted official discharge documents for former service

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[3] Formerly the U.S. Department of Defense. Executive Order 14347, Restoring the United States Department of War, 90 FR 43893 (Sept. 5, 2025), restored the Department's name to the Department of War.
[4] See INA 328(a) ("A person who has served honorably at any time in the armed forces of the United States for a period or periods aggregating one year, and, who, if separated from such service, was never separated except under honorable conditions…"). See INA 328(b)(3) ("[T]he applicant shall furnish to the Secretary of Homeland Security…a certified statement from the proper executive department for each period of his service…clearly showing that such service was honorable and that no discharges from service… were other than honorable.").
[5] See INA 329(a) ("The executive department under which such person served shall determine whether persons have served honorably in an active-duty status, and whether separation from such service was under honorable conditions.").
[6] See *Alam v. USCIS*, 592 F.Supp.3d 810, 821–22 (D. Minn. 2022) (considering the DODI in order to determine "what the military meant when it determined that [the] discharge was 'uncharacterized'").
[7] See 90 FR 8237 (Jan. 20, 2025).
[8] See Enlisted Administration Separations, U.S. Department of Defense Instruction No. 1332.14.

members to determine if they served honorably and were separated under honorable conditions.

- Provides that USCIS will no longer coordinate with U.S. Customs and Border Protection to have USCIS officers conduct a naturalization interview and oath ceremony of certain alien veterans at a port of entry.

- Provides that former alien service members of the U.S. armed forces who reside overseas must seek a visa or parole to enter the United States for a naturalization interview.

- Replaces all instances of the term "Department of Defense" with "Department of War" as appropriate in accordance with Executive Order 14347, Restoring the United States Department of War (September 5, 2025).

Summary of Changes

Affected Section: Volume 12 > Part I > Chapter 1 > Section A, Purpose

- Revises section in its entirety.

Affected Section: Volume 12 > Part I > Chapter 2 > Section A, General Eligibility through One Year of Military Service During Peacetime

- Adds new Section A (Background).

- Redesignates former Section A (General Eligibility through One Year of Military Service During Peacetime), as new Section B (General Eligibility through One Year of Military Service During Peacetime) and revises language.

Affected Section: Volume 12 > Part I > Chapter 2 > Section B, Honorable Service

- Redesignates former Section B (Honorable Service) as new Section C (Honorable Service).

- Adds new introductory paragraph.

- Adds new Subsection 1 (Qualifying Military Service) and revises subsection in its entirety.

- Adds new Subsection 2 (Multiple Periods of Service).

Affected Section: Volume 12 > Part I > Chapter 2 > Section C, National Guard Service

- Redesignates former Section C (National Guard Service) as new Section D (National Guard Service) and revises paragraph language.

Affected Section: Volume 12 > Part I > Chapter 2 > Section D, Continuous Residence and Physical Presence Requirements

- Redesignates former Section D (Continuous Residence and Physical Presence Requirements) as new Section E (Continuous Residence and Physical Presence Requirements) and revises language.

Affected Section: Volume 12 > Part I > Chapter 3, Military Service during Hostilities (INA 329) > Section A, General Eligibility through Military Service during Hostilities

- Adds new Section A (Background).

- Redesignates former Section A (General Eligibility through Military Service during Hostilities), as new Section B (General Eligibility through Military Service during Hostilities) and revises language.

Affected Section: Volume 12 > Part I > Chapter 3 > Section B, Honorable Service

- Redesignates former Section B (Honorable Service) as new Section C (Honorable Service).

- Revises Subsection 1 (Qualifying Military Service) content in its entirety.

- Revises language in Subsection 2 (Multiple Periods of Service).

- Deletes Subsection 3 (Certification by Executive Department).

Affected Section: Volume 12 > Part I > Chapter 3 > Section C, National Guard Service

- Redesignates Section C (National Guard Service) as new Section D (National Guard Service) and revises language in the first paragraph.

Affected Section: Volume 12 > Part I > Chapter 3 > Section D, Designated Periods of Hostilities

- Redesignates former Section D (Designated Periods of Hostilities) as new Section E (Designated Periods of Hostilities).

Affected Section: Volume 12 > Part I > Chapter 3 > Section E, Eligibility as Permanent Resident and Naturalization during Hostilities

- Redesignates former Section E (Eligibility as Permanent Resident and Naturalization during Hostilities) as new Section F (Eligibility as Permanent Resident or if Present in United States at Induction or Enlistment) and revises language.

Affected Section: Volume 12 > Part I > Chapter 3 > Section F, Conditional Permanent Resident and Naturalization during Hostilities

- Redesignates former Section F (Conditional Permanent Resident and Naturalization during Hostilities) as new Section G (Conditional Permanent Resident and Naturalization during Hostilities) and revises language.

Affected Section: Volume 12 > Part I > Chapter 3 > Section G, Department of Defense Military Accessions Vital to National Interest Program

- Redesignates former Section G (Department of Defense Military Accessions Vital to National Interest Program) as new Section H (Military Accessions Vital to National Interest Program) and makes other technical changes consistent with this update.
- Revises first paragraph and adds new second paragraph in Subsection 1 (Background).
- Revises language in Subsection 2 (General Eligibility Requirements).
- Revises language in Subsection 3 (Other Factors to Consider).

Affected Section: Volume 12 > Part I > Chapter 3 > Section H, Veterans Residing Outside the United States

- Redesignates former Section H (Veterans Residing Outside the United States) as new Section I (Veterans Residing Outside the United States).
- Revises language throughout within subheading (Admission or Parole into United States for Naturalization Interview).
- Revises language throughout within subheading (Documentation).
- Deletes subheading (Land Port of Entry) in its entirety.
- Revises language throughout within subheading (Failure to Appear at Interview).
- Revises language throughout within subheading (Jurisdiction).

Affected Section: Volume 12 > Part I > Chapter 5 > Section A, Required Forms

- Revises first paragraph.
- Redesignates subheading (Application for Naturalization (Form N-400) as new Subsection 1 (Application for Naturalization (Form N-400) and revises first paragraph and adds new second paragraph.
- Adds new subheading (USCIS Review) and moves current second and third under new subheading and revises language.
- Adds new Subsection 2 (Documentation as a Current or Former Service Members of the U.S. Armed Forces) and moves subheading (Request for Certification of Military or Naval Service (Form N-426) under new Subsection and revises language.
- Revises language throughout within subheading (Discharge Documents).

Affected Section: Volume 12 > Part I > Chapter 5 > Section B, Fee Exemptions

- Revises language in the first, second, and third bullet points.

Affected Section: Volume 12 > Part I > Chapter 5 > Section C, Filing Location and Initial Processing

- Revises language in the second and third paragraphs.

Replaces all instances of the term "Department of Defense" with "Department of War" throughout the Policy Manual, as appropriate.

USCIS may also make other minor technical, stylistic, and conforming changes consistent with this update.

Citation

Volume 12: Citizenship and Naturalization, Part I, Military Members and their Families, Chapter 1, Purpose and Background [12 USCIS-PM I.1], Chapter 2, One Year of Military Service during Peacetime (INA 328) [12 USCIS-PM I.2], Chapter 3, Military Service during Hostilities (INA 329) [12 USCIS-PM I.3], and Chapter 5 Application and Filing for Service Members (INA 328 and 329) [12 USCIS-PM I.5].