

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

ANGE SAMMA *et al.*, on behalf of
themselves and others similarly situated,

Plaintiffs,

v.

UNITED STATES DEPARTMENT OF
DEFENSE *et al.*,

Defendants.

Civil Action No. _____

DECLARATION OF ANGE SAMMA

I, Ange Samma, hereby declare as follows:

1. I am a 22-year-old native and citizen of Burkina Faso.
2. In August 2013, I entered the United States on a Permanent Green Card.
3. On or about January 2014, I began attending San Bernardino Valley College, in San Bernardino, California, where I studied electrical engineering.
4. On or about July 2016, I moved to Salem, New Jersey, where I began working full-time at a warehouse and enrolled part-time at Salem Community College, where I continued to study electrical engineering.
5. On July 2, 2018, I enlisted in the United States Army. On that day, I signed an eight-year enlistment contract and took the oath of enlistment. I have reviewed the enlistment contract attached to the Motion as Exhibit 1 and believe that the main terms of my contract are substantially the same as those in that exhibit.
6. I currently serve on active duty as a Private First Class (E-3) and my military occupational specialty (“MOS”) is water treatment specialist.

7. I shipped to basic combat training (“BCT”) at Fort Jackson, South Carolina in February 2019 and completed BCT in April 2019. I wanted to ship to BCT earlier but one of my recruiters told me that, because I was a green card holder, I would have to complete my background check before I could ship to BCT.
8. On or about March 2019, I asked my drill sergeant at BCT for my certification of honorable service (“N-426”). My drill sergeant told me that non-citizens used to be naturalized at BCT but that he would be unable to help me obtain the N-426 certification.
9. I shipped to advanced individual training (“AIT”) at Fort Lee, Virginia in April 2019 and completed AIT in July 2019.
10. In April 2019, soon after my arrival at AIT, I asked my drill sergeant for my N-426 certification. My drill sergeant told me that because I was an active duty soldier, I would need to serve six months before I would be eligible for the N-426 certification. He further explained that even if he were to give my N-426 to an officer of O-6 pay grade to certify, because of the six-month duration requirement, the O-6 would not certify my N-426 at that time.
11. On or about June or July 2019, I asked my drill sergeant at AIT again for my N-426 certification. He refused to help me obtain the N-426 certification and explained that even if he were able to get the N-426 certified, I would have already shipped to my duty station at that point.
12. I shipped to my duty station at Camp Humphreys in South Korea on July 30, 2019, where I currently serve on active duty with the 339th Quartermaster Company.
13. In August 2019, I asked my platoon sergeant for my N-426 certification. My platoon

sergeant and I then brought my N-426 to the S-1 office, which is responsible for military personnel matters. The S-1 office informed me that it would need a memorandum and order from my company commander stating that I needed the N-426 certified before it could send the N-426 up to an officer of O-6 pay grade for certification. About a week later, I obtained the memorandum and order from my company commander and submitted them to the S-1 office.

14. On October 24, 2019, I received the N-426 from my platoon sergeant and sent it to the United States Citizenship and Immigration Services (“USCIS”) Field Office in Guam to process along with my naturalization application.
15. On December 20, 2019, I received an email from the USCIS Field Office in Guam informing me that because my N-426 was incomplete, I would have to provide a new N-426 before my naturalization application could proceed to an interview. According to the USCIS Field Office, Parts 5 and 6 of the form were not completed and there was no date next to the signature of the certifying official. Part 5 indicates whether I have served honorably during my periods of military service and Part 6 indicates whether I have separated from the service.
16. On February 12, 2020, I submitted another N-426 for certification to the S-1 office. On April 14, 2020, I received the N-426 from the S-1 office. However, the N-426 I received on that date was the same N-426 I received on October 24, 2019 with the missing information completed. The USCIS Field Office in Guam has informed me that it will not accept this prior N-426, even with the missing information filled in, and that it requires an entirely new N-426.

17. I understand that the Army is refusing to complete N-426 certifications for active duty soldiers, like me, until they serve 180 days.
18. I also understand that the Army is requiring that an officer of O-6 pay grade or higher designated by the Secretary of the Army complete N-426 certifications.
19. Because I have not received a completed N-426 certification from the Army, my naturalization application with USCIS is on hold.
20. It has been 14 months since I began serving in an active duty status by shipping to BCT.
21. I have served honorably at all times since entering service.
22. I am not aware of any legitimate reason that would prevent the Army from certifying my honorable service.
23. I am not aware of any legitimate reason that would prevent USCIS from granting my naturalization application.
24. I am missing out on the benefits that come with U.S. citizenship, including the right to vote, right to sponsor immediate family members, and right to travel with a U.S. passport.
25. I had hoped that U.S. citizenship would offer me the opportunity to sponsor my brother, who was in the United States on a non-immigrant visa until recently, for a green card through adjustment of status. My brother has had to leave the country and return to Burkina Faso because his visa was about to expire and he lacked a sponsor to obtain a green card.
26. As a U.S. soldier stationed abroad, I would also like to be able to travel with a U.S. passport. While traveling to my duty station in South Korea, I was unable to produce

a U.S. passport, unlike my fellow soldiers also traveling to South Korea. I felt this difference was palpable and highlighted distinctions between my fellow soldiers and myself.

27. As a U.S. soldier stationed abroad, I would also like to obtain my citizenship so that I may benefit from U.S. consular services and protection. I fear that as a foreign national without U.S. citizenship, I may have different rights from and be more vulnerable than my fellow U.S. citizen soldiers while based in South Korea.

28. Without U.S. citizenship, I am also missing out on opportunities to advance my military career and to pursue opportunities while in the military that would serve my broader career goals. My current MOS is water treatment specialist. However, when I enlisted in the Army, I was working towards my associate's degree in electrical engineering and was hoping to receive an MOS that would relate to my studies in electrical engineering and desired career as an electrical engineer, such as in information-technology. I have the requisite Armed Services Qualification Test ("AFQT") score to re-classify my MOS to these types of roles. However, the roles of interest to me require a security clearance, which I cannot obtain without U.S. citizenship. Some of the roles of interest to me also offer better opportunities for promotion.

29. I was also recently selected to serve at the Camp Humphreys Tax Assistance Center as a Tax Center Special Duty Soldier, following a competitive process that required a certain General Technical ("GT") score, which I had. However, I was told that I could not continue in this role because I lacked a security clearance, which I cannot obtain without U.S. citizenship. This role would

have helped me attain experience that would have been useful to my future civilian career.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on April _19_, 2020.

A handwritten signature in cursive script, appearing to read "Ange Samma", is written above a solid horizontal line.

Ange Samma