

**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 MICHAEL PEREZ**

I, Michael Perez, hereby declare as follows:

1. I am a 21-year-old native and citizen of the Philippines.
2. In April 2008, I entered the United States on a Permanent Green Card. On or around March 2017, I renewed my Permanent Green Card.
3. I graduated from high school in June 2017 in Newport News, Virginia.
4. On November 3, 2017, 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.
5. I currently serve on active duty as a Private Second Class (E-2) and my military occupational specialty (“MOS”) is wheeled vehicle mechanic.
6. I shipped to basic combat training (“BCT”) at Fort Jackson, South Carolina in April 2019 and completed BCT in June 2019. I wanted to ship to BCT earlier but because I was a green card holder, I was required to complete my background check before I could

ship to BCT.

7. In April 2019, I asked my drill sergeant at BCT for my certification of honorable service (“N-426”). He refused to help me obtain the N-426 certification and told me that soldiers were no longer able to obtain the certification while at BCT.
8. I shipped to advanced individual training (“AIT”) at Fort Lee, Virginia in June 2019 and completed AIT in September 2019.
9. In July 2019, I asked my drill sergeant at AIT for my N-426 certification. He told me he would look into the process and, in August 2019, he came back to me and asked me to provide an N-426 for certification, which I did. In September 2019, as I was nearing graduation from AIT, I asked my drill sergeant about my N-426 certification. He told me that he would be unable to help me obtain the certification and that I should request it when I arrived at my duty station.
10. I shipped to my duty station at Joint Base Elmendorf-Richardson in Alaska on September 26, 2019, where I currently serve on active duty with the 2nd Battalion, 377th Parachute Field Artillery Regiment.
11. In October 2019, I asked my platoon sergeant for my N-426 certification. My platoon sergeant told me that he would have to send the N-426 up his chain of command for certification.
12. In February 2020, my platoon sergeant returned an uncompleted N-426 to me and told me that his chain of command had informed him that I would have to serve one year on active duty before I would be eligible for the N-426 certification.
13. I understand that the Army is refusing to complete N-426 certifications for active duty soldiers, like me, until they serve 180 days. However, my platoon sergeant told me that I

- would have to serve one year on active duty before I could get my N-426 certification.
14. 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.
  15. Because I have not received a completed N-426 certification from the Army, I cannot apply for naturalization with United States Citizenship and Immigration Services (“USCIS”).
  16. It has been 12 months since I began serving in an active duty status by shipping to BCT.
  17. I have served honorably at all times since entering service.
  18. I am not aware of any legitimate reason that would prevent the Army from certifying my honorable service.
  19. I am not aware of any legitimate reason that would prevent USCIS from granting my naturalization application.
  20. 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.
  21. I would like to exercise the right to travel with a U.S. passport because my Philippine passport expired in 2018, after my enlistment in the Army. In expectation of receiving my U.S. citizenship and a U.S. passport, I have not renewed it to date, as it would require me to travel to a Philippines embassy or consulate.
  22. My current MOS is wheeled vehicle mechanic. I would like to reclassify my MOS to a different field that better suits my interests and career goals, such as a role involving medical services, aviation, or administration. However, the roles of interest to me require U.S. citizenship. Some of these roles would also come with salary bonuses.

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

Executed on April 9 2020.

A handwritten signature in black ink, appearing to read 'Michael Perez', written over a horizontal line.

Michael Perez