

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

ANGE SAMMA , *et al.*,)
)
Plaintiffs,)
v.) Civil Action No. 20-cv-01104-PLF
)
UNITED STATES DEPARTMENT OF)
DEFENSE, *et al.*,)
)
Defendants.)
_____)

DECLARATION OF COL BALL, FT. LEONARD WOOD CHIEF OF STAFF

I, COL Richard Ball, U.S. Army, do hereby declare as follows:

1. I am the Chief of Staff for Headquarters, Maneuver Support Center of Excellence (MSCoE) and Fort Leonard Wood, Missouri. I have been in this duty position since July of 2020. My duties include coordinating activities of the General Staff and assisting the Commanding General with providing oversight and direction to the subordinate and tenant units at Ft. Leonard Wood. Fort Leonard Wood hosts training for over 80,000 military and civilian personnel in a typical year, mostly new enlisted Soldiers, Marines, and Airmen attending Initial Entry Training. The initial training activity at Fort Leonard Wood includes both Basic Combat Training and Advanced Individual Training in Engineer, Military Police, Chemical Corps, and heavy equipment operation military occupational specialties. The 1st Engineer Brigade, 3rd Chemical Brigade, and 14th Military Police Brigade are the training brigades at Fort Leonard Wood that conduct this training. MSCoE is also the proponent of the Officer Basic Course and Captains Career Course for Army Engineer, Military Police, and Chemical Corps Officers.

2. I am aware of the allegations and claims in the above-entitled litigation and the court's August 25, 2020 Order, concerning the processing of USCIS Forms N-426. I make this

declaration based on my personal knowledge, observation, and investigation of the matters set forth herein, as well as on information available to me in the course of my official duties.

3. On about Thursday, July 22, 2021, I was made aware of alleged deficiencies in the processing of USCIS Form N-426 by some commanders at Fort Leonard Wood. That day I sent an email to all commanders at Fort Leonard Wood in the rank of Colonel – including the three training brigade commanders – and provided them with a copy of HQDA EXORD 219-20 (FRAGO 1) and two Annexes. The email instructed the recipients to ensure their subordinate battalion and company commanders understood the requirement to process the forms promptly and to acknowledge back to me when complete. All did so by Friday, July 23, 2021. I documented this by a memorandum for record on Monday, July 26, 2021. I am not aware of any subsequent allegations of Fort Leonard Wood commanders refusing to process the forms.

4. On Wednesday, August 25, 2021, I learned of the publication of HQDA EXORD 219-20 (FRAGO 2) and (FRAGO 3). The same day, I forwarded FRAGO 2 and FRAGO 3 to all commanders at Fort Leonard Wood in the rank of Colonel and instructed them to confirm that their subordinate leader down to the level of drill sergeant and squad leader understood the requirement to process the forms for Soldiers with at least one day of service, and to acknowledge back to me when complete. All did so by Thursday, September 2, 2021.



5. Commanders at Fort Leonard Wood maintain open door policies that enable members of the command to present concerns and problems, including problems obtaining a N-426 certification, that the service member has been unable to resolve. Although I have no reason to believe that any service member at Fort Leonard Wood seeking a certified N-426 will need to take advantage of open door, that recourse is available to all service members. Utilizing open door does not result in any repercussion to a service member. Service members that utilize the open door policy to make commanders aware of problems enable the chain of command to take

corrective action. During my tenure, I am aware of no individuals requesting to use the Commanding General's open door policy to complain about processing of USCIS Form N-426, and only one inquiry to the Fort Leonard Wood Inspector General about processing the forms.

6. Two training brigade commanders state that since they took command in approximately July 2021 they have combined to sign 186 of the N-426 forms for Soldiers within their units. The third training brigade commander has signed 152 of the N-426 forms since he took command in July 2020.

Pursuant to 28 U.S.C. § 1746(2), I declare under the penalty of perjury that the foregoing is true and correct.

Executed on 10/15/21

BALL.RICHARD.JE
ROME. 
Digitally signed by BALL.RICHARD.JEROME. 
Date: 2021.10.15 14:18:13 -05'00'
Richard Ball
Colonel, Military Police