

**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 CAPTAIN HERNANDEZ

I, Captain (“CPT”) Francisco Hernandez, U.S. Army, do hereby declare as follows:

1. I am the Acting Chief of Client Services for Headquarters, Maneuver Support Center of Excellence (MSCoE) and Fort Leonard Wood, Missouri. I have been in this duty position since September 13, 2021. As part of my duties I provide legal services to United States Armed Service Members, Military Retirees and their immediate family members under Army Regulation 27-3.

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 upon 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. Soldiers at Fort Leonard Wood are encouraged to, and do, seek legal assistance for all kinds of immigration related matters including requests for information or assistance with submitting their Form N-426s for certification. Soldiers are not required to seek legal assistance in order to submit or process these forms, but they may do so as desired.

4. During my time as Acting Chief of Client Services, I have provided assistance to three Servicemembers (SMs) seeking to have their N-426 forms signed by an O-6 commander or higher, typically the brigade commander. In these cases, it is our standard practice to contact the SM's chain of command and provide them the SM's N-426 along with the Legal Assistance Policy Division (LAPD) Information Paper which explains how the naturalization through military service works.¹ We also emphasize that, upon request, the N-426 should be expeditiously certified and returned to the Soldier within 30 days. Finally, we remind the chain of command that the form must be signed physically, not digitally, by the SM's brigade commander (O-6 commander or higher).

5. I did all of this for the three mentioned SM's. Two out of the three SMs have received their signed N-426 forms within the 30 day period. The third SM is currently in the process of getting the form signed within the 30 day period.

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

Executed on: 18 October 2021

HERNANDEZ.FRANCIS
CO.JAVIER [REDACTED] Digitally signed by
HERNANDEZ.FRANCISCO.JAVIER [REDACTED]
Date: 2021.10.18 09:27:48 -05'00'

CPT Francisco Hernandez

¹ On or about July 21, 2021, our office received the Legal Assistance Policy Division ("LAPD") Information Paper as a part of LAPD's distribution of this information to all Army Legal Assistance offices.