

# **Exhibit A**

to Declaration of Jennifer M. Wollenberg to  
Plaintiffs' Reply Memorandum in Support of  
Plaintiffs' Motion to Enforce Court Order

Case No.: 1:20-cv-01104-PLF

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

MAHLON KIRWA, *et al.*,

Plaintiffs,

v.

UNITED STATES DEPARTMENT OF  
DEFENSE, *et al.*,

Defendants.

Civil Action No. 17-1793(ESH)

**AMENDED ORDER**

In response to defendants' motion for clarification, ECF No. 30, of the Court's prior Order granting preliminary injunctive relief, ECF No. 28, the Court issues this Amended Order granting preliminary injunctive relief.

It is hereby

**ORDERED** that defendants are preliminarily enjoined from refusing to sign and issue Form N-426s to members of the Selected Reserve pursuant to Section II of DOD's October 13, 2017 Guidance; it is further

**ORDERED** that defendants are preliminarily enjoined from refusing to certify MAVNI enlistees who have served for one day or more in the Selected Reserve as having honorable service, except as related to the conduct of an individual plaintiff or class member as reflected in that soldier's service record and based on sufficient grounds generally applicable to all members of the military; it is further

**ORDERED** that, after members of the provisionally-certified class submit or resubmit

N-426s to their military officer ranked O6 or higher, defendants should use their best efforts to certify or deny Form N-426s, as was done for the *Nio* plaintiffs, within two business days of receipt of Form N-426; it is further

**ORDERED** that for purposes of the preliminary injunction the Court provisionally certifies a class that includes (1) MAVNI enlistees, (2) who enlisted prior to October 13, 2017, (3) who have served in the Selected Reserve, and (4) not received a completed Form N-426; it is further

**ORDERED** that plaintiffs Mahlon Kirwa, Santhosh Meenhallimath, and Ashok Viswanathan are provisionally certified as representatives of the class pursuant to Rules 23(a) and 23(b) of the Federal Rules of Civil Procedure; and it is further

**ORDERED** that plaintiffs' counsel is appointed to represent the provisional class.

**SO ORDERED.**

/s/ Ellen Segal Huvelle  
ELLEN SEGAL HUVELLE  
United States District Judge

Date: October 27, 2017

# **Exhibit B**

to Declaration of Jennifer M. Wollenberg to  
Plaintiffs' Reply Memorandum in Support of  
Plaintiffs' Motion to Enforce Court Order

Case No.: 1:20-cv-01104-PLF

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

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MAHLON KIRWA, <i>et al.</i> ,	)	
	)	
<b>Plaintiffs,</b>	)	
	)	
v.	)	Case No. 1:17-cv-01793-ESH
	)	
UNITED STATES DEPARTMENT	)	[Oral Argument Requested]
OF DEFENSE, <i>et al.</i> ,	)	
	)	
<b>Defendants.</b>	)	
_____	)	

**PLAINTIFFS’ MOTION TO ENFORCE COURT ORDER (Dkt. 32)**

Plaintiffs Mahlon Kirwa, Santhosh Meenhallimath, and Ashok Viswanathan, on behalf of themselves and the provisionally-certified class (collectively, “Plaintiffs” or “class”), respectfully move to enforce this Court’s order dated October 25, 2017 (Dkt. 28) as amended on October 27, 2017 (Dkt. 32) granting Plaintiffs’ motion for preliminary injunction (“PI Order”). As set forth in the accompanying Memorandum and the Declaration of Jennifer M. Wollenberg (“Wollenberg Decl.”) and the exhibits attached thereto, Defendants have failed to comply with the PI Order in material respects such that Defendants have not issued completed N-426 forms to class members in the manner specified in the PI Order.<sup>1</sup> Instead, Defendants have imposed *new* administrative pre-conditions for issuance of N-426 forms, failed to appropriately communicate the PI Order to relevant command officials and class members, and failed to issue completed N-426 forms to eligible class members.

<sup>1</sup> In accordance with Rule 7(m) of the Local Rules of the U.S. District Court for the District of Columbia, and as described in the Wollenberg Declaration, undersigned counsel for Plaintiffs met and conferred with counsel for the Defendants in an effort to resolve this dispute prior to filing. Plaintiffs’ counsel understand that Defendants intend to oppose this motion.

For the reasons discussed, Plaintiffs respectfully request the Court grant their Motion and provide relief as follows:

- (a) an order compelling Defendants to show cause why the Court should not make a finding that Defendants have failed to comply with the PI Order;
- (b) an order compelling Defendants, within three days of such order, to report to the Court and Plaintiffs their efforts to comply with the PI Order, including: (i) all memoranda issued to command and reserve personnel concerning the PI Order; (ii) the number of class members who have submitted requests for N-426s since the PI Order; (iii) the number of N-426s completed and returned to class members since the PI Order; (iv) the average turn-around time – from date of submission to completion and return – for N-426s; and (v) efforts to ensure that no class members are retaliated against in any manner for having exercised their N-426 rights under the PI Order;
- (c) an order compelling Defendants to thereafter provide weekly compliance update reports to the Court and Plaintiffs, until further notice; and
- (d) an order compelling Defendants, within ten days of such order, to provide Plaintiffs' counsel with the names and contact information for class members to facilitate Plaintiffs' counsel's communication with them regarding matters of interest in this litigation including Defendants' compliance with the PI Order.

Dated: November 15, 2017

Respectfully submitted,

/s/ Joseph J. LoBue

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*Counsel for Plaintiffs*

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

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MAHLON KIRWA, <i>et al.</i> ,	)	
	)	
<b>Plaintiffs,</b>	)	
	)	
v.	)	Case No. 1:17-cv-01793-ESH
	)	
UNITED STATES DEPARTMENT	)	[Oral Argument Requested]
OF DEFENSE, <i>et al.</i> ,	)	
	)	
<b>Defendants.</b>	)	
_____	)	

**PLAINTIFFS' MEMORANDUM IN SUPPORT OF  
PLAINTIFFS' MOTION TO ENFORCE COURT ORDER (Dkt. 32)**

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*Counsel for Plaintiffs*



Plaintiffs Mahlon Kirwa, Santhosh Meenhallimath, and Ashok Viswanathan, on behalf of themselves and the provisionally-certified class (collectively, “Plaintiffs” or “class”) respectfully move to enforce this Court’s order dated October 25, 2017 (Dkt. 28) as amended on October 27, 2017 (Dkt. 32) granting Plaintiffs’ motion for preliminary injunction (“PI Order”). As set forth herein, Defendants have failed to comply with the PI Order in material respects such that Defendants have not issued completed N-426 forms to class members in the manner specified in the PI Order. Instead, Defendants have

- imposed *new* administrative pre-conditions for issuance of N-426 forms,
- failed to appropriately communicate the PI Order to relevant command officials and class members, and
- failed to issue completed N-426 forms to eligible class members (much less within the two business day window specified in the PI Order).

Defendants have placed the approximately 2,000 Plaintiffs in the untenable position of (i) learning about the PI Order on their own; (2) determining their rights (as class members) and the Defendants’ obligations under the PI Order on their own; (3) “educating” their military superiors about the PI Order and doing so in the face of existing, contrary military guidance and direction; (4) navigating Defendants’ new and confusing administrative pre-conditions to support their N-426 requests; (5) in many instances, correcting and questioning their military superiors about delayed or improper N-426 completion; and (6) having to report, outside of the military chain of command, to the Justice Department or otherwise, their superiors’ non-compliance with the PI Order.

These new burdens are beyond any that the thousands of MAVNIs who received N-426s before October 13, 2017 ever confronted. And, considering the military's hierarchical structure and the subordinate military rank each class member has within that hierarchy, many class members (including some who previously were chastised by higher-ranking soldiers in their chain of command for asking for a signed N-426), feel threatened and at risk for exercising their rights under the PI Order.

Defendants' response to these shortcomings in their compliance with respect to the Court's order has been sorely lacking. When provided with evidence of problems and pressed for corrective action and solutions, they have responded most often with conclusory claims that they are doing the best that they can to comply with the PI Order and note that they have sent out two memos (addressed below). But they refuse to engage on the key questions:

- Are Selected Reservist class members and relevant military officials within the chain of command aware of the PI Order and what it means?
- Are class members who have requested N-426s since the PI Order receiving the signed forms from the military?
- Are Defendants using their best efforts to ensure that forms are completed and returned to soldiers within two business days (so that those soldiers may apply for naturalization)?

Rather than work with Plaintiffs to ensure that the proper message is communicated to class members and command personnel and to gather and share information regarding compliance so that problems can be addressed, Defendants have been non-responsive or behaving in a counter-productive manner. By the terms of their own memoranda (discussed below), command officials should have reported their compliance with the PI Order by October 31, 2017. As such, Defendants should have had at the ready certain basic compliance information – such as the number of class members who have sought N-426s since the PI Order, the number of class

members who have been issued N-426s since the PI Order, and the length of time it has taken (from submission) to issue the N-426s. But Defendants have denied that any such information has been gathered, and they claim that – in any event – they have no obligation to share it with Plaintiffs nor otherwise provide “free discovery.”

In contrast with Defendants’ compliance-information deficit, Plaintiffs, on their own, have gathered substantial evidence of non-compliance with the PI Order. Indeed, while there have been isolated instances in which N-426s have been issued – including for the three named Plaintiffs – the best efforts requirement and two day target set by the Court in the PI Order are not being met.<sup>1</sup> And, Plaintiffs have provided substantial evidence to Defendants demonstrating misinformation, disinformation, incompetence, and other preventable malfeasance that have left numerous class members without their N-426s *three weeks* after the PI Order.

In an effort to resolve these issues and avoid seeking Court review, Plaintiffs immediately and repeatedly brought these issues to Defendants’ attention and met and conferred with Defendants’ counsel. As Plaintiffs informed Defendants on multiple occasions, Plaintiffs’ sole objective is to have all class members receive their N-426s upon request without further delay so that each eligible MAVNI soldier can apply for naturalization. Due to Defendants’ non-

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<sup>1</sup> With respect to the N-426s provided since the PI Order, a question remains as to whether they will be accepted as valid by U.S. Citizenship and Immigration Services (“USCIS”). Plaintiffs are concerned that USCIS will issue Requests for Evidence (“RFEs”) to class members when they submit their N-426s with their naturalization applications, either because of a USCIS sealed-envelope “requirement” that DoD is not following or because of the new DoD O-6 signatory requirement that is not being followed by military officials (as some unit commanders with lower ranks are signing and returning N-426 forms to MAVNIs). As we understand it, USCIS excludes RFE time in its naturalization application processing times calculation, thus incentivizing officials to issue RFEs. Of course, the purpose of the PI Order will be frustrated if Defendants provide “completed” N-426s to class members in a form or with a signature that will not be accepted by USCIS and will result in RFEs and further delays.

compliance, that is not happening. Accordingly, Plaintiffs seek Court intervention to enforce the PI Order.

In further support of their Motion, Plaintiffs state as follows:

1. The Court entered its PI Order on October 25, 2017 (a) granting Plaintiffs' Motion for Preliminary Injunction and (b) provisionally certifying a class of MAVNI enlistees who had served in the Selected Reserve but had not yet received a completed N-426 form from Defendant Department of Defense ("DoD") (Dkt 28).

2. The PI Order directed "that defendants should use their best efforts to certify or deny Form N-426s, as was done for the *Nio* plaintiffs, within two business days of receipt of the Form N-426." *Id.*

3. On October 26, 2017, Plaintiffs' counsel contacted Defendants' counsel regarding the PI Order. Plaintiffs requested that Defendants apprise them of the steps being taken to comply with the PI Order, including (a) informing Selected Reservist class members and Reserve command personnel about their respective rights and obligations under the PI Order, and (b) advising relevant command personnel that prior and contrary military orders and policies were no longer in effect. As class counsel, Plaintiffs' counsel also asked Defendants to provide the names of and contact information for class members to facilitate communications with the class regarding the PI Order. Ex. 1 (Oct. 26, 2017 4:41 p.m. email).

4. In response to that email, Defendants' counsel said they would "follow up" later but they were "currently considering their appellate options." Ex. 1 (Oct. 26, 2017 9:59 p.m. email).

5. On October 27, 2017, the Court held a hearing in this matter and the related *Nio* matter. During the hearing, the Court clarified the PI Order to reflect that the “two business day” turnaround applied to requests for N-426s submitted or resubmitted after the PI Order (Dkt. 32).

6. Immediately following that October 27 hearing, Plaintiffs’ counsel met and conferred with Defendants’ counsel regarding the October 26 email request. Plaintiffs reiterated their request for information about Defendants’ compliance with the PI Order and for information regarding the class. Declaration of Jennifer M. Wollenberg (“Wollenberg Decl.”) ¶ 5. During that meeting, in response to Defendants’ request for any authority that would obligate them to inform commanders and service members of the PI Order, Plaintiffs pointed to the PI Order itself – including the “best efforts” directive – but also cited to federal law:

The Secretary of Defense shall require the complete and current dissemination, to all Reserves and to the public, of information of interest to the reserve components.

10 U.S.C. § 10210. Of course, the Secretary of Defense is a named Defendant in this litigation and thus subject to the PI Order – in addition to this statutory mandate. As such, whether by law or by Court order, or both, Defendants must effectively and immediately communicate the PI Order down the ranks.

7. During the October 27 meet and confer, Defendants declined to provide any information regarding DoD’s compliance with the Court’s order, and they declined to provide Plaintiffs with any contact information for the class. Wollenberg Decl. ¶ 6.

8. On October 28, 2017, via email, Defendants provided a copy of a DoD memorandum dated October 27, 2017 (“DoD Memo”) that was issued to the “Secretaries of the Military Departments” and which stated, in relevant part:

The Military Departments are directed to immediately implement and comply with the attached Order and Memorandum Opinion issued on October 25, 2017, by the United States District Court for

the District of Columbia in the subject litigation. **The Military Departments will report to the contact listed below [Stephanie Miller] the status of their compliance with this direction no later than October 31, 2017.**

Ex. 3 (emphasis added); *see also* Wollenberg Decl. ¶ 7. The DoD Memo does not reiterate the Court's directive that the DoD use its "best efforts" to complete the N-426 Form within two business days of submission. Moreover, the DoD Memo does not direct the military departments to provide any information regarding the PI Order to class members entitled to request N-426 signatures.

9. Defendants' October 28 email also requested that Plaintiffs provide notice to Defendants of when the three named Plaintiffs submit their N-426 requests. Ex. 1 (Oct. 28, 2017 8:56 p.m. email). This request indicated to Plaintiffs that DoD's efforts with respect to the class are not adequate to comply with the PI Order, as Defendants had to make special efforts, and asked for assistance from the *Plaintiffs*, with respect to the three individually-named Plaintiffs.

10. On October 30, 2017, via email, Defendants provided Plaintiffs with a copy of an Army Memorandum dated October 27, 2017 issued to the Chief of the Army Reserve regarding "Certification of Honorable Service for Purposes of Naturalization for Members of the Selected Reserve of the Ready Reserve" ("Army Memo"). Wollenberg Decl. ¶ 8; Ex. 4. The Army Memo referenced the PI Order and the October 13, 2017 Memorandum at issue in the PI Order, and specified that

2. Policy. ... [T]he Army will act on all requests for certification of a Form N-426 from [MAVNI]s who have served one day or more in the Selected Reserve (SELRES). The requests will not be returned to Soldier without action, unless the request lacks necessary information or command endorsement. Moreover, the command will not recommend denial of the request solely on the basis that the Soldier has not performed active duty service or has not attended initial entry training.

3. Authority. Your office will take final action on all complete requests. You will coordinate with the DCS, G1 to identify potential derogatory information held by [Army HQ].

4. **Process. A request for certification of an N-426 is a request for personnel action and will be processed as follows:**

- a. **The Soldier will submit a DA Form 4187, Personnel Action, to the Soldier's commander. . .**
- b. Within one business day of receipt, the commander will verify the information [supplied by the Soldier on the Form 4187] and determine whether the Soldier has been flagged under Army Regulation 600-8-2, Suspension of Favorable Personnel Actions (FLAG). The official will complete the appropriate blocks in Section V [of Form 4187]. Recommendations for disapproval must identify specific derogatory information.
- c. The commander will expeditiously forward the request for personnel action to [the office of the Chief, Army Reserve] by emailing a digital copy of the DA Form 4187 and attachments [to email addresses]. The email must be sent the same day the commander signs the form. . . .
- d. Upon receipt of the request for personnel action, [the office of the Chief, Army Reserve] will coordinate with the DCS, G-1 to determine whether HQDA possesses derogatory information bearing on honorable service.
- e. [The Chief, Army Reserve] may designate an officer in the grade of O-6 or civilian equivalent to certify the N-426.
- f. A copy of the DA 4187 and N-426 will be forwarded to the Soldier's commander and uploaded into the Soldier's Army Military Human Resource Record.

Ex. 4 (emphasis added).

11. The October 27 Army Memo is significant in three respects. *First*, it imposes on the soldier seeking an N-426 certification an additional burden of completing a DA 4187 Form as a pre-condition to obtaining an N-426 certification, a new requirement which is found nowhere in

the PI Order and which Defendants never before mentioned to this Court or demanded of MAVNIs for N-426 certification purposes.<sup>2</sup> *Second*, the Army Memo does not specify that the Army must use its best efforts to return the completed form to the soldier within two business days of receipt, as directed by the PI Order.<sup>3</sup> And *third*, the Army Memo does not provide for the completed N-426 Form to be returned to the soldier at all and instead provides that it will be returned to the Soldier's commander and, at some unspecified time, uploaded in the Soldier's Human Resource Record. *Id.*

12. On October 30, 2017, Plaintiffs alerted Defendants to the shortcomings in the Army Memo. Ex. 1 (Oct. 30, 2017 12:45 p.m. email). Plaintiffs pointed out that while the Army – for administrative purposes – may impose certain procedures upon its command staff, those procedures cannot be inconsistent with, or interfere with, Defendants' PI Order obligations to use “best efforts” to return the completed N-426 forms to soldiers within two business days of submission. *Id.*

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<sup>2</sup> The DA 4187 Form literally cannot be completed as instructed in the October 27 Army Memo because the memo requires the following: “In Block 10, the Soldier will request certification of the Form N-426 that the Soldier has completed and attached to the DA Form 4187.” Ex. 4. Block 10 of the DA 4187 Form is a date field and neither the Army Memo instructions nor the form has been changed/corrected, notwithstanding that Plaintiffs informed Defendants on October 30 that the instructions were not accurate (Ex. 1 (Oct. 30, 2017 12:45 p.m. email)). The DA 4187 Form can be accessed at [http://www.usarec.army.mil/downloads/armypa/dd\\_4187.pdf](http://www.usarec.army.mil/downloads/armypa/dd_4187.pdf). Whether or not intentional, the failure to issue clear and actionable directions only compounds the confusion and delay in implementing the PI Order and enabling class members to obtain their N-426s and apply for naturalization.

<sup>3</sup> At the October 27 hearing, the Court specifically stated that, as soon as a soldier submits his or her N-426, Defendants are “going to try their best to turn it around in two days.” Ex. 2 at 82. The Court further stated to Defendants: “Your colonels and captains better get notification of this order forthwith, so they can turn [N-426s] around as soon as they get these applications.” *Id.* at 83. Defendants' counsel represented to the Court that Defendants would tell Army captains and colonels that the Court has required them to make best efforts to return signed N-426s within two business days. *Id.*



13. In that same communication on October 30 – five days after the PI Order – Plaintiffs’ counsel apprised Defendants of specific information of non-compliance with the PI Order. Plaintiffs reported that (a) a MAVNI had been told by Army personnel that the PI Order did not apply to him because he had not yet attended 15 days of Annual Training, and (b) another MAVNI was told by unit officials that very morning (Oct. 30) that no action would be taken on the N-426 because DoD was considering whether to appeal the PI Order. *Id.* Plaintiffs again demanded that Defendants comply with the PI Order and requested contact information for the class so that Plaintiffs could communicate the PI Order to them.

14. On October 31, 2017, Defendants responded to Plaintiffs with the incredible argument that the PI Order does not require Defendants to use their best efforts to actually *return* the completed N-426 forms to soldiers within two business days of submission. Ex. 1 (Oct. 31, 2017 9:23 a.m. email). Defendants also denied that 10 U.S.C. § 10210 – the law (quoted above) which mandates the Secretary of Defense to communicate matters of interest to Reservists – has any relevance in this action and that it has never been cited in a published judicial decision. *Id.* Defendants also again refused to provide any contact information for members of the class. *Id.*

15. Shortly thereafter, Plaintiffs responded to the October 31 email, again reiterating that Defendants were not in compliance with their obligations to complete and return N-426s to soldiers under the PI Order and requesting a meet and confer to address the non-compliance and avoid seeking redress from the Court. Ex. 1 (Oct. 31, 2017 12:03 p.m. email).

16. Later on October 31, 2017, six days after the PI Order, Defendants notified Plaintiffs that they were unable to locate the N-426 Forms “allegedly submitted” by the three named Plaintiffs. Ex. 1 (Oct. 31, 2017 2:53 p.m. email). In their response, Plaintiffs pointed to another specific instance of non-compliance – where a class member was told that an N-426 could

not be completed until after the soldier attended basic training. Ex. 1 (Oct. 31, 2017 9:59 p.m. email).

17. The named Plaintiffs have received electronic copies of their completed N-426 forms. Wollenberg Decl. ¶ 9.

18. On November 1, 2017, the parties' counsel had a conference call during which Plaintiffs raised their concerns and made clear that their objective was to obtain compliance with the PI Order and that they did not want to bring the matter to the Court's attention unless necessary. *During the call, Defendants knew only of the three named Plaintiffs receiving completed N-426s and could not provide any example of a class member having received an N-426 following the PI Order.* Wollenberg Decl. ¶ 10. Defendants asked Plaintiffs to provide specific details of non-compliance that had come to Plaintiffs' attention. *Id.* After Defendants represented that the provision of such details would not result in retaliation against the reporting soldiers, Plaintiffs furnished certain details via email. Ex. 5 (Nov. 1, 2017 11:51 p.m. email). In that email, Plaintiffs provided specific instances of soldiers being misinformed and misdirected by Army personnel about their right to obtain N-426s in accordance with the PI Order, including statements that N-426s could not be issued (a) without further guidance from the Army, (b) until the soldier attended basic training, and (c) pending a decision whether to appeal the PI Order. *Id.* Plaintiffs also identified the need for Defendants to correct misinformation attributed to military officials being reported in the media and concerning the PI Order. *Id.*

19. On November 2, 2017, Plaintiffs provided additional details about Defendants' non-compliance with the PI Order, pursuant to Defendants' oral representations that the affected soldiers would be protected against retaliation. Ex. 5 (Nov. 2, 2017 12:38 p.m. email).

20. In response, still on November 2, Defendants sent an email that essentially denied any DoD obligation or commitment to communicate information about the PI Order to members of the class. Defendants also stated, after requesting and receiving from Plaintiffs detailed information about specific instances of non-compliance: “To be clear, we did not make and cannot make any ‘commitment’ regarding personnel actions that may or may not occur in the lower ranks of the Army Reserve, as DOJ does not superintend Army personnel practices.” Ex. 5 (Nov. 2, 2017 10:48 p.m. email).

21. On November 3, 2017, upon Plaintiffs’ request (Ex. 5 (Nov. 1, 2017 11:51 p.m. email)), counsel for the parties spoke again by telephone, and Plaintiffs again raised their concerns about Defendants’ non-compliance with the PI Order. During that call, Plaintiffs repeatedly asked Defendants for evidence of compliance with the PI Order by providing the number of MAVNI soldiers who had submitted N-426s following the PI Order, the number of N-426s completed and returned to the soldiers, and the processing times for N-426s. Wollenberg Decl. ¶ 12. Defendants’ counsel reported during the call that (in spite of the unit information previously provided where MAVNI soldiers had made N-426 requests) they were not aware of *any* soldier who had submitted an N-426 following the PI Order – other than the three named Plaintiffs – and they speculated that soldiers were waiting to do so during the immediately upcoming “drill weekend.” *Id.* Defendants’ counsel stated that their information was based on information from DoD and/or Army counsel and that they did not know what efforts – if any – had been made to canvass for accurate information. *Id.* Defendants did not explain why they had no information, particularly given that the DoD Memo specifically ordered the military departments to report their compliance with the Memo no later than October 31, 2017. *Id.*; *see also* Ex. 3 (“The Military Departments will report

to [Stephanie Miller] the status of their compliance with this direction no later than October 31, 2017.”).

22. On November 3, 2017, following multiple inquiries by Plaintiffs, Defendants confirmed in writing that USCIS will not require MAVNI soldiers to submit N-426s with the original “wet-ink” signatures and will not require that the N-426s be submitted in signed/sealed envelopes. Ex. 6 (Nov. 3, 2017 6:26 p.m. email).

23. On November 8, 2017, Defendants informed Plaintiffs that they had learned that 30 N-426 forms had been submitted over the prior weekend and that those forms had either been signed or “were in the process” of being signed and returned to MAVNIs. Ex. 7 (Nov. 8, 2017 12:51 p.m. email). Defendants provided no further details nor did they make any mention of the status of the hundreds of additional class members who are entitled to obtain N-426s pursuant to the PI Order.

24. Plaintiffs’ counsel have heard from multiple class members regarding specific instances of Defendants’ non-compliance with the PI Order. Wollenberg Decl. ¶ 15.<sup>4</sup> Those include the following:

- A MAVNI soldier who submitted an October 30th request for N-426 completion was told by the Unit Administrator that “[T]his is [the] first I’ve heard of this. In order for you [to] get citizenship **you must complete[] basic training.** I can’t

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<sup>4</sup> On November 8, Defendants’ counsel provided the following clarification regarding retaliation: “We are assured that retaliation against a MAVNI who seeks to exercise his or her rights under the Amended Order would not be tolerated by Army.” Ex. 7 (Nov. 8, 2017 12:51 p.m. email). Even so, given the Defendants’ earlier statements on this topic and the blowback many soldiers have experienced when seeking to exercise their rights under the PI Order, many class members still are concerned about retaliation and/or any negative consequences of their non-compliance reporting. As a result, the descriptions provided herein do not reveal the soldiers’ names or other particularly identifying information (beyond what was previously revealed to defense counsel upon their request).

complete[] these forms. The forms are completed when you go to basic training.” In follow-up conversations with this MAVNI soldier, who attempted to provide information regarding the PI Order, that same Unit Administrator said, in sum and substance, that “**nothing happens in two days.**” In additional follow-up initiated by the MAVNI soldier, other officials in the unit told the soldier that “[The Unit Administrator] is handling it and awaiting BN and BDE to let her know. She will keep you posted.” As of November 14, more than two weeks following the N-426 request, this MAVNI soldier still had not received a completed N-426. Notably, this unit was among those Plaintiffs identified to Defendants on November 2 (*see* Ex. 5 (Nov. 2, 2017 12:38 p.m. email)).

- In a separate unit, a MAVNI soldier submitted an October 30th request for N-426 completion. A unit official informed the soldier that “LTG Luckey has stated that he withholds signature on all N-426’s ... I understand that this process has been drawn out, but at this time, we have done all we can at our level to get your N-426 signed.” The MAVNI soldier since has followed up asking for updates regarding the completion of the form, including on November 7, but as of November 14, the soldier has not received the completed N-426 form or an update regarding the status of completion.
- In a third unit, a class member requested an N-426 on October 26, 2017 and multiple times thereafter. Initially, the class member was informed that the Army would not provide an N-426 because he had not attended 15 days of Annual Training. Later, on November 1, in response to requests from multiple MAVNIs seeking N-426s within that unit, the class member and others were told by officials

in the unit that “[w]e are waiting for clear guidance from Department of the Army. . . . In the meantime I need each of you guys to show up for BA . . . next month I [expect] to see you all at Battle Assembly on December 10.” As of November 15, 2017, this class member still had not received a completed N-426, and the unit official’s email suggested that the N-426 was not going to be provided before December 10 – a month and a half following the class member’s request and the Court’s order. Counsel for the defense was provided this unit/contact information on November 1, 2017 (*see* Ex. 5 (Nov. 1, 2017 11:51 p.m. email)).

- With respect to the additional unit/contact information provided to defense counsel at their request (*see* Ex. 5 (Nov. 2, 2017 12:38 p.m. email)), class members in those units still have not received N-426s. With respect to one such class member, the N-426 was requested on November 1, 2017. With respect to another class member, the N-426 was requested on October 26, again on October 28, and again on October 30, and as of November 14, 2017, that MAVNI still was without a completed N-426.

25. Plaintiffs are not trying to suggest that the individual units/commands are at fault or are responsible for Defendants’ non-compliance with the PI Order. In fact, some class members have reported that their units/commands are trying to assist soldiers and facilitate the N-426 process, including by providing glowing emails up the chain where the following types of statements have been made:

- “I would highly recommend him.”
- “All he wants to be is a Soldier.”
- “[H]e has always been a very proactive soldier.”

- “I think he makes a fine addition to the [A]rmy and to the United States of America.”
- “I would be proud to call him an American citizen!”

And, another command/unit leader made clear when following-up on a class member’s N-426 request that is apparently stalled because of the process confusion created by Defendants, “I just want to be sure the Soldier is being taken care of.”

26. Other reports from MAVNIs who are hearing back from commanders and officials in their units reflect the confusion and process problems created by Defendants, as shown by these examples:

- “An inquiry today was sen[t] up to JAG about who is responsible for signing your N-426 (Request for Certification of Military or Naval Service)...Your Unit’s . . . O-6 or the Recruitment command O-6?”
- From an O-6 in the chain of command: “Can you confirm that the USARC G1 is taking care of this for the Soldier? They have asked me several times to sign this but I have not yet done so and according to your E-mail I am not authorized to sign for the CAR.”
- A response to one unit/command: “The Chief of Army Reserve has **designated two O-6 personnel at OCAR to certify the N-426.**” (emphasis added).
- “Please note, the approval authority is not the unit commander, brigade commander or the [battalion] commander. The approval authority is at OCAR G-1 level. **The 27th of October memorandum from DOD does not specify the amount of time that OCAR G-1 has to determine whether HQDA has any derogatory information (para 4d) and when they will sign the N-426.** This means **this unit**

**cannot tell how long it will take for OCAR to process and return the signed N-426.”** (emphasis added).

27. Based on the information available to Plaintiffs, and in the absence of any contrary information provided by Defendants (despite multiple requests) to demonstrate compliance, Defendants are not in compliance with the PI Order. Regardless of whatever efforts Defendants have made, Defendants’ compliance with the PI Order is lacking as numerous class members who requested N-426s shortly after the PI Order was issued (including those where the unit information was provided to defense counsel nearly two weeks ago) are still without completed N-426s. As a result of the Defendants’ inadequate efforts, it appears that hundreds of class members – three weeks after the PI Order – remain without their N-426s and are therefore unable to apply for naturalization.

\*\*\*

Accordingly, Plaintiffs seek the following relief:

- (a) an order compelling Defendants to show cause why the Court should not make a finding that Defendants have failed to comply with the PI Order;
- (b) an order compelling Defendants, within three days of such order, to report to the Court and Plaintiffs its efforts to comply with the PI Order, including: (i) all memoranda issued to command and reserve personnel concerning the PI Order; (ii) the number of class members who have submitted requests for N-426s since the PI Order; (iii) the number of N-426s completed and returned to class members since the PI Order; (iv) the average turn-around time – from date of submission to completion and return – for N-426s; and (v) efforts to ensure that no class members



are retaliated against in any manner for having exercised their N-426 rights under the PI Order;

- (c) an order compelling Defendants to thereafter provide weekly compliance update reports to the Court and Plaintiffs, until further notice; and
- (d) an order compelling Defendants, within ten days of such order, to provide Plaintiffs' counsel with the names and contact information for class members to facilitate Plaintiffs' counsel's communication with them regarding matters of interest in this litigation including Defendants' compliance with the PI Order.

**CONCLUSION**

For these reasons, Plaintiffs' Motion should be granted.

Respectfully submitted,

*/s/ Joseph J. LoBue*

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*Counsel for Plaintiffs*

# **Exhibit C**

to Declaration of Jennifer M. Wollenberg to  
Plaintiffs' Reply Memorandum in Support of  
Plaintiffs' Motion to Enforce Court Order

Case No.: 1:20-cv-01104-PLF

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

MAHLON KIRWA, *et al.*,

Plaintiffs,

v.

UNITED STATES DEPARTMENT OF  
DEFENSE, *et al.*,

Defendants.

Civil Action No. 17-1793(ESH)

**ORDER**

It is hereby

**ORDERED** that defendants shall respond to plaintiffs' motion, ECF No. 35, to enforce the Court's Amended Preliminary Injunction Order, ECF No. 32, on or before **Nov 29, 2017, at 5:00 PM**; it is further

**ORDERED** that plaintiffs have until **December 4, 2017, at 5:00 PM**, to file any reply; it is further

**ORDERED** that defendants shall inform the Court of its efforts to comply with the Court's Amended Preliminary Injunction Order including, but not limited to, the following:

(1) all instructions for effectuating the Court's Order issued to command and reserve personnel, and documentation of all such communication; and

(2) all efforts to communicate and explain the Court's Order issued to class members, and documentation of all such communication.

**ORDERED** that on or before **Nov 29, 2017, at 5:00 PM**, plaintiffs and defendants will propose a joint communication to be distributed to the class members explaining their rights

under the Court's Amended Preliminary Injunction Order. The communication shall be sent by defendants, but if defendants would rather the plaintiffs send the communication, defendants must provide the names, addresses, and contact information for all class members who have not received their N-426; it is further

**ORDERED** that on or before **Nov 29, 2017, at 5:00 PM**, defendants shall provide the following information:

- (1) how many class members have applied for an N-426;
- (2) when those class members applied for an N-426;
- (3) how many class members have approved N-426s;
- (4) when those class members received their N-426 or confirmation that it had been uploaded into the soldier's Army Military Human Resource Record; and
- (5) a list containing the names of class members who submitted an N-426, the dates they submitted their N-426s, and the date they received their N-426 or confirmation of approval.

**ORDERED** that on or before **Nov 29, 2017, at 5:00 PM**, defendants shall provide the Court with the responses they received to its October 27, 2017 Memorandum for Secretaries of the Military Departments, ECF No. 35-3, regarding the status of the military departments' compliance with the Court's Order.

**SO ORDERED.**

/s/ Ellen Segal Huvelle  
ELLEN SEGAL HUVELLE  
United States District Judge

Date: November 16, 2017

# **Exhibit D**

to Declaration of Jennifer M. Wollenberg to  
Plaintiffs' Reply Memorandum in Support of  
Plaintiffs' Motion to Enforce Court Order

Case No.: 1:20-cv-01104-PLF

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

---

MAHLON KIRWA, et al.,	)	
	)	
Plaintiffs,	)	
	)	
v.	)	Civil Action No. 1:17-cv-01793
	)	The Honorable Ellen Segal Huvelle
UNITED STATES DEPARTMENT OF	)	
DEFENSE and JAMES MATTIS, in his	)	
official capacity as Secretary of Defense,	)	
	)	
Defendants.	)	

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**DEFENDANTS' MEMORANDUM OF POINTS AND AUTHORITIES IN  
OPPOSITION TO PLAINTIFFS' MOTION TO ENFORCE COURT ORDER**

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## INTRODUCTION

On October 27, 2017, the Court entered an Amended Order enjoining Defendants, the Department of Defense (“DoD”) and Secretary of Defense James Mattis, in his official capacity, to use “best efforts to certify or deny Form N-426s . . . within two business days of receipt.” ECF No. 32 at 2.<sup>1</sup> Both DoD and Army took immediate action to comply with the Court’s order and have continued to take steps to ensure there exists a sustainable process for the submission and certification of Form N-426s, and that information about this process is communicated throughout the ranks. Defendants and their counsel have made significant efforts to keep Plaintiffs apprised of these efforts and to respond in a timely fashion to various questions and demands made by Plaintiffs. These efforts notwithstanding, and shortly before Defendants’ deadline to respond to Plaintiffs’ Amended Complaint, Plaintiffs file a motion to enforce the Court’s order, asserting that Defendants are out of compliance and seeking various forms of extraordinary and burdensome relief.

The Court should deny Plaintiffs’ motion. As a preliminary matter, Plaintiffs did not adequately comply with the requirements of Local Civil Rule 7(m) to meet and confer with Defendants in good faith to discuss the motion they intended to file and the relief they planned to seek, Plaintiffs left Defendants in the dark. The parties’ most recent communication prior to Plaintiffs filing their motion involved an update demonstrating compliance with the Court’s order, to which Plaintiffs did not reply, and Defendants justifiably believed that Plaintiffs’ concerns had abated.

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<sup>1</sup> For clarity throughout this brief, the Government cites ECF documents using PDF pagination rather than the internal pagination of these documents.

In any event, the Court should deny Plaintiffs' motion, which misapprehends the complex structure of the Army; misunderstands and at points misrepresents Defendants' good-faith efforts to comply with the injunction; and seeks relief to which Plaintiffs are not entitled.

## **BACKGROUND**

### **I. Entry of preliminary injunction order and Defendants' compliance efforts**

On October 25, 2017, the Court entered an Order preliminarily enjoining Defendants from "refusing to sign and issue Form N-426s to members of the Selected Reserve pursuant to Section II of DOD's October 13, 2017 Guidance." ECF No. 28 at 1. In an Amended Order dated October 27, 2017, the Court clarified that Defendants must use "best efforts to certify or deny Form N-426s . . . within two business days of receipt" after submission by a MAVNI soldier to a military officer ranked O-6 or higher. ECF No. 32 at 1-2.

After the Court issued its Amended Order on October 27, Defendants took immediate and concrete steps to comply with the directives of that Order. Within hours of the Court issuing its Amended Order, the Office of the Undersecretary of Defense for Personnel and Readiness ("USD(P&R)") issued a memorandum directing all military departments "to immediately implement and comply with the" Court's preliminary injunction order. *See* Ex. D. USD(P&R)'s memorandum further directed the military departments to report their compliance with the direction no later than October 31, 2017. *Id.* Each of the Departments responded to USD(P&R) in a timely fashion affirming their compliance. *See* Ex. A (October 31, 2017 compliance email from Air Force); Ex. B (October 31, 2017 compliance email from Navy and Marine Corps); Ex. C (October 27, 2017 compliance email from Army).<sup>2</sup>

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<sup>2</sup> Plaintiffs mistakenly suggest that Defendants have not complied with this self-reporting requirement. *See* ECF No. 35 at 2. But this requirement is an internal procedural mechanism that Defendants put in place to ensure compliance. As set forth in Exhibits A-C, the Military

The Department of Army took further steps to implement the Court's order. Shortly after USD(P&R) issued its memorandum, and also within hours of the Court issuing its Amended Order, Army disseminated a memorandum describing a policy for certifying N-426 Forms in the wake of the Court's order. According to the memo, "Army will act on all requests for certification of a Form N-426 from [MAVNIs] who have served one day or more in the Selected Reserve," and requests will not be returned to soldiers unless the request lacks necessary information or is not endorsed by the command. *See* Ex. E. Furthermore, the memo instructs the command not to deny a N-426 certification request "solely on the basis that the Soldier has not performed active duty service or has not attended initial entry training." *Id.* The Army released this detailed memorandum on the same day the Amended Order was issued because it understood that "some Reserve units would conduct weekend assemblies the following day," and wanted to ensure that the guidance was available during those drills. *See* Decl. of Lin St. Clair ¶ 4 (attached as Exhibit F).

The Army's October 27, 2017 memo also sets forth a process for the submission of requests to certify N-426s. According to the memo, a MAVNI seeking certification is to submit a DA Form 4187 to his or her commander, with specific sections of the form completed.<sup>3</sup> Ex. E at 2. Within one business day of receipt, a commander in receipt of an N-426 request is to verify certain

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Departments timely reported their compliance pursuant to DoD's instructions. The Court's Amended Order did not address or preclude reliance on such a self-reporting mechanism.

<sup>3</sup> DA Forms 4187 are used for all personnel actions, including applications for naturalization. Second Decl. of Colonel Brian A. Thomas ¶ 8 (attached as Exhibit G). They are a standard vehicle by which the Army captures relevant information about the specific personnel action, and they provide commanders a means by which they are able to track a personnel action until it reaches completion. Plaintiffs' complain that the Form 4187 "literally cannot be completed as instructed in the October 27 Army Memo" due to a typo in that memo. ECF No. 35 at 2 n.2. The attached St. Clair Declaration, Exhibit F, explains the origins of that typo and the steps the Army has taken to address any confusion it may have caused.

information on the Form 4187 and determine whether the soldier in question has been flagged as being suspended for favorable personnel actions. *Id.* The commander then recommends for or against honorable-service certification. *Id.* On the same day that the commander signs the Form 4187, the commander is obligated to transmit via email the request to the Office of the Chief, Army Reserve (OCAR), copying appropriate members of the chain of command but not seeking any further review from them. *Id.* OCAR then coordinates with DCS, G-1 to determine whether Army Headquarters possesses any derogatory information bearing on honorable service. *Id.* OCAR officers in the grade O-6 or of the civilian equivalent are authorized to certify the N-426 request. *Id.* Upon completion of this process, a copy of the DA 4187 and N-426 are to be forwarded to the soldier's commander and also uploaded into the soldier's Army Military Human Resource Record. *Id.*

Following the dissemination of the October 27, 2017 memo, Army took additional steps to comply with the Court's order. In particular, during the week of October 30, 2017, OCAR emailed implementation guidance to U.S. Army Reserve Command (USARC) commanders and other personnel. *See* Ex. H. That same week, USARC, Office of the Staff Judge Advocate provided guidance to legal personnel on a case-by-case basis. First Decl. of Colonel Brian A. Thomas ¶ 10 (attached as Ex. I). On November 9, OCAR and USARC, G-1 provided additional verbal guidance to human resources personnel in a bimonthly Human Resource Officers teleconference. *Id.* ¶ 11. The Assistant Chief, Army Reserve and Deputy Commanding General in USARC provided verbal guidance to commanders at all levels during a weekly "Commander's call." *Id.*

The Army's efforts in recent weeks have resulted in a significant number of MAVNI soldiers applying for and receiving N-426 certification. As of November 27, 2017, OCAR has received 185 requests for N-426 certification from MAVNIs in the DTP. Second Thomas Decl.

¶ 9. Of these, OCAR has returned 11 requests for corrections of administrative errors and has forwarded 89 to Army Headquarters for final review, with 61 having been approved and returned to the soldier thus far. *Id.*

## II. Communications with Plaintiffs regarding Defendants' compliance efforts

The parties have been in regular and frequent communication subsequent to the Court's preliminary injunction order, with Defendants expending considerable time and resources to respond to Plaintiffs' constant and ever-changing requests while simultaneously taking steps to comply with the Court's Order in the various ways described above. On October 26, 2017, less than twenty-four hours after the Court granted Plaintiffs' motion for a preliminary injunction, Plaintiffs' counsel contacted defense counsel by email to request that, as "appointed class counsel," they be informed "right away what efforts Defendants have made and/or are making to communicate this order and entitlement to class member enlistees and to the relevant military authorities." ECF No. 35-1 at 13. In that same email, Plaintiffs' counsel demanded a full list of names and contact information of all provisional class members either "immediately" or "within the next 48 hours." *Id.* Again, on the morning of October 27, Plaintiffs wrote that they "must insist" that Defendants provide the requested information and that, absent assurances that such information was forthcoming, they would "seek relief from the Court." *Id.* at 12.<sup>4</sup>

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<sup>4</sup> In separate emails on October 27, and during an impromptu meet-and-confer discussion that afternoon, defense counsel asked Plaintiffs' counsel to point to authority that would entitle them to the personally identifiable information they had demanded on the extraordinary timetable they had proposed—a timetable that would not, for instance, have accorded Defendants a reasonable opportunity to confer internally and determine whether the requested information was or could be protected from disclosure, or otherwise was subject to the Privacy Act of 1974, 5 U.S.C. § 552a. *See* ECF No. 35-1 at 10-11; ECF No. 35-8 ¶ 5. Apart from the Amended Order itself (which says nothing about the release of personally identifiable information) Plaintiffs identified 10 U.S.C. § 10210, a statute that appears never to have been cited in any published judicial opinion and that neither addresses the release of personally identifiable information nor establishes or implies any private right of action to seek judicial order for such information. *See Johnson v. Interstate Mgmt.*

In response to Plaintiffs' requests for information about Defendants' compliance with the Court's order, Defendants provided Plaintiffs with copies of the USD(P&R) memorandum as well as the Army memorandum on October 28, 2017 and October 30, 2017. *See* Ex. D, Ex. E. Shortly thereafter, on October 30—the first business day following entry of the Amended Order—Plaintiffs' counsel sent another email to defense counsel expressing their “concerns that DoD is not using its ‘best efforts’ to complete and return to service members—within two business days of receipt—N-426 forms submitted by service members, as ordered by the Court.” ECF No. 35–1 at 7. Plaintiffs' counsel alleged that, despite the requirement that commanders act on N-426 requests in one day, the Army's memorandum did not explicitly reference the two-day goal, which counsel construed as a “two-day deadline for completing and returning the N-426 to the MAVNI.” *Id.* at 8. In that same email, Plaintiffs' counsel complained about “brand new requirements” in the N-426 certification process, namely the Army's use of a standard personnel form to facilitate N-426 determinations. Furthermore, and for the first time in this litigation, counsel objected to the submission of N-426 forms without “handwritten signatures in sealed envelopes.” ECF No. 35–1 at 8.<sup>5</sup> Counsel closed their email by threatening to “seek appropriate relief from the Court,”

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*Co.*, 849 F.3d 1093, 1097 (D.C. Cir. 2017) (“Congress creates federal causes of action. If the text of a statute does not provide a cause of action, there ordinarily is no cause of action. . . . To support an implied cause of action, the relevant statute must demonstrate Congress's intent— notwithstanding the lack of an express cause of action—to create a ‘private right’ and a ‘private remedy.’” (quoting *Alexander v. Sandoval*, 532 U.S. 275, 286 (2001))).

<sup>5</sup> Plaintiffs continue to express concern about whether U.S. Citizenship and Immigration Services (USCIS) may require submission of an N-426 in a sealed envelope. ECF No. 35 at 7 n.1. Defense counsel have already addressed this issue, *see* ECF No. 35–6. To be clear, Defendants are aware of no envelope requirement and no wet ink requirement for N-426 forms, nor have Plaintiffs identified any MAVNI soldier who has submitted a photocopy subsequent to the preliminary injunction and received thereafter a USCIS Request for Evidence.



demanding a compliance report by close of business that day, and ordering Defendants to disseminate further information to “all commands.” *Id.*

In a response dated October 31, Defendants pointed out that the Army’s memorandum cross-references DoD’s memorandum, which itself directs the Military Departments to immediately comply with the Amended Order. ECF No. 35-1 at 8. Defense counsel also noted that the Amended Order, by its express terms, requires DoD to use “best efforts to certify or deny Form N-426s . . . within two business days of receipt,” but that it does not impose a hard deadline to sign a MAVNI’s form and get it back in his hands, nor does it specify the manner of delivery. *Id.* Defense counsel stated that they had informed the Army of two instances of alleged noncompliance and had followed up with the Army on the named Plaintiffs’ N-426 applications, and defense counsel invited Plaintiffs to advise the defense of any other MAVNIs who were awaiting N-426 determinations. *Id.* at 7.

Also on October 31, Plaintiffs renewed their request (again, without citing authority) for personally identifiable information. *Id.* at 5. Plaintiffs also requested documentation, including “any order/memo/direction to the commands making clear that they are not to hold up N-426 completion pending further direction from DoD.” *Id.* at 6. In a separate email that same evening, Plaintiffs invoked yet another nonexistent requirement of the Amended Order (an N-426 “tracking” system) and threatened to contact the Court’s chambers in the morning to request a telephonic conference on what would have been the third business day following entry of the Amended Order. *Id.* at 4.

The parties participated in meet-and-confer calls on November 1 and 3. *See* ECF No. 35-8 ¶¶ 10, 12. Following the November 1 call, Plaintiffs’ counsel provided contact information for four Army personnel who had allegedly either waited more than two business days to act on an N-

426 request or expressed confusion about the process, ECF No. 35–5 at 4-5, and defense counsel conveyed this information to Defendants.

In a final email exchange on November 7 and 8, Plaintiffs’ counsel requested “reports” about N-426 submissions and certifications, and defense counsel advised that “at least 30 forms were submitted over the drill weekend” and that these forms “either have been signed or are in the process of being signed and returned to the MAVNIs.” ECF No. 35–7. Defense counsel advised Plaintiffs about guidance that had been disseminated on November 3, and also invited Plaintiffs to share any information about MAVNIs who might have “received misinformation subsequent to [the previous] weekend” or who were “waiting for a certification to be completed.” *Id.*

Plaintiffs did not respond to Defendants’ November 8 email. On November 15, 2017, Plaintiffs filed the instant Motion to Enforce.

### **III. Order of November 16, 2017**

On November 16, 2017, and in response to Plaintiffs’ motion, the Court ordered Defendants to provide some additional information and documentation contemporaneously with this opposition brief. ECF No. 37. In response to that Order, Defendants now submit the following:

- Attached hereto as Exhibits A through C are the “responses [DoD] received to its October 27, 2017 Memorandum for Secretaries of the Military Departments.”
- Attached hereto as Exhibits G and I are Declarations by Colonel Brian A. Thomas, Division Chief, Strategic Integration, Office of the Chief Army Reserve, which discuss Defendants’ efforts to comply with the Court’s Amended Preliminary Injunction Order. The Second Thomas Declaration briefly summarizes the MAVNI N-426 certification data that the Court has requested, including information about (1) how many class

members have applied for an N-426, (2) when those class members applied for a N-426, (3) how many class members have approved N-426s, (4) when those class members received their N-426 or confirmation that it had been uploaded into the Soldier's Army Military Human Resource Record; and (5) a list of the names of class members who submitted a N-426, the dates they submitted their N-426s, and the date they received their N-426 or confirmation of approval. The full data set is presented in a spreadsheet; a redacted version of the spreadsheet is attached as Exhibit L, and Defendants are also filing an unredacted version contemporaneously with this brief and under seal.

- Attached hereto as Exhibit J is a compilation of documents reflecting instructions for effectuating the Court's Order issued to command reserve personnel and efforts to communicate and explain the Court's Order issued to class members.<sup>6</sup>

## ARGUMENT

“District courts clearly have the authority to enforce the terms of their mandates.” *Fund for Animals v. Norton*, 390 F. Supp. 2d 12, 15 (D.D.C. 2005). The exercise of such authority is “particularly appropriate” where a government agency “plainly neglects the terms of a mandate.” *Int'l Ladies' Garment Workers' Union v. Donovan*, 733 F.2d 920, 923 (D.C. Cir. 1984). But Plaintiffs make no showing that Defendants have failed to exercise their best efforts to comply with the preliminary injunction. And while an injunction may be enforceable through the district court's power of contempt, a contempt finding is proper only where the “putative contemnor has

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<sup>6</sup> Although Defendants have not (to date) communicated directly with the provisional class members *en masse* about the preliminary injunction, Defendants have disseminated guidance through proper channels. As discussed below, that approach is consistent with the rules, expectations, and culture of DoD and Army.

violated an order that is clear and unambiguous’ and the violation . . . is ‘proved by clear and convincing evidence.’” *Phillips v. Mabus*, 894 F. Supp. 2d 71, 91 (D.D.C. 2012) (quoting *Armstrong v. Executive Office of the President*, 1 F.3d 1274, 1289 (D.C. Cir. 1993)); *see also United States v. Latney’s Funeral Home, Inc.*, 41 F. Supp. 3d 24, 34 (D.D.C. 2014) (noting that a “cognizable justification exists for good faith substantial compliance” and that a party may satisfy this standard by showing that it took all reasonable steps within its power to comply). Plaintiffs do not request a contempt finding and fail entirely to satisfy the applicable standard.

#### **I. Submission of joint proposed notice to class members**

Concurrently with this filing, the parties are filing a joint communication to class members that they have drafted pursuant to the Court’s Order. Defendants respectfully submit that it would be prudent to refrain from disseminating notification to any class members until the final class is certified and/or the Court rules on Defendants’ Motion to Dismiss Amended Complaint or in the Alternative for Summary Judgment, ECF No. 39. Defendants have not opposed Plaintiffs’ motion for class certification in this action. *See* Notice of Def.s’ Non-Opp. to Pls.’ Mot. for Class Cert., ECF No. 40. But circulating notice to provisionally-certified class members would likely result in individuals receiving notice of the provisional class only to receive a second notice shortly thereafter regarding the fully certified class. Receipt of two notices about class membership in such short succession is inefficient and has the potential to confuse class members.

Further, Defendants have moved for summary judgment, and they anticipate that Plaintiffs will soon file a cross-motion for summary judgment. The Court’s resolution of these motions may affect the scope and nature of the legal claims at issue in the case, which could in turn necessitate modification of any notice to class members. Given these considerations, Defendants propose that

notification of the class be postponed until after the Court rules on Plaintiffs' motion to certify the class and/or the parties' cross-motions for summary judgment.

Nevertheless, should the Court determine that dissemination of notice to the provisionally certified class is still warranted, Defendants are prepared to undertake that effort to do so. For any class members for whom Defendants have governmental email addresses, Defendants will send the communication via email. For class members who do not have governmental e-mail addresses, Defendants will either mail the notice to the class member's last known address or provide a physical copy through the chain of command. Defendants may also consider e-mailing copies of the notice to class members' personal e-mail accounts to the extent Defendants have records of such accounts. Finally, at the request of Plaintiffs, Defendants will disseminate notice through the recruiting command.

## **II. Plaintiffs' motion is meritless and should be denied<sup>7</sup>**

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<sup>7</sup> Local Civil Rule 7(m) provides that, before filing any non-dispositive motion in a civil action, "counsel shall discuss the anticipated motion with opposing counsel in a good-faith effort to determine whether there is any opposition to the relief sought and, if there is, to narrow the areas of disagreement." Pursuant to this Rule, Plaintiffs were obligated to advise Defendants of the particular motion they intended to file and the precise relief they intended to seek. *See, e.g., English v. WMATA*, Civ. Action No. 16-02335 (ABJ/RMM), 2017 WL 5197870, at \*3 (D.D.C. Nov. 9, 2017) (holding that the defendant failed to comply with Local Civil Rule 7(m) where defendant "appears to have made a good faith effort to initiate a discussion" but where the "abrupt and premature end to the discussion [fell] short of the meaningful and 'real steps' to confer" that the rule requires). No such conversation occurred in this case. As discussed above, Plaintiffs referred to the possibility that they might seek Court involvement in the week following the Court's Amended Order, but did not again mention that possibility in multiple follow-up conversations and emails. Indeed, the final communication between the parties prior to Plaintiffs' filing was a November 8, 2017 email from Defendants providing updated information about Defendant's compliance efforts and inviting Plaintiffs to inform Defendants about any MAVNIs who had received misinformation or were still waiting for N-426 certification. *See* ECF No. 35-7 at 2. Rather than responding to Defendants' email, Plaintiffs, without any notice to Defendants, filed the instant motion with the Court.

A. Defendants have employed and documented best efforts to require compliance with the injunction, particularly given the Army's complex organizational structure

Defendants have made best efforts to comply with the preliminary injunction, including with the two-day goal for certification of N-426 forms submitted by MAVNI soldiers following entry of the Amended Order. As discussed above, those efforts include the following:

- The October 27, 2017 issuance of the USD(P&R) Memorandum directing all military departments to immediately comply with the Court's Amended Order, including confirmation from all Departments that they are in compliance with the USD(P&R) memo;
- The October 27, 2017 issuance of an Army memorandum establishing a uniform and detailed process for receiving and processing requests for N-426 certification as well as clarifying the criteria for N-426 certification in light of the Court's Amended Order and preliminary injunction ruling;
- OCAR disseminating guidance to the USARC commanders and other personnel;
- USARC, Office of the Staff Judge Advocate providing guidance to legal personnel on a case-by-case basis;
- OCAR and USARC providing verbal guidance to human resources personnel in a bimonthly Human Resource Officers teleconference;
- USARC providing verbal guidance to commanders at all levels during a weekly "Commander's call."

As this Court has recognized in a variety of contexts, government officials are entitled to a presumption of good faith and regularity in their execution of their official duties. *See e.g., FTC v. Bisaro*, 757 F. Supp. 2d 1, 10 (D.D.C. 2010); *Air Transp. Ass'n of Am. v. Nat'l Mediation Bd.*, Civ. Action No. 10-0804 (PLF), 2010 WL 8917910, at \*3 (D.D.C. June 4, 2010); *Epstein v. Geren*, 539 F. Supp. 2d 267, 275 (D.D.C. 2008); *China Trade Center, L.L.C. v. WMATA*, 34 F. Supp. 2d 67, 70–71 (D.D.C. 1999). Such a presumption is likewise warranted here with respect to Army's establishment of a process for handling N-426 certification requests in the wake of the Court's order. Specifically, DoD took immediate action to issue guidance communicating the Court's

order and directing all military departments to comply. The Army similarly acted within hours of the Court's order to establish a process for processing N-426 certification requests in a manner consistent with the Court's order, and followed up on this memo with additional guidance and communication in the ensuing days. Although Plaintiffs may prefer there to be a different process in place, Plaintiffs have not demonstrated that these efforts fall short of Defendants' obligation to use its "best efforts." Indeed, the fact that, as of November 27, Army has received 185 requests for N-426 certification and has returned 61 of these completed forms itself reflects the fact that Army has undertaken best efforts to comply with the Court's order, especially in light of the complexity of the Army organization and other factors that might result in delay.<sup>8</sup> *See* Second Thomas Decl. ¶ 12 ("To the extent it takes the Army longer than two business days to complete certification, this delay can be attributed to the volume of submissions subsequent to the Amended Order, the complexity of the Army Reserve organization, the nature of Army records systems, the time required to review a Soldier's service and personnel files, manpower shortages, and federal holidays.").

Furthermore, modifications to any Army policy or practice, including its policies and processes for N-426 certification, must be undertaken in a manner consistent with and respectful

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<sup>8</sup> Although certain individual MAVNIs, including the three named Plaintiffs in this action, have received expedited treatment for their N-426 submissions, such treatment is not a viable option for the MAVNI population writ large. The three named Plaintiffs received expedited treatment because Army had advanced notice that the individuals sought certification and Army was further able to seek simultaneous command review and security review. Second Thomas Decl. ¶ 7. Both types of review are essential to verify honorable service for purposes of an N-426 Form, but Army would not be able to obtain simultaneous review on a broader basis and in the absence of advanced notice that certain individuals sought N-426 certification. *See id.* This expedited process, involving a coordinated effort by multiple high-ranking Army officials, could not feasibly be replicated for each and every MAVNI N-426 form that is submitted. Moreover, the backlog created by the many dozens of requests submitted in recent weeks makes the processing rate for the named *Kirwa* Plaintiffs (and the named *Nio* Plaintiffs) of limited utility in assessing Defendants' best efforts at this time.

of the structure of the Army. Representing one of the four Military Departments under DoD control, the Army is a massive organization with 193,767 soldiers in the Army Reserve alone, who are all assigned to 33,959 different units across the continental United States. First Thomas Decl. ¶ 4. The Army is also a hierarchical organization, headed by the Secretary of the Army. *Id.* ¶ 3. Below the Secretary is the Assistant Secretary of the Army (Manpower and Reserve Affairs) (“ASA (M&RA)”), OCAR, and the U.S. Army Reserve Command (“USARC”). *Id.* Within USARC, there are 30 mid-level geographic and functional commands headed by two-star general officers; 22 of these commands have MAVNI personnel assigned at lower-level units. *Id.* ¶ 6. Communication between Army officers generally follows the chain of command. *See* Army Reg. 600-20, Ch. 2-1. Furthermore, communication between members of the Reserve, such as MAVNI soldiers in the Selected Reserve, outside of scheduled duty days is rare and is typically conducted via email because the vast majority of the lower levels of the command work two days per month during weekend drill periods. First Thomas Decl. ¶ 5. *Id.* For these reasons, changing Army’s N-426 certification policy virtually overnight and to communicate any such changes throughout its disparate ranks while abiding the organization’s hierarchical structure is an extraordinarily challenging task.

In addition, the Army was required to account for its policies and regulations concerning the chain of command when fashioning a mechanism for complying with the Court’s order. The chain of command is a fundamental concept in military life, and its purpose is to “facilitate[] the transmittal of orders from the highest to the lowest levels in a minimum amount of time and with the least chance of misinterpretation.” Army Reg. 600-2, Ch. 2-1(a); *see also* Second Thomas Decl. ¶ 2 (noting that the “key elements of command are authority and responsibility” and that “[e]ach commander is accountable to a superior commander and responsible for the actions of the



commander below them”). Because “[e]ffective communication between senior and subordinate Soldiers within the chain of command is crucial to the proper functioning of units,” Army regulations require soldiers to “use the chain of command when communicating issues and problems to their leaders and commanders.” Army Reg. 600-2, Ch. 2-1(c).

The Army utilized chain-of-command policies both to ensure that its N-426 certification process complied with Army regulations and to disseminate information as quickly as possible. For example, the October 27 Army memo contemplates MAVNI soldiers submitting N-426 certification requests to their commanders, who in turn complete certain sections of the required forms and expeditiously transmit them to OCAR and USARC. *See* Ex. G at 3. Completed N-426 Forms are returned to the commander for distribution back to the MAVNI soldier. *Id.* Given the central role of commanders in the N-426 process, OCAR and USARC also provided verbal guidance to commanders at all levels in early November. First Thomas Decl. ¶ 11. In the event there are miscommunications within the chain of command, or that certain individual commanders may have misinformation about current policies (both realistic possibilities within any large organization implementing policies or processes), MAVNI soldiers have the ability—and indeed, are encouraged—to avail themselves of Army’s “open door” policies which permit a soldier to contact a commander’s superior. *See* Second Thomas Decl. ¶ 6; *see also* Army Reg. 600-20, Ch. 2-2 (describing the open door policy and noting that “[s]oldiers are responsible to ensure that the commander is made aware of problems that affect discipline, morale, and mission effectiveness”). MAVNI soldiers, moreover, may contact their command Inspector General, legal assistance attorneys, and the listed point of contact on a particular policy if they have concerns about misinformation or miscommunications. Second Thomas Decl. ¶ 6. Thus, to the extent any confusion or misunderstandings exist concerning N-426 certifications following the Court’s order,

MAVNIs and other Army officials who are involved in the process are able to use existing Army mechanisms to address those issues.

The Army's current N-426 certification process likewise reflects the need to review specific information about each individual soldier. Review by both a MAVNI's command and a review of the MAVNI's security records for derogatory information are essential components of the honorable-service determination. Second Thomas Decl. ¶ 7. By necessity, these reviews must be completed by different persons; only a unit commander who has directly interacted with a MAVNI soldier can evaluate that soldier's performance to date, but those same such commanders lack access to the soldier's security records, which are stored at secured centralized locations. *Id.* ¶¶ 5, 7. In order to ensure that Army is accurately assessing a MAVNI soldier's service, this review will necessarily take some amount of time. Such a review, furthermore, is consistent with the Court's Amended Order, in which the Court made clear that Defendants are entitled to consider MAVNI service records in deciding whether to certify or deny honorable service. *See* ECF No. 32 at 1 (authorizing Defendants to refuse to certify an N-426 based on the "conduct of an individual plaintiff or class member as reflected in that soldier's service record and based on sufficient grounds generally applicable to all members of the military"). The N-426 form itself likewise directs an official who refuses to certify honorable service to provide "any derogatory information in [service] records relating to the service member's character, loyalty to the United States, disciplinary action, convictions, other than honorable discharges, or other matters concerning his or her fitness for citizenship." ECF No. 11-3 at 4. Certifying Form N-426s requires some time to review relevant records for each soldier requesting to be certified, and the Army's current

certification process accounts for the need to review such records while also ensuring that the review is undertaken as expeditiously as possible.<sup>9</sup>

In sum, the process established by Army in the wake of the Court's order reflects its best efforts to comply as quickly as possible with the Court's order within the confines of the structure, mission, and operation of the organization.

B. Plaintiffs' contentions that Defendants have failed to comply with the preliminary injunction order are unfounded

Plaintiffs' motion relies on several misleading or inaccurate assertions, several of which require correction here. First, Plaintiffs contend that Defendants have placed the approximately 2,000 *Kirwa* class members in the "untenable position" of learning about the injunction on their own and advocating on their own behalf, including by educating, questioning, and correcting military superiors. ECF No. 35 at 5. This contention is incorrect. Through its memorandum of October 27 and its subsequent guidance, the Army took concrete steps to ensure that commanders throughout the ranks were informed about the injunction and what steps to take upon submission of an N-426. Given the dozens of N-426 forms submitted over the past several weeks, that guidance plainly is achieving its intended result.

Second, Plaintiffs complain that Defendants "refuse to engage on the key questions" and have been "non-responsive or behaving in a counter-productive manner." ECF No. 35 at 6. These statements are also incorrect. As outlined above, Defendants have sought to engage in good-faith

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<sup>9</sup> Plaintiffs rely heavily on a small number of vague anecdotes about certain MAVNI soldiers having difficulty submitting requests for N-426 certification. At best, these anecdotes illustrate some possible confusion in the hours and days immediately following entry of the Amended Order. The Army has attempted to address any such misconceptions by disseminating written guidance and well as verbal guidance. Moreover, as discussed above, MAVNI soldiers are encouraged to use Army's open-door policy to resolve any problems or concerns they may have with the N-426 certification process.

efforts to respond in real time to Plaintiffs' concerns. Indeed, it was Plaintiffs who ceased communication on these issues in favor of the pending motion.

Third, Plaintiffs mischaracterize Defendants' offer to help facilitate honorable-service certifications for the three named Plaintiffs, *see* ECF No. 35-1 at 9, as indicating that "DoD's efforts with respect to the class are not adequate to comply with the PI Order, as Defendants had to make special efforts, and asked for assistance from the *Plaintiffs*, with respect to the three individually-named Plaintiffs." ECF No. 35 at 10. No reasonable person would construe Defendants' attempt to assist the named Plaintiffs as evidence that DoD was not making best efforts to comply with the Amended Order generally.

Fourth and finally, Plaintiffs complain that the October 27 guidance documents promulgated by DoD and the Army do not include the "best efforts" language from the Amended Order. *See id.* at 10, 12. This complaint is also meritless. DoD's memorandum directs the Military Departments to "immediately implement and comply" with the preliminary injunction, *see* Ex. D, while Army's memorandum cross-references the Amended Order and DoD's memorandum and prescribes procedures to ensure expeditious honorable-service determinations, *see* Ex. E.

C. Even were the Court to conclude that Defendants have not fully complied with the preliminary injunction, the relief Plaintiffs seek would be improper

Even if the Court were to find that Defendants' actions are not compliant with the Court's Amended Order in some respect, the appropriate remedy would be to provide Defendants with a reasonable opportunity to undertake corrective actions. And if any such finding by the Court turns on an ambiguity in the Amended Order, Defendants respectfully submit that the Court should further revise that Order to eliminate the ambiguity. For instance, if the Court were to construe the Amended Order as imposing a strict two-day deadline to certify *and return* Forms N-426 to requesting MAVNIs (despite the complexities outlined in Colonel Thomas's Declarations), such

that a signed form must be back in the MAVNI's possession by close of business on the second day, the Court should revise the Amended Order to so state and accord Defendants a reasonable window in which to communicate that strict deadline to OCAR and USARC.

In no event, however, should the Court grant Plaintiffs' request that Defendants be required to submit weekly compliance reports *to the Plaintiffs*. Plaintiffs cite no authority for the proposition that a private law firm is permitted to superintend the Government's compliance with a preliminary injunction order. The appointment of even a "third-party monitor to ensure compliance with an order is an extraordinary remedy," and the "circumstances of this case do not justify such an extreme measure," *Williams-Sonoma Direct, Inc. v. Arhaus, LLC*, 109 F. Supp. 3d 1009, 1024 (W.D. Tenn. 2015), let alone *de facto* appointment of Plaintiffs' counsel as a surrogate monitor, *see John B. v. Menke*, 176 F. Supp. 2d 786, 807 (M.D. Tenn. 2001) ("[T]he appointment of a special master to ensure the implementation of a court order by a government entity is 'an extraordinary remedy.'" (citing *United States v. City of Parma*, 661 F.2d 562, 578–79 (6th Cir. 1981))).

Defendants also respectfully suggest that it would be inappropriate for Defendants to supply Plaintiffs' counsel with the names and contact information of all members of the provisionally certified class. Unlike a Rule 23(b)(3) opt-out class action, for which notice is required, the provisional *Kirwa* class was certified under Rules 23(b)(1) and/or 23(b)(2). This is a mandatory class: individual class members may neither opt in nor opt out. In such a class, there is a reduced need for class-wide communication, particularly where, as here, the Court has not yet ruled on the merits. As the Court is aware, Defendants have moved to dismiss or in the alternative for summary judgment. Should the Court ultimately grant that motion, Plaintiffs' counsel would have no valid interest in further communications with the provisionally certified class members.

Under these circumstances, the Court should not require disclosure of those soldiers' names and contact information, particularly at this preliminary stage.

Finally, the Court should reject Plaintiffs' demand that Defendants report on their "efforts to ensure that no class members are retaliated against in any manner for having exercised their N-426 rights under the PI Order." ECF No. 35 at 20–21. Plaintiffs' counsel have produced no evidence of retaliation or anything approaching it. Defendants concur that any retaliation would be unacceptable, and they have informed Plaintiffs that "retaliation against a MAVNI who seeks to exercise his or her rights under the Amended Order would not be tolerated by Army." *See* ECF No. 35–7 at 2. But the Court cannot impose an impossible requirement on Defendants to ensure that no such alleged unlawful action occurs in the first place.

### CONCLUSION

For the foregoing reasons, the Court should deny Plaintiffs' Motion to Enforce Court Order.

Dated: November 29, 2017

Respectfully submitted,

CHAD A. READLER  
Principal Deputy Assistant Attorney General

ANTHONY J. COPPOLINO  
Deputy Branch Director  
Federal Programs Branch

*s/ Nathan M. Swinton*

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*Attorneys for Defendants*

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

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MAHLON KIRWA, et al.,	)	
	)	
Plaintiffs,	)	
	)	
v.	)	Civil Action No. 1:17-cv-01793
	)	The Honorable Ellen Segal Huvelle
UNITED STATES DEPARTMENT OF	)	
DEFENSE and JAMES MATTIS, in his	)	
official capacity as Secretary of Defense,	)	
	)	
Defendants.	)	

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**EXHIBIT LIST**

- Exhibit A: Air Force Self-Report
- Exhibit B: Navy Self-Report
- Exhibit C: Army Self-Report
- Exhibit D: DoD Memorandum (Office of the Under Secretary of Defense for Personnel and Readiness)
- Exhibit E: Army Memorandum (Office of the Assistant Secretary, Manpower and Reserve Affairs)
- Exhibit F: Declaration of Lin St. Clair
- Exhibit G: Second Declaration of Colonel Brian A. Thomas
- Exhibit H: 11/3/17 guidance from U.S. Army Reserve Command; related e-mails
- Exhibit I: First Declaration of Colonel Brian A. Thomas w/ attachments
- Exhibit J: Compilation of Documents Reflecting “Instructions for Effectuating the Court’s Order Issued to Command Reserve Personnel” and “Efforts to Communicate and Explain the Court’s Order Issued to Class Members”
- Exhibit K: DA Form 4187
- Exhibit L: *Kirwa* Class N-426 Reporting Chart (names redacted; unredacted version to be filed separately with a motion to seal)



# Exhibit A

**From:** [Mayo, Jeffrey R SES USAF SAF-MR \(US\)](#)  
**To:** [MILLER, Stephanie P SES OSD OUSD P-R \(US\)](#)  
**Cc:** [Arendt, Christopher P CIV OSD OUSD P-R \(US\)](#); [Harencak, Garrett Maj Gen USAF AF-A10 \(US\)](#); [Ploessl, Craig A CMSgt USAF AF-A1 \(US\)](#); [Pittman, Cloyce C \(Chuck\) JR CIV USAF SAF-MR \(US\)](#); [Labrutta, Robert D Maj Gen USAF AF-A1 \(US\)](#)  
**Subject:** P&R Guidance: Compliance and Implementation of Court Order (UNCLASSIFIED)  
**Date:** Tuesday, October 31, 2017 3:21:29 PM  
**Attachments:** [CIVIL.PDF](#)  
[28 - Kirwa v. DoD - order granting Ps" motion for PI.PDF](#)  
[29 - Kirwa v. DoD - mem op in support of order granting PI motion.pdf](#)  
**Importance:** High

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Stephanie

The Air Force confirms that we are in compliance with the direction below across the components and will take action to make sure we remain in compliance in the future.

Jeff

Jeffrey R. Mayo, SES  
Deputy Assistant Secretary, Force Management Integration SAF/MRM, 5E818  
1660 Air Force Pentagon  
Washington DC 20330-1660

Phone: [REDACTED]  
Email: [REDACTED]@mail.mil

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-----Original Message-----

From: MILLER, Stephanie P SES OSD OUSD P-R (US)  
Sent: Friday, October 27, 2017 3:29 PM  
To: Salo, Donald G Jr SES USARMY HQDA ASA MRA (US)  
[REDACTED]@mail mil>; Beyler, Juliet M SES (US)  
[REDACTED]@navy.mil>; Mayo, Jeffrey R SES USAF SAF-MR (US)  
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Cc: Barna, Stephanie A SES OSD OUSD P-R (US)  
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[REDACTED]@mail mil>

Subject: P&R Guidance: Compliance and Implementation of Court Order  
(UNCLASSIFIED)  
Importance: High

CLASSIFICATION: UNCLASSIFIED

Leaders,

On behalf of Mr. Tony Kurta, attached please find a memorandum to the Military Departments directing compliance and implementation of the Court Order in the MAVNI-related Kirwa litigation. Request positive confirmation of receipt by COB today. Following your expeditious promulgation to affected organizations, please report the status of your compliance with this direction NLT October 31, 2017. OSD AP will hold an action officer meeting on Monday, October 30, 2017 (1230-1330) to discuss processes associated with implementation.

As background, late Wednesday (Oct. 25), the district court for the District of Columbia (J. Huvelle) granted the plaintiffs' motion for a preliminary injunction (PI) in the Kirwa MAVNI suit. Under the court's order, DoD is preliminarily enjoined from: (1) refusing to sign and issue Form N-426s per the Oct. 13 DoD policy that N-426s be signed only after ensuring that the service member is not pending disciplinary action, has received favorable vetting, and served a sufficient period of time to permit an informed decision about whether the service member has served honorably; and (2) refusing to certify N-426s for MAVNIs who have served for one day in the Selected Reserves (unless there is unfavorable information at the time of submission of the N-426). The court further ordered DoD to use their "best efforts" to certify or deny Form N-426s within two business days of receipt. Finally, the court provisionally certified a class of MAVNI enlistees who enlisted before Oct. 13 and who have served in the Selected Reserve and have not received a completed Form N-426. We estimate that there are 1600-2000 members in the class.

We are actively engaged in discussions with DOJ regarding appeal, but it is unknown whether there will be a stay of the PI, necessitating DoD compliance with the Court Order.

Standing by to answer questions and concerns.

Best regards,

Stephanie

Stephanie P. Miller  
Director, Accession Policy (MPP/AP)  
[REDACTED] office  
[REDACTED]@mail.mil

CLASSIFICATION: UNCLASSIFIED

# Exhibit B

**From:** [Ingram, Elena P CAPT ASN \(M&RA\), MMP](#)  
**To:** [MILLER, Stephanie P SES OSD OUSD P-R \(US\)](#)  
**Cc:** [Arendt, Christopher P CIV OSD OUSD P-R \(US\)](#); [Woods, Robert L SES USN ASSTSECNAV MRA DC \(US\)](#); [Beyler, Juliet M SES \(US\)](#); [Truesdale, Lisa M CIV USN \(US\)](#); [Hildebrand, Ralita S CAPT USN ASSTSECNAV MRA DC \(US\)](#); [Reidenbach, Gary R Col USMC USARMY AWC \(US\)](#); [Nowell, John B Jr RADM USN \(US\)](#); [Long, Kenneth S CAPT USN DCNO N1 \(US\)](#); [Katson, Mery Angela Sanabria CAPT USN DCNO N1 \(US\)](#); [Benedict, Scott F BGen USMC \(US\)](#); [Strobl, Michael R SES USMC MANDR AFFAIRS \(US\)](#); [Truesdale, Lisa M CIV USN \(US\)](#)  
**Subject:** RE: P&R Guidance: Compliance and Implementation of Court Order (UNCLASSIFIED)  
**Date:** Tuesday, October 31, 2017 9:02:37 AM

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Ms. Miller-  
DON is in compliance. Marine Corps does not/has not utilized the MAVNI program and Navy does not have current accessions in the MAVNI program. The one Navy MAVNI participant in SELRES is already a naturalized citizen.

V/R,  
Elena

CAPT Elena P. Ingram  
Acting Deputy Assistant Secretary of the Navy  
Military Manpower and Personnel  
Phone: [REDACTED]  
DSN: [REDACTED]  
[REDACTED]@navy mil

-----Original Message-----

From: Ingram, Elena P CAPT ASN (M&RA), MMP  
Sent: Friday, October 27, 2017 3:57 PM  
To: 'MILLER, Stephanie P SES OSD OUSD P-R (US)'  
Cc: Arendt, Christopher P CIV OSD OUSD P-R (US); Woods, Robert L SES ASN (M&RA); Beyler, Juliet SES ASN (M&RA), MMP; Truesdale, Lisa CIV ASN (M&RA), MMP [REDACTED]@navy.mil); Hildebrand, Ralita S CAPT [REDACTED]@navy mil); Reidenbach, Gary Col ASN (M&RA) [REDACTED]@navy mil)  
Subject: RE: P&R Guidance: Compliance and Implementation of Court Order (UNCLASSIFIED)

Ms. Miller-  
I confirm receipt for Department of the Navy.

VR,  
CAPT Elena P. Ingram  
Acting Deputy Assistant Secretary of the Navy  
Military Manpower and Personnel  
Phone: [REDACTED]  
DSN: [REDACTED]  
[REDACTED]@navy mil

-----Original Message-----

From: MILLER, Stephanie P SES OSD OUSD P-R (US) [REDACTED]@mail mil]

Sent: Friday, October 27, 2017 3:29 PM

To: Salo, Donald G Jr SES USARMY HQDA ASA MRA (US); Beyler, Juliet SES ASN (M&RA), MMP; Mayo, Jeffrey R SES USAF SAF-MR (US)

Cc: Barna, Stephanie A SES OSD OUSD P-R (US); Hebert, Lernes J SES OSD OUSD P-R (US); Jarrett, Michael R (Rich) CAPT USN OSD OUSD P-R (US); Hofmann, Matthew T MAJ USARMY OSD OUSD P-R (US); Fucci, Michael J CIV OSD OGC (US); Hatch, Richard O CIV OSD OGC (US); Casciotti, John A SES OSD OGC (US); Lovisone, Gail R CIV (US); Arendt, Christopher P CIV OSD OUSD P-R (US); Randon, Diane M SES USARMY HQDA ASA MRA (US); Sitterly, Daniel R SES USAF SAF-MR (US); Jarrett, Michael R (Rich) CAPT USN OSD OUSD P-R (US); Hofmann, Matthew T MAJ USARMY OSD OUSD P-R (US); Fucci, Michael J CIV OSD OGC (US); Hatch, Richard O CIV OSD OGC (US); Casciotti, John A SES OSD OGC (US); Lovisone, Gail R CIV (US); Arendt, Christopher P CIV OSD OUSD P-R (US); Ingram, Elena P CAPT ASN (M&RA), MMP; Woods, Robert L SES ASN (M&RA); Penrod, Virginia S SES OSD OUSD P-R (US); Sims, Pettis N LCDR USN OSD OUSD P-R (US)

Subject: P&R Guidance: Compliance and Implementation of Court Order (UNCLASSIFIED)

Importance: High

CLASSIFICATION: UNCLASSIFIED

Leaders,

On behalf of Mr. Tony Kurta, attached please find a memorandum to the Military Departments directing compliance and implementation of the Court Order in the MAVNI-related Kirwa litigation. Request positive confirmation of receipt by COB today. Following your expeditious promulgation to affected organizations, please report the status of your compliance with this direction NLT October 31, 2017. OSD AP will hold an action officer meeting on Monday, October 30, 2017 (1230-1330) to discuss processes associated with implementation.

As background, late Wednesday (Oct. 25), the district court for the District of Columbia (J. Huvelle) granted the plaintiffs' motion for a preliminary injunction (PI) in the Kirwa MAVNI suit. Under the court's order, DoD is preliminarily enjoined from: (1) refusing to sign and issue Form N-426s per the Oct. 13 DoD policy that N-426s be signed only after ensuring that the service member is not pending disciplinary action, has received favorable vetting, and served a sufficient period of time to permit an informed decision about whether the service member has served honorably; and (2) refusing to certify N-426s for MAVNIs who have served for one day in the Selected Reserves (unless there is unfavorable information at the time of submission of the N-426). The court further ordered DoD to use their "best efforts" to certify or deny Form N-426s within two business days of receipt. Finally, the court provisionally certified a class of MAVNI enlistees who enlisted before Oct. 13

and who have served in the Selected Reserve and have not received a completed Form N-426. We estimate that there are 1600-2000 members in the class.

We are actively engaged in discussions with DOJ regarding appeal, but it is unknown whether there will be a stay of the PI, necessitating DoD compliance with the Court Order.

Standing by to answer questions and concerns.

Best regards,  
Stephanie

Stephanie P. Miller  
Director, Accession Policy (MPP/AP)

office  
@mail mil

CLASSIFICATION: UNCLASSIFIED

# Exhibit C



**From:** [St clair, Linden H CIV USARMY HQDA ASA MRA \(US\)](#)  
**To:** [MILLER, Stephanie P SES OSD OUSD P-R \(US\)](#)  
**Cc:** [Salo, Donald G Jr SES USARMY HQDA ASA MRA \(US\)](#); [Calloway, Joseph R BG USARMY HQDA DCS G-1 \(US\)](#); [McCallum, Daniel F SES USARMY HQDA OGC \(US\)](#); [Arendt, Christopher P CIV OSD OUSD P-R \(US\)](#); [Lovisone, Gail R CIV \(US\)](#); [Aswell, Paul L CIV USARMY HQDA DCS G-1 \(US\)](#); [Golya, Lorri A COL USARMY HQDA ASA MRA \(US\)](#); [Turner, John Steven \(Steve\) JR COL USARMY HQDA DCS G-1 \(US\)](#); [Thomas, Brian A COL USARMY OCAR \(US\)](#); [Randon, Diane M SES USARMY HQDA ASA MRA \(US\)](#); [Kellogg, Alan G COL USARMY HQDA DCS G-1 \(US\)](#); [St clair, Linden H CIV USARMY HQDA ASA MRA \(US\)](#)  
**Subject:** Army Compliance with Injunction (UNCLASSIFIED)  
**Date:** Friday, October 27, 2017 5:17:56 PM  
**Attachments:** [Compliance with Injunction - Certification of N-426 \(Signed 27 Oct 17\).pdf](#)

---

CLASSIFICATION: UNCLASSIFIED

Ma'am,

Per OSD's guidance, we have issued the attached guidance to the Army Reserve.

Please let me know if you have any questions.

Thanks,  
Lin

Mr. Lin St. Clair  
Assistant Deputy for Recruiting  
ASA M&RA  
Phone: [REDACTED]

CLASSIFICATION: UNCLASSIFIED

# Exhibit D



PERSONNEL AND  
READINESS

## OFFICE OF THE UNDER SECRETARY OF DEFENSE

4000 DEFENSE PENTAGON  
WASHINGTON, D.C. 20301-4000

OCT 27 2017

### MEMORANDUM FOR SECRETARIES OF THE MILITARY DEPARTMENTS

SUBJECT: Compliance with Court Order and Preliminary Injunction in the case of *Kirwa v. Department of Defense*, Civil Action No. 17-1793 (ESH)

The Military Departments are directed to immediately implement and comply with the attached Order and Memorandum Opinion issued on October 25, 2017, by the United States District Court for the District of Columbia in the subject litigation. The Military Departments will report to the point of contact listed below the status of their compliance with this direction no later than October 31, 2017.

Any questions or requests for clarification should be directed to Ms. Stephanie Miller, Director of Accession Policy, [stephanie.p.miller.civ@mail.mil](mailto:stephanie.p.miller.civ@mail.mil), (703) 695-5525.

A handwritten signature in blue ink that reads "A. M. Kurta".

A. M. Kurta

Performing the Duties of the Under Secretary of  
Defense for Personnel and Readiness

cc:

Chairman of the Joint Chiefs of Staff  
Under Secretary of Defense for Intelligence  
Chief, National Guard Bureau  
General Counsel for Department of Defense  
Assistant Secretary of the Army  
for Manpower and Reserve Affairs  
Assistant Secretary of the Navy  
for Manpower and Reserve Affairs  
Assistant Secretary of the Air Force  
for Manpower and Reserve Affairs

# Exhibit E



**DEPARTMENT OF THE ARMY**  
OFFICE OF THE ASSISTANT SECRETARY  
MANPOWER AND RESERVE AFFAIRS  
111 ARMY PENTAGON  
WASHINGTON, DC 20310-0111

SAMR

OCT 27 2017

MEMORANDUM FOR Chief, Army Reserve

SUBJECT: Certification of Honorable Service for Purposes of Naturalization for Members of the Selected Reserve of the Ready Reserve

1. References:

a. Amended Order, United States District Court for the District of Columbia, Kirwa, et al., v. DOD, et al., 27 October 2017.

b. Memorandum, Under Secretary of Defense (Personnel and Readiness), 27 October 2017, subject: Compliance with Court Order and Preliminary Injunction in the case of Kirwa v. Department of Defense.

c. Memorandum, Under Secretary of Defense (Personnel and Readiness), 13 October 2017, subject: Certification of Honorable Service for Members of the Selected Reserve of the Ready Reserve and Members of the Active Components of the Military or Naval Forces for Purposes of Naturalization.

d. Memorandum, Chief of the Army Reserve, 17 August 2017, subject: Certification of Honorable Service Pursuant to 8 U.S. Code § 1440.

2. Policy. Pursuant to references 1.a. and 1.b., the Army will act on all requests for certification of a Form N-426 from members recruited through the Military Accessions Vital to National Interest (MAVNI) program who have served one day or more in the Selected Reserve (SELRES). The requests will not be returned to Soldier without action, unless the request lacks necessary information or command endorsement. Moreover, the command will not recommend denial of the request solely on the basis that the Soldier has not performed active duty service or has not attended initial entry training.

3. Authority. Your office will take final action on all complete requests. You will coordinate with the DCS, G1 to identify potential derogatory information held by Headquarters, Department of the Army (HQDA).

4. Process. A request for certification of an N-426 is a request for personnel action and will be processed as follows:

SAMR

SUBJECT: Certification of Honorable Service for Purposes of Naturalization for Members of the Selected Reserve of the Ready Reserve

a. The Soldier will submit a DA Form 4187, Personnel Action, to the Soldier's commander. The Soldier will complete Sections I-IV of the DA Form 4187 and provide the following information:

1) In Block 10, the Soldier will request certification of the Form N-426 that the Soldier has completed and attached to the DA Form 4187.

2) In Section IV, the Soldier will list the dates and type of service performed in the SELRES (e.g., number of training periods and/or days of active duty service).

b. Within one business day of receipt, the commander will verify the information in Section IV and determine whether the Soldier has been flagged under Army Regulation 600-8-2, Suspension of Favorable Personnel Actions (FLAG). The official will complete the appropriate blocks in Section V. Recommendations for disapproval must identify specific derogatory information.

c. The commander will expeditiously forward the request for personnel action to your office by emailing a digital copy of the DA Form 4187 and attachments to the following addresses: OCAR, G-1 Ops ([usarmy.usarc.ocar.mbx.g1-ops-taskers@mail.mil](mailto:usarmy.usarc.ocar.mbx.g1-ops-taskers@mail.mil)) and USARC G-1 Ops ([usarmy.usarc.ocar.mbx.g1-ops-taskers@mail.mil](mailto:usarmy.usarc.ocar.mbx.g1-ops-taskers@mail.mil)). The email must be sent the same day the commander signs the form. The commander will copy appropriate members of the chain of command, but will not seek any further review prior to routing the request to OCAR.

d. Upon receipt of the request for personnel action, your office will coordinate with the DCS, G-1 to determine whether HQDA possesses derogatory information bearing on honorable service.

e. You may designate an officer in the grade of O-6 or civilian equivalent to certify the N-426.

f. A copy of the DA 4187 and N-426 will be forwarded to the Soldier's commander and uploaded into the Soldier's Army Military Human Resource Record.

5. The point of contact for this memorandum is Mr. Lin St. Clair, 703-695-4423.

  
Raymond T. Horoho  
Acting Assistant Secretary of the Army  
(Manpower and Reserve Affairs)

# Exhibit F

The Honorable Ellen S. Huvelle

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

MAHLON KIRWA, *et al.*,

Plaintiffs,

v.

UNITED STATES DEPARTMENT OF  
DEFENSE and JAMES MATTIS, in his  
official capacity as Secretary of Defense,

Defendants.

No.: 1:17-cv-01793 (ESH)

**DECLARATION OF  
LIN ST. CLAIR**

Pursuant to 28 U.S.C. § 1746, I hereby declare as follows:

1. I am currently the Assistant Deputy for Recruiting, Office of the Assistant Secretary of the Army (Manpower & Reserve Affairs). In this capacity, I am responsible for serving as the Senior Advisor on all matters relating to military accessions and retention for the Assistant Secretary of the Army for Manpower and Reserve Affairs, the Principal Deputy, and the Deputy Assistant Secretary of the Army for Military Personnel. I have oversight responsibilities for the Army's officer and enlisted accessions and retention programs across all components, to include youth outreach programs (such as JROTC). In this capacity I serve as the action officer oversight for non-citizen recruiting (MAVNI and Lawful Permanent Residents).

2. I am a graduate of John Carroll University and hold a degree in Psychology. I also served in the United States Army, obtaining the rank of Captain, before leaving active duty service in 2008. I have worked as a Department of the Army Civilian since 2010 and been in this current job since May 2014.



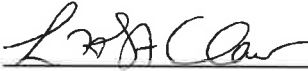
1 3. In my capacity as the Assistant Deputy for Recruiting, I have oversight of the Army's  
2 Military Accessions Vital to National Interest (MAVNI) Pilot Program and efforts to implement  
3 the Court's Amended Order of October 27, 2017 (Dkt. # 32) ("Amended Order"). At  
4 approximately 3:30pm on Friday, October 27, 2017, Ms. Stephanie Miller provided DOD  
5 guidance concerning implementation of the Amended Order by email to her Service counterparts,  
6 to include my immediate supervisor, the Deputy Assistant Secretary of the Army (Military  
7 Personnel). (Exhibit 1). I received a copy of the DOD implementing guidance at 3:52pm. It  
8 directed the Services to provide a status report to Ms. Miller, so I provided the Army  
9 implementing memorandum to Ms. Miller by email at 5:17pm.  
10

11 4. I am the point of contact for the Army implementing memorandum. (Exhibit 2). It was  
12 prepared, reviewed, and signed in a matter of hours. I believed it was important to immediately  
13 publish guidance about the N-426 certification process on Friday evening, rather than waiting  
14 until Monday, because I knew that some Reserve units would conduct weekend assemblies the  
15 following day, Saturday, October 28, 2017. I provided the signed memorandum to Colonel  
16 Thomas at the Office of the Chief, Army Reserve at 5:14 pm on Friday, October 27, 2017.  
17

18 5. Unfortunately, the hastily prepared memorandum contains two errors. It mistakenly  
19 directs Soldiers to specify the requested personnel action in Block 10 of the DA Form 4187,  
20 instead of the box immediately above Block 10, "Other (Specify)," as I had intended. It also  
21 mistakenly designates the OCAR G-1 email address for both the OCAR G-1 and the USARC G-  
22  
23 1. Although this caused some initial confusion in the field, the listed email box has been  
24 monitored and all inquiries directed to the appropriate office for resolution.  
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I declare under penalty of perjury that the foregoing is true and correct. Executed on  
November 29, 2017.

  
\_\_\_\_\_  
LIN ST. CLAIR

The Honorable Ellen S. Huvelle

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

MAHLON KIRWA, *et al.*,

Plaintiffs,

v.

UNITED STATES DEPARTMENT OF  
DEFENSE and JAMES MATTIS, in his  
official capacity as Secretary of Defense,

Defendants.

No.: 1:17-cv-01793 (ESH)

**DECLARATION OF  
COL BRIAN A. THOMAS**

Pursuant to 28 U.S.C. § 1746, I hereby declare as follows:

1. This declaration supplements the declaration I previously submitted to this Court, signed on November 16, 2017. It is provided in response to the Court's order issued the same day.
2. As outlined in my previous declaration, the Army began implementation of the Court's order immediately and directives were sent to subordinate commands throughout the Army Reserve to effectuate the Court's order. The Secretary of the Army divides the Army into responsible commands by function or geography, 10 U.S.C. § 3074, and commanders are responsible for all actions within their given command. All commanders are linked by an unbroken chain of command that ultimately leads back to the Secretary of the Army. The key elements of command are authority and responsibility. Each commander is accountable to a superior commander and responsible for the actions of the commander below them. The functions of the Secretary of the Army, 10 U.S.C. § 3013, are to recruit, organize, supply, equip, train, service, mobilize, demobilize, administer, maintain, build and repair military equipment, and finally build and maintain military real property. No individual can execute all of these

1 functions personally. The functions are executed in part by Assistant Secretaries, who assist the  
2 Secretary in establishing policies. The policies are executed by commanders. The proper  
3 execution of Army policy is overseen by an Inspector General, 10 U.S.C. § 3020.

4  
5 3. The Army also operates under the authority, direction, and control of the Secretary of  
6 Defense, 10 U.S.C. § 3011. Over the past several months, the Army has received multiple pieces  
7 of guidance regarding N-426 certification for MAVNI Soldiers. In July 2017, the Office of the  
8 Chief of the Army Reserves was directed by Ms. Miller to stop certifying N-426 for MAVNI  
9 Soldiers. In response, I drafted a withholding memo that was signed by LTG Luckey (Ex. 1),  
10 and I served as the point of contact for questions concerning compliance with the DOD directive  
11 to stop certifying N-426 under any circumstances while the policy was under review. On 13  
12 October 2017, the Army received significant new policy guidance related to the management of  
13 non-citizen Soldiers and recruits. One of the policies authorized Army to resume certifying N-  
14 426 under certain conditions.

15  
16 4. Before the Army was able to construct and issue clear guidance concerning the  
17 resumption of certification, the court issued an injunction. The Army moved immediately to  
18 comply with the injunction by sending directives to subordinate commands throughout the Army  
19 Reserve to effectuate the Court's order. The Army further published a memorandum specifying  
20 the process and approval authority for certifying N-426. The Army's memorandum is the first  
21 policy guidance issued by the Headquarters, Department of the Army, concerning N-426  
22 certification. To this extent, it sets forth a more uniform process for N-426 certification than the  
23 certification practice that pre-dated the Court's order, which was decentralized and lacked  
24 specified standards. It requires commanders to verify service and provides for review of  
25 derogatory security information in Army possession, as required by Parts 7 and 8 of the Form N-  
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1 426. The Army has adopted a process that rapidly confirms whether information exists in Army  
2 records and, if it exists, gives Army the opportunity to list the information on the N-426 or, where  
3 appropriate, to deny certification.  
4

5 5. Derogatory security information is not available to commanders of local units.  
6 Derogatory security information is maintained centrally on secure systems within the Pentagon  
7 and Fort Meade, Maryland. If the Army does not examine its central records, there is a significant  
8 risk a Soldier will be certified as serving honorably while the Army is in possession of known  
9 derogatory information. In order to process N-426 certification requests as quickly as possible,  
10 the Army has limited the involvement of commanders to the immediate commander of the  
11 MAVNI Soldier. This method achieves speed but reduces regularity and oversight. It is highly  
12 unusual for a field commander to communicate directly with the Department of the Army. If the  
13 Army grants authority to field commanders to certify the forms without any reference to  
14 derogatory security information, the forms will be processed faster, but the certifications may be  
15 inaccurate and falsely represent to USCIS that no derogatory information exists in Army records.  
16

17 6. Because of the recent changes in N-426 certification policy and the infrequent interaction  
18 between commanders and MAVNI soldiers in the Selected Reserve, it is foreseeable that some  
19 miscommunication will occur. In the event that a MAVNI soldier receives misinformation from  
20 a direct commander, that soldier is able, and indeed encouraged, to contact the commander's  
21 superior. All levels of command are required to establish open door policies within their  
22 commands. Soldiers of all ranks and responsibility are charged to ensure that a commander is  
23 made aware of problems that affect discipline, morale, and mission effectiveness. Dissemination  
24 of misinformation falls squarely within these parameters. The open door policy allows soldiers  
25 to present facts, concerns, and problems of personal or professional nature to commanders that  
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1 they have been unable to solve on their own. In addition to command open door policies, soldiers  
2 may contact their command Inspector General, legal assistance attorneys, and, if familiar with  
3 the policy, the point of contact listed for assistance.

4  
5 7. The Army used exceptional procedures to certify the N-426 Forms of the three named  
6 plaintiffs in this case following the preliminary injunction order. We were able to expedite the  
7 certification under these circumstances because we had advance notice that they wanted  
8 certification and were able to simultaneously seek command review and a centralized security  
9 review. Such expedition is not possible on a mass scale and without advance notice of requests  
10 for certification. Because command review is an essential component of providing a complete  
11 review of Army records, the Army cannot remove the commander from this process. Similarly,  
12 review of the centralized security records is an essential component of the Army's review of all  
13 records and must also be conducted prior to certification.  
14

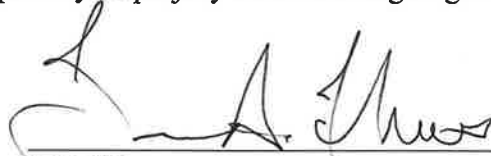
15 8. DA Pamphlet 600-8, para. 4-2 dictates that a soldier must use a DA Form 4187 when  
16 applying for naturalization. The DA Form 4187 is used for most personnel actions, to capture  
17 relevant information and track the request to completion.  
18

19 9. As of Monday, November 27, OCAR has received 185 requests for N-426 certification  
20 from MAVNI Soldiers in the Delayed Training Program. OCAR has returned 11 requests for  
21 correction of administrative errors; 85 requests are currently being processed at OCAR; 89  
22 requests have been forwarded to HQDA G-1 for final review. Of these 89 requests, 61 have been  
23 approved and returned to the Soldier. The remaining 28 requests are at HQDA G-1 for final  
24 review.  
25

26 10. The Army understands its obligation, pursuant to the Amended Order, to use "best efforts  
27 to certify or deny Form N-426s . . . within two business days of receipt." To the extent it takes  
28

1 the Army longer than two business days to complete certifications, this delay can be attributed  
2 to the volume of submissions subsequent to the Amended Order, the complexity of the Army  
3 Reserve organization, the nature of Army records systems, the time required to review a Soldier's  
4 service and personnel files, manpower shortages, and federal holidays.  
5

6  
7 I declare (or certify, verify, or state) under penalty of perjury that the foregoing is true and  
8 correct. Executed on November 29, 2017.

9   
10 BRIAN A. THOMAS COL USA

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# Exhibit H



**From:** [Thomas, Brian A COL USARMY OCAR \(US\)](#)  
**To:** [Bahdi, Edward G LTC USARMY HQDA OTJAG \(US\)](#); [Mazzone, Daniel L MAJ USARMY HQDA OTJAG \(US\)](#)  
**Subject:** Fw: MAVNI - Compliance with Injunction (UNCLASSIFIED)  
**Date:** Wednesday, November 29, 2017 2:16:56 PM  
**Attachments:** [Compliance with Injunction - Certification of N-426 \(Signed 27 Oct 17\).pdf](#)

---

COL Brian A. Thomas  
[REDACTED]

Sent from my BlackBerry 10 smartphone.

Original Message

From: Austin, Stephen D SES USARMY OCAR (US) [REDACTED]@mail mil>  
Sent: Wednesday, November 29, 2017 2:10 PM  
To: Thomas, Brian A COL USARMY OCAR (US)  
Subject: FW: MAVNI - Compliance with Injunction (UNCLASSIFIED)

CLASSIFICATION: UNCLASSIFIED

Brian, if you did not get this from his staff, here is where MG Carpenter got the words for his note to subordinate Commands.

Stephen D. Austin  
Assistant Chief of Army Reserve  
2400 Army Pentagon, Room 3E562  
Phone: [REDACTED]  
Email: [REDACTED]@mail mil

-----Original Message-----

From: Carpenter, Scottie D MG USARMY USARC HQ (US)  
Sent: Wednesday, November 29, 2017 1:43 PM  
To: Austin, Stephen D SES USARMY OCAR (US) [REDACTED]@mail.mil>  
Subject: FW: MAVNI - Compliance with Injunction

Steve,

I hope this helps. This is where I received the information to send out.

Scottie D. Carpenter  
Major General  
Deputy Commanding General  
US Army Reserve Command  
Office Phone: [REDACTED]  
Black Berry: [REDACTED]  
NIPR Email: [REDACTED]@mail.mil SIPR Email:  
[REDACTED]@mail.smil.mil

-----Original Message-----

From: Besherse, Candace M LTC USARMY USARC HQ (US)  
Sent: Friday, November 3, 2017 11:53 AM  
To: Carpenter, Scottie D MG USARMY USARC HQ (US)  
[REDACTED]@mail mil>  
Subject: MAVNI - Compliance with Injunction

Sir,

BLUF: Recommend you push the below language with your signature block to all downtrace commanders today.

The MAVNI program is currently in litigation, and the courts issued an injunction to the Army. To that end, we need to ensure that commanders are aware of their requirement to process the personnel action. We have a requirement to brief back to the courts (through OTJAG) the efforts we've taken to push the message to the field. We're approaching this in a multi-pronged fashion: The G1 is pushing the message through G1 channels, this request asks you to push the message through command channels, and our recommendation is to determine the feasibility of pushing the message to the individuals affected by the injunction (~2400 Soldiers). These steps allows the Army to report positive efforts to the judge.

I stand by for any questions you may have on this.

V/R,  
Candace

Very Respectfully,

LTC Candace M. Besherse  
Deputy Staff Judge Advocate  
US Army Reserve Command  
4710 Knox Street (Bldg. 8-1808)  
FT Bragg, NC 28310  
Office [REDACTED]  
BB: [REDACTED]  
Email: [REDACTED]@mail mil

Commanders,

The USAR will immediately implement and comply with the attached memorandum from the Acting Assistant Secretary of the Army (Manpower and Reserve Affairs).

The memorandum concerns the MAVNI (Military Accessions Vital to the National Interest) program. MAVNI allows certain non-citizens in the United States to join the military and thereby gain eligibility for U.S. citizenship

without first having to go through the lengthy process of obtaining a green card.

Per the memorandum, all requests from Soldiers who have served one day or more in the Selected Reserves will be acted upon expeditiously and you will not return a request to a Soldier without action (unless the action lacks necessary information or command endorsement). The attached memorandum delineates the process and steps you will take to process your Soldiers' requests.

CLASSIFICATION: UNCLASSIFIED

**From:** [Masley, Michael E CIV USARMY USARC HQ \(US\)](#)  
**To:** [USARMY Reserve USARC HQ List G1 HROs and G1s](#)  
**Cc:** [Allen, Cherby L MAJ USARMY USARC HQ \(US\)](#); [Shepherd, Stephanie L \(Stephanie Lowrance\) LTC USARMY USARC HQ \(US\)](#); [Gearhart, Lee P COL USARMY USARC HQ \(US\)](#); [Santiago, Hector L SGM USARMY USARC HQ \(US\)](#); [Hollywood, Dana M MAJ USARMY USARC HQ \(US\)](#); [Kartes, Joann P CIV USARMY USARC HQ \(US\)](#); [Cogburn, Mark H CIV USARMY USARC HQ \(US\)](#); [Schear, Ramona H CIV USARMY USARC HQ \(US\)](#)  
**Subject:** MAVNI Request (UNCLASSIFIED)  
**Date:** Friday, November 03, 2017 4:35:56 PM  
**Attachments:** [Fw MAVNI - Compliance with Injunction \(1.13 MB\).msg](#)  
[Compliance with Injunction - Certification of N-426 \(Signed 27 Oct 17\).pdf](#)  
[DTP By USAR Command.xlsx](#)  
**Importance:** High

---

CLASSIFICATION: UNCLASSIFIED

All,

Please review the note and attachments. I am forwarding this to you for information and action as your commanders recently received an email from the DCG directing actions by each subordinate command. Attached find the email forwarded from the DCG to your commanders. Also find attached the impacted MAVNI Soldiers and the court issued injunction.

Please pay particular attention to paragraph 4b of the attached PDF file as it relates to FLAG actions as well as dates of service.

If you have any questions concerning this action please contact MAJ Allen or LTC Shepherd on the cc line. We removed the SSN from the attached list for PII purposes. If your staff requires a SSN to identify a specific Soldier, we will provide the SSN upon request on a case by case basis.

Very Respectfully,

Mr. Michael E. Masley  
Director, Military Personnel Office  
Phone: [REDACTED]  
Marshall Hall, Room 3511  
Email: [REDACTED]@mail.mil

CLASSIFICATION: UNCLASSIFIED

**From:** [Santiago, Luisa COL USARMY USARC HQ \(US\)](#)  
**To:** [Besherse, Candace M LTC USARMY USARC HQ \(US\)](#); [Guelcher, James M LTC USARMY USARC HQ \(US\)](#); [Hollywood, Dana M MAJ USARMY USARC HQ \(US\)](#)  
**Subject:** Fw: MAVNI - Compliance with Injunction  
**Date:** Friday, November 03, 2017 12:10:19 PM  
**Attachments:** [Compliance with Injunction - Certification of N-426 \(Signed 27 Oct 17\).pdf](#)

---

FYSA

Sent from my BlackBerry 10 smartphone on the Verizon Wireless 4G LTE network.

Original Message

From: Carpenter, Scottie D MG USARMY USARC HQ (US)

@mail mil>

Sent: Friday, November 3, 2017 12:05 PM

To: USARMY Reserve USARC HQ List G&F CGs

Cc: Santiago, Luisa COL USARMY USARC HQ (US); Thompson, Tracy A MG USARMY USARC HQ (US); Besherse, Candace M LTC USARMY USARC HQ (US); Roberson, Patrick B BG USARMY USARC HQ (US); Hamilton, William W Jr CIV USARMY USARC HQ (US); Grace, Marsha L LTC USARMY USARC HQ (US); Williams, Richard E COL USARMY USARC HQ (US); Gearhart, Lee P COL USARMY USARC HQ (US)  
Subject: MAVNI - Compliance with Injunction

Commanders,

The USAR will immediately implement and comply with the attached memorandum from the Acting Assistant Secretary of the Army (Manpower and Reserve Affairs).

The memorandum concerns the MAVNI (Military Accessions Vital to the National Interest) program. MAVNI allows certain non-citizens in the United States to join the military and thereby gain eligibility for U.S. citizenship without first having to go through the lengthy process of obtaining a green card.

Per the memorandum, all requests from Soldiers who have served one day or more in the Selected Reserves will be acted upon expeditiously and you will not return a request to a Soldier without action (unless the action lacks necessary information or command endorsement). The attached memorandum delineates the process and steps you will take to process your Soldiers' requests.

Acknowledge Receipt of this message.

Scottie

Scottie D. Carpenter  
Major General  
Deputy Commanding General  
United States Army Reserve Command †



**DEPARTMENT OF THE ARMY**  
OFFICE OF THE ASSISTANT SECRETARY  
MANPOWER AND RESERVE AFFAIRS  
111 ARMY PENTAGON  
WASHINGTON, DC 20310-0111

SAMR

OCT 27 2017

MEMORANDUM FOR Chief, Army Reserve

SUBJECT: Certification of Honorable Service for Purposes of Naturalization for Members of the Selected Reserve of the Ready Reserve

1. References:

a. Amended Order, United States District Court for the District of Columbia, Kirwa, et al., v. DOD, et al., 27 October 2017.

b. Memorandum, Under Secretary of Defense (Personnel and Readiness), 27 October 2017, subject: Compliance with Court Order and Preliminary Injunction in the case of Kirwa v. Department of Defense.

c. Memorandum, Under Secretary of Defense (Personnel and Readiness), 13 October 2017, subject: Certification of Honorable Service for Members of the Selected Reserve of the Ready Reserve and Members of the Active Components of the Military or Naval Forces for Purposes of Naturalization.

d. Memorandum, Chief of the Army Reserve, 17 August 2017, subject: Certification of Honorable Service Pursuant to 8 U.S. Code § 1440.

2. Policy. Pursuant to references 1.a. and 1.b., the Army will act on all requests for certification of a Form N-426 from members recruited through the Military Accessions Vital to National Interest (MAVNI) program who have served one day or more in the Selected Reserve (SELRES). The requests will not be returned to Soldier without action, unless the request lacks necessary information or command endorsement. Moreover, the command will not recommend denial of the request solely on the basis that the Soldier has not performed active duty service or has not attended initial entry training.

3. Authority. Your office will take final action on all complete requests. You will coordinate with the DCS, G1 to identify potential derogatory information held by Headquarters, Department of the Army (HQDA).

4. Process. A request for certification of an N-426 is a request for personnel action and will be processed as follows:

SAMR

SUBJECT: Certification of Honorable Service for Purposes of Naturalization for Members of the Selected Reserve of the Ready Reserve

a. The Soldier will submit a DA Form 4187, Personnel Action, to the Soldier's commander. The Soldier will complete Sections I-IV of the DA Form 4187 and provide the following information:

1) In Block 10, the Soldier will request certification of the Form N-426 that the Soldier has completed and attached to the DA Form 4187.

2) In Section IV, the Soldier will list the dates and type of service performed in the SELRES (e.g., number of training periods and/or days of active duty service).

b. Within one business day of receipt, the commander will verify the information in Section IV and determine whether the Soldier has been flagged under Army Regulation 600-8-2, Suspension of Favorable Personnel Actions (FLAG). The official will complete the appropriate blocks in Section V. Recommendations for disapproval must identify specific derogatory information.

c. The commander will expeditiously forward the request for personnel action to your office by emailing a digital copy of the DA Form 4187 and attachments to the following addresses: OCAR, G-1 Ops ([usarmy.usarc.ocar.mbx.g1-ops-taskers@mail.mil](mailto:usarmy.usarc.ocar.mbx.g1-ops-taskers@mail.mil)) and USARC G-1 Ops ([usarmy.usarc.ocar.mbx.g1-ops-taskers@mail.mil](mailto:usarmy.usarc.ocar.mbx.g1-ops-taskers@mail.mil)). The email must be sent the same day the commander signs the form. The commander will copy appropriate members of the chain of command, but will not seek any further review prior to routing the request to OCAR.

d. Upon receipt of the request for personnel action, your office will coordinate with the DCS, G-1 to determine whether HQDA possesses derogatory information bearing on honorable service.

e. You may designate an officer in the grade of O-6 or civilian equivalent to certify the N-426.

f. A copy of the DA 4187 and N-426 will be forwarded to the Soldier's commander and uploaded into the Soldier's Army Military Human Resource Record.

5. The point of contact for this memorandum is Mr. Lin St. Clair, 703-695-4423.

  
Raymond T. Horoho  
Acting Assistant Secretary of the Army  
(Manpower and Reserve Affairs)

# Exhibit I



The Honorable Ellen S. Huvelle

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

MAHLON KIRWA, *et al.*,

Plaintiffs,

v.

UNITED STATES DEPARTMENT OF  
DEFENSE and JAMES MATTIS, in his  
official capacity as Secretary of Defense,

Defendants.

No.: 1:17-cv-01793 (ESH)

**DECLARATION OF  
COL BRIAN A. THOMAS**

Pursuant to 28 U.S.C. § 1746, I hereby declare as follows:

1. I am currently the Division Chief, Strategic Integration, in the Office of the Chief Army Reserve (OCAR), Fort Belvoir, VA. In this capacity, I have oversight for developing, reviewing, and analyzing policy execution for enlisted recruiting and officer commissioning programs. My duties include oversight of the Army’s implementation of the Military Accessions Vital to the National Interest (MAVNI) pilot program within the U.S. Army Reserve.

2. I am a graduate of Tuskegee University, and I hold a Bachelor of Science in Political Science and a Master of Public Administration, State and Local Government Finance from Syracuse University as well as a Master’s in Strategic Studies from the U.S. Army War College, Carlisle, PA. My military career was performed in the fields of Infantry, Adjutant General and Operations Research Systems and Analysis. My active duty service included a deployment to Baghdad, Iraq, CJ2 Assessments with the 18<sup>th</sup> Airborne Corps in 2009. I have served in the U.S. Army on active duty for 23 years.

Organization of the Army Reserve

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3. The Secretary of the Army is responsible for all elements of the Army. The Assistant Secretary of the Army (Manpower and Reserve Affairs (ASA (M&RA))) executes personnel policy on behalf of the Secretary. The Chief of Army Reserve Command is a principal official of the Department of Army Staff. OCAR is a component of the Army Staff and operates under the supervision of the ASA (M&RA) for Reserve personnel policy matters. Below OCAR, the next level of command is the U.S. Army Reserve Command (USARC), an operational command located at Fort Bragg, North Carolina.

4. There are 193,676 Soldiers in the Army Reserve assigned to 33,959 different units across the 48 continental states. In addition to these 33,959 units, there are Reserve Soldiers serving outside of the continental United States, including in Hawaii, Alaska, and Puerto Rico. Several layers of command separate personnel at OCAR from any individual Soldier. (Ex. 1).

5. OCAR and USARC are both staffed with full-time military and civilian personnel who typically work regular business hours Monday through Friday. At lower levels of command, there are some full-time personnel, but the vast majority work two days per month during weekend drill periods known as inactive duty training (IDT) and two weeks per year during annual training (AT). Interaction among members of the Reserve outside of these scheduled duty days is rare and typically conducted via email.

6. Below USARC, there are 30 mid-level geographic and functional commands headed by two-star general officers. Of these commands, 22 have MAVNI personnel assigned at lower-level units within the command.

7. There are approximately 1,560 MAVNI personnel in the USAR Delayed Training Program (DTP) who may request an N-426 certification pursuant to the Court's Amended Order

1 of October 27, 2017 (Dkt. # 32) (“Amended Order”). (There are a total of 2,410 MAVNI  
2 personnel in the DTP, approximately 850 of whom already have an application pending with  
3 USCIS). Requesting an N-426 certification prior to receipt of a favorable military service  
4 suitability determination and accession to initial entry training is at the discretion of the individual  
5 Soldier. MAVNI personnel in the DTP, including the named Plaintiffs, have been advised at the  
6 time of their enlistment of the ability to request an N-426 and to wait until entering initial entry  
7 training to pursue naturalization. (Ex. 2).  
8

#### 9 10 Injunction Implementation

11 8. In my capacity as the Division Chief, Strategic Integration at OCAR, I have oversight of  
12 Army efforts to implement the Amended Order. On Friday evening, October 27, 2017, the Acting  
13 Assistant Secretary of ASA (M&RA) sent a memorandum to the Chief, Army Reserve, directing  
14 implementation of the injunction and providing guidance on how to process requests for N-426  
15 certification. (Ex. 3). The memorandum was provided to a member of an unofficial MAVNI  
16 Facebook community who posted it to that social media forum on Saturday, October 28, 2017.  
17 This posting and media reports of the injunction preceded OCAR issuing new guidance to the  
18 lower-level commands. Prior to receiving new guidance, commands had been operating under  
19 the OCAR guidance issued in August 2017 in response to Department of Defense concerns that  
20 the Army may have prematurely certified N-426 documents in the past. (Ex. 4).  
21

22 9. On Monday, October 30, 2017, members of the OCAR staff provided the USARC, G-1  
23 with a copy of the memorandum and requested the three named Plaintiffs be directly contacted  
24 to coordinate submission of a new request for certification. I received Plaintiffs’ requests at  
25 OCAR on October 31, 2017, and coordinated with the Army Deputy Chief of Staff, G-1 to review  
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1 available records. I certified the forms later that day and they were provided to the Soldiers on  
2 November 1, 2017.

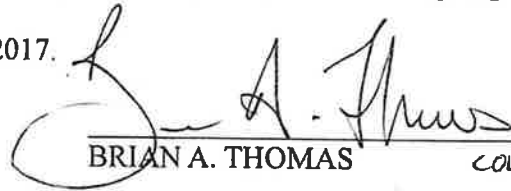
3 10. During the week beginning Monday, October 30, 2017, OCAR emailed implementation  
4 guidance to USARC commanders and human resources personnel. USARC, G-1 provided a  
5 copy of the ASA (M&RA) memo to human resources specialists at lower-level commands.  
6 USARC, G-1 also provided additional guidance explaining how to process requests. USARC,  
7 Office of the Staff Judge Advocate provided guidance to legal personnel on a case-by-case basis.  
8

9 11. On November 9, 2017, OCAR and USARC, G-1 provided verbal guidance to human  
10 resources personnel via the bimonthly Human Resource Officers teleconference. The Assistant  
11 Chief, Army Reserve and the Deputy Commanding General, USARC provided verbal guidance  
12 to commanders at all levels during the weekly Commander's call.  
13

14 12. As of today, OCAR has received 92 requests for N-426 certification from MAVNI  
15 Soldiers in the Delayed Training Program. OCAR has returned 31 requests for correction of  
16 administrative errors; 61 requests have been forwarded to Headquarters, Department of the Army  
17 (HQDA) G-1 for final review. Of these 61 requests, 16 have been approved and returned to the  
18 Soldier within four to five working days after the Soldier made the request. The remaining 45  
19 requests are at HQDA G-1 for final review. The Army understands its obligation, pursuant to  
20 the Amended Order, to use "best efforts to certify or deny Form N-426s . . . within two business  
21 days of receipt." To the extent it takes the Army longer than two business days to complete  
22 certifications, this delay can be attributed both to the volume of submissions subsequent to the  
23 Amended Order and to the complexity of the Army organization, its records systems, and the  
24 time required to review a Soldier's service and personnel files.  
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I declare (or certify, verify, or state) under penalty of perjury that the foregoing is true and correct. Executed on November 16, 2017.

  
BRIAN A. THOMAS COL, USA

**Exhibit 1**


























# Geographic and Functional Commands (FY18)



## Geographic Commands

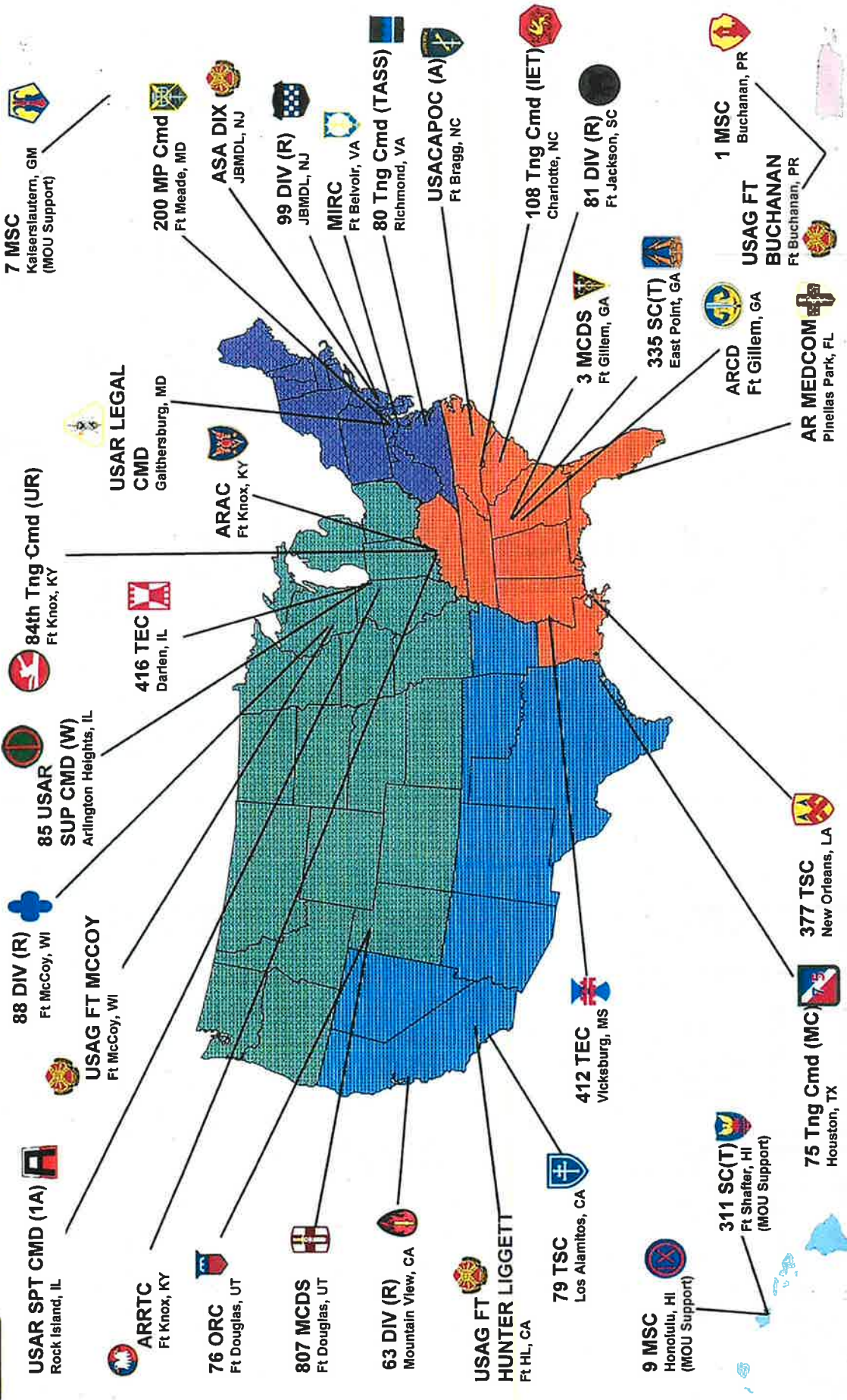
- 
**U.S. Army Garrison Fort McCoy**  
 (AUTH: 13)
- 
**U.S. Army Garrison Fort Dix**  
 (AUTH: 14)
- 
**U.S. Army Garrison Fort Buchanan**  
 (AUTH: 10)
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**U.S. Army Garrison Hunter-Liggett**  
 (AUTH: 27)
- 
**63rd DIV (R)**  
 (AUTH: 604)
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**81st DIV (R)**  
 (AUTH: 286)
- 
**88th DIV (R)**  
 (AUTH: 540)
- 
**99th DIV (R)**  
 (AUTH: 661)
- 
**1st Mission Support Command**  
 (AUTH: 3,892)
- 
**7th Mission Support Command**  
 (AUTH: 894)
- 
**9th Mission Support Command**  
 (AUTH: 3,577)

## Functional Commands

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**3rd Medical Command Deployment Support**  
 (AUTH: 5,997)
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**200th Military Police Command**  
 (AUTH: 11,529)
- 
**311th Signal Command (Theater)**  
 (AUTH: 127)
- 
**79th Theater Sustainment Command**  
 (AUTH: 21,655)
- 
**377th Theater Sustainment Command**  
 (AUTH: 35,212)
- 
**76 USAR Operational Response Command**  
 (AUTH: 6,125)
- 
**412th Theater Engineer Command**  
 (AUTH: 12,000)
- 
**416th Theater Engineer Command**  
 (AUTH: 11,651)
- 
**335th Signal Command (Theater)**  
 (AUTH: 3,850)
- 
**807th Medical Command Deployment Support**  
 (AUTH: 9,329)
- 
**Army Reserve Careers Division**  
 (AUTH: 1,691)
- 
**Army Reserve Medical Command**  
 (AUTH: 8,232)
- 
**Military Intelligence Readiness Command**  
 (AUTH: 7,541)
- 
**Army Reserve Aviation Command**  
 (AUTH: 3,584)
- 
**Civil Affairs & Psychological Operations Command**  
 (AUTH: 12,983)
- 
**USAR Legal Command**  
 (AUTH: 1,843)
- 
**First Army U.S. Army Reserve Support Command**  
 (AUTH: 131)
- 
**75th Training Command (Mission Command) (137)**  
 (AUTH: 6,066)
- 
**80th Training Command (Total Army School System)**  
 (AUTH: 6,066)
- 
**83d Army Reserve Readiness Training Center**  
 (AUTH: 0)
- 
**84th Training Command (Unit Readiness)**  
 (AUTH: 5,205)
- 
**85th U.S. Army Reserve Support Command**  
 (AUTH 4,218 )
- 
**108th Training Command (Initial Entry Training)**  
 (AUTH: 7,332)



# Geographic and Functional Commands (FY18)



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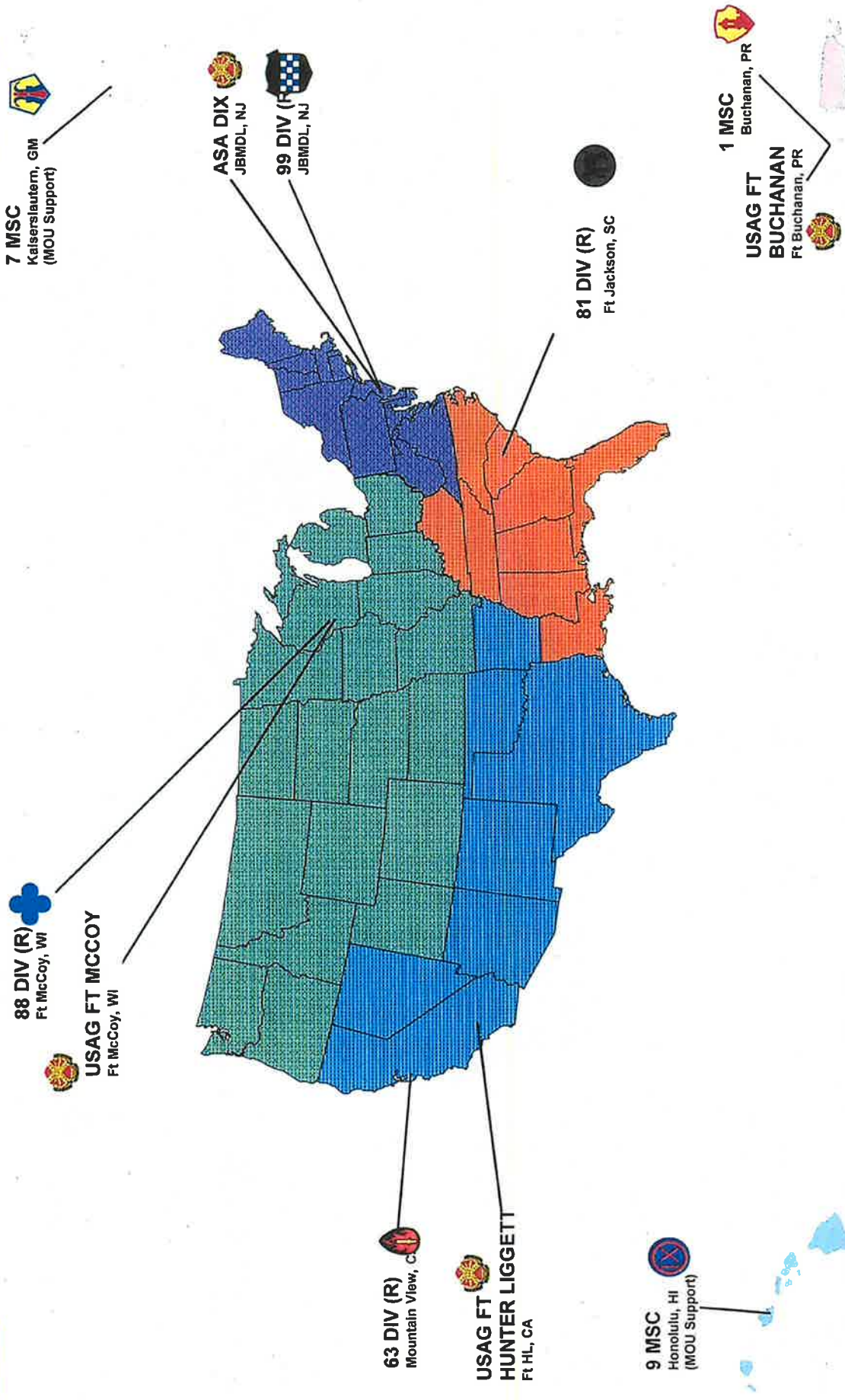
Leadership. Energy. Execution.

Mrs. Bobbie A. Austin/G-3/5/7 FMM/ 910-570-9220



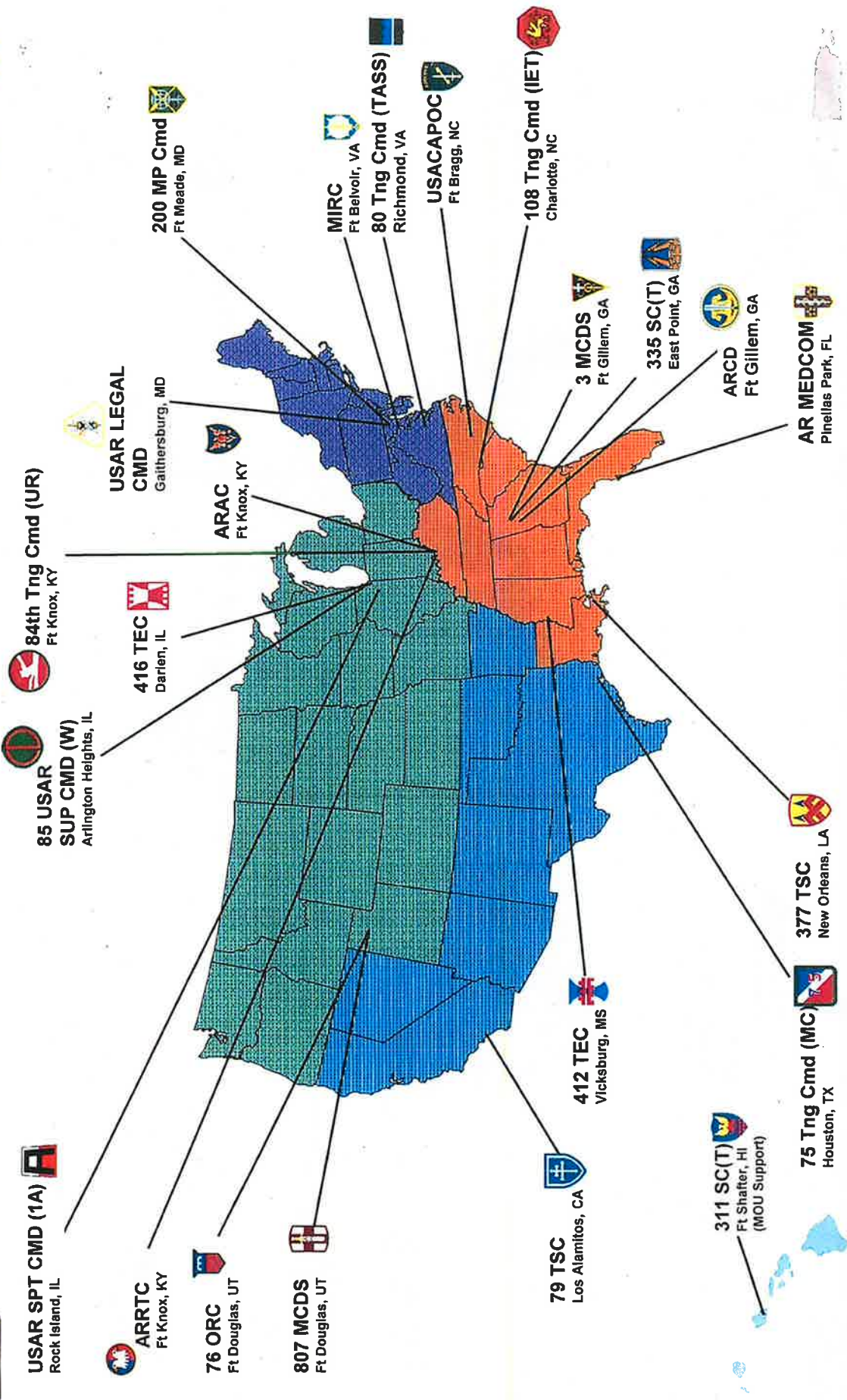


# Geographic Commands (FY18)





# Functional Commands (FY18)



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# DIV (R) Regions (FY18)



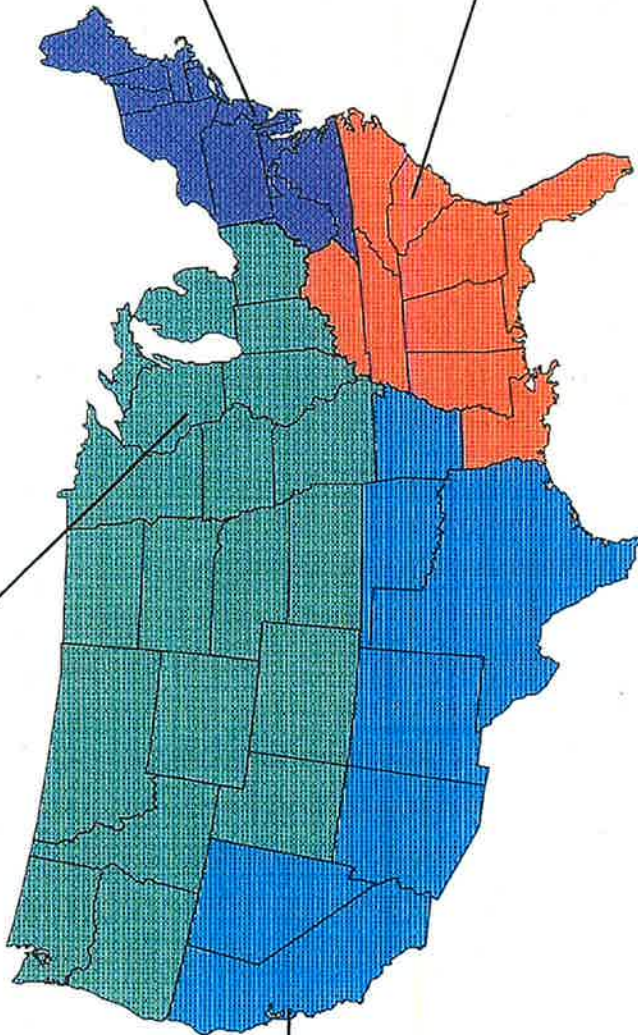
88 DIV (R)  
Ft McCoy, WI



99 DIV (R)  
JBMDL, NJ



81 DIV (R)  
Ft Jackson, SC



63 DIV (R)  
Mountain View, CA



UNCLASSIFIED//FOUO

Leadership. Energy. Execution.

Mrs. Bobbie A. Austin/G-3/5/7 FMM/ 910-570-9220

**Exhibit 2**

December 2014

**UNITED STATES ARMY RESERVE (USAR)**

**Enlisted Military Accessions Vital to the National Interest (MAVNI) Information Paper**

**Updated December 2014**

This information paper answers some of the common questions you may have about the Reserve MAVNI program. Read this information paper in its entirety because it contains valuable information that will help you in your new Army career. This paper applies to MAVNIs who enlisted in the USAR due to expertise in foreign languages. You may ask your Recruiter, Center Commander, or Guidance Counselor any questions you have at any time, but remember that only written information in your contract is legally binding. Before continuing your enlistment process, you must read and sign this document on the last page. As a condition of your Reserve MAVNI enlistment, you will have at least a 180 day waiting period to ship to training from the time you sign your initial contract. It is also understood as a condition of your enlistment your shipdate could change with little to no notice if your required background investigation has not closed favorably.

**A. SOLDIER FIRST**

A MAVNI Soldier is first and foremost a Soldier in the US Army and is subject to a strict military code of discipline. As a Soldier, you are sworn to support and defend the Constitution of the United States. You may serve at locations to support the needs of the Army in both the United States and overseas. You may be deployed overseas, just like any Soldier, and you may be ordered to serve in a combat zone.

**B. PURPOSE OF THE MAVNI PROGRAM**

The MAVNI program expands recruiting to legal non-citizens (non-green card holders) who are 1. fully licensed health care professionals in critically short specialties, or 2. speak one of 44 strategic languages. The language portion of MAVNI recruits highly qualified Soldiers to provide broadened language and cultural diversity to the force. These Soldiers will help the Army maintain a constant state of readiness in strategic language capabilities in order to be prepared for current and future world-wide operations. Although you are enlisting for the language program you are not enlisting as a linguist unless you are in MOS 09L. All other language dependent MOSs require a Top Secret security clearance which can only be granted to U.S. citizens. You will enlist into an MOS that does not require a security clearance and IF needed MAY be called upon to use your language. Therefore you must choose your MOS wisely and be happy serving in that MOS as it is possible that you may never be called to use your language. Additionally, your MOS choices will be based on your test scores, physical results, citizenship, training available 180 days or more from your enlistment, and available Reserve vacancies within a 50 mile radius of where you live or attend school.

**C. ARMY DISCHARGE AND YOUR IMMIGRATION STATUS**

When you enlist in the Army, there is always a chance you may be discharged. You may get injured at Basic Training or may not successfully complete training. If you are discharged from the Army before you become a citizen, you may no longer have a valid immigration status if you did not make arrangements to maintain your status while in training. This is a risk you take when entering the program. If you are not able to obtain another visa you may be forced to leave the country. You should consider this risk before signing your enlistment contract. If you are an F-1 Student, it would be best to work with your recruiter to schedule Basic Combat Training (BCT) and your Advanced Individual Training (AIT) during a school break if possible. As an H-1b worker you would need to coordinate with your current employer if you plan

December 2014

to remain in that job after training. It is always recommended that you consult with an immigration attorney on any immigration matter.

#### **D. AKO E-MAIL AND MAVNI PROGRAM INFORMATION CENTER PORTAL**

All Soldiers who enlist in the Army are eligible to sign up for an Army Knowledge Online (AKO) account. Your recruiter will show you how to get an AKO account. Once you have an AKO account, you will have access to the MAVNI Program Information Center portal: <https://www.us.army.mil/suite/page/614648>. Important information is posted on this website and will be updated as needed.

#### **E. MAVNI IS AN ENLISTMENT OPTION**

MAVNI is an enlistment option and not a specific MOS. Most individuals outside of the recruiting environment do not know what MAVNI is. Do not be surprised to meet people who have never heard of MAVNI when you report to your Reserve unit, attend Basic Combat Training (BCT), or Advanced Individual Training (AIT). Once you enter the Army, you will be treated like any other Soldier in the U.S Army, but may be called upon to use your language skills at some point.

#### **F. Completion of the Enlistment Application**

The enlistment application is extremely detailed. Most of this information is used to determine enlistment eligibility and is also used in a thorough background investigation that is required to close favorably before you are allowed to ship to any training. It is absolutely imperative that the information you provide to your recruiter is accurate and true. Review the content of your completed SF 86 so there is no missing information regarding your background in any of the required areas no matter how important or unimportant you feel the information to be. Missing or omitted information could cause you a delay in shipping or could result in your background investigation to be UNFAVORABLE and could result in your discharge from the delayed entry program.

#### **G. INFORM YOUR COMMAND OF YOUR LANGUAGE CAPABILITIES**

When you arrive at your Reserve unit, please inform your Chain of Command that you have native language and associated cultural skills and are able to support operations using these language skills if the need arises. As stated above, MAVNI is an enlistment program, or a means of entering the Army. Because MAVNI is not an MOS, your Chain of Command will most likely not be aware that you are a MAVNI or even know what MAVNI is. It is your responsibility to let your Chain of Command know that you possess language and cultural skills.

#### **H. TRAVEL ADVISORY FOR MAVNI ENLISTEES**

The Army recommends that MAVNI enlistees stay inside the United States between the time that they sign their enlistment contract and their ship date to Basic Combat Training. MAVNIs who travel internationally do so at their own risk. If a MAVNI enlistee fails to return to the United States and ship to Basic Training as scheduled, the Army will cancel the enlistment contract and give the quota number to another MAVNI enlistee. The Army cannot assist a MAVNI in getting a visa to return to the United States after foreign travel; there is no US visa category for MAVNI enlistees.

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Here is a further explanation of this issue:

Once a person has signed a MAVNI enlistment contract, the person has shown an intent to serve in the Army and become a US citizen. This means that the person no longer has "non-immigrant intent" because the person intends to reside in the United States permanently.

The Department of State issues visas. The Army is part of the Department of Defense, a separate cabinet department of the US Government. The Army does not issue visas and cannot control whether the Department of State issues a visa. The Department of State requires non-immigrant visa applicants to demonstrate "non-immigrant intent" in order to get a non-immigrant visa, such as a student visa (F-1).

A MAVNI enlistee who travels internationally must have a visa to re-enter the US after travel. There is no law that allows the State Department to issue a visa to someone who has enlisted in the Army; there is no "MAVNI" visa. In addition, a MAVNI recruit cannot enter the United States under the Visa Waiver Program (VWP) since the law requires VWP applicants to also demonstrate "non-immigrant intent." For this reason, among others, MAVNI is only open to persons who are already living inside the United States.

A person who has enlisted in the Army under MAVNI is no longer eligible for an F-1 student visa or any other visa that requires the applicant to show "non-immigrant intent." Thus, if a MAVNI travels outside the US and applies for an F-1 student visa in order to return, the Department of State will deny the visa application. The MAVNI will likely be unable to return to the United States and will be unable to ship to BCT. When the MAVNI fails to ship, the Army will treat the MAVNI as a "failure to ship" case and will give the MAVNI's quota number to someone else.

The Army cannot help a MAVNI who is outside the United States and is denied a visa by the Department of State. The Department of State must follow US law, which does not contain a visa category for MAVNIs. MAVNI enlistees should therefore avoid international travel after signing the MAVNI enlistment contract. Once a MAVNI obtains US citizenship and a US passport, the MAVNI will no longer need a US visa in order to return to the US and can safely engage in international travel. For further questions, please consult an attorney who is experienced in US immigration law issues.

*NOTE: Some MAVNI enlistees may have heard that there is an exemption in US immigration law that allows alien members of the US Armed Forces to enter the United States without visas. This exemption does not apply to MAVNI enlistees before they report to Basic Training. MAVNI enlistees who depart the United States prior to Basic Training are subject to being denied admission and immediately removed upon return.*

## I. CITIZENSHIP

As a USAR Soldier enlisted through the MAVNI program, you will apply for citizenship during Basic Combat Training (BCT). The Army, along with United States Citizenship and Immigration Services (USCIS) has implemented expedited citizenship processing for all non-citizens at each of the Army's BCT. USCIS officers are present at each of the BCT locations on a weekly basis to collect citizenship packets, interview and test Soldiers, and administer oaths. You should be given time to meet with a USCIS officer either while at the Reception Battalion or during BCT. **DO NOT MAIL YOUR CITIZENSHIP PACKET BEFORE YOU SHIP TO BCT.** Please ensure that you ship to BCT with a complete citizenship packet filled out and ready for processing. There is no application fee for a Soldier to submit a citizenship packet. Before you ship, you should be fingerprinted at a local USCIS Application Support Center. You

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should also obtain two passport-style photos to include with your citizenship packet. All documentation including the N-426 will be signed at BCT. Your recruiter or Reserve commander does not need to sign or mail anything for you. You should carry your completed citizenship packet with you to BCT. Your recruiter may provide you with a citizenship filing instruction memo, or you can find one on AKO in the MAVNI Program Information Center in the folder named "Road to Naturalization." Please note there are three separate instructions, one for Language Enlistees, one for HCPs and one for Green Card Holders. You should use the Language Enlistees packet. Ensure you have the correct document. You should also ship to BCT prepared for your citizenship interview and test. The Army's goal is to ensure that all non-citizen Soldiers take their oath of citizenship prior to or concurrent with graduation from BCT. Once you receive your citizenship, you may apply for adjustment (Green Card) for your spouse and eligible family members if you choose; the Army does not do this for you. You will also need to pay application fees for their adjustment of status packets. Please note that neither USCIS nor the Army guarantees any Soldier US Citizenship, or that the Soldier will receive citizenship prior to graduation from BCT. Additionally, your citizenship may be revoked if you do not serve honorably for 5 years.

If you do not receive your citizenship prior to graduation from BCT, notify USCIS as soon as possible. You must inform USCIS that you have returned to your home of record. Give them your home mailing address so the old USCIS office knows to transfer your file to the USCIS office in your new location. The best way to do this is by calling the Military Help Line at 877-CIS-4MIL (877-247-4645) or sending an email to: [militaryinfo.nsc@dhs.gov](mailto:militaryinfo.nsc@dhs.gov).

#### **J. DISCRIMINATION**

The U.S. Army has zero tolerance for discrimination of any kind. If you feel you are being discriminated against because of your race, ethnicity, religion, sex, gender or any other characteristic, you have many solutions available to you. You can speak to the individual who offended you to let them know that their actions or words insulted you. If you do not feel comfortable confronting this individual you can speak with your Chain of Command, the Chaplain, your Equal Opportunity Representative or Advisor, the Inspector General or the Provost Marshall.

#### **K. PUBLIC AFFAIRS (MEDIA) GUIDANCE**

##### **SPECIAL NOTICE TO THOSE OF MIDDLE EASTERN OR AFGHAN DESCENT, THOSE FROM PAKISTAN OR IRAN, AND OTHERS CONCERNED ABOUT THE RELEASE OF THEIR NAMES OR LIKENESSES:**

Be aware that Soldiers participate in ceremonies and other events to which the public and the news media are invited. Unless you choose otherwise, your name and the country or city you are from could be released to the public. You also could be seen on video or in photos made available to the public. If you join the U.S. Army via the MAVNI program, you should consider asking not to take part in any public Army event if you would fear for your safety or the safety of your family (in the U.S. or overseas) if your identity as a U.S. Soldier were revealed. If you are of Middle Eastern or Afghan descent, are from Pakistan or Iran, or otherwise have concerns about the release of your name or photo, you do not have to agree to be photographed for public affairs events.

#### **L. MAINTAIN A VALID IMMIGRATION STATUS AT LEAST UNTIL YOU SHIP TO BCT**

It is highly recommended that all MAVNI Soldiers, regardless of visa category, maintain a valid immigration status until you ship to BCT. If you do not maintain a valid status, you run the risk of being



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picked up by Immigration and Customs Enforcement (ICE). If you are on a work visa, continue to work until you ship to BCT. If you plan to return to that job after training, you should ask your employer for a leave of absence while you are in training. Do not quit your job because you have signed an enlistment contract. If you are an F1 Student Visa holder the Army strongly recommends that you stay in school and therefore in status until you ship to Basic Combat Training (BCT). You have a few options:

1) You can stay in school until just before your ship date. You will then have to drop out of school and the Designated School Official (DSO) who enters your information in the Student and Exchange Visitor Information System (SEVIS) will terminate your status at that point. You may need to work with your instructors to finish any incomplete course work.

2) You can ask the Army to give you a ship date that is at the end of the semester, so that you can complete the semester before you ship. This is a very good option since you are in the USAR and can return to school after your training is complete. Additionally, if you are discharged from BCT for any reason, you can fall right back on your F-1 Student Status.

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#### **Q. FAMILY MEMBER ISSUES**

You may have questions about family members' status once you ship to Basic Combat Training. If your spouse's visa status depends on yours, he or she is technically in a "gray area" while you are attending BCT. This is why it is best, as an Army Reservist, if you can maintain your status while you are in training. The Department of Homeland Security (DHS) has published a regulation that allows you to work for the Army, but this regulation does not cover your spouse's status. However, it is not the intention of DHS, USCIS or ICE to deport your spouse while you are at training. The Army will work closely with DHS to ensure that DHS is aware of all MAVNI Soldiers. \*\*Note: if your spouse was in the US illegally before you shipped to BCT, or otherwise broke the law, then he or she may be subject to arrest or deportation even if you are in the Army. If you have questions about the immigration status of your family members, please seek advice from a competent and licensed immigration attorney.

While you are away at BCT, your spouse should keep a copy of your Army enlistment contract with him or her at all times. If questioned by ICE or any other agency, your spouse should show a copy of the enlistment contract to the questioning official. Your spouse should explain that you are currently in BCT and enlisted under the MAVNI program. It may also help for your spouse to keep a copy of a DHS policy known as the "Forman Memo," which states that officers are not supposed to process for deportation Active Duty military personnel without checking with their headquarters. Though this memo technically only covers the Service Member, it is still a good idea for your spouse to keep a copy of this memo; it can be found on the AKO MAVNI Information Center Portal.

As soon as you receive your US citizenship, you may be eligible to apply for a "green card" for your spouse and children. Your family members will not receive this status automatically; you must do the necessary paperwork to file and pay the required fees.

#### **R. ENHANCED SECURITY SCREENING**

As a condition for participation in the MAVNI program, all MAVNI applicants will be subject to enhanced security screening measures which will occur while you are in the Army Reserve Delayed Training Program (DTP) before you ship to BCT. You will be required to remain in the DTP for at least 180 days to allow for the completion of the security checks. If results are not returned prior to ship date, the ship date will be renegotiated. It is very important that you maintain your immigration status at least until you ship to BCT. Do not drop out of school or quit your job because an unfavorable result on this screening may require your enlistment contract to be voided; in that case you will not be able to remain in the U.S. Army. If you are unwilling to allow these enhanced security screening measures, you cannot join the U.S. Army.

#### **S. IMMIGRATION ASSISTANCE**

Once you are in the Army, if you have an immigration issue and do not have or cannot afford an attorney, you can seek assistance from your unit or an installation Judge Advocate General (JAG) Legal

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Assistance Office. As an Army Reservist with a valid military ID card, you have access to any Service's installation (Army, Navy, Air Force, Marines or Coast Guard). If a JAG attorney cannot assist you, then the American Immigration Lawyers Association Military Assistance Program may be able to assist you; go to the following website <http://www.aiala.org/military> and click on the link for information for military personnel seeking assistance.

**T. Deferred Action Childhood Arrival (DACA) applicants.**

I certify that as a Deferred Action applicant I have not been previously worked without authorization or have used an SSN that was not mine for employment or any other purpose.

I have read and understand the foregoing information paper (and agree with its terms).

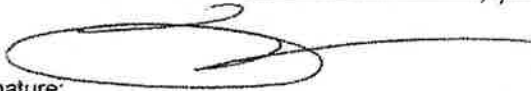
Name (Print): Mahlon Kirwa

Signature:  Date: 8/20/2015

Recruiter (Print): SIMONS, ALAN G.

Signature:  Date: 2015-08-20

Center Commander (Print): SFC BLANKLEY, STEVEN B. Jr.

Signature:  Date: 2015-08-20

Guidance Counselor (Print): \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

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**UNITED STATES ARMY RESERVE (USAR)**

**Enlisted Military Accessions Vital to the National Interest (MAVNI) Information Paper**

**Updated December 2014**

This information paper answers some of the common questions you may have about the Reserve MAVNI program. Read this information paper in its entirety because it contains valuable information that will help you in your new Army career. This paper applies to MAVNIs who enlisted in the USAR due to expertise in foreign languages. You may ask your Recruiter, Center Commander, or Guidance Counselor any questions you have at any time, but remember that only written information in your contract is legally binding. Before continuing your enlistment process, you must read and sign this document on the last page. As a condition of your Reserve MAVNI enlistment, you will have at least a 180 day waiting period to ship to training from the time you sign your initial contract. It is also understood as a condition of your enlistment your shipdate could change with little to no notice if your required background investigation has not closed favorably.

**A. SOLDIER FIRST**

A MAVNI Soldier is first and foremost a Soldier in the US Army and is subject to a strict military code of discipline. As a Soldier, you are sworn to support and defend the Constitution of the United States. You may serve at locations to support the needs of the Army in both the United States and overseas. You may be deployed overseas, just like any Soldier, and you may be ordered to serve in a combat zone.

**B. PURPOSE OF THE MAVNI PROGRAM**

The MAVNI program expands recruiting to legal non-citizens (non-green card holders) who are 1. fully licensed health care professionals in critically short specialties, or 2. speak one of 44 strategic languages. The language portion of MAVNI recruits highly qualified Soldiers to provide broadened language and cultural diversity to the force. These Soldiers will help the Army maintain a constant state of readiness in strategic language capabilities in order to be prepared for current and future world-wide operations. Although you are enlisting for the language program you are not enlisting as a linguist unless you are in MOS 09L. All other language dependent MOSs require a Top Secret security clearance which can only be granted to U.S. citizens. You will enlist into an MOS that does not require a security clearance and IF needed MAY be called upon to use your language. Therefore you must choose your MOS wisely and be happy serving in that MOS as it is possible that you may never be called to use your language. Additionally, your MOS choices will be based on your test scores, physical results, citizenship, training available 180 days or more from your enlistment, and available Reserve vacancies within a 50 mile radius of where you live or attend school.

**C. ARMY DISCHARGE AND YOUR IMMIGRATION STATUS**

When you enlist in the Army, there is always a chance you may be discharged. You may get injured at Basic Training or may not successfully complete training. If you are discharged from the Army before you become a citizen, you may no longer have a valid immigration status if you did not make arrangements to maintain your status while in training. This is a risk you take when entering the program. If you are not able to obtain another visa you may be forced to leave the country. You should consider this risk before signing your enlistment contract. If you are an F-1 Student, it would be best to work with your recruiter to schedule Basic Combat Training (BCT) and your Advanced Individual Training (AIT) during a school break if possible. As an H-1b worker you would need to coordinate with your current employer if you plan

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to remain in that job after training. It is always recommended that you consult with an immigration attorney on any immigration matter.

#### **D. AKO E-MAIL AND MAVNI PROGRAM INFORMATION CENTER PORTAL**

All Soldiers who enlist in the Army are eligible to sign up for an Army Knowledge Online (AKO) account. Your recruiter will show you how to get an AKO account. Once you have an AKO account, you will have access to the MAVNI Program Information Center portal: <https://www.us.army.mil/suite/page/614648>. Important information is posted on this website and will be updated as needed.

#### **E. MAVNI IS AN ENLISTMENT OPTION**

MAVNI is an enlistment option and not a specific MOS. Most individuals outside of the recruiting environment do not know what MAVNI is. Do not be surprised to meet people who have never heard of MAVNI when you report to your Reserve unit, attend Basic Combat Training (BCT), or Advanced Individual Training (AIT). Once you enter the Army, you will be treated like any other Soldier in the U.S Army, but may be called upon to use your language skills at some point.

#### **F. Completion of the Enlistment Application**

**The enlistment application is extremely detailed. Most of this information is used to determine enlistment eligibility and is also used in a thorough background investigation that is required to close favorably before you are allowed to ship to any training. It is absolutely imperative that the information you provide to your recruiter is accurate and true. Review the content of your completed SF 86 so there is no missing information regarding your background in any of the required areas no matter how important or unimportant you feel the information to be. Missing or omitted information could cause you a delay in shipping or could result in your background investigation to be UNFAVORABLE and could result in your discharge from the delayed entry program.**

#### **G. INFORM YOUR COMMAND OF YOUR LANGUAGE CAPABILITIES**

When you arrive at your Reserve unit, please inform your Chain of Command that you have native language and associated cultural skills and are able to support operations using these language skills if the need arises. As stated above, MAVNI is an enlistment program, or a means of entering the Army. Because MAVNI is not an MOS, your Chain of Command will most likely not be aware that you are a MAVNI or even know what MAVNI is. It is your responsibility to let your Chain of Command know that you possess language and cultural skills.

#### **H. TRAVEL ADVISORY FOR MAVNI ENLISTEES**

The Army recommends that MAVNI enlistees stay inside the United States between the time that they sign their enlistment contract and their ship date to Basic Combat Training. MAVNIs who travel internationally do so at their own risk. If a MAVNI enlistee fails to return to the United States and ship to Basic Training as scheduled, the Army will cancel the enlistment contract and give the quota number to another MAVNI enlistee. The Army cannot assist a MAVNI in getting a visa to return to the United States after foreign travel; there is no US visa category for MAVNI enlistees.

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Here is a further explanation of this issue:

Once a person has signed a MAVNI enlistment contract, the person has shown an intent to serve in the Army and become a US citizen. This means that the person no longer has "non-immigrant intent" because the person intends to reside in the United States permanently.

The Department of State issues visas. The Army is part of the Department of Defense, a separate cabinet department of the US Government. The Army does not issue visas and cannot control whether the Department of State issues a visa. The Department of State requires non-immigrant visa applicants to demonstrate "non-immigrant intent" in order to get a non-immigrant visa, such as a student visa (F-1).

A MAVNI enlistee who travels internationally must have a visa to re-enter the US after travel. There is no law that allows the State Department to issue a visa to someone who has enlisted in the Army; there is no "MAVNI" visa. In addition, a MAVNI recruit cannot enter the United States under the Visa Waiver Program (VWP) since the law requires VWP applicants to also demonstrate "non-immigrant intent." For this reason, among others, MAVNI is only open to persons who are already living inside the United States.

A person who has enlisted in the Army under MAVNI is no longer eligible for an F-1 student visa or any other visa that requires the applicant to show "non-immigrant intent." Thus, if a MAVNI travels outside the US and applies for an F-1 student visa in order to return, the Department of State will deny the visa application. The MAVNI will likely be unable to return to the United States and will be unable to ship to BCT. When the MAVNI fails to ship, the Army will treat the MAVNI as a "failure to ship" case and will give the MAVNI's quota number to someone else.

The Army cannot help a MAVNI who is outside the United States and is denied a visa by the Department of State. The Department of State must follow US law, which does not contain a visa category for MAVNIs. MAVNI enlistees should therefore avoid international travel after signing the MAVNI enlistment contract. Once a MAVNI obtains US citizenship and a US passport, the MAVNI will no longer need a US visa in order to return to the US and can safely engage in international travel. For further questions, please consult an attorney who is experienced in US immigration law issues.

*NOTE: Some MAVNI enlistees may have heard that there is an exemption in US immigration law that allows alien members of the US Armed Forces to enter the United States without visas. This exemption does not apply to MAVNI enlistees before they report to Basic Training. MAVNI enlistees who depart the United States prior to Basic Training are subject to being denied admission and immediately removed upon return.*

#### **I. CITIZENSHIP**

As a USAR Soldier enlisted through the MAVNI program, you will apply for citizenship during Basic Combat Training (BCT). The Army, along with United States Citizenship and Immigration Services (USCIS) has implemented expedited citizenship processing for all non-citizens at each of the Army's BCT. USCIS officers are present at each of the BCT locations on a weekly basis to collect citizenship packets, interview and test Soldiers, and administer oaths. You should be given time to meet with a USCIS officer either while at the Reception Battalion or during BCT. **DO NOT MAIL YOUR CITIZENSHIP PACKET BEFORE YOU SHIP TO BCT.** Please ensure that you ship to BCT with a complete citizenship packet filled out and ready for processing. There is no application fee for a Soldier to submit a citizenship packet. Before you ship, you should be fingerprinted at a local USCIS Application Support Center. You

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should also obtain two passport-style photos to include with your citizenship packet. All documentation including the N-426 will be signed at BCT. Your recruiter or Reserve commander does not need to sign or mail anything for you. You should carry your completed citizenship packet with you to BCT. Your recruiter may provide you with a citizenship filing instruction memo, or you can find one on AKO in the MAVNI Program Information Center in the folder named "Road to Naturalization." Please note there are three separate instructions, one for Language Enlistees, one for HCPs and one for Green Card Holders. You should use the Language Enlistees packet. Ensure you have the correct document. You should also ship to BCT prepared for your citizenship interview and test. The Army's goal is to ensure that all non-citizen Soldiers take their oath of citizenship prior to or concurrent with graduation from BCT. Once you receive your citizenship, you may apply for adjustment (Green Card) for your spouse and eligible family members if you choose; the Army does not do this for you. You will also need to pay application fees for their adjustment of status packets. Please note that neither USCIS nor the Army guarantees any Soldier US Citizenship, or that the Soldier will receive citizenship prior to graduation from BCT. Additionally, your citizenship may be revoked if you do not serve honorably for 5 years.

If you do not receive your citizenship prior to graduation from BCT, notify USCIS as soon as possible. You must inform USCIS that you have returned to your home of record. Give them your home mailing address so the old USCIS office knows to transfer your file to the USCIS office in your new location. The best way to do this is by calling the Military Help Line at 877-CIS-4MIL (877-247-4645) or sending an email to: [militaryinfo.nsc@dhs.gov](mailto:militaryinfo.nsc@dhs.gov).

#### **J. DISCRIMINATION**

The U.S. Army has zero tolerance for discrimination of any kind. If you feel you are being discriminated against because of your race, ethnicity, religion, sex, gender or any other characteristic, you have many solutions available to you. You can speak to the individual who offended you to let them know that their actions or words insulted you. If you do not feel comfortable confronting this individual you can speak with your Chain of Command, the Chaplain, your Equal Opportunity Representative or Advisor, the Inspector General or the Provost Marshall.

#### **K. PUBLIC AFFAIRS (MEDIA) GUIDANCE**

##### **SPECIAL NOTICE TO THOSE OF MIDDLE EASTERN OR AFGHAN DESCENT, THOSE FROM PAKISTAN OR IRAN, AND OTHERS CONCERNED ABOUT THE RELEASE OF THEIR NAMES OR LIKENESSES:**

Be aware that Soldiers participate in ceremonies and other events to which the public and the news media are invited. Unless you choose otherwise, your name and the country or city you are from could be released to the public. You also could be seen on video or in photos made available to the public. If you join the U.S. Army via the MAVNI program, you should consider asking not to take part in any public Army event if you would fear for your safety or the safety of your family (in the U.S. or overseas) if your identity as a U.S. Soldier were revealed. If you are of Middle Eastern or Afghan descent, are from Pakistan or Iran, or otherwise have concerns about the release of your name or photo, you do not have to agree to be photographed for public affairs events.

#### **L. MAINTAIN A VALID IMMIGRATION STATUS AT LEAST UNTIL YOU SHIP TO BCT**

It is highly recommended that all MAVNI Soldiers, regardless of visa category, maintain a valid immigration status until you ship to BCT. If you do not maintain a valid status, you run the risk of being



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picked up by Immigration and Customs Enforcement (ICE). If you are on a work visa, continue to work until you ship to BCT. If you plan to return to that job after training, you should ask your employer for a leave of absence while you are in training. Do not quit your job because you have signed an enlistment contract. If you are an F1 Student Visa holder the Army strongly recommends that you stay in school and therefore in status until you ship to Basic Combat Training (BCT). You have a few options:

- 1) You can stay in school until just before your ship date. You will then have to drop out of school and the Designated School Official (DSO) who enters your information in the Student and Exchange Visitor Information System (SEVIS) will terminate your status at that point. You may need to work with your instructors to finish any incomplete course work.
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You may have questions about family members' status once you ship to Basic Combat Training. If your spouse's visa status depends on yours, he or she is technically in a "gray area" while you are attending BCT. This is why it is best, as an Army Reservist, if you can maintain your status while you are in training. The Department of Homeland Security (DHS) has published a regulation that allows you to work for the Army, but this regulation does not cover your spouse's status. However, it is not the intention of DHS, USCIS or ICE to deport your spouse while you are at training. The Army will work closely with DHS to ensure that DHS is aware of all MAVNI Soldiers. \*\*Note: if your spouse was in the US illegally before you shipped to BCT, or otherwise broke the law, then he or she may be subject to arrest or deportation even if you are in the Army. If you have questions about the immigration status of your family members, please seek advice from a competent and licensed immigration attorney.

While you are away at BCT, your spouse should keep a copy of your Army enlistment contract with him or her at all times. If questioned by ICE or any other agency, your spouse should show a copy of the enlistment contract to the questioning official. Your spouse should explain that you are currently in BCT and enlisted under the MAVNI program. It may also help for your spouse to keep a copy of a DHS policy known as the "Forman Memo," which states that officers are not supposed to process for deportation Active Duty military personnel without checking with their headquarters. Though this memo technically only covers the Service Member, it is still a good idea for your spouse to keep a copy of this memo; it can be found on the AKO MAVNI Information Center Portal.

As soon as you receive your US citizenship, you may be eligible to apply for a "green card" for your spouse and children. Your family members will not receive this status automatically; you must do the necessary paperwork to file and pay the required fees.

#### **R. ENHANCED SECURITY SCREENING**

As a condition for participation in the MAVNI program, all MAVNI applicants will be subject to enhanced security screening measures which will occur while you are in the Army Reserve Delayed Training Program (DTP) before you ship to BCT. You will be required to remain in the DTP for at least 180 days to allow for the completion of the security checks. If results are not returned prior to ship date, the ship date will be renegotiated. It is very important that you maintain your immigration status at least until you ship to BCT. Do not drop out of school or quit your job because an unfavorable result on this screening may require your enlistment contract to be voided; in that case you will not be able to remain in the U.S. Army. If you are unwilling to allow these enhanced security screening measures, you cannot join the U.S. Army.

#### **S. IMMIGRATION ASSISTANCE**

Once you are in the Army, if you have an immigration issue and do not have or cannot afford an attorney, you can seek assistance from your unit or an installation Judge Advocate General (JAG) Legal

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Assistance Office. As an Army Reservist with a valid military ID card, you have access to any Service's installation (Army, Navy, Air Force, Marines or Coast Guard). If a JAG attorney cannot assist you, then the American Immigration Lawyers Association Military Assistance Program may be able to assist you; go to the following website <http://www.aila.org/military> and click on the link for information for military personnel seeking assistance.

**T. Deferred Action Childhood Arrival (DACA) applicants.**

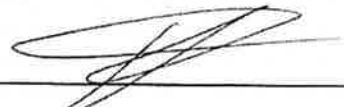
I certify that as a Deferred Action applicant I have not been previously worked without authorization or have used an SSN that was not mine for employment or any other purpose.

I have read and understand the foregoing information paper (and agree with its terms).

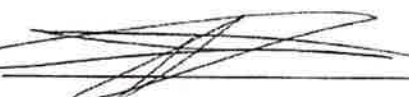
Name (Print): ASHOK VISWANATHAN

Signature:  Date: 06/14/2016


Recruiter (Print): Michael P. Schuenk

Signature:  Date: 20160614

Center Commander (Print): Michael P. Schuenk

Signature:  Date: 20160614

Guidance Counselor (Print): Melinda Katarose

Signature:  Date: 20160624

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**UNITED STATES ARMY RESERVE (USAR)**

**Enlisted Military Accessions Vital to the National Interest (MAVNI) Information Paper**

**Updated December 2014**

This information paper answers some of the common questions you may have about the Reserve MAVNI program. Read this information paper in its entirety because it contains valuable information that will help you in your new Army career. This paper applies to MAVNIs who enlisted in the USAR due to expertise in foreign languages. You may ask your Recruiter, Center Commander, or Guidance Counselor any questions you have at any time, but remember that only written information in your contract is legally binding. Before continuing your enlistment process, you must read and sign this document on the last page. As a condition of your Reserve MAVNI enlistment, you will have at least a 180 day waiting period to ship to training from the time you sign your initial contract. It is also understood as a condition of your enlistment your shipdate could change with little to no notice if your required background investigation has not closed favorably.

**A. SOLDIER FIRST**

A MAVNI Soldier is first and foremost a Soldier in the US Army and is subject to a strict military code of discipline. As a Soldier, you are sworn to support and defend the Constitution of the United States. You may serve at locations to support the needs of the Army in both the United States and overseas. You may be deployed overseas, just like any Soldier, and you may be ordered to serve in a combat zone.

**B. PURPOSE OF THE MAVNI PROGRAM**

The MAVNI program expands recruiting to legal non-citizens (non-green card holders) who are 1. fully licensed health care professionals in critically short specialties, or 2. speak one of 44 strategic languages. The language portion of MAVNI recruits highly qualified Soldiers to provide broadened language and cultural diversity to the force. These Soldiers will help the Army maintain a constant state of readiness in strategic language capabilities in order to be prepared for current and future world-wide operations. Although you are enlisting for the language program you are not enlisting as a linguist unless you are in MOS 09L. All other language dependent MOSs require a Top Secret security clearance which can only be granted to U.S. citizens. You will enlist into an MOS that does not require a security clearance and IF needed MAY be called upon to use your language. Therefore you must choose your MOS wisely and be happy serving in that MOS as it is possible that you may never be called to use your language. Additionally, your MOS choices will be based on your test scores, physical results, citizenship, training available 180 days or more from your enlistment, and available Reserve vacancies within a 50 mile radius of where you live or attend school.

**C. ARMY DISCHARGE AND YOUR IMMIGRATION STATUS**

When you enlist in the Army, there is always a chance you may be discharged. You may get injured at Basic Training or may not successfully complete training. If you are discharged from the Army before you become a citizen, you may no longer have a valid immigration status if you did not make arrangements to maintain your status while in training. This is a risk you take when entering the program. If you are not able to obtain another visa you may be forced to leave the country. You should consider this risk before signing your enlistment contract. If you are an F-1 Student, it would be best to work with your recruiter to schedule Basic Combat Training (BCT) and your Advanced Individual Training (AIT) during a school break if possible. As an H-1b worker you would need to coordinate with your current employer if you plan

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to remain in that job after training. It is always recommended that you consult with an immigration attorney on any immigration matter.

#### **D. AKO E-MAIL AND MAVNI PROGRAM INFORMATION CENTER PORTAL**

All Soldiers who enlist in the Army are eligible to sign up for an Army Knowledge Online (AKO) account. Your recruiter will show you how to get an AKO account. Once you have an AKO account, you will have access to the MAVNI Program Information Center portal: <https://www.us.army.mil/suite/page/614648>. Important information is posted on this website and will be updated as needed.

#### **E. MAVNI IS AN ENLISTMENT OPTION**

MAVNI is an enlistment option and not a specific MOS. Most individuals outside of the recruiting environment do not know what MAVNI is. Do not be surprised to meet people who have never heard of MAVNI when you report to your Reserve unit, attend Basic Combat Training (BCT), or Advanced Individual Training (AIT). Once you enter the Army, you will be treated like any other Soldier in the U.S. Army, but may be called upon to use your language skills at some point.

#### **F. Completion of the Enlistment Application**

The enlistment application is extremely detailed. Most of this information is used to determine enlistment eligibility and is also used in a thorough background investigation that is required to close favorably before you are allowed to ship to any training. It is absolutely imperative that the information you provide to your recruiter is accurate and true. Review the content of your completed SF 86 so there is no missing information regarding your background in any of the required areas no matter how important or unimportant you feel the information to be. Missing or omitted information could cause you a delay in shipping or could result in your background investigation to be UNFAVORABLE and could result in your discharge from the delayed entry program.

#### **G. INFORM YOUR COMMAND OF YOUR LANGUAGE CAPABILITIES**

When you arrive at your Reserve unit, please inform your Chain of Command that you have native language and associated cultural skills and are able to support operations using these language skills if the need arises. As stated above, MAVNI is an enlistment program, or a means of entering the Army. Because MAVNI is not an MOS, your Chain of Command will most likely not be aware that you are a MAVNI or even know what MAVNI is. It is your responsibility to let your Chain of Command know that you possess language and cultural skills.

#### **H. TRAVEL ADVISORY FOR MAVNI ENLISTEES**

The Army recommends that MAVNI enlistees stay inside the United States between the time that they sign their enlistment contract and their ship date to Basic Combat Training. MAVNIs who travel internationally do so at their own risk. If a MAVNI enlistee fails to return to the United States and ship to Basic Training as scheduled, the Army will cancel the enlistment contract and give the quota number to another MAVNI enlistee. The Army cannot assist a MAVNI in getting a visa to return to the United States after foreign travel; there is no US visa category for MAVNI enlistees.

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Here is a further explanation of this issue:

Once a person has signed a MAVNI enlistment contract, the person has shown an intent to serve in the Army and become a US citizen. This means that the person no longer has "non-immigrant intent" because the person intends to reside in the United States permanently.

The Department of State issues visas. The Army is part of the Department of Defense, a separate cabinet department of the US Government. The Army does not issue visas and cannot control whether the Department of State issues a visa. The Department of State requires non-immigrant visa applicants to demonstrate "non-immigrant intent" in order to get a non-immigrant visa, such as a student visa (F-1).

A MAVNI enlistee who travels internationally must have a visa to re-enter the US after travel. There is no law that allows the State Department to issue a visa to someone who has enlisted in the Army; there is no "MAVNI" visa. In addition, a MAVNI recruit cannot enter the United States under the Visa Waiver Program (VWP) since the law requires VWP applicants to also demonstrate "non-immigrant intent." For this reason, among others, MAVNI is only open to persons who are already living inside the United States.

A person who has enlisted in the Army under MAVNI is no longer eligible for an F-1 student visa or any other visa that requires the applicant to show "non-immigrant intent." Thus, if a MAVNI travels outside the US and applies for an F-1 student visa in order to return, the Department of State will deny the visa application. The MAVNI will likely be unable to return to the United States and will be unable to ship to BCT. When the MAVNI fails to ship, the Army will treat the MAVNI as a "failure to ship" case and will give the MAVNI's quota number to someone else.

The Army cannot help a MAVNI who is outside the United States and is denied a visa by the Department of State. The Department of State must follow US law, which does not contain a visa category for MAVNIs. MAVNI enlistees should therefore avoid international travel after signing the MAVNI enlistment contract. Once a MAVNI obtains US citizenship and a US passport, the MAVNI will no longer need a US visa in order to return to the US and can safely engage in international travel. For further questions, please consult an attorney who is experienced in US immigration law issues.

*NOTE: Some MAVNI enlistees may have heard that there is an exemption in US immigration law that allows alien members of the US Armed Forces to enter the United States without visas. This exemption does not apply to MAVNI enlistees before they report to Basic Training. MAVNI enlistees who depart the United States prior to Basic Training are subject to being denied admission and immediately removed upon return.*

## I. CITIZENSHIP

As a USAR Soldier enlisted through the MAVNI program, you will apply for citizenship during Basic Combat Training (BCT). The Army, along with United States Citizenship and Immigration Services (USCIS) has implemented expedited citizenship processing for all non-citizens at each of the Army's BCT. USCIS officers are present at each of the BCT locations on a weekly basis to collect citizenship packets, interview and test Soldiers, and administer oaths. You should be given time to meet with a USCIS officer either while at the Reception Battalion or during BCT. **DO NOT MAIL YOUR CITIZENSHIP PACKET BEFORE YOU SHIP TO BCT.** Please ensure that you ship to BCT with a complete citizenship packet filled out and ready for processing. There is no application fee for a Soldier to submit a citizenship packet. Before you ship, you should be fingerprinted at a local USCIS Application Support Center. You

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should also obtain two passport-style photos to include with your citizenship packet. All documentation including the N-426 will be signed at BCT. Your recruiter or Reserve commander does not need to sign or mail anything for you. You should carry your completed citizenship packet with you to BCT. Your recruiter may provide you with a citizenship filing instruction memo, or you can find one on AKO in the MAVNI Program Information Center in the folder named "Road to Naturalization". Please note there are three separate instructions, one for Language Enlistees, one for HCPs and one for Green Card Holders. You should use the Language Enlistees packet. Ensure you have the correct document. You should also ship to BCT prepared for your citizenship interview and test. The Army's goal is to ensure that all non-citizen Soldiers take their oath of citizenship prior to or concurrent with graduation from BCT. Once you receive your citizenship, you may apply for adjustment (Green Card) for your spouse and eligible family members if you choose; the Army does not do this for you. You will also need to pay application fees for their adjustment of status packets. Please note that neither USCIS nor the Army guarantees any Soldier US Citizenship, or that the Soldier will receive citizenship prior to graduation from BCT. Additionally, your citizenship may be revoked if you do not serve honorably for 5 years.

If you do not receive your citizenship prior to graduation from BCT, notify USCIS as soon as possible. You must inform USCIS that you have returned to your home of record. Give them your home mailing address so the old USCIS office knows to transfer your file to the USCIS office in your new location. The best way to do this is by calling the Military Help Line at 877-CIS-4MIL (877-247-4645) or sending an email to: [militaryinfo.nsc@dhs.gov](mailto:militaryinfo.nsc@dhs.gov).

#### **J. DISCRIMINATION**

The U.S. Army has zero tolerance for discrimination of any kind. If you feel you are being discriminated against because of your race, ethnicity, religion, sex, gender or any other characteristic, you have many solutions available to you. You can speak to the individual who offended you to let them know that their actions or words insulted you. If you do not feel comfortable confronting this individual, you can speak with your Chain of Command, the Chaplain, your Equal Opportunity Representative or Advisor, the Inspector General or the Provost Marshall.

#### **K. PUBLIC AFFAIRS (MEDIA) GUIDANCE**

##### **SPECIAL NOTICE TO THOSE OF MIDDLE EASTERN OR AFGHAN DESCENT, THOSE FROM PAKISTAN OR IRAN, AND OTHERS CONCERNED ABOUT THE RELEASE OF THEIR NAMES OR LIKENESSES:**

Be aware that Soldiers participate in ceremonies and other events to which the public and the news media are invited. Unless you choose otherwise, your name and the country or city you are from could be released to the public. You also could be seen on video or in photos made available to the public. If you join the U.S. Army via the MAVNI program, you should consider asking not to take part in any public Army event if you would fear for your safety or the safety of your family (in the U.S. or overseas) if your identity as a U.S. Soldier were revealed. If you are of Middle Eastern or Afghan descent, are from Pakistan or Iran, or otherwise have concerns about the release of your name or photo, you do not have to agree to be photographed for public affairs events.

#### **L. MAINTAIN A VALID IMMIGRATION STATUS AT LEAST UNTIL YOU SHIP TO BCT**

It is highly recommended that all MAVNI Soldiers, regardless of visa category, maintain a valid immigration status until you ship to BCT. If you do not maintain a valid status, you run the risk of being



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picked up by Immigration and Customs Enforcement (ICE) if you are on a work visa, continue to work until you ship to BCT. If you plan to return to that job after training, you should ask your employer for a leave of absence while you are in training. Do not quit your job because you have signed an enlistment contract. If you are an F1 Student Visa holder the Army strongly recommends that you stay in school and therefore in status until you ship to Basic Combat Training (BCT). You have a few options:

1) You can stay in school until just before your ship date. You will then have to drop out of school and the Designated School Official (DSO) who enters your information in the Student and Exchange Visitor Information System (SEVIS) will terminate your status at that point. You may need to work with your instructors to finish any incomplete course work.

2) You can ask the Army to give you a ship date that is at the end of the semester, so that you can complete the semester before you ship. This is a very good option since you are in the USAR and can return to school after your training is complete. Additionally, if you are discharged from BCT for any reason, you can fall right back on your F-1 Student Status.

If you drop out of school, you will fall out of status in SEVIS. You will be out of status from the date when you drop out of school until your ship date and you may have problems with your school or the Department of Homeland Security. Neither you nor your spouse (if the spouse is an F2) can work or renew your driver's licenses, and you both risk being picked up by ICE and placed into proceedings because you failed to enroll in school. Again, the Army does not recommend you drop out of school and strongly suggests that you remain in a valid non-immigrant status at least until you ship to BCT.

**\*\*IMPORTANT NOTE:** If you are going to drop your classes or not enroll for the next semester, inform your Designated School Official (DSO) that you joined the Army Reserve under the MAVNI program so that he or she can properly record your termination status in SEVIS. This is a very important step and you must let your DSO know that you joined the Army Reserve under the MAVNI program if you are not planning on returning to school after BCT. Bring a copy of your contract with you as proof of enlistment. The SEVIS policy guidance concerning MAVNI Soldiers is posted on the MAVNI Program Information Center portal.

#### **M. LANGUAGE REPORTING**

During your enlistment process, your recruiter will complete a DD Form 1966. You must ensure that the recruiter lists all languages that you speak on this form. The section on the form for languages will only accept two languages, so if you speak more than two, the rest of your languages should be annotated in the remarks section of the DD Form 1966. You should rank your languages in order of fluency, with the languages you speak best, first and the languages you are less proficient in, last. If you are enlisting in the MAVNI language program, the language you tested in for the Oral Proficiency Interview (OPI) should be the language you are most proficient in, or speak the best, instead of whichever OPI is available first.

Your DD Form 1966 should remain in your personnel file. When you arrive to your Reserve unit, please ensure the personnel clerk enters any additional languages you speak into your personnel record. These languages can be entered as "self assessed" languages, and if you later test in these language and receive a passing score, those languages can appear as languages you have successfully tested in.

#### **N. FOREIGN LANGUAGE PROFICIENCY BONUS**

All Soldiers in the Army, regardless of MOS, are eligible to apply for Foreign Language Proficiency Bonus (FLPB). You may be able to earn extra pay for the languages you speak. You may receive up to

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\$1,000.00 a month if you are highly proficient in 3 different languages. If you speak an eligible language, you are qualified to receive special pay if you pass the Defense Language Proficiency Test (DLPT) or an approved foreign language proficiency test. Some languages entitle you to more pay than others and some languages that are considered dominant in the force may not receive pay. To receive FLPB, inform your chain of command at your Reserve unit that you would like to be tested in whichever languages you speak. Most posts have an Education Center where tests are administered. You can also speak to the Education Center if you have any questions, and there may also be a language lab at your unit. Once you take the test and receive a passing score your unit will have to file paperwork to ensure you get paid. You must retest once a year to stay current and receive your payments unless you are deployed overseas. Once you test and receive your scores on a DA Form 330, ensure your personnel clerk transmits orders to Finance to ensure you receive FLPB pay. Your personnel clerk must also enter your scores into your personnel record. If you receive a passing score, you are also eligible to receive a Special Qualifications Identifier (SQI) of "L" for linguist. This SQI will become part of your MOS designation and should also be entered into your record by your personnel clerk. Please note that you will not be paid FLPB unless you take the DLPT or approved foreign language proficiency test. The Oral Proficiency Interview (OPI) that you were administered at MEPS, in most cases does not count for FLPB. Check with the Education Center to determine the appropriate test for your language. One exception is for Soldiers in the MOS 09L (Translator/Interpreter). 09Ls will be paid FLPB based on the OPI for their primary language and must retest yearly. However, if a 09L speaks more than one language, he or she must test in the DLPT or approved test for any additional languages, unless a DLPT or approved test is not available in that language.

#### **O. MOS RECLASSIFICATION**

If you are not happy with your current MOS, you may possibly be eligible to reclassify into another MOS in the future. You are NOT automatically eligible to reclassify into another MOS once you receive your citizenship and there may be time requirements before you would be allowed to reclassify, since the Army already trained you in an MOS. Reclassification rules differ depending on your current MOS and the MOS you wish to reclassify into. To get all the details concerning eligibility to reclassify, please talk to a career counselor or reenlistment NCO at your Reserve unit.

The Army Reserve offers a great deal of flexibility due to the fact that Reserve membership partly depends on where you live and work/attend school. When you join the Army Reserve, you will be given a range of units and Military Occupational Specialties (MOS) that are within a reasonable commuting radius of where you live. Your home location defines the opportunities available to you in the Reserve. If you choose never to move, you may serve in one unit for the duration of your career. If you do move, then depending on how far you move, you may transfer to another unit within a reasonable commuting distance from your new home. Joining a new unit may require re-classifying to an MOS that the unit has (not all Army Reserve units require the same MOS) and for which you can qualify. The Army Reserve will provide the training necessary to reclassify.

#### **P. FUTURE CAREER OPPORTUNITIES**

Once you enter the Army, you will have all the same opportunities afforded to you as any other Soldier in the U.S. Army Reserve. If you are eligible and meet all the requirements, you can apply for Officer Candidate School (OCS), Reserve Officers' Training Corps (ROTC), Warrant Officer Candidate School (WOC) or any other Army school or program for which you are eligible. To become an officer, you must be a U.S. citizen and you must also be eligible to receive a security clearance. You must be recommended to become an officer, and you will most likely have to work in your unit for at least a year.

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so that your commander will have time to evaluate you and make a recommendation. You may also be interested in working with an Army Reserve Civil Affairs or Military Information Support Operations (MISO) unit. It is also important to be aware of all your education benefits, such as tuition assistance and the G.I. Bill. Each post has an education center that can provide you with information on education benefits. It is up to you to make the most of your military career. As an Army Reservist, you have access to any active duty installation through which to leverage any benefits to which you may be entitled. You may also work with your Unit Administrator to achieve the same ends.

#### **Q. FAMILY MEMBER ISSUES**

You may have questions about family members' status once you ship to Basic Combat Training. If your spouse's visa status depends on yours, he or she is technically in a "gray area" while you are attending BCT. This is why it is best, as an Army Reservist, if you can maintain your status while you are in training. The Department of Homeland Security (DHS) has published a regulation that allows you to work for the Army, but this regulation does not cover your spouse's status. However, it is not the intention of DHS, USCIS or ICE to deport your spouse while you are at training. The Army will work closely with DHS to ensure that DHS is aware of all MAVNI Soldiers. \*\*Note: if your spouse was in the US illegally before you shipped to BCT, or otherwise broke the law, then he or she may be subject to arrest or deportation even if you are in the Army. If you have questions about the immigration status of your family members, please seek advice from a competent and licensed immigration attorney.

While you are away at BCT, your spouse should keep a copy of your Army enlistment contract with him or her at all times. If questioned by ICE or any other agency, your spouse should show a copy of the enlistment contract to the questioning official. Your spouse should explain that you are currently in BCT and enlisted under the MAVNI program. It may also help for your spouse to keep a copy of a DHS policy known as the "Forman Memo," which states that officers are not supposed to process for deportation Active Duty military personnel without checking with their headquarters. Though this memo technically only covers the Service Member, it is still a good idea for your spouse to keep a copy of this memo; it can be found on the AKO MAVNI Information Center Portal.

As soon as you receive your US citizenship, you may be eligible to apply for a "green card" for your spouse and children. Your family members will not receive this status automatically; you must do the necessary paperwork to file and pay the required fees.

#### **R. ENHANCED SECURITY SCREENING**

As a condition for participation in the MAVNI program, all MAVNI applicants will be subject to enhanced security screening measures which will occur while you are in the Army Reserve Delayed Training Program (DTP) before you ship to BCT. You will be required to remain in the DTP for at least 180 days to allow for the completion of the security checks. If results are not returned prior to ship date, the ship date will be renegotiated. It is very important that you maintain your immigration status at least until you ship to BCT. Do not drop out of school or quit your job because an unfavorable result on this screening may require your enlistment contract to be voided; in that case you will not be able to remain in the U.S. Army. If you are unwilling to allow these enhanced security screening measures, you cannot join the U.S. Army.

#### **S. IMMIGRATION ASSISTANCE**

Once you are in the Army, if you have an immigration issue and do not have or cannot afford an attorney, you can seek assistance from your unit or an installation Judge Advocate General (JAG) Legal

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Assistance Office. As an Army Reservist with a valid military ID card, you have access to any Service's installation (Army, Navy, Air Force, Marines or Coast Guard). If a JAG attorney cannot assist you, then the American Immigration Lawyers Association Military Assistance Program may be able to assist you; go to the following website <http://www.aiala.org/military> and click on the link for information for military personnel seeking assistance.

**T. Deferred Action Childhood Arrival (DACA) applicants.**

I certify that as a Deferred Action applicant I have not been previously worked without authorization or have used an SSN that was not mine for employment or any other purpose

**I have read and understand the foregoing information paper (and agree with its terms).**

Name (Print) SANTHOSH MEENHALLIMATHI

Signature:  Date: 09/17/2015


Recruiter (Print): Michael P. Schurck

Signature:  Date: 20150917

Center Commander (Print): Michael P. Schurck

Signature:  Date: 20150917

Guidance Counselor (Print): SFC Murphy Sharina

Signature:  Date: 20160204

**Exhibit 3**



**DEPARTMENT OF THE ARMY**  
**OFFICE OF THE ASSISTANT SECRETARY**  
**MANPOWER AND RESERVE AFFAIRS**  
111 ARMY PENTAGON  
WASHINGTON, DC 20310-0111

SAMR

OCT 27 2017

**MEMORANDUM FOR Chief, Army Reserve**

**SUBJECT: Certification of Honorable Service for Purposes of Naturalization for Members of the Selected Reserve of the Ready Reserve**

**1. References:**

a. Amended Order, United States District Court for the District of Columbia, Kirwa, et al., v. DOD, et al., 27 October 2017.

b. Memorandum, Under Secretary of Defense (Personnel and Readiness), 27 October 2017, subject: Compliance with Court Order and Preliminary Injunction in the case of Kirwa v. Department of Defense.

c. Memorandum, Under Secretary of Defense (Personnel and Readiness), 13 October 2017, subject: Certification of Honorable Service for Members of the Selected Reserve of the Ready Reserve and Members of the Active Components of the Military or Naval Forces for Purposes of Naturalization.

d. Memorandum, Chief of the Army Reserve, 17 August 2017, subject: Certification of Honorable Service Pursuant to 8 U.S. Code § 1440.

2. Policy. Pursuant to references 1.a. and 1.b., the Army will act on all requests for certification of a Form N-426 from members recruited through the Military Accessions Vital to National Interest (MAVNI) program who have served one day or more in the Selected Reserve (SELRES). The requests will not be returned to Soldier without action, unless the request lacks necessary information or command endorsement. Moreover, the command will not recommend denial of the request solely on the basis that the Soldier has not performed active duty service or has not attended initial entry training.

3. Authority. Your office will take final action on all complete requests. You will coordinate with the DCS, G1 to identify potential derogatory information held by Headquarters, Department of the Army (HQDA).

4. Process. A request for certification of an N-426 is a request for personnel action and will be processed as follows:

**SAMR**

**SUBJECT: Certification of Honorable Service for Purposes of Naturalization for Members of the Selected Reserve of the Ready Reserve**

a. The Soldier will submit a DA Form 4187, Personnel Action, to the Soldier's commander. The Soldier will complete Sections I-IV of the DA Form 4187 and provide the following information:

1) In Block 10, the Soldier will request certification of the Form N-426 that the Soldier has completed and attached to the DA Form 4187.

2) In Section IV, the Soldier will list the dates and type of service performed in the SELRES (e.g., number of training periods and/or days of active duty service).

b. Within one business day of receipt, the commander will verify the information in Section IV and determine whether the Soldier has been flagged under Army Regulation 600-8-2, Suspension of Favorable Personnel Actions (FLAG). The official will complete the appropriate blocks in Section V. Recommendations for disapproval must identify specific derogatory information.

c. The commander will expeditiously forward the request for personnel action to your office by emailing a digital copy of the DA Form 4187 and attachments to the following addresses: OCAR, G-1 Ops ([usarmy.usarc.ocar.mbx.g1-ops-taskers@mail.mil](mailto:usarmy.usarc.ocar.mbx.g1-ops-taskers@mail.mil)) and USARC G-1 Ops ([usarmy.usarc.ocar.mbx.g1-ops-taskers@mail.mil](mailto:usarmy.usarc.ocar.mbx.g1-ops-taskers@mail.mil)). The email must be sent the same day the commander signs the form. The commander will copy appropriate members of the chain of command, but will not seek any further review prior to routing the request to OCAR.

d. Upon receipt of the request for personnel action, your office will coordinate with the DCS, G-1 to determine whether HQDA possesses derogatory information bearing on honorable service.

e. You may designate an officer in the grade of O-6 or civilian equivalent to certify the N-426.

f. A copy of the DA 4187 and N-426 will be forwarded to the Soldier's commander and uploaded into the Soldier's Army Military Human Resource Record.

5. The point of contact for this memorandum is Mr. Lin St. Clair, 703-695-4423.

  
Raymond T. Horoho  
Acting Assistant Secretary of the Army  
(Manpower and Reserve Affairs)

**Exhibit 4**





DEPARTMENT OF THE ARMY  
OFFICE OF THE CHIEF OF ARMY RESERVE  
2400 ARMY PENTAGON  
WASHINGTON DC 20310-2400

17 AUG 17

DAAR-HR

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: Certification of Honorable Service Pursuant to 8 U. S. Code § 1440

1. References:

- a. 8 U. S. Code § 1440, Naturalization through active-duty service in the Armed Forces.
- b. Executive Order 13269, Expedited Naturalization of Aliens and Noncitizen Nationals Serving in an Active-Duty Status During the War on Terrorism.
- c. Army Regulation (AR) 601-210, Regular Army and Reserve Components Enlistment Program, 31 August 2016.
- d. Department of Defense Instruction 5500.14, *Naturalization of Aliens Serving in the Armed Forces of the United States and of Alien Spouses and/or Alien Adopted Children of Military and Civilian Personnel Ordered Overseas*, April 1, 2004.

2. Effectively immediately, I withhold authority to certify the honorable service (N-426) of Soldiers who have not yet attended Initial Entry Training (IET). Commanders seeking certification for Soldiers who have not attended IET must provide a detailed justification to the OCAR, G1 that includes an explanation of all periods of active-duty service.

3. The point of contact for this request is OCAR G1, COL Brian A. Thomas, AG at 703-806-7482, DSN 312-7482 or [brian.a.thomas12@mail.mil](mailto:brian.a.thomas12@mail.mil)

CHARLES D. LUCKEY  
Lieutenant General, U.S. Army  
Chief of Army Reserve/Commanding  
General, U.S. Army Reserve Command

DISTRIBUTION:  
OPERATIONAL COMMANDS:  
3 MCDS  
79 SSC

**SUBJECT: Certification of Honorable Service Pursuant to 8 U. S. Code § 1440**

**DISTRIBUTION: (CONT)**

200 MP CMD

311 SC(T)

335 SC(T)

377 TSC

412 TEC

416 TEC

807 MCDS

1 MSC

7 MSC

9 MSC

**FUNCTIONAL COMMANDS:**

ARAC

AR-MEDCOM

MIRC

USACAPOC(A)

**TRAINING COMMANDS:**

75 TNG CMD (MC)

80 TNG CMD (TASS)

83 US ARRTC

84 TNG CMD (UR)

85 USAR SPT CMD

108 TNG CMD (IET)

USAR SPT CMD (1A)

**SUPPORTING COMMANDS:**

63 RSC

81 RSC

88 RSC

99 RSC

76 ORC

ARCD

LEGAL CMD

USAG-Fort Buchanan

ASA-Dix

USAG-FHL

USAG-Fort McCoy

UAU (USARC Augmentation Unit)

**AREC / ARET:**

USARPAC

ARNORTH

ARSOUTH

ARCENT

**SUBJECT: Certification of Honorable Service Pursuant to 8 U. S. Code § 1440**

**DISTRIBUTION: (CONT)**

**AFRICOM**

**CENTCOM**

**USAREUR**

**USARAF**

**8TH ARMY**

**NORTHCOM**

**USARJ**

**I CORPS**

**PACOM**

**SOUTHCOM**

**III CORPS**

**XVIII ABC**

**USASOC**

**EUCOM**

**SOCOM**

**CF:**

**Commander, HRC**



# Exhibit J

**Compilation of Documents Reflecting “Instructions for Effectuating the Court’s Order Issued to Command and Reserve Personnel” and “Efforts to Communicate and Explain the Court’s Order Issued to Class Members”**

**INDEX**

Notification from HQDA to OCAR re: Injunction Compliance	Bates page 2
OCAR E-mail re: Injunction Compliance	Bates page 3
Biweekly SITREP 23 OCT Discussing Injunction Compliance	Bates page 5
E-mail Requesting N-426 Processing for Named Plaintiffs	Bates page 9
E-mail Confirming N-426 Processing for Named Plaintiffs	Bates page 11
Request for ADOS Support to Process N-426s	Bates page 14
HR MAVNI Log Detailing Communications Between OCAR HR Personnel and the Field	Bates page 15

*Note that some documents reference the Army’s October 27, 2017, memorandum, which we have filed separately as **Exhibit E** and are therefore omitting from this compilation.*

**From:** [Thomas, Brian A COL USARMY OCAR \(US\)](#)  
**To:** [St clair, Linden H CIV USARMY HQDA ASA MRA \(US\)](#); [Merkerson, Delwyn S \(Merk\) COL USARMY OCAR \(US\)](#)  
**Cc:** [Sandspingot, Guy L SES USARMY OCAR \(US\)](#); [Salo, Donald G Jr SES USARMY HQDA ASA MRA \(US\)](#); [Sutherland, Susan B CIV USARMY HQDA OGC \(US\)](#); [Williams, Matthew Blake \(Blake\) MAJ USARMY HQDA OTJAG \(US\)](#); [Fale, Rosa V MSG USARMY USARC HQ \(US\)](#)  
**Subject:** RE: Memo for CAR - Compliance with Injunction -- N-426s (UNCLASSIFIED)  
**Date:** Friday, October 27, 2017 5:43:49 PM

---

Roger,

I will forward for action.

R,  
COL Brian A. Thomas

---

From: St clair, Linden H CIV USARMY HQDA ASA MRA (US)  
Sent: Friday, October 27, 2017 5:14 PM  
To: Thomas, Brian A COL USARMY OCAR (US); Merkerson, Delwyn S (Merk) COL USARMY OCAR (US)  
Cc: Sandspingot, Guy L SES USARMY OCAR (US); Salo, Donald G Jr SES USARMY HQDA ASA MRA (US); Sutherland, Susan B CIV USARMY HQDA OGC (US); Williams, Matthew Blake (Blake) MAJ USARMY HQDA OTJAG (US); Fale, Rosa V MSG USARMY USARC HQ (US)  
Subject: Memo for CAR - Compliance with Injunction -- N-426s (UNCLASSIFIED)

CLASSIFICATION: UNCLASSIFIED

Brian,

Per our conversation, attached is the M&RA signed memorandum instructing the CAR for purposes of signing the N-426

Please ensure that this gets disseminated out to the widest possible audience within the USAR

I appreciate everything you and the team jumped through today

Thanks,  
Lin

Mr. Lin St. Clair  
Assistant Deputy for Recruiting  
ASA M&RA  
Phone: [REDACTED]

CLASSIFICATION: UNCLASSIFIED

**From:** [Thomas, Brian A COL USARMY OCAR \(US\)](#)  
**To:** [Austin, Stephen D SES USARMY OCAR \(US\)](#); [Irwin, Lewis G MG USARMY OCAR \(US\)](#); [Sandspingot, Guy L SES USARMY OCAR \(US\)](#); [Merkerson, Delwyn S \(Merk\) COL USARMY OCAR \(US\)](#); [Young, Twanda Edneatea \(Tia\) COL USARMY USARC HQ \(US\)](#); [Gearhart, Lee P COL USARMY USARC HQ \(US\)](#)  
**Cc:** [Benson, Portia J LTC USARMY OCAR \(US\)](#); [Kartes, Joann P CIV USARMY USARC HQ \(US\)](#); [Masley, Michael E CIV USARMY USARC HQ \(US\)](#); [brian thomas](#)  
**Subject:** Fw: Memo for CAR - Compliance with Injunction -- N-426s (UNCLASSIFIED)  
**Date:** Friday, October 27, 2017 6:11:19 PM  
**Attachments:** [Compliance with Injunction - Certification of N-426 \(Signed 27 Oct 17\).pdf](#)  
**Importance:** High

---

Mr. Austin,

BLUF : ASA M&RA Memo directing the CAR/ CG USARC to comply with the signing N 426 for certification of service for Army Reserve Soldiers in the MAVNI program.

Background: Sir on 17 AUG 17 the sign a memo with holding his authority to sign the N 426 at his level. It was later determined that the MAVNI Soldiers in the DTP did not meet the definition of credible service and therefore the AR was told N 426 certifications were not valid.

Base on the court descion on 27 OCT 17, now the CAR/ CG is directed to ceritify the N 426 as long as there is no derogatory information in the Soldier initial security fcheck. We have 3 Soldiers that meet the criterion and I have forearded the names to HQ DA G1; the initail checks are good. The Soldiers are being contacted through USRAC G1. The Soldiers are must submit another N 426 along with the application for citizenship. New applicants will follow the instruction in the memo.

Standing by for your guidance.

I am prepared to follow up with a full briefing on Monday or today if needed.

V/r

COL Brian A. Thomas



↑

Sent from my BlackBerry 10 smartphone.

Original Message

From: St clair, Linden H CIV USARMY HQDA ASA MRA (US) @mail mil>↑

Sent: Friday, October 27, 2017 5:14 PM

To: Thomas, Brian A COL USARMY OCAR (US); Merkerson, Delwyn S (Merk) COL USARMY OCAR (US)

Cc: Sandspingot, Guy L SES USARMY OCAR (US); Salo, Donald G Jr SES USARMY HQDA ASA MRA (US);

Sutherland, Susan B CIV USARMY HQDA OGC (US); Williams, Matthew Blake (Blake) MAJ USARMY HQDA OTJAG (US); Fale, Rosa V MSG USARMY USARC HQ (US)↑

Subject: Memo for CAR - Compliance with Injunction -- N-426s (UNCLASSIFIED)

CLASSIFICATION: UNCLASSIFIED

Brian,

Per our conversation, attached is the M&RA signed memorandum instructing the CAR for purposes of signing the N-426

Please ensure that this gets disseminated out to the widest possible audience within the USAR

000003




I appreciate everything you and the team jumped through today

Thanks,  
Lin

Mr. Lin St. Clair  
Assistant Deputy for Recruiting  
ASA M&RA  
Phone: [REDACTED]




CLASSIFICATION: UNCLASSIFIED

**USAR G1 Bi-WEEKLY SITREP for 23 Oct – 3 Nov 17**

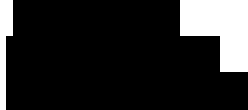
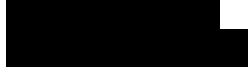






<b>G1 HOT TOPICS</b>			
<b>#</b>	<b>Subjects</b>	<b>Point of Contact</b>	<b>Additional Information</b>
	<p><b>IPPS-A</b></p> <p>Data Correctness (CW4 Crowder): IPPS-A 101 Brief/eSRB Training (Update ARB's, FRR's, PRR's)                      ARMEDCOM 27 Nov thru 8 Dec 2017                      USAR Legal Cmd 16-27 Jan 2018                      7th MSC 19-30 Mar 2018</p> <p>User Jury (CW2 Nevarez): hands-on event collecting user feedback while they perform frequent and high-priority tasks using the IPPS-A system. The USAR IPPS-A Team is reaching out to commands to provide Soldiers to participate.                      27 Nov - 2 Dec 2017                      11 -16 Dec 2017                      22-27 Jan 2018                      12-17 Feb 2019</p> <p>IPPS-A Training (CW2 Aguirre): HROs and G1 Reps received the website to the User Productivity Kit (UPK). The UPK is one of the tools that will be used for training of personnel actions for HR and NON-HR Soldiers. This website is updated every couple of weeks with more HR actions, so check every periodically. View any/all UPK and provide feedback from the Survey. Identify yourself as HR professional/ Student or NA. Share this website with as many Soldiers as you can so that we can get maximum feedback on improving or sustaining the UPK.  <a href="https://demoippsa.amrdec.army.mil/upk/">https://demoippsa.amrdec.army.mil/upk/</a></p> <p>IPPS-A STRATCOM: the latest communications campaign centers around the newest IPPS-A video: The Top 10 Advantages of IPPS-A! You can view this video and supporting communications products in three ways.                      • IPPS-A Advantages Video &amp; Reference sheets on the Public Website:  <a href="https://www.ipps-a.army.mil/advantages">https://www.ipps-a.army.mil/advantages</a></p>	<p>CW5 Edward Salazar                      [REDACTED]@mail.mil</p> <p>CW4 Teresa Crowder [REDACTED]                      [REDACTED]@mail.mil</p> <p>CW2 Julio Aguirre [REDACTED]                      [REDACTED]@mail.mil</p> <p>CW2 Karol Nevarez [REDACTED]                      [REDACTED]@mail.mil</p> <p>CW2 Chris Akbaroff [REDACTED]                      [REDACTED]@mail</p>	 UPK Navigation Guidelines v3.docx

### USAR G1 Bi-WEEKLY SITREP for 23 Oct – 3 Nov 17




	<ul style="list-style-type: none"> <li>• IPPS-A YouTube Page: <a href="https://youtu.be/xS-76OSY0H8">https://youtu.be/xS-76OSY0H8</a></li> <li>• IPPS-A Facebook Page: <a href="https://www.facebook.com/armyippsa/">https://www.facebook.com/armyippsa/</a></li> </ul> <p>The campaign features a different product and/or advantage per week.</p>		

#	Areas of Focus	Highlighted Topics	Point of Contact	Additional Information
1	<b>Incentives LIK/IDT TRP</b>	<ul style="list-style-type: none"> <li>• NLT 1 DEC 17 All GF Commands will send a copy of their LIK policy to the USARC LIK PM</li> </ul>	LTC Sam Cherry [REDACTED]@mail.mil	 LIK IDT-TRP Task Report.pptx
2	<b>Readiness Branch</b>	<ul style="list-style-type: none"> <li>• Strategic Readiness Update (SRU) preparation: Provided USAR Compo 3's non-deployable analysis with actions taken to OCAR and USARC leadership to prepare for quarterly SRU brief to Army Chief of staffs.</li> <li>• RFX units deep dive. Provide personnel analysis on RFX units and attend the monthly command review.</li> </ul>	LTC Donghan Lee [REDACTED]@mail.mil	 USAR Personnel Deployability SEP 17   draft November MCJA Unit List (Ft H)

### USAR G1 Bi-WEEKLY SITREP for 23 Oct – 3 Nov 17

		<ul style="list-style-type: none"> <li>Reserve Component Readiness Review (RCRR) preparation.</li> <li>Provide personnel analysis on RFX/Focus Readiness units per FORSCOM's guidance, prep USARC leadership regarding issues and concern to impact P rating, and attend the monthly component review.</li> <li>RCRR: Provided over 150 units' personnel analysis and fix plan to USARC leadership to prepare for monthly RCRR brief to FORSCOM.</li> <li>M-CJA scheduled 4-8 November; JPAS entries due 25 October per USARC OPORD</li> </ul>	<p>SFC Fowler    @mail.mil</p>	 M-CJA Inbriefv5.pptx  OPORD 18-008 (USARC 1st QTR FY18)
	<p><b>Initial Military Training Branch</b></p>	<ul style="list-style-type: none"> <li>MAVNI –CI interview are ongoing; IMT Branch is facilitating the Injunction Compliance for MAVNI Soldiers that served in the SELRES at least one day by notifying the Soldiers and their GFTS Commands to ensure timely processing of the N-426 and DA Form 4187s. The IMT Division Chief has been granted signature authority to sign for the GFTS O6 Commanders. Documents are then forwarded to OCAR for disposition.</li> <li>Primary Military Education (PME) - Training seats are available, SM must continue to reach out to IMT Branch for scheduling</li> </ul>	<p>MAJ Cherby Allen    @mail.mil</p>	 Compliance with Injunction - Certificate  October_WOC Report_20171023.xls

### USAR G1 Bi-WEEKLY SITREP for 23 Oct – 3 Nov 17

	<b>Incentives Branch</b>	<ul style="list-style-type: none"><li>• Upcoming election on 7 Nov 17.</li><li>• Distributed VAO election information to HROs and assigned VAOs.</li></ul>	MAJ Debra L Graham [REDACTED]@mail.mil	 Final 2018 Army Voting Action Plan.†  Voter Registration and Absentee Ballot  VAO USARC Networkv2.pdf

**From:** [Thomas, Brian A COL USARMY OCAR \(US\)](#)  
**To:** [Sutherland, Susan B CIV USARMY HQDA OGC \(US\)](#)  
**Cc:** [St clair, Linden H CIV USARMY HQDA ASA MRA \(US\)](#); [Aswell, Paul L CIV USARMY HQDA DCS G-1 \(US\)](#); [Mazzone, Daniel L MAJ USARMY HQDA OTJAG \(US\)](#); [Williams, Matthew Blake \(Blake\) MAJ USARMY HQDA OTJAG \(US\)](#)  
**Subject:** RE: Injunction Compliance  
**Date:** Monday, October 30, 2017 10:09:11 AM  
**Importance:** High

---

Roger,

I have sent this to USARC G1 with the directive. I will follow-up them shortly and revisit the subject at my 1400 meeting with them.

Very Respectfully,

Brian A. Thomas  
COL, FA49  
Strategic Analysis  
OCAR G1  
6075 Goethals Road  
Ft Belvoir, VA 22060  
Commercial [REDACTED]  
DSN [REDACTED]

" Setting the Standard for Others to Follow !"

-----Original Message-----

From: Sutherland, Susan B CIV USARMY HQDA OGC (US)  
Sent: Monday, October 30, 2017 9:24 AM  
To: Thomas, Brian A COL USARMY OCAR (US) [REDACTED]@mail.mil>  
Cc: St clair, Linden H CIV USARMY HQDA ASA MRA (US) [REDACTED]@mail.mil>; Aswell, Paul L CIV USARMY HQDA DCS G-1 (US) [REDACTED]@mail.mil>; Mazzone, Daniel L MAJ USARMY HQDA OTJAG (US) [REDACTED]@mail.mil>; Williams, Matthew Blake (Blake) MAJ USARMY HQDA OTJAG (US) [REDACTED]@mail.mil>  
Subject: Injunction Compliance

COL Thomas,

Any luck getting in contact with the commanders for these Soldiers? They are the named plaintiffs in the lawsuit. The Soldiers must submit new requests for certification of an N-426. But it is extremely important that the requests be processed within two days, so their commanders need to be prepared to sign the day they receive it and forward it to OCAR for a 24 hour turn IAW the attached policy.

-- PV2 Mahlon Kirwa, [REDACTED], 414th Chemical Company, Orangeburg, SC

-- SPC Santosh Meenhallimath, [REDACTED], 353rd Transportation Company, Buffalo, MN

-- SPC Ashok Viswanathan, [REDACTED], 353rd Transportation Company, Buffalo, MN

Also, no need to reach out to the other 2 Soldiers whose requests were previously submitted to OCAR -- they are not members of the class affected by the injunction because they are not MAVNI in the DTP.

Thanks,  
Susan

Susan Burger Sutherland  
Associate Deputy General Counsel  
(Operations & Personnel)  
Department of the Army  
Pentagon Room 3C546  
[REDACTED]@mail.mil

CAUTION: This message may contain information protected by the attorney-client, attorney work product, deliberative process, or other privilege. Do not disseminate without the approval of the Office of the Army General Counsel.

**From:** [Kartes, Joann P CIV USARMY USARC HQ \(US\)](#)  
**To:** [Sutherland, Susan B CIV USARMY HQDA OGC \(US\)](#)  
**Cc:** [Mayes, Michael D LTC USARMY OSD OUSD P-R \(US\)](#); [St clair, Linden H CIV USARMY HQDA ASA MRA \(US\)](#); [Mazzone, Daniel L MAJ USARMY HQDA OTJAG \(US\)](#); [Reynolds, Paul E Jr COL USARMY OCAR \(US\)](#); [Aswell, Paul L CIV USARMY HQDA DCS G-1 \(US\)](#); [Youngblut, Simon P CPT USARMY \(US\)](#); [Gearhart, Lee P COL USARMY USARC HQ \(US\)](#); [Fale, Rosa V MSG USARMY USARC HQ \(US\)](#); [Masley, Michael E CIV USARMY USARC HQ \(US\)](#); [Fale, Rosa V MSG USARMY USARC HQ \(US\)](#); [Benson, Portia J LTC USARMY OCAR \(US\)](#); [Reynolds, Paul E Jr COL USARMY OCAR \(US\)](#); [Lampkins, Steven E LTC USARMY OCAR \(US\)](#); [Thomas, Brian A COL USARMY OCAR \(US\)](#)  
**Subject:** RE: Injunction Compliance- N 426 Certifications  
**Date:** Wednesday, November 01, 2017 2:08:14 PM

---

Ms. Sutherland,

Copies of the signed forms were sent to the three Soldiers at 1015 this morning, along with notification that these documents will be upload to their Soldier military electronic record within a week.

Very Respectfully,  
Joann

Joann P. Kartes  
Chief, Manning Division  
USARC, G-1  
Phone: [REDACTED]  
Mobile: [REDACTED]  
Email: [REDACTED]@mail mil

-----Original Message-----

From: Sutherland, Susan B CIV USARMY HQDA OGC (US)  
Sent: Wednesday, November 01, 2017 1:00 PM  
To: Thomas, Brian A COL USARMY OCAR (US) [REDACTED]@mail.mil>;  
Kartes, Joann P CIV USARMY USARC HQ (US) [REDACTED]@mail.mil>;  
Fale, Rosa V MSG USARMY USARC HQ (US) [REDACTED]@mail mil>  
Cc: Mayes, Michael D LTC USARMY OSD OUSD P-R (US) [REDACTED]@mail mil>; St clair, Linden H CIV USARMY HQDA ASA MRA (US) [REDACTED]@mail mil>; Mazzone, Daniel L MAJ USARMY HQDA OTJAG (US) [REDACTED]@mail mil>; Reynolds, Paul E Jr COL USARMY OCAR (US) [REDACTED]@mail.mil>; Kartes, Joann P CIV USARMY USARC HQ (US) [REDACTED]@mail mil>; Aswell, Paul L CIV USARMY HQDA DCS G-1 (US) [REDACTED]@mail.mil>; Youngblut, Simon P CPT USARMY (US) [REDACTED]@mail.mil>; Gearhart, Lee P COL USARMY USARC HQ (US) [REDACTED]@mail.mil>; Masley, Michael E CIV USARMY USARC HQ (US) [REDACTED]@mail mil>; Fale, Rosa V MSG USARMY USARC HQ (US) [REDACTED]@mail mil>; Benson, Portia J LTC USARMY OCAR (US) [REDACTED]@mail.mil>; Reynolds, Paul E Jr COL USARMY OCAR (US) [REDACTED]@mail mil>; Lampkins, Steven E LTC USARMY OCAR (US) [REDACTED]@mail.mil>  
Subject: RE: Injunction Compliance- N 426 Certifications

Thanks for everyone's efforts to enforce the injunction. Can anyone confirm whether a copy of the form was provided to the Soldier? My understanding is that USCIS will accept a copy of an N-426, so long as the certifying official made a hand-written signature (as COL Thomas did in this case).

v/r  
Susan



Susan Burger Sutherland  
Associate Deputy General Counsel  
(Operations & Personnel)  
Department of the Army  
Pentagon Room 3C546  
[REDACTED]@mail.mil

CAUTION: This message may contain information protected by the attorney-client, attorney work product, deliberative process, or other privilege. Do not disseminate without the approval of the Office of the Army General Counsel.

-----Original Message-----

From: Thomas, Brian A COL USARMY OCAR (US)  
Sent: Wednesday, November 01, 2017 8:53 AM  
To: Kartes, Joann P CIV USARMY USARC HQ (US) [REDACTED]@mail.mil>;  
Fale, Rosa V MSG USARMY USARC HQ (US) <rosa.v.fale.mil@mail.mil>  
Cc: Mayes, Michael D LTC USARMY OSD OUSD P-R (US)  
[REDACTED]@mail.mil>; St clair, Linden H CIV USARMY HQDA ASA MRA  
(US) [REDACTED]@mail.mil>; Sutherland, Susan B CIV USARMY HQDA  
OGC (US) [REDACTED]@mail.mil>; Mazzone, Daniel L MAJ USARMY  
HQDA OTJAG (US) [REDACTED]@mail.mil>; Reynolds, Paul E Jr COL  
USARMY OCAR (US) [REDACTED]@mail.mil>; Kartes, Joann P CIV  
USARMY USARC HQ (US) [REDACTED]@mail.mil>; Aswell, Paul L CIV  
USARMY HQDA DCS G-1 (US) [REDACTED]@mail.mil>; Youngblut, Simon P  
CPT USARMY (US) [REDACTED]@mail.mil>; Gearhart, Lee P COL USARMY  
USARC HQ (US) [REDACTED]@mail.mil>; Masley, Michael E CIV USARMY  
USARC HQ (US) [REDACTED]@mail.mil>; Fale, Rosa V MSG USARMY USARC  
HQ (US) [REDACTED]@mail.mil>; Benson, Portia J LTC USARMY OCAR (US)  
[REDACTED]@mail.mil>; Reynolds, Paul E Jr COL USARMY OCAR (US)  
[REDACTED]@mail.mil>; Lampkins, Steven E LTC USARMY OCAR (US)  
[REDACTED]@mail.mil>  
Subject: Injunction Compliance- N 426 Certifications  
Importance: High

ALCON,

The following MAVNI applicants have been verified with HQ DAG1 and USARC G1. Both initial security check show no derogatory information or flags in the Personnel record of each applicant. USARC G1 has also verified the service via the DJMS pay system and signed the 4187(s). I have included the 4178(s) in compliance with the enclosed memorandum. I have also signed the N-426s for processing through the USARC G1 for processing upon completion.

Very Respectfully,

Brian A. Thomas  
COL, FA49  
Strategic Analysis  
OCAR G1  
6075 Goethals Road

Ft Belvoir, VA 22060

Commercial [REDACTED]  
[REDACTED]

" Setting the Standard for Others to Follow !"

-----Original Message-----

From: Kartes, Joann P CIV USARMY USARC HQ (US)

Sent: Tuesday, October 31, 2017 4:27 PM

To: Thomas, Brian A COL USARMY OCAR (US) [REDACTED]@mail.mil>

Cc: Fale, Rosa V MSG USARMY USARC HQ (US) [REDACTED]@mail.mil>

Subject: Injunction Compliance

Brian,

Here are the N-426s for all three of the identified MAVNI Soldiers. I have signed the two 4187s that we have received so far. PFC Kirwa said that he has emailed his 4187 to us, but it is still in the Exchange cloud somewhere.

Very Respectfully,

Joann

Joann P. Kartes

Chief, Manning Division

USARC, G-1

Phone: [REDACTED]

Mobile: [REDACTED]

Email: [REDACTED]@mail.mil

**From:** [Thomas, Brian A COL USARMY OCAR \(US\)](#)  
**To:** [Austin, Stephen D SES USARMY OCAR \(US\)](#)  
**Cc:** [Irwin, Lewis G MG USARMY OCAR \(US\)](#); [Sandspingot, Guy L SES USARMY OCAR \(US\)](#); [Merkerson, Delwyn S \(Merk\) COL USARMY OCAR \(US\)](#); [Gearhart, Lee P COL USARMY USARC HQ \(US\)](#); [Benson, Portia J LTC USARMY OCAR \(US\)](#); [Kartes, Joann P CIV USARMY USARC HQ \(US\)](#); [Masley, Michael E CIV USARMY USARC HQ \(US\)](#); [brian thomas](#); [Aumiller, Jason P MSG USARMY OCAR \(US\)](#); [Poe, Aleesia D SFC USARMY OCAR \(US\)](#)  
**Subject:** ADOS Support Compliance with Injunction -- N-426s  
**Date:** Tuesday, November 07, 2017 5:22:00 PM  
**Attachments:** [Compliance with Injunction - Certification of N-426 \(Signed 27 Oct 17\).pdf](#)

---

Mr. Austin/ MG Irwin,

BLUF : OCAR G1 requests ADOS support to comply with the ASA M&RA memo directing the CAR/ CG USARC to comply with the signing N-426 for certification of service for Army Reserve Soldiers in the MAVNI program.

Background: Based on the court decision on 27 OCT 17, the CAR/ CG is directed to certify the N-426 as long as there is no derogatory information in the Soldier's initial security check that would prevent the Soldier from shipping.

The attached memo further delegates the signature authority to the 06 level at OCAR G1. Additional support is needed to review , process and collate the packets received for signature. We anticipate up to 1K requests based on the current population (2.4K). The additional workload created by this directive will endure until the entire MAVNI Soldier population have been adjudicated (estimated EOY FY19).

This office has signed and forwarded 6 request of Soldiers that meet the criterion and I have sent the names to HQ DA G1; the initial checks are good. The Soldiers have received the signed N-426 to complete the application for citizenship. Currently, there are 46 applications in the que for processing (since 27 OCT 2017). OCAR G1 has received 42 applications after the first Battle Assembly(BA) period following Memo ( 4-5 Nov 17). This weekend will mark the second BA for the month, just before the thx giving break, and more applications will follow.

Request: 1 E-6/ E-7 for 12 months to process N-426 requests from the field.

Very Respectfully,

Brian A. Thomas  
COL, FA49  
Strategic Analysis  
OCAR G1  
6075 Goethals Road  
Ft Belvoir, VA 22060  
Commercial [REDACTED]  
DSN [REDACTED]

" Setting the Standard for Others to Follow !"

### **MAVNI Log - Obtaining the N-426 and DA Form 4187**

On 0954 on 30 October 2017 the IMT Branch Chief emailed both the 76 ORC and the 377 TSC Commands AGR Professionals and followed up with voicemails to all POCs:

#### 76 ORC:

CPT Brian L. Bell (Sr HR Officer) – T: [REDACTED]

CW4 Pamela McFarlane (HR Tech) – T: [REDACTED]

#### 377 TSC:

CW2 Felicia C. Smith (HR Tech) – T: [REDACTED]

LTC Thomas Akerlund (A COFS, G1) – T: [REDACTED]

LTC Akerlund forwarded the email to Ms. Alynda Mallard ([REDACTED]) for disposition; she called us at 1100 on 30 Oct 17 for clarification on the process. Onus is on the Soldiers and not the commands. Commanders should expect receipt and provide signatures on these documents.

MSG Fale telephonically reached out to all the Soldiers on the email on 30 October 2017.

-- SPC Santosh Meenhallimath, [REDACTED], 353rd Transportation Company, Buffalo, MN (377 TSC) SM Ph: [REDACTED] // Contacted SM on 20171030, 0930, no answer and left a voice mail message; SM returned called at 1130, emailed SM a copy of N-426 and DA 4187 to complete.

-- SPC Ashok Viswanathan, [REDACTED], 353rd Transportation Company, Buffalo, MN (377 TSC) SM Ph: [REDACTED] // Contacted SM on 20171030 0930, no answer and left a voicemail message; SM called back at 1103 and stated N-426 was forwarded to UA 30Oct2017. SM was asked to email us a copy, and we received copy of N-426 and DA 4187.

-- PV2 Malone Kirwa, [REDACTED], 414th Chemical Company, Orangeburg, SC (76 Operational Command) SM Ph: [REDACTED] // Contacted SM on 20171030 0930, no answer and left a voicemail message. SM returned called at 1145. DA 4187 was emailed to SM and informed SM to email signed N-426 with DA 4187.

\*\*\*Note: Performance of SMs in SELRES were verified and annotated on DA 4187. Once completed, all DA 4187s and N-426 were forwarded to the Chief of Manning Division, Ms. Joann Kartes for final review and signature of DA 4187s. All the forms were then forwarded to OCAR for signature of N-426 forms on 20171031. On 20171031, USARC received the signed copies of DA 4187 and N-426 from OCAR. Copies of signed forms were emailed to all the SMs on 20171101 and iPerm into SMs records.

-- SPC Peter Kaganjo, [REDACTED], (308 Chemical Company, Vallejo, CA (76 Operational Command) SM Ph: [REDACTED] // Contacted SM on 20171030 0930, no answer and left a voicemail message. SM emailed and inform us his lawyer will contact us with copies requested. SMs lawyer responded with copies requested.

\*\* SPC Shyam Mutha, [REDACTED] (unit unknown, see email to OCAR from USAREC)( REGULAR ARMY)

### **MAVNI LOG ON COMMANDS**

- USAR notified all USAR commands via email on 20171103 on N-426 and DA 4187 certification. Itemized roster was provided to each Command

-Emailed 200th MP Command, MAJ Scott reference N-426 and DA 4187 on 20171107; answered questions and provided processing guidance; provided DTS roster

-Emailed 84<sup>th</sup> Training Command, Mr. Cruz, reference N-426 and DA 4187 on 20171108; answered questions and provided processing guidance

-Emailed and called Army Reserve Aviation Command, Mr. Alexsonsk, reference N-426 and DA 4187 on 20171108; answered questions and provided processing guidance

-Emailed and called Army Reserve Aviation Command, LTC Steward, reference N-426 and DA 4187 on 20171115; answered questions and provided processing guidance

-Notified all USAR Commands via HRO bi-weekly teleconference on N-426 and DA 4187 requirement due to the injunction. HRO teleconference on 20171109

-Briefed USARC G1 on MAVNI program and N-426 certification for each Command in preparation for CR2

-Received three emails with batches of N-426 and DA 4187s from OCAR, MSG Aumiller on completion of signed forms on 20171109

-Emailed and called 76 Operational Response Command, CPT Bell, reference N-426 and DA 4187 on 20171109; answered questions and provided processing guidance

-Emailed SPC Santhos, M reference original copies of N-426 and DA 4187 request on 20171114

-Emailed SPC Ashok, V reference original copies of N-426 and DA 4187 request on 20171114

-Emailed and called 76 Operational Response Command, CPT Bell, reference N-426 and DA 4187 on 20171115; answered questions and provided processing guidance

-Emailed and called Army Reserve Aviation Command, Mr. Alexsonsk, reference N-426 and DA 4187 on 20171115; answered questions and provided processing guidance

-Emailed and called 200th MP Command, MAJ Scott reference N-426 and DA 4187 on 20171115; answered questions and provided processing guidance

-Emailed and called Military Intelligence Readiness Command reference N-426 and DA 4187 on 20171115; answered questions and provided processing guidance

# Exhibit K

**PERSONNEL ACTION**

For use of this form, see PAM 600-8; the proponent agency is DCS, G-1.

**DATA REQUIRED BY THE PRIVACY ACT OF 1974**

**AUTHORITY:** Title 10, USC, Section 3013, E.O. 9397 (SSN), as amended  
**PRINCIPAL PURPOSE:** To request or record personnel actions for or by Soldiers in accordance with DA PAM 600-8.  
**ROUTINE USES:** The DoD Blanket Routine Uses that appear at the beginning of the Army's compilation of systems of records may apply to this system.  
**DISCLOSURE:** Voluntary; however failure to provide Social Security Number may result in a delay or error in processing the request for personnel action.

1. THRU (Include ZIP Code)	2. TO (Include ZIP Code)	3. FROM (Include ZIP Code)
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**SECTION I - PERSONAL IDENTIFICATION**

4. NAME (Last, First, MI)	5. GRADE OR RANK/PMOS/AOC	6. SOCIAL SECURITY NUMBER
---------------------------	---------------------------	---------------------------

**SECTION II - DUTY STATUS CHANGE (AR 600-8-6)**

7. The above Soldier's duty status is changed from \_\_\_\_\_ to \_\_\_\_\_ effective \_\_\_\_\_ hours, \_\_\_\_\_

**SECTION III - REQUEST FOR PERSONNEL ACTION**

8. I request the following action: (Check as appropriate)

<input type="checkbox"/> Service School (Enl only)	<input type="checkbox"/> Special Forces Training/Assignment	<input type="checkbox"/> Identification Card
<input type="checkbox"/> ROTC or Reserve Component Duty	<input type="checkbox"/> On-the-Job Training (Enl only)	<input type="checkbox"/> Identification Tags
<input type="checkbox"/> Volunteering For Oversea Service	<input type="checkbox"/> Retesting in Army Personnel Tests	<input type="checkbox"/> Separate Rations
<input type="checkbox"/> Ranger Training	<input type="checkbox"/> Reassignment Married Army Couples	<input type="checkbox"/> Leave - Excess/Advance/Outside CONUS
<input type="checkbox"/> Reassignment Extreme Family Problems	<input type="checkbox"/> Reclassification	<input type="checkbox"/> Change of Name/SSN/DOB
<input type="checkbox"/> Exchange Reassignment (Enl only)	<input type="checkbox"/> Officer Candidate School	<input type="checkbox"/> Other (Specify)
<input type="checkbox"/> Airborne Training	<input type="checkbox"/> Asgmt of Pers with Exceptional Family Members	

9. SIGNATURE OF SOLDIER (When required)	10. DATE (YYYYMMDD)
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**SECTION IV - REMARKS (Applies to Sections II, III, and V) (Continue on separate sheet)**

**SECTION V - CERTIFICATION/APPROVAL/DISAPPROVAL**

11. I certify that the duty status change (Section II) or that the request for personnel action (Section III) contained herein -  
 HAS BEEN VERIFIED     RECOMMEND APPROVAL     RECOMMEND DISAPPROVAL     IS APPROVED     IS DISAPPROVED

12. COMMANDER/AUTHORIZED REPRESENTATIVE	13. SIGNATURE	14. DATE (YYYYMMDD)
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15. NAME OF INDIVIDUAL		16. SSN	
<b>ADDENDUM - RECOMMENDATIONS FOR APPROVAL/DISAPPROVAL</b>			
AUTHORITY	a. TO	b. FROM	
c. ACTION: <input type="checkbox"/> APPROVED <input type="checkbox"/> DISAPPROVED      RECOMMEND: <input type="checkbox"/> APPROVAL <input type="checkbox"/> DISAPPROVAL			
d. NAME (Last, First, Middle)		e. RANK	f. DATE (YYYYMMDD)
g. TITLE/POSITION		h. SIGNATURE	
i. COMMENTS			
AUTHORITY	a. TO	b. FROM	
c. ACTION: <input type="checkbox"/> APPROVED <input type="checkbox"/> DISAPPROVED      RECOMMEND: <input type="checkbox"/> APPROVAL <input type="checkbox"/> DISAPPROVAL			
d. NAME (Last, First, Middle)		e. RANK	f. DATE (YYYYMMDD)
g. TITLE/POSITION		h. SIGNATURE	
i. COMMENTS			
AUTHORITY	a. TO	b. FROM	
c. ACTION: <input type="checkbox"/> APPROVED <input type="checkbox"/> DISAPPROVED      RECOMMEND: <input type="checkbox"/> APPROVAL <input type="checkbox"/> DISAPPROVAL			
d. NAME (Last, First, Middle)		e. RANK	f. DATE (YYYYMMDD)
g. TITLE/POSITION		h. SIGNATURE	
i. COMMENTS			
AUTHORITY	a. TO	b. FROM	
c. ACTION: <input type="checkbox"/> APPROVED <input type="checkbox"/> DISAPPROVED      RECOMMEND: <input type="checkbox"/> APPROVAL <input type="checkbox"/> DISAPPROVAL			
d. NAME (Last, First, Middle)		e. RANK	f. DATE (YYYYMMDD)
g. TITLE/POSITION		h. SIGNATURE	
i. COMMENTS			

**N-426 Certification Status**

Soldier Name	Date of Application	Date of N-426 Certification (Approval)	Date N-426 Uploaded into AMHRR	Date Solider Notified of Certification (Approval)
[REDACTED]	6-Nov-17	21-Nov-17	27-Nov-17	27-Nov-17
[REDACTED]	14-Nov-17			
[REDACTED]	20-Nov-17			
[REDACTED]	14-Nov-17			
[REDACTED]	20-Nov-17			
[REDACTED]	21-Nov-17			
[REDACTED]	14-Nov-17			
[REDACTED]	28-Nov-17			
[REDACTED]	6-Nov-17	21-Nov-17	27-Nov-17	27-Nov-17
[REDACTED]	16-Nov-17			
[REDACTED]	16-Nov-17			
[REDACTED]	20-Nov-17			
[REDACTED]	20-Nov-17			
[REDACTED]	6-Nov-17	21-Nov-17	27-Nov-17	27-Nov-17
[REDACTED]	20-Nov-17			
[REDACTED]	22-Nov-17			
[REDACTED]	16-Nov-17			
[REDACTED]	20-Nov-17			
[REDACTED]	28-Nov-17			
[REDACTED]	15-Nov-17			
[REDACTED]	15-Nov-17			
[REDACTED]	20-Nov-17			
[REDACTED]	9-Nov-17			
[REDACTED]	22-Nov-17			
[REDACTED]	6-Nov-17	21-Nov-17	27-Nov-17	27-Nov-17

	6-Nov-17	21-Nov-17	27-Nov-17	27-Nov-17
	20-Nov-17			
	20-Nov-17			
	20-Nov-17			
	28-Nov-17			
	31-Oct-17	6-Nov-17	9-Nov-17	9-Nov-17
	16-Nov-17			
	28-Nov-17			
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	16-Nov-17			
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	8-Nov-17	21-Nov-17	27-Nov-17	27-Nov-17
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	6-Nov-17	21-Nov-17	27-Nov-17	27-Nov-17
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	20-Nov-17			
	14-Nov-17			
	21-Nov-17			
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	16-Nov-17			
	6-Nov-17	21-Nov-17	27-Nov-17	27-Nov-17
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	14-Nov-17			
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	14-Nov-17			
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	15-Nov-17			
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	28-Nov-17			
	2-Nov-17	6-Nov-17	9-Nov-17	9-Nov-17
	21-Nov-17			
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	14-Nov-17			
	31-Oct-17	1-Nov-17	3-Nov-17	3-Nov-17
	3-Nov-17	21-Nov-17	27-Nov-17	27-Nov-17
	9-Nov-17	21-Nov-17	27-Nov-17	27-Nov-17
	21-Nov-17			
	6-Nov-17	21-Nov-17	27-Nov-17	27-Nov-17
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	9-Nov-17	21-Nov-17	27-Nov-17	27-Nov-17
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	6-Nov-17	21-Nov-17	27-Nov-17	27-Nov-17
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	6-Nov-17	9-Nov-17		9-Nov-17
	20-Nov-17			



# **Exhibit E**

to Declaration of Jennifer M. Wollenberg to  
Plaintiffs' Reply Memorandum in Support of  
Plaintiffs' Motion to Enforce Court Order

Case No.: 1:20-cv-01104-PLF

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

<hr/>		)
MAHLON KIRWA, et al.,	)	)
	)	)
Plaintiffs,	)	)
	)	)
v.	)	Civil Action No. 1:17-cv-01793
	)	The Honorable Ellen Segal Huvelle
UNITED STATES DEPARTMENT OF	)	)
DEFENSE, et al.	)	)
	)	)
Defendants.	)	)
	)	)
<hr/>		)

**PROPOSED JOINT COMMUNICATION TO CLASS MEMBERS**

Pursuant to this Court’s November 16, 2017 Order (Dkt. 37), the parties respectfully submit the attached proposed “joint communication to be distributed to the class members explaining their rights under the Court’s Amended Preliminary Injunction Order.” Defendants will send the notice (once approved by the Court) to class members.

While the parties were able to agree on most of the text of the proposed notice, they could not reach agreement on the specific language in Section IV (“YOUR RIGHTS PURSUANT TO THE PRELIMINARY INJUNCTION”). Accordingly, the parties have enclosed two proposed notices, with the primary difference being the language within Section IV. So that the Court can understand the basis for the competing Section IV proposals, the parties agreed to provide the Court with short justifications of their positions as follows:

**DEFENDANTS’ PROPOSAL FOR SECTION IV**

Defendants’ proposed Section IV reflects their commitment to the process for N-426 certification described in the October 27, 2017 memo from Army. For the reasons discussed in Defendants’ Memorandum of Points and Authorities in Opposition to Plaintiffs’ Motion to Enforce

Court Order, that process complies with the Court's October 27, 2017 Amended Order. Plaintiffs' alternative proposal describing steps a MAVNI soldier should take in order to submit a Form N-426 is not consistent with the process described in this memo. Although Army has in the past used a different submission process for certain individual MAVNIs, including the three named Plaintiffs in this action, such treatment is not a viable option for the entire MAVNI population, for the reasons discussed in Defendants' memorandum of points and authorities and supporting Second Declaration of Colonel Brian A. Thomas. Plaintiffs' proposal to use the class notice as a vehicle to implement yet another process would likely cause confusion among both the MAVNI population and Army officials involved in the process about the appropriate mechanism for submitting N-426 requests, which in turn could result in greater delays in certification.

Defendants believe Plaintiffs' rhetoric and statements in support of its proposal below are inappropriate in this context and exceed the scope of the Court's request in its November 16, 2017 order. Because Defendants have contemporaneously filed a response to Plaintiffs' motion to enforce, Defendants do not further address Plaintiffs' contentions here.

#### **PLAINTIFFS' PROPOSAL FOR SECTION IV**

One thing we have learned in the month since the Court's preliminary injunction order is that the process Defendants have put in place to comply with the order is not working. Yet, Defendants – for reasons they cannot explain – now want to secure the Court's imprimatur on a procedure that Defendants freely admit (a) has left the vast majority of class members without N-426s, and (b) cannot reasonably assure that class members will obtain their N-426s within two business days of submission or anything even remotely close to that time period. Accordingly, Plaintiffs propose alternative language for Section IV because the process described in Defendants' proposal lacks sufficient direction and specificity, leaving open the key questions of:

how does a class member get his or her N-426 request to an authorized O-6, and how/when will the class member receive the completed and signed N-426? Plaintiffs tried to work with Defendants to develop acceptable and effective language (as evidenced by the attached email communications), but those efforts were not successful because Defendants declined to engage until two days ago and they claimed that changes to their processes might prejudice their ability to argue that they are in compliance with the Court's order. As a result, Defendants' proposed instructions would create confusion and exacerbate the problems that class members have been experiencing to date, including: commands refusing to forward up the chain a class member's N-426 request, N-426 requests being further delayed due to so-called "administrative errors" on newly-required forms, and Defendants claiming that an N-426 request is not really made until it gets through the lower levels of command to the Office of the Chief Army Reserve (OCAR). This Notice should not reward Defendants for erecting administrative roadblocks and adding layers of bureaucracy that prevent these class members from getting their N-426s in a timely fashion. Indeed, Defendants informed Plaintiffs that they cannot represent that their process either has in the past or would in the future result in class members receiving their N-426s within two business days of request, nor could Defendants provide any estimate of how long a class member would have to wait under their proposed language. Previously it made sense for MAVNIs to submit N-426 requests to their commanders (and only their commanders) because the commanders had authority to sign N-426 forms. But, Defendants are now requiring, for the first time (post-litigation), that a designated O-6 be the authorized signatory, so it no longer makes sense for class members to provide the N-426 request only to their commanders (typically O-3 rank), especially given the confusion that still exists at the command level. For example, just today Plaintiffs' counsel was informed by a MAVNI that he/she received this message from his/her command:

Wanted to follow up with you regarding our talk two weeks ago and the documents you sent to SSG [ ]. I received contact from the Battalion Personnel section stating that [ ] – our higher command was establishing guidance and documentation to action MAVNI Soldiers. I'm still pending this guidance and direction from Battalion. Ultimately, the Army Reserves needs to have a standard identified, so that the paperwork flows correctly.

In contrast, Plaintiffs' proposed language includes direction that would have the requests being made directly to a designated O-6 at OCAR (who presumably knows how to confirm the class member's honorable service), with copies to the commands and Headquarters. This is akin to the process that the Army used with respect to the three individually-named Plaintiffs (*see, e.g.*, Dkt. 39-4 (Thomas Decl.) ¶9), who have received copies of their completed and signed N-426s – via email from Headquarters. Notably, on November 15, 2017, two weeks after the named Plaintiffs received copies of the completed and signed N-426s from Headquarters, two of them were provided the following message from their command:

Your 426s and 4187's have been submitted. Here's the process at this point:

PROCESS:

The N-426 is sent to OCAR G-1;  
OCAR G-1 O-6 signs the N-426;  
OCAR G-1 sends the N-426 to HQDA, DCS, G-1, DMPM for security background and derogatory check;  
DMPM sends the information back to OCAR G-1;  
OCAR G-1 sends all information and paperwork on the Soldier to USARC G-1;  
USARC G-1 tracks the information, iPERMS the paperwork, and sends a copy back to the unit.

I'll let you know when we hear back.

I'll see you all in Dec. Have a good Thanksgiving!

Apparently, the named Plaintiffs' unit/command is not even aware that they received signed/completed N-426s. And, if left only to the units/commands, the named Plaintiffs still would

be without an N-426 and unable to apply for naturalization. Thus, the proposed language by Defendants, that directs class members to make N-426 requests to their commands and only their commands, and receive completed/signed N-426s only through their commands (and without any direction as to how the commands will provide the N-426s to them, a separate problem), does not make practical sense. Whereas, having the requests sent directly to a centralized location – the O-6 with authority to sign the documents – with copies to the commands, does not disturb whatever processes DoD wants to implement (or continue implementing) with respect to confirming the soldier’s honorable service – in fact, it only can serve to facilitate DoD’s efforts in this regard by avoiding the confusion that is being caused by having each unit/command work in a vacuum.

#### **CONCLUSION**

The parties request that the Court issue an Order approving the Notice (and specifying which proposed notice should be sent) and directing that Defendants deliver the Notice to class members within one business day thereafter.

Respectfully submitted,

CHAD A. READLER  
Principal Deputy Assistant Attorney General  
ANTHONY J. COPPOLINO  
Deputy Branch Director  
Federal Programs Branch

*s/ Nathan M. Swinton*

---

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*s/ Joseph J. LoBue*

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Webster R. M. Beary (D.C. Bar No. 1041653)  
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Email: jennifer.wollenberg@friedfrank.com

*Counsel for Plaintiffs*

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

<hr/>		)
MAHLON KIRWA, et al., on behalf of	)	)
themselves and the provisionally certified	)	)
class,	)	)
	)	)
Plaintiffs,	)	Civil Action No. 1:17-cv-01793
	)	The Honorable Ellen Segal Huvelle
v.	)	)
	)	)
UNITED STATES DEPARTMENT OF	)	)
DEFENSE and JAMES MATTIS, in his	)	)
official capacity as Secretary of Defense,	)	)
	)	)
Defendants.	)	)
<hr/>		)

**DEFENDANTS’ PROPOSED NOTICE TO CLASS MEMBERS**<sup>1</sup>

This Notice is being provided in order to apprise class members in the above-referenced action of their rights with respect to issuance of Form N-426 certifications of honorable service from the Department of Defense (“DoD”), including the United States Army. If you are a class member, as defined below, **PLEASE TAKE NOTICE AS FOLLOWS:**

**I. CASE DESCRIPTION**

This lawsuit was filed on September 1, 2017 by U.S. Army soldiers in the Selected Reserve of the Ready Reserve who were seeking to obtain Form N-426 certifications of honorable service from the U.S. Army in order to allow them to apply to the Department of Homeland Security (“DHS”) to become naturalized U.S. citizens.

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<sup>1</sup> This Notice has been authorized by the United States District Court for the District of Columbia.



On October 13, 2017, DoD issued a new N-426 policy. In response, Plaintiffs argued that the N-426 policy is unlawful<sup>2</sup> and asked the Court to issue a preliminary injunction so that Plaintiffs could obtain their N-426s. Plaintiffs also asked the Court to provisionally certify the case as a class action.

On October 25, 2017 (as amended on October 27, 2017), the Court issued a preliminary injunction and provisionally certified the class as set forth below.

In addition, the Court appointed the law firm of Fried Frank Harris Shriver & Jacobson LLP (“Fried Frank”) to serve as counsel to the provisionally-certified class in this case. Fried Frank has created a website, located at <http://dcfederalcourtmanvniclasslitigation.org>, that class members should check regularly as it will be updated to reflect certain events in the litigation and to provide certain information relevant for class members.

## II. PROVISIONAL CLASS MEMBERSHIP

You are a member of the provisionally certified class in this litigation if you meet the following criteria:

- You are an enlistee in the Military Accessions Vital to the National Interest (“MAVNI”) program;
- You enlisted prior to October 13, 2017;
- You have served in the Selected Reserve; *and*
- Prior to October 13, 2017, you had not received a completed and signed Form N-426 from DoD.

You have received this Notice because you may be a member of this class.

---

<sup>2</sup> Defendants deny Plaintiffs’ allegations. Though the Court has issued a preliminary injunction with which Defendants must comply, the Court has not made a final decision in this case about the merits of Plaintiffs’ claims or of Defendants’ defenses.

### **III. THE COURT'S PRELIMINARY INJUNCTION**

In its preliminary injunction, the Court issued the following orders:

- Defendants are preliminarily enjoined from refusing to sign and issue Form N-426s to members of the Selected Reserve pursuant to Section II of DoD's October 13, 2017 Guidance;
- Defendants are preliminarily enjoined from refusing to certify MAVNI enlistees who have served for one day or more in the Selected Reserve as having honorable service, except as related to the conduct of an individual plaintiff or class member as reflected in the soldier's service record and based on sufficient grounds generally applicable to all members of the military; and
- After members of the provisionally certified class submit or resubmit N-426s to their military officer ranked O6 or higher, Defendants should use their best efforts to certify or deny Form N-426s within two business days of receipt of Form N-426.

### **IV. YOUR RIGHTS PURSUANT TO THE PRELIMINARY INJUNCTION**

If you are a member of the provisionally certified class, as defined above, pursuant to the preliminary injunction order you currently are eligible to obtain a completed and executed N-426 from DoD.

If you have not previously done so, and if you are interested in applying for naturalization at this time, you may submit a Form N-426 to your commander and request certification.

To make that submission, please take the following steps:

- Download Form N-426 and the Form N-426 instructions from the U.S. Citizenship and Immigration Service ("USCIS") website at <https://www.uscis.gov/n-426>.

- Follow the instructions to complete Parts 1 through 4 of the Form N-426. Type or print in black ink and include a handwritten signature.
- Submit a DA Form 4187, Request for Personnel Action, to your commander.  
You may obtain a copy of this form from your unit S-1 or online at [http://www.usarec.army.mil/downloads/armypa/dd\\_4187.pdf](http://www.usarec.army.mil/downloads/armypa/dd_4187.pdf).
- Complete Sections I-IV of the DA Form 4187, including the following information:
  - Provide Name, Rank, and Social Security Number (optional per form instructions);
  - In Block 8, request certification of the Form N-426 by checking the box that states “Other (Specify)” and specifying “N-426 certification”;
  - Sign and date the form in Blocks 9 and 10;
  - In Section IV, list the dates and type of service you have performed in the Selected Reserve (e.g., the number of training periods and/or days of active-duty service) for the entire period of service you have listed in Part 3 of your Form N-426;
- Attach the Form N-426 (with Parts 1 through 4 completed) to your DA Form 4187 and give it to your commander. If you do not have contact information for your commander, or you would like assistance contacting your commander, please contact a member of your chain of command (such as your squad leader, platoon sergeant, or First Sergeant) or contact your unit personnel officer (battalion S-1 or brigade S-1).

Pursuant to the Court's preliminary injunction order, DoD will use its best efforts to certify or deny Form N-426s within two business days of the receipt of Form N-426

Pursuant to the Court's preliminary injunction order, Defendants are enjoined from refusing to certify MAVNI enlistees who have served for one day or more in the Selected Reserve as having honorable service, except as related to the conduct of an individual plaintiff or class member as reflected in the soldier's service record and based on sufficient grounds generally applicable to all members of the military. You will receive a copy of the completed/signed form from your commander. You also will be notified once the completed/signed form has been uploaded to your Army Military Human Resource Record (AMHRR). Please visit this website for instructions on how to access records in your AMHRR: <https://www.hrc.army.mil/TAGD/Accessing%20or%20Requesting%20Your%20Official%20Military%20Personnel%20File%20Documents>.

Once you have a copy of your completed and signed N-426, you may submit it to USCIS with your application for naturalization (N-400). Please note that DoD has confirmed that USCIS will accept a photocopy of the signed N-426 (and does not require "wet" or original signatures). Moreover, USCIS does not require that the N-426 be submitted in a signed and/or sealed envelope.

#### **V. CERTIFICATION ASSISTANCE AND REPORTING ISSUES**

If you have questions about these instructions or need assistance with the submission of your Form N-426, you may contact your unit S-1, First Sergeant, or commander. If you do not have contact information for your commander, you may obtain it through your S-1, First Sergeant, or chain of command.

If your commander is unavailable or unable to process your request, or if you encounter any difficulties or delays with the processing of your request, you are encouraged to contact the

next level commander under the open-door policy. Again, you may obtain the contact information for the next level commander through your S-1, First Sergeant, or chain of command.

If you are unable to resolve your concerns by attempting to use these procedures, you may email the Office of the Chief, Army Reserve, at [usarmy.usarc.ocar.mbx.gl-ops-taskers@mail.mil](mailto:usarmy.usarc.ocar.mbx.gl-ops-taskers@mail.mil). You may copy your commander on the email to expedite resolution of the matter. Please copy Fried Frank on any such emails through use of this email address: [kirwaiclasscounsel@friedfrank.com](mailto:kirwaiclasscounsel@friedfrank.com)

Please be advised that the law generally prohibits retaliation against soldiers for exercising their rights. DoD (including U.S. Army) personnel may not discharge you or retaliate against you in any manner because of your decision to exercise or enforce your rights in this litigation, including exercising your rights under the Court's preliminary injunction order.

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

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MAHLON KIRWA, et al., on behalf of	)	)	
themselves and the provisionally certified	)	)	
class,	)	)	
	)	)	
Plaintiffs,	)	Civil Action No. 1:17-cv-01793	
	)	The Honorable Ellen Segal Huvelle	
v.	)	)	
	)	)	
UNITED STATES DEPARTMENT OF	)	)	
DEFENSE and JAMES MATTIS, in his	)	)	
official capacity as Secretary of Defense,	)	)	
	)	)	
Defendants.	)	)	
<hr/>		)	

**[PLAINTIFFS’ PROPOSED] NOTICE TO CLASS MEMBERS<sup>1</sup>**

This Notice is being provided in order to apprise class members in the above-referenced action of their rights with respect to issuance of Form N-426 certifications of honorable service from the Department of Defense (“DoD”), including the United States Army. If you are a class member, as defined below, **PLEASE TAKE NOTICE AS FOLLOWS:**

**I. CASE DESCRIPTION**

This lawsuit was filed on September 1, 2017 by U.S. Army soldiers in the Selected Reserve of the Ready Reserve who were seeking to obtain Form N-426 certifications of honorable service from the U.S. Army in order to allow them to apply to the Department of Homeland Security (“DHS”) to become naturalized U.S. citizens.

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<sup>1</sup> This Notice has been authorized by the United States District Court for the District of Columbia.

On October 13, 2017, DoD issued a new N-426 policy. In response, Plaintiffs argued that the N-426 policy is unlawful<sup>2</sup> and asked the Court to issue a preliminary injunction so that Plaintiffs could obtain their N-426s. Plaintiffs also asked the Court to provisionally certify the case as a class action.

On October 25, 2017 (as amended on October 27, 2017), the Court issued a preliminary injunction and provisionally certified the class as set forth below.

In addition, the Court appointed the law firm of Fried Frank Harris Shriver & Jacobson LLP (“Fried Frank”) to serve as counsel to the provisionally-certified class in this case. Fried Frank has created a website, located at <http://dcfederalcourtmaavniclasslitigation.org>, that class members should check regularly as it will be updated to reflect certain events in the litigation and to provide certain information relevant for class members.

## II. PROVISIONAL CLASS MEMBERSHIP

You are a member of the provisionally certified class in this litigation if you meet the following criteria:

- You are an enlistee in the Military Accessions Vital to the National Interest (“MAVNI”) program;
- You enlisted prior to October 13, 2017;
- You have served in the Selected Reserve; *and*
- Prior to October 13, 2017, you had not received a completed and signed Form N-426 from DoD.

You have received this Notice because you may be a member of this class.

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<sup>2</sup> Defendants deny Plaintiffs’ allegations. Though the Court has issued a preliminary injunction with which Defendants must comply, the Court has not made a final decision in this case about the merits of Plaintiffs’ claims or of Defendants’ defenses.

### **III. THE COURT'S PRELIMINARY INJUNCTION**

In its preliminary injunction, the Court issued the following orders:

- Defendants are preliminarily enjoined from refusing to sign and issue Form N-426s to members of the Selected Reserve pursuant to Section II of DoD's October 13, 2017 Guidance;
- Defendants are preliminarily enjoined from refusing to certify MAVNI enlistees who have served for one day or more in the Selected Reserve as having honorable service, except as related to the conduct of an individual plaintiff or class member as reflected in the soldier's service record and based on sufficient grounds generally applicable to all members of the military; and
- After members of the provisionally certified class submit or resubmit N-426s to their military officer ranked O6 or higher, Defendants should use their best efforts to certify or deny Form N-426s within two business days of receipt of Form N-426.

### **IV. YOUR RIGHTS PURSUANT TO THE PRELIMINARY INJUNCTION**

If you are a member of the provisionally certified class (as defined above), pursuant to the preliminary injunction order, you are eligible to obtain a completed and executed N-426 from DoD.

If you have not yet done so since October 25, 2017, and you are interested in applying for naturalization, you should submit your N-426 form for completion/signature at the earliest opportunity (you do not have to wait until your next drill period to make the request).

To make that submission, please take the following steps:

- Download Form N-426 and the Form N-426 instructions from the U.S. Citizenship and Immigration Service ("USCIS") website at <https://www.uscis.gov/n-426>.



- Follow the instructions to complete Parts 1 through 4 of the Form N-426. Type or print in black ink and include a handwritten signature.
- If you are a class member serving in the Army, send your N-426 request (with the N-426 with Parts 1 through 4 completed by you attached to the email) to an O-6 authorized to sign N-426 forms. Col. Brian Thomas has such authorization and should be emailed via both of the following email addresses:  
brian.a.thomas12.mil@mail.mil; brian.a.thomas12@mail.mil. On that email, please copy a point of contact within your unit/chain of command (such as your commander, squad leader, platoon sergeant, battalion or brigade S-1, or unit administrator) if possible and various personnel at Army USARC Headquarters through use of the following email addresses: rosa.v.fale.mil@mail.mil;  
cherby.l.allen.mil@mail.mil; joann.p.kartes.civ@mail.mil.
- Although not a requirement under the Court's Order, class members serving in the Army may have their N-426 request processed more quickly if they also submit (as an attachment to the email sent to the addresses listed above) a DA Form 4187, Personnel Action, with their N-426 request. That form can be obtained from your unit S-1 or downloaded from this website:  
[http://www.usarec.army.mil/downloads/armypa/dd\\_4187.pdf](http://www.usarec.army.mil/downloads/armypa/dd_4187.pdf).
  - Complete Sections I, III, and IV of the DA Form 4187 with the following information:
    - Provide Name, Rank, and Social Security Number (optional per form instructions);

- In Block 8, request certification of the Form N-426 by checking the box that states “Other (Specify)” and specifying “N-426 certification”;
  - Sign and date the form in Blocks 9 and 10;
  - In Section IV, list the dates and type of service you have performed in the Selected Reserve (e.g., the number of training periods and/or days of active-duty service) for the entire period of service you have listed in Part 3 of your Form N-426.
- For future reference, please maintain a copy of your submission and any associated correspondence.

If, since October 25, 2017, you already have requested an N-426 from the military, you do not need to re-submit that request. However, if you are a class member serving in the Army and wish to re-submit your request, please follow the steps listed above to make that re-submission.

Pursuant to the Court’s preliminary injunction, DoD must use its best efforts to complete and sign the N-426 and make it available to you within two business days of your request for N-426 completion.

Pursuant to the Court’s preliminary injunction, Defendants are enjoined from refusing to certify MAVNI enlistees who have served for one day or more in the Selected Reserve as having honorable service, except as related to the conduct of an individual plaintiff or class member as reflected in the soldier’s service record and based on sufficient grounds generally applicable to all members of the military.

If you are a class member serving in the Army, when your N-426 is completed and signed, you will receive the completed/signed form via email (to the address you used to make the

submission) and you will receive a notice via email that the completed/signed form has been uploaded to the Army Human Resource Record.

Once you have a copy of your completed and signed N-426, you may submit it to USCIS with your application for naturalization (N-400). Please note that DoD has confirmed that USCIS will accept a photocopy of the signed N-426 (and does not require “wet” or original signatures). Moreover, USCIS does not require that the N-426 be submitted in a signed and/or sealed envelope.

If you do not receive your completed and signed N-426 within two business days after your submission, you may make inquiry or report the delay as set forth in the next section below.

#### **V. CERTIFICATION ASSISTANCE AND REPORTING ISSUES**

If you have questions about these instructions or need assistance with the submission of your Form N-426, you may contact your unit S-1, First Sergeant, or commander. If you do not have contact information for your commander, you may obtain it through your S-1, First Sergeant, or chain of command.

If your commander is unavailable or unable to assist with the processing of your request, or if you encounter any difficulties or delays with the processing of your request, you are encouraged to contact the next level commander under the open-door policy. You may obtain the contact information for the next level commander through your S-1, First Sergeant, or chain of command.

If you are unable to resolve your concerns using the above procedures (or are hesitant for any reason about reporting to your commander and/or next level commander), you may email the Office of the Chief, Army Reserve, at [usarmy.usarc.ocar.mbx.gl-ops-taskers@mail.mil](mailto:usarmy.usarc.ocar.mbx.gl-ops-taskers@mail.mil). You may, but are not required to, copy your commander on the email to expedite resolution of the matter.

Please copy Fried Frank on any such emails through use of this email address:  
[kirwaclasscounsel@friedfrank.com](mailto:kirwaclasscounsel@friedfrank.com).

Please be advised that the law generally prohibits retaliation against soldiers for exercising their rights. DoD (including U.S. Army) personnel may not discharge you or retaliate against you in any manner because of your decision to exercise or enforce your rights in this litigation, including exercising your rights under the Court's preliminary injunction order.

**Attachment**

**From:** Wollenberg, Jennifer  
**Sent:** Wednesday, November 29, 2017 4:34 PM  
**To:** 'Swinton, Nathan M. (CIV)' <Nathan.M.Swinton@usdoj.gov>; Dugan, Joseph (CIV) <Joseph.Dugan@usdoj.gov>  
**Cc:** Baruch, Douglas W. <Douglas.Baruch@friedfrank.com>; LoBue, Joseph <Joseph.LoBue@friedfrank.com>  
**Subject:** RE: Kirwa v. DoD

Counsel –

We will add your new paragraph below and your signature block as provided. And, we will send you the finalized document and attachment for filing shortly.

With respect to your other comments, we will refrain from responding to your rhetoric. However, please be advised that as we mentioned yesterday, we believe it is important for the Court to understand the bases for the parties' competing proposals. We did not know until this afternoon that you planned to incorporate your entire opposition brief, which we have not yet seen, in your explanation of your proposal. As a consequence, our explanation in this document is necessarily longer than yours (as we could not incorporate our reply brief since it is not due until next week).

Regards,

Jenny

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**From:** Swinton, Nathan M. (CIV) [<mailto:Nathan.M.Swinton@usdoj.gov>]  
**Sent:** Wednesday, November 29, 2017 4:05 PM  
**To:** Wollenberg, Jennifer <[Jennifer.Wollenberg@friedfrank.com](mailto:Jennifer.Wollenberg@friedfrank.com)>; Dugan, Joseph (CIV) <[Joseph.Dugan@usdoj.gov](mailto:Joseph.Dugan@usdoj.gov)>  
**Cc:** Baruch, Douglas W. <[Douglas.Baruch@friedfrank.com](mailto:Douglas.Baruch@friedfrank.com)>; LoBue, Joseph <[Joseph.LoBue@friedfrank.com](mailto:Joseph.LoBue@friedfrank.com)>  
**Subject:** RE: Kirwa v. DoD

Jenny,

Your proposed language is incredibly surprisingly and significantly exceeds what the parties agreed to yesterday as well as what is contemplated by the Court's order. It is highly inappropriate to use a proposed joint submission by the parties as a vehicle for supplementing your briefs, nor do I think the Court will appreciate having emails between

counsel attached to the joint proposal. Nor have you at any point given us any indication that you would be attaching any documents to the draft joint notice (indeed, we know this only from reading your proposed language below, as your email to me likewise makes no such mention of this). We very strongly disagree with what you have drafted and with your approach in general to drafting this proposed notice.

Consistent with our view that your statement is uncalled for and highly inappropriate in this context, we have added an additional short paragraph to our section. We will include this paragraph when we receive the draft back from you. The additional paragraph reads as follows:

Defendants believe Plaintiffs' rhetoric and statements in support of its proposal below are inappropriate in this context and exceed the scope of the Court's request in its November 16, 2017 order. Because Defendants have contemporaneously filed a response to Plaintiffs' motion to enforce, Defendants do not further address Plaintiffs' contentions here.

Our signature block is as follows:

CHAD A. READLER  
Principal Deputy Assistant Attorney General  
ANTHONY J. COPPOLINO  
Deputy Branch Director  
Federal Programs Branch

*s/ Nathan M. Swinton*

---

NATHAN M. SWINTON  
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Civil Division, Federal Programs Branch  
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Fax: (202) 616-8470  
Email: [Nathan.M.Swinton@usdoj.gov](mailto:Nathan.M.Swinton@usdoj.gov)

*Attorneys for Defendants*

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**From:** Wollenberg, Jennifer [<mailto:Jennifer.Wollenberg@friedfrank.com>]  
**Sent:** Wednesday, November 29, 2017 3:42 PM  
**To:** Swinton, Nathan M. (CIV) <[NSwinton@civ.usdoj.gov](mailto:NSwinton@civ.usdoj.gov)>; Dugan, Joseph (CIV) <[jdugan@CIV.USDOJ.GOV](mailto:jdugan@CIV.USDOJ.GOV)>  
**Cc:** Baruch, Douglas W. <[Douglas.Baruch@friedfrank.com](mailto:Douglas.Baruch@friedfrank.com)>; LoBue, Joseph <[Joseph.LoBue@friedfrank.com](mailto:Joseph.LoBue@friedfrank.com)>  
**Subject:** RE: Kirwa v. DoD

Counsel –

You can attempt to re-characterize what occurred, but the email exchange below speaks for itself and reveals the truth.

With respect to Plaintiffs' position, below is the current draft of that section for the cover notice. We will send you the entire revised document shortly in as final of form possible to ease your filing efforts. If Defendants anticipate making any changes to their position section, please notify us immediately so we can incorporate those changes into the document before we send it to you for finalization and filing. Also, please send us Defendants' signature block for the document, and we'll plug that in for you as well.

Regards,

Jenny

One thing we have learned in the month since the Court's preliminary injunction order is that the process Defendants have put in place to comply with the order is not working. Yet, Defendants – for reasons they cannot explain – now want to secure the Court's imprimatur on a procedure that Defendants freely admit (a) has left the vast majority of class members without N-426s, and (b) cannot reasonably assure that class members will obtain their N-426s within two business days of submission or anything even remotely close to that time period. Accordingly, Plaintiffs propose alternative language for Section IV because the process described in Defendants' proposal lacks sufficient direction and specificity, leaving open the key questions of: how does a class member get his or her N-426 request to an authorized O-6, and how/when will the class member receive the completed and signed N-426? Plaintiffs tried to work with Defendants to develop acceptable and effective language (as evidenced by the attached email communications), but those efforts were not successful because Defendants declined to engage until two days ago and they claimed that changes to their processes might prejudice their ability to argue that they are in compliance with the Court's order. As a result, Defendants' proposed instructions would create confusion and exacerbate all of the problems that class members have been experiencing to date, including: commands refusing to forward up the chain a class member's N-426 request, N-426 requests being further delayed due to so-called "administrative errors" on newly-required forms, and Defendants claiming that an N-426 request is not really made until it gets through the lower levels of command to the Office of the Chief Army Reserve (OCAR). This Notice should not reward Defendants for erecting administrative roadblocks and adding layers of bureaucracy that prevent these class members from getting their N-426s in a timely fashion. Indeed, Defendants informed Plaintiffs that they cannot represent that their process either has in the past or would in the future result in class members receiving their N-426s within two business days of request, nor could Defendants provide any estimate of how long a class member would have to wait under their proposed language. Previously it made sense for MAVNIs to submit N-426 requests to their commanders (and only their commanders) because the commanders had authority to sign N-426 forms. But, Defendants are now requiring, for the first time (post-litigation), that a designated O-6 be the authorized signatory, so it no longer makes sense for class members to provide the N-426 request only to their commanders (typically O-3 rank), especially given the confusion that still exists at the command level. For example, just today Plaintiffs' counsel was informed by a MAVNI that he/she received this message from his/her command:

Wanted to follow up with you regarding our talk two weeks ago and the documents you sent to SSG [        ]. I received contact from the Battalion Personnel section stating that [        ] – our higher command was establishing guidance and documentation to action MAVNI Soldiers. I'm still pending this guidance and direction from Battalion. Ultimately, the Army Reserves needs to have a standard identified, so that the paperwork flows correctly.

In contrast, Plaintiffs' proposed language includes direction that would have the requests being made directly to a designated O-6 at OCAR (who presumably knows how to confirm the class member's honorable service), with copies to the commands and Headquarters. This is akin to the process that the Army used with respect to the three individually-named Plaintiffs (*see, e.g.*, Dkt. 39-4 (Thomas Decl.) ¶19), who have received copies of their completed and signed N-426s – via email from Headquarters. Notably, on November 15, 2017, two weeks after the named Plaintiffs received copies of the completed and signed N-426s from Headquarters, two of them were provided the following message from their command:

Your 426s and 4187's have been submitted. Here's the process at this point:



PROCESS:

The N-426 is sent to OCAR G-1;  
OCAR G-1 O-6 signs the N-426;  
OCAR G-1 sends the N-426 to HQDA, DCS, G-1, DMPM for security background and derogatory check;  
DMPM sends the information back to OCAR G-1;  
OCAR G-1 sends all information and paperwork on the Soldier to USARC G-1;  
USARC G-1 tracks the information, iPERMS the paperwork, and sends a copy back to the unit.

I'll let you know when we hear back.

I'll see you all in Dec. Have a good Thanksgiving!

Apparently, the named Plaintiffs' unit/command is not even aware that they received signed/completed N-426s. And, if left only to the units/commands, the named Plaintiffs still would be without an N-426 and unable to apply for naturalization. Thus, the proposed language by Defendants, that directs class members to make N-426 requests to their commands and only their commands, and receive completed/signed N-426s only through their commands (and without any direction as to how the commands will provide the N-426s to them, a separate problem), does not make practical sense. Whereas, having the requests sent directly to a centralized location – the O-6 with authority to sign the documents – with copies to the commands, does not disturb whatever processes DoD wants to implement with respect to confirming the soldier's honorable service – in fact, it only can serve to facilitate DoD's efforts in this regard by avoiding the confusion that is being caused by having each unit/command work in a vacuum.

Jennifer M. Wollenberg

[Jennifer.Wollenberg@friedfrank.com](mailto:Jennifer.Wollenberg@friedfrank.com) | Tel: +1 202 639 7278

Fried, Frank, Harris, Shriver & Jacobson LLP

801 17th Street, NW Washington, DC 20006

[friedfrank.com](http://friedfrank.com)

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**From:** Swinton, Nathan M. (CIV) [<mailto:Nathan.M.Swinton@usdoj.gov>]

**Sent:** Wednesday, November 29, 2017 3:16 PM

**To:** Wollenberg, Jennifer <[Jennifer.Wollenberg@friedfrank.com](mailto:Jennifer.Wollenberg@friedfrank.com)>; Dugan, Joseph (CIV) <[Joseph.Dugan@usdoj.gov](mailto:Joseph.Dugan@usdoj.gov)>

**Cc:** LoBue, Joseph <[Joseph.LoBue@friedfrank.com](mailto:Joseph.LoBue@friedfrank.com)>; Baruch, Douglas W. <[Douglas.Baruch@friedfrank.com](mailto:Douglas.Baruch@friedfrank.com)>

**Subject:** RE: Kirwa v. DoD

Jenny,

We disagree with your characterization of our discussions. As I noted, we exchanged multiple drafts of the notice and Defendants have attempted to address and respond to all of the issues raised by Plaintiffs, several of which were not raised until this week, including some that were raised for the first time in your email at midnight last night. We have also had multiple phone conversations exceeding or nearing one hour in length to discuss the drafts that have been exchanged. To suggest that the parties have not had considerable exchanges about the notice is simply incorrect.

As we made clear in the call yesterday, we both unable and not willing to commit to a process in the class notification that is not consistent with the process set forth in the October 27 Army memorandum. We also discussed the reasons for our position in this regard. The fact that we again decline to do so today should therefore be no surprise to you.

With respect to your question, on the first page of the notice, please state "Defendants will send the notice."

Contrary to your representation in our discussions yesterday, we have not had a meaningful opportunity to review your draft paragraph for the first page of the notice. We therefore expect to receive that from you immediately.

Nate

---

**From:** Wollenberg, Jennifer [<mailto:Jennifer.Wollenberg@friedfrank.com>]  
**Sent:** Wednesday, November 29, 2017 2:53 PM  
**To:** Swinton, Nathan M. (CIV) <[NSwinton@civ.usdoj.gov](mailto:NSwinton@civ.usdoj.gov)>; Dugan, Joseph (CIV) <[jdugan@CIV.USDOJ.GOV](mailto:jdugan@CIV.USDOJ.GOV)>  
**Cc:** LoBue, Joseph <[Joseph.LoBue@friedfrank.com](mailto:Joseph.LoBue@friedfrank.com)>; Baruch, Douglas W. <[Douglas.Baruch@friedfrank.com](mailto:Douglas.Baruch@friedfrank.com)>  
**Subject:** RE: Kirwa v. DoD

Counsel –

Regarding your note below, we are in this unfortunate situation because you and your clients ignored our outreach to you on November 17 – the day after the Court's order – to begin the process of drafting this joint communication. Instead, you told us that you couldn't talk about it until the afternoon of November 27 – just two days ago and only two days before the deadline. In the meantime, we sent you numerous suggestions for the contents of the communication, all of which you first began to address (and largely oppose) during our calls Monday and yesterday. For you to now claim that there has been "extensive back and forth over the past week" on this issue simply is not true. And for you to cite time pressures to justify your "take it or leave it" demands on the content of the communication is incredible. Further, we are puzzled by your unwillingness to consider the compromise proposal we made last night and this morning with respect to Section IV in an effort to avoid having to burden the court with this matter.

That said, we will send you the revisions, including Plaintiffs Section IV language – revised per our note to you this morning – as well as Plaintiffs' position insert to the cover document as soon as we are able. Please note that with respect to the cover document, on Page 1, paragraph 1, it is incorrect to say that "the parties agreed that defendants will send the notice." If you are unwilling to accept the language we proposed last night, we will need to delete the words "The parties have agreed" – let us know which way you want to go on that and we'll revise the draft accordingly.

Regards,

Jenny

**Jennifer M. Wollenberg**  
[Jennifer.Wollenberg@friedfrank.com](mailto:Jennifer.Wollenberg@friedfrank.com) | Tel: +1 202 639 7278

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**From:** Swinton, Nathan M. (CIV) [<mailto:Nathan.M.Swinton@usdoj.gov>]  
**Sent:** Wednesday, November 29, 2017 1:35 PM  
**To:** Wollenberg, Jennifer <[Jennifer.Wollenberg@friedfrank.com](mailto:Jennifer.Wollenberg@friedfrank.com)>; Dugan, Joseph (CIV) <[Joseph.Dugan@usdoj.gov](mailto:Joseph.Dugan@usdoj.gov)>  
**Cc:** LoBue, Joseph <[Joseph.LoBue@friedfrank.com](mailto:Joseph.LoBue@friedfrank.com)>; Baruch, Douglas W. <[Douglas.Baruch@friedfrank.com](mailto:Douglas.Baruch@friedfrank.com)>  
**Subject:** RE: Kirwa v. DoD

Jenny,

Attached is an updated draft of the proposed joint notice. As you will see, and in response to your request from last night that we do so, we have included additional instructions for completing the DA Form 4187. We have also accepted almost all of your edits and have added small edits of our own. Finally, we have included a draft paragraph justifying our position on the first page.

Given the extensive back and forth that we have had regarding this notice over the past week and the fact that multiple drafts have been exchanged, along with the fact that we have acquiesced to nearly all of your edits and suggestions and that our filing deadline is in a few hours, we are not willing to consider additional substantive edits.

Furthermore, we expect that you will send us your draft paragraph for the first page of the filing immediately. That, of course, is consistent with our discussion yesterday in which the parties agreed to exchange drafts of each side's paragraphs sufficiently in advance of the filing deadline so as to allow each side the opportunity to respond to any points made therein.

Nate

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**From:** Swinton, Nathan M. (CIV)  
**Sent:** Wednesday, November 29, 2017 9:59 AM  
**To:** 'Wollenberg, Jennifer' <[Jennifer.Wollenberg@friedfrank.com](mailto:Jennifer.Wollenberg@friedfrank.com)>; Dugan, Joseph (CIV) <[jdugan@CIV.USDOJ.GOV](mailto:jdugan@CIV.USDOJ.GOV)>  
**Cc:** LoBue, Joseph <[Joseph.LoBue@friedfrank.com](mailto:Joseph.LoBue@friedfrank.com)>; Baruch, Douglas W. <[Douglas.Baruch@friedfrank.com](mailto:Douglas.Baruch@friedfrank.com)>  
**Subject:** RE: Kirwa v. DoD

Jenny,

We are reviewing the draft you emailed to us at midnight last night and will respond when we are able.

Nate

---

**From:** Wollenberg, Jennifer [<mailto:Jennifer.Wollenberg@friedfrank.com>]  
**Sent:** Wednesday, November 29, 2017 9:56 AM  
**To:** Swinton, Nathan M. (CIV) <[NSwinton@civ.usdoj.gov](mailto:NSwinton@civ.usdoj.gov)>; Dugan, Joseph (CIV) <[jdugan@CIV.USDOJ.GOV](mailto:jdugan@CIV.USDOJ.GOV)>  
**Cc:** LoBue, Joseph <[Joseph.LoBue@friedfrank.com](mailto:Joseph.LoBue@friedfrank.com)>; Baruch, Douglas W. <[Douglas.Baruch@friedfrank.com](mailto:Douglas.Baruch@friedfrank.com)>  
**Subject:** RE: Kirwa v. DoD

Counsel –

We want to make sure that there is no confusion regarding our position on the Notice.

As noted, our proposed Section IV insert last night was drafted in an attempt to reach a compromise and avoid having competing proposals. If your clients cannot accept our proposal – in sum or substance – we plan to revert to Plaintiffs' position that the process must be streamlined, such that soldiers are able to submit their N-426 requests directly to Col. Thomas or the other authorized O-6 level DoD personnel. We will ask that the notice provide the contact information for these authorized signatories to facilitate and expedite the process.

Again, we want to reach agreement so that the notice can be sent as quickly as possible, but we are not going to voluntarily subject our clients to a process that we know is not working and cannot result in the swift completion and return of the N-426s to the soldiers.

As such, if we can reach agreement on our Section IV proposal, that would be great. If not, we need to know that right away this morning so that we can draft "Plaintiffs' paragraph" for the cover document and we can revise our Section IV insert to enable the soldiers to submit their N-426s directly to Col. Thomas or other designated and authorized signatories.

We will not be able to provide our paragraph until we have the answer.

We are happy to discuss by phone this morning if that's easier.

Regards,

Jenny

**Jennifer M. Wollenberg**

[Jennifer.Wollenberg@friedfrank.com](mailto:Jennifer.Wollenberg@friedfrank.com) | Tel: +1 202 639 7278

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---

**From:** Wollenberg, Jennifer

**Sent:** Tuesday, November 28, 2017 11:53 PM

**To:** 'Swinton, Nathan M. (CIV)' <[Nathan.M.Swinton@usdoj.gov](mailto:Nathan.M.Swinton@usdoj.gov)>; Dugan, Joseph (CIV) <[Joseph.Dugan@usdoj.gov](mailto:Joseph.Dugan@usdoj.gov)>

**Cc:** LoBue, Joseph <[Joseph.LoBue@friedfrank.com](mailto:Joseph.LoBue@friedfrank.com)>; Baruch, Douglas W. <[Douglas.Baruch@friedfrank.com](mailto:Douglas.Baruch@friedfrank.com)>

**Subject:** RE: Kirwa v. DoD

Counsel –

Please find attached a revised draft proposed communication as discussed earlier today. Even though the cover document is drafted with a placeholder for each party's respective position, we still are hopeful that a true joint communication can be proposed to the Court. To that end, we have tried to find middle ground in the document, including in the Plaintiffs' proposal for Section IV, which we urge you to review for potential agreement and submission to the Court.

We look forward to hearing back from you as soon as possible.

Regards,

Jenny

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**From:** Swinton, Nathan M. (CIV) [<mailto:Nathan.M.Swinton@usdoj.gov>]

**Sent:** Tuesday, November 28, 2017 2:44 PM

**To:** Wollenberg, Jennifer <[Jennifer.Wollenberg@friedfrank.com](mailto:Jennifer.Wollenberg@friedfrank.com)>; Dugan, Joseph (CIV) <[Joseph.Dugan@usdoj.gov](mailto:Joseph.Dugan@usdoj.gov)>

**Cc:** LoBue, Joseph <[Joseph.LoBue@friedfrank.com](mailto:Joseph.LoBue@friedfrank.com)>; Baruch, Douglas W. <[Douglas.Baruch@friedfrank.com](mailto:Douglas.Baruch@friedfrank.com)>

**Subject:** RE: Kirwa v. DoD

Attached please find revisions to the draft you circulated last night. We look forward to discussing further at 3 pm. If you would like to push back the call to allow more time for your review, we would be happy to accommodate you.

Nate

---

**From:** Wollenberg, Jennifer [<mailto:Jennifer.Wollenberg@friedfrank.com>]

**Sent:** Monday, November 27, 2017 11:41 PM

**To:** Swinton, Nathan M. (CIV) <[NSwinton@civ.usdoj.gov](mailto:NSwinton@civ.usdoj.gov)>; Dugan, Joseph (CIV) <[jdugan@CIV.USDOJ.GOV](mailto:jdugan@CIV.USDOJ.GOV)>

**Cc:** LoBue, Joseph <[Joseph.LoBue@friedfrank.com](mailto:Joseph.LoBue@friedfrank.com)>; Baruch, Douglas W. <[Douglas.Baruch@friedfrank.com](mailto:Douglas.Baruch@friedfrank.com)>  
**Subject:** RE: Kirwa v. DoD

Counsel –

Attached please find the revised draft notice per our discussion earlier today.

We look forward to continuing the discussion at 3:00 tomorrow. But, please feel free to provide any additional information or thoughts on the current draft in advance of the call.

Regards,

Jenny

**Jennifer M. Wollenberg**

[Jennifer.Wollenberg@friedfrank.com](mailto:Jennifer.Wollenberg@friedfrank.com) | Tel: +1 202 639 7278

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---

**From:** Wollenberg, Jennifer

**Sent:** Monday, November 27, 2017 3:36 PM

**To:** 'Swinton, Nathan M. (CIV)' <[Nathan.M.Swinton@usdoj.gov](mailto:Nathan.M.Swinton@usdoj.gov)>; Dugan, Joseph (CIV) <[Joseph.Dugan@usdoj.gov](mailto:Joseph.Dugan@usdoj.gov)>

**Cc:** LoBue, Joseph <[Joseph.LoBue@friedfrank.com](mailto:Joseph.LoBue@friedfrank.com)>; Baruch, Douglas W. <[Douglas.Baruch@friedfrank.com](mailto:Douglas.Baruch@friedfrank.com)>

**Subject:** RE: Kirwa v. DoD

Counsel –

We do not wish to further postpone the call, which we initially contacted you about 10 days ago. As is, even with a call today at 4:00, it is likely the parties are going to have a difficult time putting together a joint proposal for the Court, particularly given that the defendants have largely ignored many of the points that we identified, at your request, on November 22, including the following:

- Noting that the military believes the MAVNIs contacted through this communication fall within the *Kirwa* class
- Statement encouraging MAVNIs to submit their N-426s at the earliest opportunity (and that there's no need to wait until drills)
- Email address for MAVNI N-426 requests going forward (and a note that any requests made after October 25, 2017 but before this communication will be processed without further delay and need not be re-submitted, but may be re-submitted should the MAVNI wish)
- Description that the MAVNI will receive the completed N-426 or notice that it has been uploaded to the Army Military Human Resource Record by email (and instructions for how a MAVNI may retrieve the completed N-426 from the Army Military Human Resource Record)
- Email address and/or website address for MAVNI complaints/concerns/issues/reports of noncompliance and retaliation
- Statement encouraging MAVNIs to report issues

In addition, party consensus may be difficult because the draft proposed notice includes incorrect language and extraneous information that likely will further confuse the issues and will not serve the purpose of informing class members of their right to have N-426s completed.

And, could you please let us know in advance of the call, or during the call, what “guidance on proper implementation of the preliminary injunction” each unit commander has received and when such “guidance” was provided to each unit commander?

Finally, during the 4:00 call, we’d also like to know Defendants plan with respect to the communication, will they be sending it to the class members or will Fried Frank be asked to handle that?

Regards,

Jenny

---

**From:** Swinton, Nathan M. (CIV) [<mailto:Nathan.M.Swinton@usdoj.gov>]  
**Sent:** Monday, November 27, 2017 2:28 PM  
**To:** Wollenberg, Jennifer <[Jennifer.Wollenberg@friedfrank.com](mailto:Jennifer.Wollenberg@friedfrank.com)>; Dugan, Joseph (CIV) <[Joseph.Dugan@usdoj.gov](mailto:Joseph.Dugan@usdoj.gov)>  
**Cc:** LoBue, Joseph <[Joseph.LoBue@friedfrank.com](mailto:Joseph.LoBue@friedfrank.com)>; Baruch, Douglas W. <[Douglas.Baruch@friedfrank.com](mailto:Douglas.Baruch@friedfrank.com)>  
**Subject:** RE: Kirwa v. DoD

Jenny,

Attached is a draft joint notice for your review. We look forward to discussing the draft further during our call this afternoon. We had hoped to send you a copy of the notice earlier in the day but were not able to do so due to the need to have further discussions with DoD and Army. We are still discussing certain issues and points with them and will also need to confer with our reviewer here at DOJ. Thus, we may have further changes that we wish to make to the draft. Nonetheless, we wanted to send you a version in advance of our call in the hopes that we can make that time as productive as possible.

If you would like more time to review the draft before the call, please let us know and we would be happy to reschedule for later today or tomorrow morning.

Nate

---

**From:** Wollenberg, Jennifer [<mailto:Jennifer.Wollenberg@friedfrank.com>]  
**Sent:** Monday, November 27, 2017 11:07 AM  
**To:** Swinton, Nathan M. (CIV) <[NSwinton@civ.usdoj.gov](mailto:NSwinton@civ.usdoj.gov)>; Dugan, Joseph (CIV) <[jdugan@CIV.USDOJ.GOV](mailto:jdugan@CIV.USDOJ.GOV)>  
**Cc:** LoBue, Joseph <[Joseph.LoBue@friedfrank.com](mailto:Joseph.LoBue@friedfrank.com)>; Baruch, Douglas W. <[Douglas.Baruch@friedfrank.com](mailto:Douglas.Baruch@friedfrank.com)>  
**Subject:** RE: Kirwa v. DoD

Counsel –

We’ll call the number provided below at 4 PM. And, we look forward to receiving the draft proposed notice this morning so that we have time to review the draft and discuss it internally in advance of the call.

Regards,

Jenny

Jennifer M. Wollenberg

[Jennifer.Wollenberg@friedfrank.com](mailto:Jennifer.Wollenberg@friedfrank.com) | Tel: +1 202 639 7278

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801 17th Street, NW Washington, DC 20006

[friedfrank.com](http://friedfrank.com)

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**From:** Swinton, Nathan M. (CIV) [<mailto:Nathan.M.Swinton@usdoj.gov>]

**Sent:** Sunday, November 26, 2017 11:59 AM

**To:** Wollenberg, Jennifer <[Jennifer.Wollenberg@friedfrank.com](mailto:Jennifer.Wollenberg@friedfrank.com)>; Dugan, Joseph (CIV) <[Joseph.Dugan@usdoj.gov](mailto:Joseph.Dugan@usdoj.gov)>

**Cc:** LoBue, Joseph <[Joseph.LoBue@friedfrank.com](mailto:Joseph.LoBue@friedfrank.com)>; Baruch, Douglas W. <[Douglas.Baruch@friedfrank.com](mailto:Douglas.Baruch@friedfrank.com)>

**Subject:** RE: Kirwa v. DoD

Jenny,

Thank you for sending us your thoughts below. We have been working with Army and DoD these past several days to draft a proposed notice and anticipate sending you a version tomorrow morning.

Unfortunately, we are no longer able to have a call at 11 tomorrow due to conflicts in other matters. Would it be possible to talk at 4 pm instead? You can reach us at the same number I provided you with last week: 202-305-7667. An afternoon call tomorrow will also give you the opportunity to review the draft notice we send you in the morning. We can then use the draft as a starting point for our conversation.

Best,

Nate

---

**From:** Wollenberg, Jennifer [<mailto:Jennifer.Wollenberg@friedfrank.com>]

**Sent:** Wednesday, November 22, 2017 5:09 PM

**To:** Swinton, Nathan M. (CIV) <[NSwinton@civ.usdoj.gov](mailto:NSwinton@civ.usdoj.gov)>; Dugan, Joseph (CIV) <[jdugan@CIV.USDOJ.GOV](mailto:jdugan@CIV.USDOJ.GOV)>

**Cc:** LoBue, Joseph <[Joseph.LoBue@friedfrank.com](mailto:Joseph.LoBue@friedfrank.com)>; Baruch, Douglas W. <[Douglas.Baruch@friedfrank.com](mailto:Douglas.Baruch@friedfrank.com)>

**Subject:** RE: Kirwa v. DoD

Counsel –

At this point it is difficult for us to propose language because we are working in a vacuum, not knowing (1) what, if anything, your clients previously shared with the class members regarding the Court's Order and their rights – and whether that would need to be referenced, corrected, or addressed in some other fashion, (2) what previously was communicated through the chain of command, or directly to individual units/commands that we identified, which may have filtered down to class members, and (3) what efforts have been made or will be made to fix the process that previously was put in place following the Court's Order. Even so, at a minimum, it would seem that the joint proposed communication would include the following:

- Brief summary of the *Kirwa* case, including appointment of Fried Frank as provisional class counsel
- Description of who falls within the *Kirwa* class (and noting that the military believes the MAVNIs contacted through this communication fall within that class)
- Description of the Court's Order regarding certification of N-426 forms, including the best efforts within two days requirement

- Statement encouraging MAVNIs to submit their N-426s at the earliest opportunity (and that there's no need to wait until drills)
- Email address for MAVNI N-426 requests going forward (and a note that any requests made after October 25, 2017 but before this communication will be processed without further delay and need not be re-submitted, but may be re-submitted should the MAVNI wish)
- Description that the MAVNI will receive the completed N-426 or notice that it has been uploaded to the Army Military Human Resource Record by email (and instructions for how a MAVNI may retrieve the completed N-426 from the Army Military Human Resource Record)
- Description of confirmation from USCIS that neither wet signatures nor sealed/signed envelopes will be required for N-426s submitted with N-400 applications
- Email address and/or website address for MAVNI complaints/concerns/issues/reports of noncompliance and retaliation
- Statement encouraging MAVNIs to report issues and reiterating that the military will not tolerate any retaliation against MAVNIs for such reporting

If you would like to share more information regarding prior efforts/communications/etc. in advance of our call, we will review those in order to be better prepared to discuss the above with you. And, we again ask that you send us any draft of the proposed communication in advance of the call in order to facilitate having the proposal ready for the Court by the November 29 deadline.

Regards,

Jenny

**Jennifer M. Wollenberg**

[Jennifer.Wollenberg@friedfrank.com](mailto:Jennifer.Wollenberg@friedfrank.com) | Tel: +1 202 639 7278

**Fried, Frank, Harris, Shriver & Jacobson LLP**

801 17th Street, NW Washington, DC 20006

[friedfrank.com](http://friedfrank.com)

---

**From:** Swinton, Nathan M. (CIV) [<mailto:Nathan.M.Swinton@usdoj.gov>]

**Sent:** Wednesday, November 22, 2017 11:22 AM

**To:** Wollenberg, Jennifer <[Jennifer.Wollenberg@friedfrank.com](mailto:Jennifer.Wollenberg@friedfrank.com)>; Dugan, Joseph (CIV) <[Joseph.Dugan@usdoj.gov](mailto:Joseph.Dugan@usdoj.gov)>

**Cc:** LoBue, Joseph <[Joseph.LoBue@friedfrank.com](mailto:Joseph.LoBue@friedfrank.com)>; Baruch, Douglas W. <[Douglas.Baruch@friedfrank.com](mailto:Douglas.Baruch@friedfrank.com)>

**Subject:** RE: Kirwa v. DoD

Jenny,

As I noted in my original email, we are discussing the court's order with DoD this week. We therefore look forward to speaking with you at 11 a.m. on Monday, November 27. You can reach us at (202) 305-7667. We recognize your professed desire to be helpful and, to that end, if you have language to suggest for the proposed joint communication, please send it to us and we will be happy to share it with DoD.

Best,



Nate

Nathan Swinton  
U.S. Department of Justice  
Civil Division, Federal Programs Branch  
(202) 305-7667  
[Nathan.M.Swinton@usdoj.gov](mailto:Nathan.M.Swinton@usdoj.gov)

---

**From:** Wollenberg, Jennifer [<mailto:Jennifer.Wollenberg@friedfrank.com>]  
**Sent:** Tuesday, November 21, 2017 3:05 PM  
**To:** Swinton, Nathan M. (CIV) <[NSwinton@civ.usdoj.gov](mailto:NSwinton@civ.usdoj.gov)>; Dugan, Joseph (CIV) <[jdugan@CIV.USDOJ.GOV](mailto:jdugan@CIV.USDOJ.GOV)>  
**Cc:** LoBue, Joseph <[Joseph.LoBue@friedfrank.com](mailto:Joseph.LoBue@friedfrank.com)>; Baruch, Douglas W. <[Douglas.Baruch@friedfrank.com](mailto:Douglas.Baruch@friedfrank.com)>  
**Subject:** RE: Kirwa v. DoD

Counsel –

The date/time you propose below does not leave the parties much time to discuss, agree on, and refine a joint proposal for the Court in advance of the November 29 deadline. And, we were hopeful that the parties would be in the position to make the proposal even earlier than November 29 given the lack of information (and misinformation) that the class members have received to date from the military. In addition, we believe that it would be to your clients' benefit and would facilitate development of the joint proposed communication if we had at least an initial discussion among the parties this week. We want to make sure that the proposed communication is clear and accurate so that there is no further confusion or delay in the N-426 process for the class members. We will make ourselves available yet today, tomorrow, and/or Friday this week for one or more discussions.

But, if you are confident that the time/date you propose will give you time to go back to your clients to discuss the joint proposal following our call and in advance of November 29, and are telling us that you are unavailable to confer with us earlier, such as tomorrow, there is nothing we can do but agree to your proposed date and time. However, please provide the draft communication that you and your clients develop as a result of your discussions this week sufficiently in advance of the 11 AM call on Monday, November 27 to allow us time to review it and to best facilitate the call.

Regards,

Jenny

**Jennifer M. Wollenberg**  
[Jennifer.Wollenberg@friedfrank.com](mailto:Jennifer.Wollenberg@friedfrank.com) | Tel: +1 202 639 7278

**Fried, Frank, Harris, Shriver & Jacobson LLP**  
801 17th Street, NW Washington, DC 20006  
[friedfrank.com](http://friedfrank.com)

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**From:** Swinton, Nathan M. (CIV) [<mailto:Nathan.M.Swinton@usdoj.gov>]  
**Sent:** Monday, November 20, 2017 12:07 PM  
**To:** Wollenberg, Jennifer <[Jennifer.Wollenberg@friedfrank.com](mailto:Jennifer.Wollenberg@friedfrank.com)>; Dugan, Joseph (CIV) <[Joseph.Dugan@usdoj.gov](mailto:Joseph.Dugan@usdoj.gov)>  
**Cc:** LoBue, Joseph <[Joseph.LoBue@friedfrank.com](mailto:Joseph.LoBue@friedfrank.com)>; Baruch, Douglas W. <[Douglas.Baruch@friedfrank.com](mailto:Douglas.Baruch@friedfrank.com)>  
**Subject:** RE: Kirwa v. DoD

Jenny,

We are discussing the court's order this week with DoD. We therefore propose speaking with you and your team at 11 a.m. on Monday, November 27.

Best,

Nate

Nathan Swinton  
U.S. Department of Justice  
Civil Division, Federal Programs Branch  
(202) 305-7667  
[Nathan.M.Swinton@usdoj.gov](mailto:Nathan.M.Swinton@usdoj.gov)

---

**From:** Wollenberg, Jennifer [<mailto:Jennifer.Wollenberg@friedfrank.com>]  
**Sent:** Friday, November 17, 2017 11:04 AM  
**To:** Dugan, Joseph (CIV) <[jdugan@CIV.USDOJ.GOV](mailto:jdugan@CIV.USDOJ.GOV)>; Swinton, Nathan M. (CIV) <[NSwinton@civ.usdoj.gov](mailto:NSwinton@civ.usdoj.gov)>  
**Cc:** LoBue, Joseph <[Joseph.LoBue@friedfrank.com](mailto:Joseph.LoBue@friedfrank.com)>; Baruch, Douglas W. <[Douglas.Baruch@friedfrank.com](mailto:Douglas.Baruch@friedfrank.com)>  
**Subject:** Kirwa v. DoD

Counsel –

We'd like to schedule a conference to discuss the "joint communication to be distributed to the class members explaining their rights under the Court's Amended Preliminary Injunction Order" pursuant to the Court's November 16, 2017 Order (Dkt. 37). Since that proposal is due to the Court on or before November 29, 2017 at 5:00 P.M., and since it is in the best interests of the class members to receive that communication as soon as possible, we request that you please let us know your earliest availability for such a conference.

Regards,

Jenny

**Jennifer M. Wollenberg**  
[Jennifer.Wollenberg@friedfrank.com](mailto:Jennifer.Wollenberg@friedfrank.com) | Tel: +1 202 639 7278

**Fried, Frank, Harris, Shriver & Jacobson LLP**  
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[friedfrank.com](http://friedfrank.com)

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# **Exhibit F**

to Declaration of Jennifer M. Wollenberg to  
Plaintiffs' Reply Memorandum in Support of  
Plaintiffs' Motion to Enforce Court Order

Case No.: 1:20-cv-01104-PLF

**Wollenberg, Jennifer M.**

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**From:** [REDACTED]  
**Sent:** Tuesday, December 5, 2017 5:07 PM  
**To:** Baruch, Douglas W.; Wollenberg, Jennifer; LoBue, Joseph; [REDACTED]  
**Subject:** Email from Judge Huvelle Regarding Class Notice in Kirwa 17-cv-1793  
**Attachments:** Court drafted Class Notification12.5.17.pdf; 2017.12.05. Kirwa Order re Class Notification.pdf

Counsel,

Please see the below email and attachments from Judge Huvelle.

Best,

Hunter

H. Hunter Bruton  
Law Clerk to the Honorable Ellen Segal Huvelle  
U.S District Court for the District of Columbia  
[REDACTED]

Counsel,

The Court is proposing that the attached Notice be sent by DOD to all class members and relevant military personnel as soon as the Order and Notice are signed by the Court. There are, however, a few areas regarding points of contact and method of transmission that defendants must provide.

- Paragraph 5(a), the first blank on page 4: Given that the Thomas declaration has identified 22 commands with MAVNI personnel, defendants should identify or designate by name and contact information, the 22 commanders to which MAVNI enlistees should send their Form N-426s. Defendants should also designate a method of transmission from MAVNI enlistees to the commander, whether fax, email, or in-person where practicable. This can be done as an attachment to the Notice.
- Paragraph 6, the second blank on page 4: defendants should identify or designate who an enlistee should send his Form N-426 and DA Form 4187 to if that enlistee's commander is unavailable or unable to process an enlistee's request. This should be a designee who can perform the commander's tasks if the commander is unavailable. There also must be an easily accessible way for identifying this person beyond the vague instruction for the enlistee to continue up the chain of command. Again, names of appropriate designees and contact information can be added as an attachment to the Notice.
- Paragraph 8 and blank in Part V, the blanks on page 5 and 6: Defendants should designate a point of contact in case an enlistee has not received a copy of his or her completed/signed Form N-426 within 7 business days of submission to the commander or his or her designee. This may be a DOD attorney or personnel at OCAR who will be responsible for overseeing the process and the contact information should at least include a name, email, or phone number.
- Defendants should also confirm that all instructional errors have been corrected in the instructions for submission, such as those pointed out in the declaration of Lin St. Clair, ECF No. 41-7.

As noted, this Notice will supersede all prior communications relative to the Court's preliminary injunction and its implementation. Upon receipt of the Court's signed Notice, defendants should disseminate the Notice to all class members and all military personnel involved in processing the N-426s. DOD should begin collecting names and contact information for all recipients immediately.

The Court requests that defendants file by email the information needed to fill in the blanks listed above, and if there are any specific objections or modifications, they should consult with plaintiffs to determine their position. All objections or modifications, including plaintiffs' position, shall be emailed to chambers by noon on December 11. Any responses to defendants' objections or modifications or objections or suggested modifications by plaintiffs, including defendants' position, shall be emailed to chambers on or before noon on December 13. Emails should be limited to three pages double spaced (excluding the information needed from DOD to fill in the blanks).

The Court has attempted to simplify and clarify the process, eliminate needless involvement of people who may not understand what needs to be done or when it should be done and identify by name and contact information the specific persons to be contacted by the class members while still allowing DOD to dictate the forms to be used and the records to be consulted. The Court has no desire to micromanage this process but it is clear that both sides have been wasting the Court's time and their time with unnecessary pleadings, argumentative emails, and unimportant details.

Once this Order and Notice are issued, the Court intends to deny without prejudice the Motion to Enforce with the exception of requiring defendants to provide periodic updates so the Court can gauge defendants' compliance with the PI. No further motions of this sort will be entertained unless the parties first confer, and if this fails, they will have to confer with a magistrate judge or with the Court before filing a motion to enforce, for contempt or for sanctions. It is expected that the parties should be able to resolve disputes as provided for in Section V of the Notice or by informal communication between counsel.

/s/ Ellen Segal Huvelle

ELLEN SEGAL HUVELLE  
United States District Judge  
Date: December 5, 2017

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

MAHLON KIRWA, *et al.*,

Plaintiffs,

v.

UNITED STATES DEPARTMENT OF  
DEFENSE, *et al.*,

Defendants.

Civil Action No. 17-1793(ESH)

**ORDER**

It is hereby

**ORDERED** that the attached Notice shall serve as class notice that defendants must send to *Kirwa* class members. The Court finds that the dissemination of the Notice under the terms and in the format provided for herein constitutes the best notice practicable under the circumstances, that it is due and sufficient notice for all purposes to all persons entitled to such notice, and that it fully satisfies the requirements of due process and all other applicable laws; it is further

**ORDERED** that defendants shall disseminate the signed Notice to all class members and relevant military personnel within two business days of the date the Notice is signed by this Court; and it is further

**ORDERED** that plaintiffs' counsel shall post the Notice on their website.

**SO ORDERED.**

/s/ Ellen Segal Huvelle  
ELLEN SEGAL HUVELLE  
United States District Judge

Date: December XX, 2017



This Notice is being provided in order to inform class members in the above-referenced action of their rights with respect to issuance of Form N-426 certifications of honorable service from the Department of Defense (“DOD”), including the United States Army. If you are a class member, as defined below, **PLEASE TAKE NOTICE AS FOLLOWS:**

### **I. CASE DESCRIPTION**

This lawsuit was filed on September 1, 2017, by U.S. Army soldiers in the Selected Reserve of the Ready Reserve (“the plaintiffs”) who were seeking to obtain Form N-426 certifications of honorable service from the U.S. Army in order to allow them to apply to the Department of Homeland Security (“DHS”) to become naturalized U.S. citizens.

On October 13, 2017, DOD (“the defendants”) issued a new N-426 policy. In response, plaintiffs argued that the N-426 policy is unlawful and asked the Court to issue a preliminary injunction so that plaintiffs could obtain their N-426s. Plaintiffs also asked the Court to certify the case as a class action.

On October 25, 2017, as amended on October 27, 2017, the Court issued a preliminary injunction. On December 1, 2017, the Court certified a class in this case as described below. The Court appointed the law firm of Fried Frank Harris Shriver & Jacobson LLP (“Fried Frank”) to serve as counsel to the class. **This notice supersedes all prior communications issued by plaintiffs’ counsel regarding rights of the class members under the Court’s preliminary injunction or by defendants regarding their procedures for issuing N-426s to class members.**

### **II. CLASS MEMBERSHIP**

You are a member of the class in this litigation if you meet the following criteria:

- You are an enlistee in the Military Accessions Vital to the National Interest (“MAVNI”) program;
- You enlisted prior to October 13, 2017;
- You have served in the Selected Reserve; *and*
- You have not received a completed and signed Form N-426 from DOD.

You have received this Notice because you may be a member of this class.

### **III. THE COURT’S PRELIMINARY INJUNCTION**

In its preliminary injunction, the Court issued the following orders:

- Defendants are preliminarily enjoined from refusing to sign and issue Form N-426s to members of the class pursuant to Section II of DOD’s October 13, 2017 Guidance;
- Defendants are preliminarily enjoined from refusing to certify MAVNI enlistees who have served for one day or more in the Selected Reserve as having honorable service, except as related to the conduct of an individual plaintiff or class member as reflected in the soldier’s service record and based on sufficient grounds generally applicable to all members of the military; and
- After members of the class submit or resubmit N-426s to their military officer ranked O6 or higher, defendants should use their best efforts to certify or deny Form N-426s within two business days of receipt of Form N-426.

### **IV. YOUR RIGHTS PURSUANT TO THE PRELIMINARY INJUNCTION**

If you are a member of the class, as defined above, pursuant to the Court’s preliminary injunction order you are currently eligible to obtain a completed and executed N-426 from DOD. If you have not previously done so, and if you are interested in applying for naturalization at this time, you should submit a Form N-426, as set forth in paragraphs 1–6 below, to your commander

and request certification. **You need not reapply if you have previously received a completed and executed Form N-426 or if you have already submitted a Form N-426 after October 25, 2017, that complies with the following steps.**

To make that submission, please take the following steps:

1. Download the Form N-426 and the Form N-426 instructions from the U.S. Citizenship and Immigration Service (“USCIS”) website at <https://www.uscis.gov/n-426>.
2. Follow the instructions to complete Parts 1 through 4 of the Form N-426. Type or print in black ink and include a handwritten signature.
3. Obtain a DA Form 4187, Request for Personnel Action, from your unit S-1 or online at [http://www.usarec.army.mil/downloads/armypa/dd\\_4187.pdf](http://www.usarec.army.mil/downloads/armypa/dd_4187.pdf).
4. Complete Sections I-IV of the DA Form 4187, including the following information:
  - a. Provide Name, Rank, and Social Security Number (optional per form instructions);
  - b. In Block 8, request certification of the Form N-426 by checking the box that states “Other (Specify)” and specifying “N-426 certification”;
  - c. Sign and date the form in Blocks 9 and 10;
  - d. In Section IV, list the dates and type of service you have performed in the Selected Reserve (e.g., the number of training periods and/or days of active-duty service) for the entire period of service you have listed in Part 3 of your Form N-426;
5. Attach the Form N-426 (with Parts 1 through 4 completed) to your DA Form 4187 and submit these forms to your commander.

- a. **BLANK: defendants should identify or designate by name and contact information, the 22 commanders to which MAVNI enlistees should send their Form N-426s. Defendants should also designate a method of transmission from MAVNI enlistee to the commander, whether fax, email, or in-person where practicable. The appropriate commander, his or her contact information, and method of transmission appears in Attachment A.**
6. Pursuant to the Court's preliminary injunction order, DOD will use its best efforts to certify or deny Form N-426s within two business days of the receipt of Form N-426. **If your commander is unavailable or unable to process your request, you may submit your forms to the appropriate designee (as identified in Attachment B. Defendants are responsible for designating an appropriate contact.)**
7. Within one business day of receipt, your commander, or his or her designee, must verify the information in Section IV and determine whether you have been flagged under Army Regulation 600-8-2, Suspension of Favorable Personnel Actions ("FLAG"). The official must complete the appropriate blocks in Section V. Recommendations for disapproval must identify specific derogatory information. Your commander, or his or her designee, must verify the information on the Form N-426 and complete their portion within one business day of receipt.
  - a. Your commander, or his or her designee, must then expeditiously forward a request for personnel action to the Office of Chief, Army Reserve ("OCAR"), sending the email on the same day the N-426 is signed. A digital copy of the DA Form 4187 and attachments will be emailed to the following addresses: OCAR, G-1 Ops (usarmy.usarc.ocar.mbx.g1-ops-taskers@mail.mil) and USARC G-1 Ops

(usarmy.usarc.ocar.mbx.g1-ops-taskers@mail.mil). The commander will copy appropriate members of the chain of command, but will not seek any further review prior to routing the request to OCAR.

- b. Upon receipt of the request for personnel action, OCAR will coordinate with the DCS, G-1 to determine whether HQDA possesses derogatory information bearing on honorable service. OCAR will designate an officer in the grade of O-6 or civilian equivalent to certify the N-426. OCAR will use its best efforts to process the requests, return the completed/signed N-426s and a copy of the DA Form 4187 to your commanders, and upload relevant documents into your Army Military Human Resource Record within one business day of receipt of the request for personnel action.

**8. If you have not received a copy of your completed/signed Form N-426 as provided in ¶ 7(b) within 7 business days of submission to your commander, or his or designee, you should contact \_\_\_\_\_ (*official to be designated by defendants*) and your attorney, Fried Frank by writing to this email address:**

**[kirwaiclasscounsel@friedfrank.com](mailto:kirwaiclasscounsel@friedfrank.com)**.

Pursuant to the Court's preliminary injunction order, defendants are enjoined from refusing to certify MAVNI enlistees who have served for one day or more in the Selected Reserve as having honorable service, except as related to the conduct of an individual plaintiff or class member as reflected in the soldier's service record and based on sufficient grounds generally applicable to all members of the military. You also will be notified once the completed/signed form has been uploaded to your Army Military Human Resource Record ("AMHRR"). Please visit this website for instructions on how to access records in your

AMHRR:

<https://www.hrc.army.mil/TAGD/Accessing%20or%20Requesting%20Your%20Official%20Military%20Personnel%20File%20Documents>.

Once you have obtained a copy of your completed and signed N-426 from your AMHRR, you may submit it to USCIS with your application for naturalization (N-400). Please note that DOD has confirmed that USCIS will accept a photocopy of the signed N-426 (and does not require “wet” or original signatures). Moreover, USCIS does not require that the N-426 be submitted in a signed and/or sealed envelope.

#### V. CERTIFICATION ASSISTANCE AND REPORTING ISSUES

If you have questions about these instructions or need assistance with the submission of your Form N-426, you may contact Fried Frank at [kirwaiclasscounsel@friedfrank.com](mailto:kirwaiclasscounsel@friedfrank.com). **Again, if you have not received a copy of your completed/signed Form N-426 within 7 business days of submission to your commander, or his or her designee, you should contact \_\_\_\_\_ (same official to be designated by defendants in ¶ 8) and your attorney, Fried Frank by writing to this email address: [kirwaiclasscounsel@friedfrank.com](mailto:kirwaiclasscounsel@friedfrank.com).**

Please be advised that the law generally prohibits retaliation against soldiers for exercising their rights. DOD (including U.S. Army) personnel may not discharge you or retaliate against you in any manner because of your decision to exercise or enforce your rights in this litigation, including exercising your rights under the Court’s preliminary injunction order.

/s/ Ellen Segal Huvelle  
ELLEN SEGAL HUVELLE  
United States District Judge

Date: December XX, 2017

# **Exhibit G**

to Declaration of Jennifer M. Wollenberg to  
Plaintiffs' Reply Memorandum in Support of  
Plaintiffs' Motion to Enforce Court Order

Case No.: 1:20-cv-01104-PLF

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

MAHLON KIRWA, *et al.*,

Plaintiffs,

v.

UNITED STATES DEPARTMENT OF  
DEFENSE, *et al.*,

Defendants.

Civil Action No. 17-1793(ESH)

**ORDER**

It is hereby

**ORDERED** that the attached Notice shall serve as class notice that defendants must send to *Kirwa* class members. The Court finds that the dissemination of the Notice under the terms and in the format provided for herein constitutes the best notice practicable under the circumstances, that it is due and sufficient notice for all purposes to all persons entitled to such notice, and that it fully satisfies the requirements of due process and all other applicable laws; it is further

**ORDERED** that defendants shall disseminate the signed Notice to all class members and relevant military personnel within two business days of the date the Notice is signed by this Court; and it is further

**ORDERED** that plaintiffs' counsel shall post the Notice on their website.

**SO ORDERED.**



/s/ Ellen Segal Huvelle  
ELLEN SEGAL HUVELLE  
United States District Judge

Date: December 14, 2017

This Notice is being provided in order to inform class members in the above-referenced action of their rights with respect to issuance of Form N-426 certifications of honorable service from the Department of Defense (“DOD”), including the United States Army. If you are a class member, as defined below, **PLEASE TAKE NOTICE AS FOLLOWS:**

### **I. CASE DESCRIPTION**

This lawsuit was filed on September 1, 2017, by U.S. Army soldiers in the Selected Reserve of the Ready Reserve (“the plaintiffs”) who were seeking to obtain Form N-426 certifications of honorable service from the U.S. Army in order to allow them to apply to the Department of Homeland Security (“DHS”) to become naturalized U.S. citizens.

On October 13, 2017, DOD (“the defendants”) issued a new N-426 policy. In response, plaintiffs argued that the N-426 policy is unlawful and asked the Court to issue a preliminary injunction so that plaintiffs could obtain their N-426s. Plaintiffs also asked the Court to certify the case as a class action.

On October 25, 2017, as amended on October 27, 2017, the Court issued a preliminary injunction. On December 1, 2017, the Court certified a class in this case as described below. The Court appointed the law firm of Fried Frank Harris Shriver & Jacobson LLP (“Fried Frank”) to serve as counsel to the class. **This notice supersedes all prior communications issued by plaintiffs’ counsel regarding rights of the class members under the Court’s preliminary injunction or by defendants regarding their procedures for issuing N-426s to class members.**

## II. CLASS MEMBERSHIP

You are a member of the class in this litigation if you meet the following criteria:

- You are an enlistee in the Military Accessions Vital to the National Interest (“MAVNI”) program;
- You enlisted prior to October 13, 2017;
- You have served in the Selected Reserve; *and*
- You have not received a completed and signed Form N-426 from DOD.

You have received this Notice because you may be a member of this class.

## III. THE COURT’S PRELIMINARY INJUNCTION

In its preliminary injunction, the Court issued the following orders:

- Defendants are preliminarily enjoined from refusing to sign and issue Form N-426s to members of the class pursuant to Section II of DOD’s October 13, 2017 Guidance;
- Defendants are preliminarily enjoined from refusing to certify MAVNI enlistees who have served for one day or more in the Selected Reserve as having honorable service, except as related to the conduct of an individual plaintiff or class member as reflected in the soldier’s service record and based on sufficient grounds generally applicable to all members of the military; and
- After members of the class submit or resubmit N-426s to their military officer ranked O6 or higher, defendants should use their best efforts to certify or deny Form N-426s within two business days of receipt of Form N-426.

#### **IV. YOUR RIGHTS PURSUANT TO THE PRELIMINARY INJUNCTION**

If you are a member of the class, as defined above, pursuant to the Court's preliminary injunction order you are currently eligible to obtain a completed and executed N-426 from DOD. If you have not previously done so, and if you are interested in applying for naturalization at this time, you should submit a Form N-426, as set forth in paragraphs 1–6 below, to your commander and request certification. **You need not reapply if you have previously received a completed and executed Form N-426 or if you have already submitted a Form N-426 after October 25, 2017, that complies with the following steps.**

To make that submission, please take the following steps:

1. Download the Form N-426 and the Form N-426 instructions from the U.S. Citizenship and Immigration Service (“USCIS”) website at <https://www.uscis.gov/n-426>.
2. Follow the instructions to complete Parts 1 through 4 of the Form N-426. Type or print in black ink and include a handwritten signature.
3. Obtain a DA Form 4187, Request for Personnel Action, from your unit S-1 or online at [http://www.usarec.army.mil/downloads/armypa/dd\\_4187.pdf](http://www.usarec.army.mil/downloads/armypa/dd_4187.pdf).
4. Complete Sections I-IV of the DA Form 4187, including the following information:
  - a. Provide Name, Rank, and Social Security Number (optional per form instructions);
  - b. In Block 8, request certification of the Form N-426 by checking the box that states “Other (Specify)” and specifying “N-426 certification”;

- c. Sign and date the form in Blocks 9 and 10;
  - d. In Section IV, list the dates and type of service you have performed in the Selected Reserve (e.g., the number of training periods and/or days of active-duty service) for the entire period of service you have listed in Part 3 of your Form N-426;
5. Attach the Form N-426 (with Parts 1 through 4 completed) to your DA Form 4187 and submit these forms to your commander.
  - a. **Attachment A to this notice consists of a list of names and email addresses for the primary designees of all commands that currently have MAVNI soldiers. Please submit your Form N-426 and DA Form 4187 to the email address for your commander. If your commander is unavailable or unable to process your request, you may submit your forms to the alternative point of contact for your command, as identified in Attachment A.**
6. Pursuant to the Court's preliminary injunction order, DOD will use its best efforts to certify or deny Form N-426s within two business days of the receipt of Form N-426.
7. Within one business day of receipt, your commander, or his or her designee, must verify the information in Section IV and determine whether you have been flagged under Army Regulation 600-8-2, Suspension of Favorable Personnel Actions ("FLAG"). The official must complete the appropriate blocks in Section V of the DA Form 4187. Recommendations for disapproval must identify specific derogatory information. Your commander, or his or her designee, must

verify the information on the Form N-426 and DA Form 4187 and complete their portion of the DA Form 4187 within one business day of receipt.

- a. Your commander, or his or her designee, must then expeditiously forward a request for personnel action to the Office of Chief, Army Reserve (“OCAR”), sending the email on the same day the DA Form 4187 is signed by the commander or his/her designee. A digital copy of the DA Form 4187 and attachments (including the N-426 form) will be emailed to the following addresses: OCAR, G-1 Ops (usarmy.usarc.ocar.mbx.g1-ops-taskers@mail.mil) and USARC G-1 Ops (usarmy.usarc.ocar.mbx.g1-ops-taskers@mail.mil). The commander will copy appropriate members of the chain of command, but will not seek any further review prior to routing the request to OCAR.
- b. Upon receipt of the request for personnel action, OCAR will coordinate with the DCS, G-1 to determine whether HQDA possesses derogatory information bearing on honorable service. OCAR will designate an officer in the grade of O-6 or civilian equivalent to certify the N-426. OCAR will use its best efforts to process the requests, and return the completed/signed N-426 and a copy of the DA Form 4187 to you (via email to the email address you provide on the N-426 form in Part 4) and your commander within one business day of receipt of the request for personnel action. Copies of the relevant documents will also be uploaded into your Army Military Human Resource Record. You also will be notified once the completed/signed form has been uploaded to your Army Military Human

Resource Record (“AMHRR”). Please visit this website for instructions on how to access records in your AMHRR:

<https://www.hrc.army.mil/TAGD/Accessing%20or%20Requesting%20Your%20Official%20Military%20Personnel%20File%20Documents>.

- 8. If you have not received a copy of your completed/signed Form N-426 as provided in ¶ 7(b) within 7 business days of submission to your commander, or his or her designee, you should contact MAJ Dana M. Hollywood ([Dana.m.hollywood.mil@mail.mil](mailto:Dana.m.hollywood.mil@mail.mil)), or MSG Rosa V. Fale ([Rosa.v.fale.mil@mail.mil](mailto:Rosa.v.fale.mil@mail.mil)), both with the U.S. Army Reserve Command legal office, and copy your attorney, Fried Frank, on that communication by using this email address: [kirwaaclasscounsel@friedfrank.com](mailto:kirwaaclasscounsel@friedfrank.com).**

Pursuant to the Court’s preliminary injunction order, defendants are enjoined from refusing to certify MAVNI enlistees who have served for one day or more in the Selected Reserve as having honorable service, except as related to the conduct of an individual plaintiff or class member as reflected in the soldier’s service record and based on sufficient grounds generally applicable to all members of the military.

Once you have obtained a copy of your completed and signed N-426, you may submit it to USCIS with your application for naturalization (N-400). Please note that DOD has confirmed that USCIS will accept a photocopy of the signed N-426 (and does not require “wet” or original signatures). Moreover, USCIS does not require that the N-426 be submitted in a signed and/or sealed envelope.

## V. CERTIFICATION ASSISTANCE AND REPORTING ISSUES

If you have questions about these instructions or need assistance with the submission of your Form N-426, you may contact Fried Frank at [kirwaiclasscounsel@friedfrank.com](mailto:kirwaiclasscounsel@friedfrank.com). **Again, if you have not received a copy of your completed/signed Form N-426 within 7 business days of submission to your commander, or his or her designee, you should contact MAJ Dana M. Hollywood ([Dana.m.hollywood.mil@mail.mil](mailto:Dana.m.hollywood.mil@mail.mil)), or MSG Rosa V. Fale ([Rosa.v.fale.mil@mail.mil](mailto:Rosa.v.fale.mil@mail.mil)), both with the U.S. Army Reserve Command legal office, and copy your attorney, Fried Frank, on that communication by using this email address: [kirwaiclasscounsel@friedfrank.com](mailto:kirwaiclasscounsel@friedfrank.com).**

Please be advised that the law generally prohibits retaliation against soldiers for exercising their rights. DOD (including U.S. Army) personnel may not discharge you or retaliate against you in any manner because of your decision to exercise or enforce your rights in this litigation, including exercising your rights under the Court's preliminary injunction order.

*/s/ Ellen Segal Huvelle*  
ELLEN SEGAL HUVELLE  
United States District Judge

Date: December 14, 2017



# **Exhibit H**

to Declaration of Jennifer M. Wollenberg to  
Plaintiffs' Reply Memorandum in Support of  
Plaintiffs' Motion to Enforce Court Order

Case No.: 1:20-cv-01104-PLF

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

MAHLON KIRWA, *et al.*,

Plaintiffs,

v.

UNITED STATES DEPARTMENT OF  
DEFENSE, *et al.*,

Defendants.

Civil Action No. 17-1793(ESH)

**ORDER**

It is hereby

**ORDERED** that beginning **January 3, 2018 at 12:00 PM**, defendants shall file bi-weekly status reports, due every other Wednesday at 12:00 PM, updating the chart provided in ECF No. 46; it is further

**ORDERED** that defendants shall provide the total number of new N-426s filed since the last bi-weekly report and the total number of new N-426s approved since the last bi-weekly report.

**SO ORDERED.**

/s/ Ellen Segal Huvelle  
ELLEN SEGAL HUVELLE  
United States District Judge

Date: December 15, 2017

# **Exhibit I**

to Declaration of Jennifer M. Wollenberg to  
Plaintiffs' Reply Memorandum in Support of  
Plaintiffs' Motion to Enforce Court Order

Case No.: 1:20-cv-01104-PLF

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

MAHLON KIRWA, *et al.*,

Plaintiffs,

v.

UNITED STATES DEPARTMENT OF  
DEFENSE, *et al.*,

Defendants.

Civil Action No. 17-1793(ESH)

**ORDER**

In light of defendants' non-opposition to plaintiffs' motion for class certification, ECF No. 40, and the Court having independently satisfied itself that the requirements of Federal Rule of Civil Procedure 23 are met, it is hereby

**ORDERED** that plaintiffs' motion for class certification, ECF No. 12, is **GRANTED** pursuant to Rules 23(a), 23(b)(1)(A), and 23(b)(2) of the Federal Rules of Civil Procedure. The class consists of all persons who (1) have enlisted in the U.S. military through the Military Accessions Vital to the National Interest ("MAVNI") program prior to October 13, 2017, (2) have served in the Selected Reserve of the Ready Reserve ("Selected Reserve"), and (3) have not received a completed and duly authenticated Form N-426; it is further

**ORDERED** that plaintiffs are granted leave to substitute new named plaintiffs who have yet to receive a completed Form N-426; it is further

**ORDERED** that plaintiffs' counsel is appointed as class counsel; and it is further

**ORDERED** that notification will not be sent to class members until the Court approves

the notification.

/s/ Ellen Segal Huvelle  
ELLEN SEGAL HUVELLE  
United States District Judge

Date: December 1, 2017

# **Exhibit J**

to Declaration of Jennifer M. Wollenberg to  
Plaintiffs' Reply Memorandum in Support of  
Plaintiffs' Motion to Enforce Court Order

Case No.: 1:20-cv-01104-PLF

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

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MAHLON KIRWA, et al.,	)	
	)	
Plaintiffs,	)	
	)	
v.	)	Civil Action No. 1:17-cv-01793
	)	The Honorable Ellen Segal Huvelle
UNITED STATES DEPARTMENT OF	)	
DEFENSE and JAMES MATTIS, in his	)	
official capacity as Secretary of Defense,	)	
	)	
Defendants.	)	

---

**NOTICE OF DEFENDANTS’ NON-OPPOSITION TO PLAINTIFFS’ MOTION FOR  
CLASS CERTIFICATION**

Defendants, the Department of Defense and Secretary of Defense James Mattis, in his official capacity, hereby provide notice of their non-opposition to Plaintiffs’ Motion for Class Certification, ECF Nos. 12, 34. Defendants have decided not to oppose Plaintiffs’ motion in this case because the Court granted a similar motion for class certification in *Nio, et al. v. DHS, et al.*, Case 1:17-cv-00998-ESH (D.D.C.). *See id.*, Order Grant. Mot. to Certify Class, ECF No. 72. The Government reserves its objections to class certification that it set forth in the *Nio* litigation.

Plaintiffs’ motion proposes a class consisting of all persons who (1) have enlisted in the U.S. Military Accessions Vital to the National Interest (“MAVNI”) prior to October 13, 2017; (2) have served in the Selected Reserve of the Ready Reserve (“Selected Reserve”); and (3) have not received a completed Form N-426 from the military as of October 25, 2017. *See* Supp. Mem. in Supp. of Pls.’ Mot. for Class Cert. and Appoint. of Class Counsel at 1, ECF No. 34. Given that multiple MAVNI soldiers have received a certified Form N-426 from DoD since

October 25, 2017, Defendants hereby request that the class should instead be defined to consist of all persons who:

- 1) have enlisted in the U.S. MAVNI program prior to October 13, 2017;
- 2) have served in the Selected Reserve;
- 3) have not received a completed Form N-426 from the military as of the date of the Court's order certifying the class.

Defendants have conferred with Plaintiffs regarding this proposed definition of the class.

Plaintiffs oppose Defendants' proposed definition.

Dated: November 28, 2017

Respectfully submitted,

CHAD A. READLER  
Principal Deputy Assistant Attorney General

ANTHONY J. COPPOLINO  
Deputy Branch Director  
Federal Programs Branch

/s/ Nathan M. Swinton

NATHAN M. SWINTON  
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*Attorneys for Defendants*



# **Exhibit K**

to Declaration of Jennifer M. Wollenberg to  
Plaintiffs' Reply Memorandum in Support of  
Plaintiffs' Motion to Enforce Court Order

Case No.: 1:20-cv-01104-PLF

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

_____	)	
MAHLON KIRWA, et al.,	)	
	)	
<i>Plaintiffs,</i>	)	
	)	
v.	)	Civil Action No. 1:17-cv-01793-ESH-RMM
	)	The Honorable Ellen Segal Huvelle
UNITED STATES DEPARTMENT OF	)	
DEFENSE and MARK T. ESPER,	)	
in his official capacity as Acting Secretary	)	
of Defense,	)	
	)	
<i>Defendants.</i>	)	
_____	)	

**JOINT STATUS REPORT**

In a July 31, 2019 Minute Order, the Court directed the parties to file a Joint Status Report on or before August 30, 2019, regarding the parties’ progress in developing a plan for bringing this case to a close. To that end, the parties have conferred in an attempt to develop a joint approach by which this case could become substantially moot. These conversations have been cordial and productive, but the parties have not yet reached agreement on a plan.

The parties are continuing to discuss topics, such as (1) ways to jointly identify all potential class members, (2) ways to narrow that list to the sub-set of soldiers who have not received an accurately-certified and USCIS-acceptable N-426, (3) whether and how to determine (if possible from existing records held by the parties) why the remaining soldiers have yet to receive such an N-426, (4) appropriate steps (e.g., notification by the Army, contact by class counsel, etc.) for the parties to feel comfortable that class members have been informed of their rights and have the opportunity to seek and receive an accurately-certified N-426, and (5) the implications for this case of the Army’s determination that only “15 [now 18] DTPs [have been] discharged for non-MSSD reasons since September 30, 2016, having received both a USAREC

discharge order and a USARC discharge order” and the implications for these discussions of the Army’s intention “to offer reinstatement to the 18 DTP MAVNIs for purposes of receiving the procedures described in AR 135-178.” See St. Clair Dec., ¶ 4, ECF 122-1, *Calixto v. U.S. Dep’t of the Army*, Case No. 18-1551 (ESH) (D. D.C.); Defendants’ Status Report, ECF 125, *Calixto*.

The parties have not reached any agreements with respect to any of these topics but discussions are ongoing, and the parties jointly request additional time, up to and including October 30, 2019, to file a joint status report with the Court advising of the status of the parties’ progress at that time.

Respectfully submitted,

JOSEPH H. HUNT  
Assistant Attorney General

ANTHONY J. COPPOLINO  
Deputy Branch Director  
Federal Programs Branch

/s/ Daniel D. Mauler  
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*Counsel for Plaintiffs*

# **Exhibit L**

to Declaration of Jennifer M. Wollenberg to  
Plaintiffs' Reply Memorandum in Support of  
Plaintiffs' Motion to Enforce Court Order

Case No.: 1:20-cv-01104-PLF

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

**MAHLON KIRWA, *et al.*,**

**Plaintiffs,**

**v.**

**UNITED STATES DEPARTMENT OF  
DEFENSE, *et al.*,**

**Defendants.**

**Civil Action No. 17-1793 (ESH)**

**JUDGMENT**

The Court hereby converts the preliminary injunction set forth in the Court’s October 27, 2017 Amended Order (ECF No. 32) into a permanent injunction. Accordingly, defendants are permanently enjoined from:

(1) refusing to sign and issue Form N-426s to members of the class pursuant to Section II of DOD’s October 13, 2017 N-426 Policy; and

(2) refusing to certify class members who have served for one day or more in the Selected Reserve as having served honorably, except as related to the conduct of an individual plaintiff or class member as reflected in that soldier’s service record and based on sufficient grounds generally applicable to all enlistees.

In addition, after members of the class submit or resubmit N-426s to their military officer ranked O-6 or higher, defendants should use their best efforts to certify or deny Form N-426s within two business days of receipt of the Form N-426.

For purposes of this injunction, the class consists of all persons who (1) have enlisted in the U.S. military through the Military Accessions Vital to the National Interest (“MAVNI”)

program prior to October 13, 2017; (2) have served in the Selected Reserve of the Ready Reserve; and (3) have not received a completed and certified Form N-426. (*See* Order, Dec. 1, 2017, ECF No. 48.)

Plaintiffs' remaining claims are DISMISSED WITH PREJUDICE as to the named plaintiffs and on behalf of the class (as opposed to any individual claims of unnamed class members).

The Court will retain jurisdiction to enforce the permanent injunction set forth herein.

This is a final, appealable Order.



*Ellen S. Huvelle*

ELLEN S. HUVELLE  
United States District Judge

Date: September 2, 2020

# **Exhibit M**

to Declaration of Jennifer M. Wollenberg to  
Plaintiffs' Reply Memorandum in Support of  
Plaintiffs' Motion to Enforce Court Order

Case No.: 1:20-cv-01104-PLF



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

---

MAHLON KIRWA, et al.,	)	
	)	
Plaintiffs,	)	
	)	
v.	)	Civil Action No. 1:17-cv-01793
	)	The Honorable Ellen Segal Huvelle
UNITED STATES DEPARTMENT OF	)	
DEFENSE and JAMES MATTIS, in his	)	
official capacity as Secretary of Defense,	)	
	)	
Defendants.	)	

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**DEFENDANTS' STATUS REPORT**

Pursuant to the Court's December 15, 2017 Order, *see* ECF No. 55, Defendants hereby submit this status report.

As stated in the attached Declaration of Lin St. Clair, a total of 871 N-426 requests have been submitted to date, and 172 of these requests have been granted. A total of 686 N-426 requests for certification of honorable service have been submitted since November 29, 2017, the date on which Defendants last provided information about the number of N-426 applications, *see* ECF No. 46. Although none of these 686 N-426 requests for certification of honorable service have been granted, the Army anticipates that "a high percentage" of the pending requests will be completed and returned to the requester this week. St. Clair Decl. ¶ 3. The Army has recently experienced reduced personnel staffing during the holiday leave period and has further devoted a significant amount of its resources to distributing the notice to class members authorized by the Court on December 14, 2017. *See id.*

Concurrently with this filing, Defendants have moved to file under seal an unredacted updated version of the chart previously submitted to the Court, *see* ECF No. 46.

Dated: January 3, 2018

Respectfully submitted,

CHAD A. READLER  
Acting Assistant Attorney General

ANTHONY J. COPPOLINO  
Deputy Branch Director  
Federal Programs Branch

*/s/ Nathan M. Swinton* \_\_\_\_\_

NATHAN M. SWINTON

Trial Attorneys

U.S. Department of Justice

Civil Division, Federal Programs Branch

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Washington, DC 20530

Tel: (202) 305-7667

Fax: (202) 616-8470

Email: Nathan.M.Swinton@usdoj.gov

*Attorneys for Defendants*

The Honorable Ellen S. Huvelle

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

MAHLON KIRWA, *et al.*,

No.: 1:17-cv-01793 (ESH)

Plaintiffs,

**DECLARATION OF  
LIN ST. CLAIR**

v.

UNITED STATES DEPARTMENT OF  
DEFENSE and JAMES MATTIS, in his  
official capacity as Secretary of Defense,

Defendants.

Pursuant to 28 U.S.C. § 1746, I hereby declare as follows:

1. I am currently the Assistant Deputy for Recruiting, Office of the Assistant Secretary of the Army (Manpower & Reserve Affairs). In this capacity, I am responsible for serving as the Senior Advisor on all matters relating to military accessions and retention for the Assistant Secretary of the Army for Manpower and Reserve Affairs, the Principal Deputy, and the Deputy Assistant Secretary of the Army for Military Personnel. I have oversight responsibilities for the Army's officer and enlisted accessions and retention programs across all components, to include youth outreach programs (such as JROTC). In this capacity I serve as the action officer oversight for non-citizen recruiting (MAVNI and Lawful Permanent Residents). I have previously submitted a declaration in this case. *See* ECF No. 41-7.

2. As the Army previously informed the Court, as of November 27, 2017, the Office of the Chief of the Army Reserves (“OCAR”) had received 185 requests for N-426 certification from MAVNI soldiers in the Delayed Training Program. *See* Decl. of Brian Thomas ¶ 9, ECF No. 41-

8. Also as of November 27, 61 of those 185 requests had been granted. *Id.* These numbers did

1 not include any requests for N-426 certification that had not been received by OCAR as of  
2 November 27 nor did they account for any requests submitted between November 27 and  
3 November 29, the date the Army first submitted its chart to the Court.  
4

5 3. To date, the Army has received a total of 871 requests for N-426 certification and has  
6 granted 172 of these requests. Since November 29, 2017, the date of the Army's last report to  
7 the Court, the Army has received 686 requests, the vast majority of which were received on  
8 December 22, 2017. The Army has not granted any of the new requests, due in part to the  
9 reduction in personnel staffing during the winter holidays and the Army's focus on prioritizing  
10 dissemination of notice of the Court's preliminary injunction order to class members. I anticipate  
11 that a high percentage of the still-outstanding requests will be completed and returned to the  
12 requester on or before January 5, 2018.  
13

14 4. Attached to this declaration is an updated version of the chart submitted to the Court on  
15 November 29, 2017. The names of individual MAVNI soldiers have been redacted from this  
16 chart.  
17

18  
19 I declare under penalty of perjury that the foregoing is true and correct. Executed on January 3,  
20 2018.  
21

22 

23 \_\_\_\_\_  
24 LIN ST. CLAIR  
25  
26  
27  
28

N-426 Certification Status				
Soldier Name	Date of Application	Date of N-426 Certification (Approval)	Date N-426 Uploaded into AMHRR	Date Solider Notified of Certification (Approval)
[REDACTED]	31-Oct-17	31-Oct-17	9-Nov-17	9-Nov-17
[REDACTED]	31-Oct-17	8-Nov-17	27-Nov-17	27-Nov-17
[REDACTED]	31-Oct-17	31-Oct-17	3-Nov-17	3-Nov-17
[REDACTED]	31-Oct-17	31-Oct-17	27-Nov-17	27-Nov-17
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[REDACTED]	20-Nov-17			
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[REDACTED]	20-Nov-17	28-Nov-17		



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[REDACTED]	28-Dec-17			
[REDACTED]	28-Dec-17			
[REDACTED]	27-Dec-17			

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

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MAHLON KIRWA, et al.,	)	
	)	
Plaintiffs,	)	
	)	
v.	)	Civil Action No. 1:17-cv-01793
	)	The Honorable Ellen Segal Huvelle
UNITED STATES DEPARTMENT OF	)	
DEFENSE and JAMES MATTIS, in his	)	
official capacity as Secretary of Defense,	)	
	)	
Defendants.	)	

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**DEFENDANTS’ STATUS REPORT**

Pursuant to the Court’s December 15, 2017 Order, *see* ECF No. 55, Defendants hereby submit this status report.

As stated in the attached Declaration of Lin St. Clair, a total of 1,638 N-426 requests have been submitted as of January 28, 2019, and 1,638 of these requests have been granted. Since the time of Defendants’ last update, *see* ECF No. 133, a total of 8 N-426 requests for certification of honorable service have been submitted, and a total of 8 N-426 requests for certification have been granted.

Dated: January 29, 2019

Respectfully submitted,

JOSEPH H. HUNT  
Assistant Attorney General

ANTHONY J. COPPOLINO  
Deputy Branch Director  
Federal Programs Branch

/s/ Joseph C. Dugan  
NATHAN M. SWINTON

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U.S. Department of Justice  
Civil Division, Federal Programs Branch  
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Washington, DC 20005  
Tel: (202) 514-3259  
Fax: (202) 616-8460  
Email: Joseph.Dugan@usdoj.gov

*Attorneys for Defendants*

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

MAHLON KIRWA, et al.,

Plaintiffs,

v.

UNITED STATES DEPARTMENT OF  
DEFENSE and JAMES MATTIS, in his  
official capacity as Secretary of Defense,

Defendants.

Civil Action No. 1:17-cv-01793  
The Honorable Ellen Segal Huvelle

DECLARATION OF LIN H. ST. CLAIR

Pursuant to 28 U.S.C. § 1746, I hereby declare as follows:

1. I am currently the Assistant Deputy for Recruiting, Office of the Assistant Secretary of the Army (Manpower & Reserve Affairs). In this capacity, I am responsible for serving as the Senior Advisor on all matters relating to military accessions and retention for the Assistant Secretary of the Army for Manpower and Reserve Affairs, the Principal Deputy, and the Deputy Assistant Secretary of the Army for Military Personnel. I have oversight responsibilities for the Army's officer and enlisted accessions and retention programs across all components, to include youth outreach programs (JROTC). In this capacity, I serve as the action officer oversight for non-citizen recruiting (MAVNI and Lawful Permanent Residents). I have previously submitted a declaration in this case. See ECF Nos. 41-7, 56-1, 65-1, 68-1, 73-1, 84-1 87-1, 90-1, 94-1, 96-1; 100-1; 100-2; 102-1; 104-1; 106-1; 108-1; 112-1; 115-1; 122-1; 127-1; 129-1; 131-1; 133-1.

2. On December 19, 2018, Defendants informed the Court that, as of December 17, 2018, the Army had received a total of 1,630 requests for N-426 certification and had granted

1,630 of those requests. *See* ECF No. 133-1. As of January 28, 2019, the Army has received a total of 1,638 requests for N-426 certification and has granted 1,638 of those requests.

3. Attached to this declaration is an updated version of the chart submitted to the Court on December 19, 2018. The names of individual MAVNI soldiers have been redacted from this chart.

I declare under penalty of perjury that the foregoing is true and correct. Executed on January 29, 2019.



\_\_\_\_\_  
LIN H. ST. CLAIR

## N-426 Certification Status

Soldier Name	Date of Application	Date of N-426 Certification (Approval)	Date N-426 Uploaded into AMHRR	Date Solider Notified of Certification (Approval)
	29-Dec-17	20-Feb-18	21-Feb-18	21-Feb-18
	8-Jan-18	30-Jan-18	30-Jan-18	30-Jan-18
	22-Dec-17	3-Jan-18	5-Jan-18	3-Jan-18
	18-Dec-17	3-Jan-18	5-Jan-18	3-Jan-18
	12-Feb-18	13-Feb-18	13-Feb-18	13-Feb-18
	29-Dec-17	8-Jan-18	9-Jan-18	9-Jan-18
	19-Jan-18	23-Jan-18	26-Jan-18	26-Jan-18
	23-Jan-18	29-Jan-18	29-Jan-18	29-Jan-18
	18-Dec-17	3-Jan-18	5-Jan-18	3-Jan-18
	19-Dec-17	3-Jan-18	5-Jan-18	3-Jan-18
	6-Nov-17	7-Nov-17	27-Nov-17	22-Nov-17
	14-Nov-17	15-Nov-17	4-Dec-17	1-Dec-17
	25-Jan-18	31-Jan-18	1-Feb-18	1-Feb-18
	18-Dec-17	3-Jan-18	5-Jan-18	3-Jan-18
	19-Dec-17	3-Jan-18	5-Jan-18	3-Jan-18
	25-Jan-18	31-Jan-18	1-Feb-18	1-Feb-18
	27-Jul-18	2-Aug-18	3-Aug-18	3-Aug-18
	20-Nov-17	3-Jan-18	5-Jan-18	3-Jan-18
	19-Dec-17	3-Jan-18	5-Jan-18	3-Jan-18
	14-Nov-17	15-Nov-17	4-Dec-17	1-Dec-17
	12-Dec-17	8-Jan-18	9-Jan-18	9-Jan-18
	21-Dec-17	3-Jan-18	5-Jan-18	3-Jan-18
	28-Nov-18	3-Dec-18	4-Dec-18	4-Dec-18
	20-Nov-17	3-Jan-18	5-Jan-18	3-Jan-18
	21-Nov-17	22-Nov-17	4-Dec-17	1-Dec-17
	18-Dec-17	1-Feb-18	2-Feb-18	2-Feb-18
	28-Dec-17	3-Jan-18	5-Jan-18	3-Jan-18
	2-Jan-18	31-Jan-18	1-Feb-18	1-Feb-18
	14-Nov-17	15-Nov-17	4-Dec-17	1-Dec-17
	30-Apr-18	1-May-18	1-May-18	1-May-18
	4-Jan-18	8-Jan-18	9-Jan-18	9-Jan-18
	27-Dec-17	11-Jan-18	11-Jan-18	11-Jan-18
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	22-Feb-18	23-Feb-18	23-Feb-18	23-Feb-18
	8-Jan-18	18-Jan-18	19-Jan-18	19-Jan-18
	29-Jan-18	30-Jan-18	30-Jan-18	30-Jan-18
	22-Jan-18	23-Jan-18	26-Jan-18	26-Jan-18
	28-Dec-17	8-Jan-18	8-Jan-18	8-Jan-18
	3-Jan-18	8-Jan-18	9-Jan-18	9-Jan-18
	18-Dec-17	3-Jan-18	5-Jan-18	3-Jan-18
	15-Feb-18	20-Feb-18	21-Feb-18	21-Feb-18
	19-Dec-17	8-Jan-18	9-Jan-18	9-Jan-18



	16-Nov-17	17-Nov-17	4-Dec-17	1-Dec-17
	27-Dec-17	3-Jan-18	5-Jan-18	3-Jan-18
	28-Nov-17	3-Jan-18	5-Jan-18	3-Jan-18
	19-Dec-17	3-Jan-18	5-Jan-18	3-Jan-18
	18-Dec-17	3-Jan-18	5-Jan-18	3-Jan-18
	6-Nov-17	7-Nov-17	27-Nov-17	22-Nov-17
	8-Jan-18	10-Jan-18	10-Jan-18	10-Jan-18
	24-Jan-18	29-Jan-18	29-Jan-18	29-Jan-18
	5-Jan-18	8-Jan-18	9-Jan-18	9-Jan-18
	31-Jan-18	5-Feb-18	5-Feb-18	5-Feb-18
	18-Dec-17	3-Jan-18	5-Jan-18	3-Jan-18
	16-Nov-17	16-Nov-17	4-Dec-17	1-Dec-17
	19-Dec-17	2-Feb-18	5-Feb-18	5-Feb-18
	12-Feb-18	13-Feb-18	13-Feb-18	13-Feb-18
	27-Feb-18	28-Feb-18	28-Feb-18	28-Feb-18
	15-Dec-17	18-May-18	18-May-18	18-May-18
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	8-Jan-18	13-Feb-18	13-Feb-18	13-Feb-18
	3-Jan-18	8-Jan-18	9-Jan-18	9-Jan-18
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	9-Jan-18	30-Jan-18	30-Jan-18	30-Jan-18

	3-May-18	8-May-18	8-May-18	8-May-18
	22-Nov-17	22-Nov-17	4-Dec-17	1-Dec-17
	21-Dec-17	3-Jan-18	5-Jan-18	3-Jan-18
	2-Apr-18	3-Apr-18	3-Apr-18	3-Apr-18
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	8-Jan-18	10-Jan-18	10-Jan-18	10-Jan-18

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	21-May-18	22-May-18	22-May-18	22-May-18
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	9-Jan-18	23-Jan-18	23-Jan-18	23-Jan-18
	15-Dec-17	3-Jan-18	5-Jan-18	3-Jan-18
	5-Feb-18	7-Feb-18	7-Feb-18	7-Feb-18
	18-Dec-17	3-Jan-18	5-Jan-18	3-Jan-18
	10-May-18	11-May-18	11-May-18	11-May-18
	23-Jan-18	29-Jan-18	29-Jan-18	29-Jan-18
	20-Mar-18	22-Mar-18	22-Mar-18	22-Mar-18
	15-Dec-17	3-Jan-18	5-Jan-18	3-Jan-18
	15-Dec-17	3-Jan-18	5-Jan-18	3-Jan-18
	15-Dec-17	3-Jan-18	5-Jan-18	3-Jan-18
	18-Dec-17	3-Jan-18	5-Jan-18	3-Jan-18
	14-Nov-17	15-Nov-17	4-Dec-17	1-Dec-17
	14-Nov-17	16-Nov-17	1-Dec-17	1-Dec-17
	20-Feb-18	20-Feb-18	21-Feb-18	21-Feb-18
	17-Dec-17	3-Jan-18	5-Jan-18	3-Jan-18

	25-Jan-18	31-Jan-18	1-Feb-18	1-Feb-18
	31-Oct-17	31-Oct-17	3-Nov-17	1-Nov-17
	18-Dec-17	3-Jan-18	5-Jan-18	3-Jan-18
	3-Dec-18	3-Dec-18	4-Dec-18	4-Dec-18
	2-Jan-18	23-Jan-18	23-Jan-18	23-Jan-18
	3-Nov-17	7-Nov-17	27-Nov-17	22-Nov-17
	9-Nov-17	9-Nov-17	27-Nov-17	22-Nov-17
	21-Nov-17	22-Nov-17	4-Dec-17	1-Dec-17
	17-Dec-17	3-Jan-18	5-Jan-18	3-Jan-18
	17-Dec-17	3-Jan-18	5-Jan-18	3-Jan-18
	19-Dec-17	23-Jan-18	26-Jan-18	26-Jan-18
	22-Dec-17	3-Jan-18	5-Jan-18	3-Jan-18
	3-Jan-18	24-Jan-18	26-Jan-18	26-Jan-18
	8-Jan-18	10-Jan-18	16-Jan-18	16-Jan-18
	17-Jan-18	18-Jan-18	19-Jan-18	19-Jan-18
	24-Jan-18	29-Jan-18	29-Jan-18	29-Jan-18
	30-Jan-18	5-Feb-18	5-Feb-18	5-Feb-18
	5-Feb-18	5-Feb-18	6-Feb-18	6-Feb-18
	21-Feb-18	22-Feb-18	22-Feb-18	22-Feb-18
	12-Mar-18	13-Mar-18	13-Mar-18	13-Mar-18
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	12-Apr-18	13-Apr-18	13-Apr-18	13-Apr-18
	11-May-18	16-May-18	16-May-18	16-May-18
	23-Jul-18	27-Jul-18	27-Jul-18	27-Jul-18
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	18-Dec-17	8-Jan-18	9-Jan-18	9-Jan-18
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	20-Dec-17	3-Apr-18	3-Apr-18	3-Apr-18
	21-Dec-17	3-Jan-18	5-Jan-18	3-Jan-18
	26-Dec-17	5-Mar-18	5-Mar-18	5-Mar-18
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	4-Dec-17	3-Jan-18	5-Jan-18	3-Jan-18
	30-Jan-18	5-Feb-18	5-Feb-18	5-Feb-18
	17-Dec-17	3-Jan-18	5-Jan-18	3-Jan-18
	6-Feb-18	7-Feb-18	7-Feb-18	7-Feb-18
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	12-Dec-17	3-Jan-18	5-Jan-18	3-Jan-18
	16-Apr-18	19-Apr-18	19-Apr-18	19-Apr-18
	4-Jan-19	4-Jan-19	4-Jan-19	4-Jan-19
	18-Dec-17	3-Jan-18	5-Jan-18	3-Jan-18
	4-Jan-18	23-Jan-18	23-Jan-18	23-Jan-18
	6-Nov-17	7-Nov-17	27-Nov-17	22-Nov-17
	18-Dec-17	3-Jan-18	5-Jan-18	3-Jan-18
	8-Jan-18	10-Jan-18	16-Jan-18	16-Jan-18
	5-Feb-18	7-Feb-18	7-Feb-18	7-Feb-18



	20-Nov-17	3-Jan-18	5-Jan-18	3-Jan-18
	20-Nov-17	22-Nov-17	6-Dec-17	6-Dec-17
	16-Dec-17	3-Jan-18	5-Jan-18	3-Jan-18
	20-Dec-17	1-Feb-18	2-Feb-18	2-Feb-18
	27-Dec-17	2-Feb-18	5-Feb-18	5-Feb-18
	3-Jan-18	8-Jan-18	9-Jan-18	9-Jan-18
	21-Sep-18	27-Sep-18	1-Oct-18	1-Oct-18
	20-Nov-17	3-Jan-18	5-Jan-18	3-Jan-18
	5-Dec-17	3-Jan-18	5-Jan-18	3-Jan-18
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	22-Dec-17	23-Jan-18	23-Jan-18	23-Jan-18
	23-Jan-18	24-Jan-18	26-Jan-18	26-Jan-18
	6-Mar-18	7-Mar-18	7-Mar-18	7-Mar-18
	20-Nov-17	22-Nov-17	4-Dec-17	1-Dec-17
	13-Jul-18	16-Jul-18	16-Jul-18	16-Jul-18
	11-Dec-17	3-Jan-18	5-Jan-18	3-Jan-18
	15-Dec-17	3-Jan-18	5-Jan-18	3-Jan-18
	18-Dec-17	3-Jan-18	5-Jan-18	3-Jan-18
	28-Dec-17	3-Jan-18	5-Jan-18	3-Jan-18
	8-Feb-18	9-Feb-18	9-Feb-18	9-Feb-18
	16-Dec-17	31-Jan-18	1-Feb-18	1-Feb-18
	8-Jan-18	10-Jan-18	10-Jan-18	10-Jan-18
	18-Dec-17	10-Jan-18	10-Jan-18	10-Jan-18
	9-Nov-17	9-Nov-17	27-Nov-17	22-Nov-17
	15-Mar-18	19-Mar-18	19-Mar-18	19-Mar-18
	19-Dec-17	3-Jan-18	5-Jan-18	3-Jan-18
	28-Dec-17	3-Jan-18	5-Jan-18	3-Jan-18
	8-Jan-18	10-Jan-18	10-Jan-18	10-Jan-18
	27-Dec-17	3-Jan-18	5-Jan-18	3-Jan-18
	12-Dec-17	3-Jan-18	5-Jan-18	3-Jan-18
	12-Dec-17	3-Jan-18	5-Jan-18	3-Jan-18
	18-Dec-17	3-Jan-18	5-Jan-18	3-Jan-18
	18-Dec-17	3-Jan-18	5-Jan-18	3-Jan-18
	3-Jan-18	23-Mar-18	23-Mar-18	23-Mar-18
	8-Jan-18	10-Jan-18	16-Jan-18	16-Jan-18
	11-Sep-18	11-Sep-18	13-Sep-18	13-Sep-18
	20-Dec-17	3-Jan-18	5-Jan-18	3-Jan-18
	6-Jan-18	30-Jan-18	30-Jan-18	30-Jan-18
	8-Jun-18	12-Jun-18	12-Jun-18	12-Jun-18
	27-Jul-18	2-Aug-18	3-Aug-18	3-Aug-18
	26-Jan-18	30-Jan-18	30-Jan-18	30-Jan-18
	9-Nov-17	9-Nov-17	27-Nov-17	22-Nov-17
	3-Jan-18	23-Jan-18	23-Jan-18	23-Jan-18
	30-Apr-18	1-May-18	1-May-18	1-May-18
	22-Dec-17	23-Jan-18	23-Jan-18	23-Jan-18

	23-Jan-18	24-Jan-18	26-Jan-18	26-Jan-18
	20-Nov-17	3-Jan-18	5-Jan-18	3-Jan-18
	20-Nov-17	3-Jan-18	5-Jan-18	3-Jan-18
	26-Jan-18	30-Jan-18	30-Jan-18	30-Jan-18
	14-Dec-17	3-Jan-18	5-Jan-18	3-Jan-18
	12-Oct-18	12-Oct-18	12-Oct-18	12-Oct-18
	17-Dec-17	3-Jan-18	5-Jan-18	3-Jan-18
	23-Jan-18	24-Jan-18	26-Jan-18	26-Jan-18
	21-Dec-17	30-Jan-18	30-Jan-18	30-Jan-18
	20-Feb-18	20-Feb-18	21-Feb-18	21-Feb-18
	29-Dec-17	3-Jan-18	5-Jan-18	3-Jan-18
	27-Dec-17	3-Jan-18	5-Jan-18	3-Jan-18
	4-Jan-18	23-Jan-18	23-Jan-18	23-Jan-18
	19-Jan-18	23-Jan-18	26-Jan-18	26-Jan-18
	30-Jan-18	5-Feb-18	5-Feb-18	5-Feb-18
	5-Feb-18	5-Feb-18	6-Feb-18	6-Feb-18
	8-Feb-18	9-Feb-18	9-Feb-18	9-Feb-18
	15-Dec-17	3-Jan-18	5-Jan-18	3-Jan-18
	4-Dec-17	3-Jan-18	5-Jan-18	3-Jan-18
	19-Dec-17	3-Jan-18	5-Jan-18	3-Jan-18
	28-Dec-17	3-Jan-18	5-Jan-18	3-Jan-18
	11-Jan-18	18-Jan-18	19-Jan-18	19-Jan-18
	7-Mar-18	8-Mar-18	8-Mar-18	8-Mar-18
	6-Apr-18	9-Apr-18	9-Apr-18	9-Apr-18
	6-Jun-18	12-Jun-18	12-Jun-18	12-Jun-18
	27-Dec-17	8-Jan-18	9-Jan-18	9-Jan-18
	29-Dec-17	3-Jan-18	5-Jan-18	3-Jan-18
	2-Nov-18	6-Nov-18	6-Nov-18	6-Nov-18
	26-Mar-18	27-Mar-18	27-Mar-18	27-Mar-18
	20-Nov-17	22-Nov-17	6-Dec-17	6-Dec-17
	20-Nov-17	22-Nov-17	4-Dec-17	1-Dec-17
	15-Dec-17	3-Jan-18	5-Jan-18	3-Jan-18
	21-Dec-17	3-Jan-18	5-Jan-18	3-Jan-18
	21-Dec-17	14-Sep-18	14-Sep-18	14-Sep-18
	28-Dec-17	9-Jan-18	9-Jan-18	9-Jan-18
	2-Oct-18	11-Oct-18	11-Oct-18	11-Oct-18
	17-Dec-17	3-Jan-18	5-Jan-18	3-Jan-18
	2-Jan-18	23-Jan-18	23-Jan-18	23-Jan-18
	21-Dec-17	31-Jan-18	1-Feb-18	1-Feb-18
	20-Nov-17	22-Nov-17	6-Dec-17	6-Dec-17
	24-Jan-18	29-Jan-18	29-Jan-18	29-Jan-18
	8-Jan-18	30-Jan-18	30-Jan-18	30-Jan-18
	6-Nov-17	9-Nov-17	27-Nov-17	22-Nov-17
	6-Nov-17	7-Nov-17	27-Nov-17	22-Nov-17
	9-Nov-17	9-Nov-17	27-Nov-17	22-Nov-17

	20-Nov-17	3-Jan-18	5-Jan-18	3-Jan-18
	4-Dec-17	3-Jan-18	5-Jan-18	3-Jan-18
	5-Dec-17	3-Jan-18	5-Jan-18	3-Jan-18
	17-Dec-17	3-Jan-18	5-Jan-18	3-Jan-18
	19-Dec-17	3-Jan-18	5-Jan-18	3-Jan-18
	19-Dec-17	3-Jan-18	5-Jan-18	3-Jan-18
	27-Dec-17	3-Jan-18	5-Jan-18	3-Jan-18
	27-Dec-17	14-Sep-18	14-Sep-18	14-Sep-18
	2-Jan-18	23-Jan-18	23-Jan-18	23-Jan-18
	3-Jan-18	23-Jan-18	23-Jan-18	23-Jan-18
	4-Jan-18	23-Jan-18	23-Jan-18	23-Jan-18
	4-Jan-18	23-Jan-18	23-Jan-18	23-Jan-18
	4-Jan-18	23-Jan-18	23-Jan-18	23-Jan-18
	8-Jan-18	10-Jan-18	16-Jan-18	16-Jan-18
	12-Jan-18	18-Jan-18	19-Jan-18	19-Jan-18
	12-Jan-18	18-Jan-18	19-Jan-18	19-Jan-18
	18-Jan-18	23-Jan-18	26-Jan-18	26-Jan-18
	23-Jan-18	24-Jan-18	26-Jan-18	26-Jan-18
	23-Jan-18	24-Jan-18	26-Jan-18	26-Jan-18
	26-Feb-18	26-Feb-18	26-Feb-18	26-Feb-18
	22-Mar-18	23-Mar-18	23-Mar-18	23-Mar-18
	16-Apr-18	19-Apr-18	19-Apr-18	19-Apr-18
	30-Nov-18	4-Dec-18	4-Dec-18	4-Dec-18
	18-Dec-17	3-Jan-18	5-Jan-18	3-Jan-18
	18-Dec-17	3-Jan-18	5-Jan-18	3-Jan-18
	19-Dec-17	3-Jan-18	5-Jan-18	3-Jan-18
	20-Nov-17	3-Jan-18	5-Jan-18	3-Jan-18
	22-Nov-17	22-Nov-17	4-Dec-17	1-Dec-17
	4-Dec-17	3-Jan-18	5-Jan-18	3-Jan-18
	21-Dec-17	16-Jan-18	16-Jan-18	16-Jan-18
	21-Dec-17	3-Jan-18	5-Jan-18	3-Jan-18
	22-Dec-17	3-Jan-18	5-Jan-18	3-Jan-18
	27-Dec-17	23-Jan-18	23-Jan-18	23-Jan-18
	28-Dec-17	23-Jan-18	23-Jan-18	23-Jan-18
	2-Jan-18	23-Jan-18	23-Jan-18	23-Jan-18
	11-Jan-18	18-Jan-18	19-Jan-18	19-Jan-18
	26-Jan-18	30-Jan-18	30-Jan-18	30-Jan-18
	7-Mar-18	8-Mar-18	8-Mar-18	8-Mar-18
	11-Sep-18	11-Sep-18	13-Sep-18	13-Sep-18
	15-Dec-17	3-Jan-18	5-Jan-18	3-Jan-18
	28-Nov-17	3-Jan-18	5-Jan-18	3-Jan-18
	6-Nov-17	7-Nov-17	27-Nov-17	22-Nov-17
	19-Dec-17	3-Jan-18	5-Jan-18	3-Jan-18
	27-Dec-17	2-Feb-18	5-Feb-18	5-Feb-18
	26-Apr-18	27-Apr-18	27-Apr-18	27-Apr-18

	3-Aug-18	10-Aug-18	10-Aug-18	10-Aug-18
	6-Nov-17	20-Feb-18	21-Feb-18	21-Feb-18
	18-Dec-17	3-Jan-18	5-Jan-18	3-Jan-18
	21-Dec-17	12-Feb-18	12-Feb-18	12-Feb-18
	28-Feb-18	1-Mar-18	1-Mar-18	1-Mar-18
	29-Mar-18	30-Mar-18	30-Mar-18	30-Mar-18
	7-May-18	8-May-18	8-May-18	8-May-18
	12-Jul-18	16-Jul-18	16-Jul-18	16-Jul-18
	6-Nov-17	6-Nov-17	10-Nov-17	9-Nov-17
	16-Dec-17	3-Jan-18	5-Jan-18	3-Jan-18
	3-Jan-18	8-Jan-18	9-Jan-18	9-Jan-18
	11-Jan-18	31-Jan-18	1-Feb-18	1-Feb-18
	23-Jan-18	24-Jan-18	26-Jan-18	26-Jan-18
	7-May-18	8-May-18	8-May-18	8-May-18
	20-Aug-18	22-Aug-18	22-Aug-18	22-Aug-18
	23-Jan-18	24-Jan-18	26-Jan-18	26-Jan-18
	20-Nov-17	3-Jan-18	5-Jan-18	3-Jan-18
	10-Oct-18	11-Oct-18	11-Oct-18	11-Oct-18
	27-Dec-17	2-Feb-18	5-Feb-18	5-Feb-18
	27-Feb-18	28-Feb-18	28-Feb-18	28-Feb-18

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

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MAHLON KIRWA, et al.,	)
	)
Plaintiffs,	)
	)
v.	)
	)
UNITED STATES DEPARTMENT OF	)
DEFENSE and MARK T. ESPER, in his	)
official capacity as Acting Secretary of	)
Defense,	)
	)
Defendants.	)
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Civil Action No. 1:17-cv-01793  
The Honorable Ellen Segal Huvelle

**DEFENDANTS’ STATUS REPORT**

Pursuant to the Court’s December 15, 2017 Order, *see* ECF No. 55, Defendants hereby submit this status report.

As stated in the attached Declaration of Lin H. St. Clair, a total of 1,685 N-426 requests have been submitted to Defendants as of December 31, 2019, and 1,685 of these requests have been granted. Since the time of Defendants’ last update, *see* ECF No. 199, no new N-426 requests for certification of honorable service has been submitted or granted.

Respectfully submitted,

JOSEPH H. HUNT  
Assistant Attorney General

ANTHONY J. COPPOLINO  
Deputy Branch Director  
Federal Programs Branch

/s/ Daniel D. Mauler  
DANIEL D. MAULER  
Trial Attorney  
U.S. Department of Justice

Civil Division, Federal Programs Branch  
1100 L Street, NW  
Washington, DC 20005  
Tel: (202) 616-0773  
Fax: (202) 616-8460  
Email: dan.mauler@usdoj.gov

*Counsel for Defendants*

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

<hr/>		)
MAHLON KIRWA, et al.,	)	)
	)	)
Plaintiffs,	)	)
	)	)
v.	)	Civil Action No. 1:17-cv-01793
	)	The Honorable Ellen Segal Huvelle
UNITED STATES DEPARTMENT OF	)	)
DEFENSE and JAMES MATTIS, in his	)	)
official capacity as Secretary of Defense,	)	)
	)	)
Defendants.	)	)
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**DECLARATION OF LIN H. ST. CLAIR**

Pursuant to 28 U.S.C. § 1746, I hereby declare as follows:

1. I am currently the Assistant Deputy for Recruiting, Office of the Assistant Secretary of the Army (Manpower & Reserve Affairs). In this capacity, I am responsible for serving as the Senior Advisor on all matters relating to military accessions and retention for the Assistant Secretary of the Army for Manpower and Reserve Affairs, the Principal Deputy, and the Deputy Assistant Secretary of the Army for Military Personnel. I have oversight responsibilities for the Army’s officer and enlisted accessions and retention programs across all components, to include youth outreach programs (JROTC). In this capacity, I serve as the action officer oversight for non-citizen recruiting (MAVNI and Lawful Permanent Residents). I have previously submitted a declaration in this case. *See* ECF Nos. 41-7, 56-1, 65-1, 68-1, 73-1, 84-1 87-1, 90-1, 94-1, 96-1; 100-1; 100-2; 102-1; 104-1; 106-1; 108-1; 112-1; 115-1; 122-1; 127-1; 129-1; 131-1; 133-1; 138-1; 140-1; 142-1; 145-1; 149-1; 151-1; 153-1; 155-1; 157-1; 160-1; 163-1; 171-1; 173-1; 175-1; 180-1; 182-1; 186; 187-1; 191-1; 194-1; 196-1; 199-1.

2. On December 18, 2019, Defendants informed the Court that, as of December 3, 2019, the Army had received a total of 1,685 requests for N-426 certification and had granted 1,685 of those requests. *See* ECF No. 199-1. As of December 31, 2019, based upon the report submitted to my office, the U.S. Army Reserve has received a total of 1,685 requests for N-426 certification and has granted 1,685 of those requests. The U.S. Army Reserve has only received 4 new submissions since 17 October 2019; two in November and two in December. There have been 54 total requests for N-426 submission in 2019; all approved.

3. Attached to this declaration is an updated version of the chart submitted to the Court on December 18, 2019. The names of individual MAVNI soldiers have been redacted from this chart.

I declare under penalty of perjury that the foregoing is true and correct. Executed on January 2, 2020.

*Lin H. St. Clair*  
\_\_\_\_\_  
LIN H. ST. CLAIR



	A	B	C	D	E
1	<b>N-426 Certification Status</b>				
	<b>Soldier Name</b>	<b>Date of Application</b>	<b>Date of N-426 Certification (Approval)</b>	<b>Date N-426 Uploaded into AMHRR</b>	<b>Date Solider Notified of Certification (Approval)</b>
2					
3		29-Dec-17	20-Feb-18	21-Feb-18	21-Feb-18
4		8-Jan-18	30-Jan-18	30-Jan-18	30-Jan-18
5		22-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
6		18-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
7		12-Feb-18	13-Feb-18	13-Feb-18	13-Feb-18
8		29-Dec-17	8-Jan-18	9-Jan-18	9-Jan-18
9		19-Jan-18	23-Jan-18	26-Jan-18	26-Jan-18
10		23-Jan-18	29-Jan-18	29-Jan-18	29-Jan-18
11		18-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
12		19-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
13		6-Nov-17	7-Nov-17	27-Nov-17	27-Nov-17
14		14-Nov-17	15-Nov-17	4-Dec-17	4-Dec-17
15		25-Jan-18	31-Jan-18	1-Feb-18	1-Feb-18
16		25-Jan-18	31-Jan-18	1-Feb-18	1-Feb-18
17		18-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
18		19-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
19		27-Jul-18	2-Aug-18	3-Aug-18	3-Aug-18
20		20-Nov-17	3-Jan-18	5-Jan-18	5-Jan-18
21		19-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
22		14-Nov-17	15-Nov-17	4-Dec-17	4-Dec-17
23		12-Dec-17	8-Jan-18	9-Jan-18	9-Jan-18
24		21-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
25		28-Nov-18	3-Dec-18	4-Dec-18	4-Dec-18
26		21-Nov-17	22-Nov-17	4-Dec-17	4-Dec-17
27		20-Nov-17	3-Jan-18	5-Jan-18	5-Jan-18
28		2-Jan-18	31-Jan-18	1-Feb-18	1-Feb-18
29		28-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
30		18-Dec-17	1-Feb-18	2-Feb-18	2-Feb-18
31		14-Nov-17	15-Nov-17	4-Dec-17	4-Dec-17
32		30-Apr-18	1-May-18	1-May-18	1-May-18
33		4-Jan-18	8-Jan-18	9-Jan-18	9-Jan-18
34		27-Dec-17	11-Jan-18	11-Jan-18	11-Jan-18
35		19-Jan-18	23-Jan-18	26-Jan-18	26-Jan-18
36		17-Jan-18	18-Jan-18	19-Jan-18	19-Jan-18
37		22-Feb-18	23-Feb-18	23-Feb-18	23-Feb-18
38		8-Jan-18	18-Jan-18	19-Jan-18	19-Jan-18
39		29-Jan-18	30-Jan-18	30-Jan-18	30-Jan-18
40		22-Jan-18	23-Jan-18	26-Jan-18	26-Jan-18
41		28-Dec-17	8-Jan-18	8-Jan-18	8-Jan-18
42		3-Jan-18	8-Jan-18	9-Jan-18	9-Jan-18
43		18-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
44		15-Feb-18	20-Feb-18	21-Feb-18	21-Feb-18
45		19-Dec-17	8-Jan-18	9-Jan-18	9-Jan-18
46		16-Nov-17	17-Nov-17	4-Dec-17	4-Dec-17
47		27-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
48		28-Nov-17	3-Jan-18	5-Jan-18	5-Jan-18
49		19-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
50		18-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
51		8-Jan-18	10-Jan-18	10-Jan-18	10-Jan-18
52		6-Nov-17	7-Nov-17	27-Nov-17	27-Nov-17

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53		24-Jan-18	29-Jan-18	29-Jan-18	29-Jan-18
54		5-Jan-18	8-Jan-18	9-Jan-18	9-Jan-18
55		31-Jan-18	5-Feb-18	5-Feb-18	5-Feb-18
56		18-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
57		19-Dec-17	2-Feb-18	5-Feb-18	5-Feb-18
58		16-Nov-17	16-Nov-17	4-Dec-17	4-Dec-17
59		27-Feb-18	28-Feb-18	28-Feb-18	28-Feb-18
60		12-Feb-18	13-Feb-18	13-Feb-18	13-Feb-18
61		15-Dec-17	18-May-18	18-May-18	18-May-18
62		23-Nov-17	3-Jan-18	5-Jan-18	5-Jan-18
63		11-Jan-18	18-Jan-18	19-Jan-18	19-Jan-18
64		8-Jan-18	13-Feb-18	13-Feb-18	13-Feb-18
65		3-Jan-18	8-Jan-18	9-Jan-18	9-Jan-18
66		4-Jan-18	23-Jan-18	23-Jan-18	23-Jan-18
67		7-Feb-19	7-Feb-19	8-Feb-19	8-Feb-19
68		18-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
69		20-Nov-17	3-Jan-18	5-Jan-18	5-Jan-18
70		10-Jan-18	16-Jan-18	16-Jan-18	16-Jan-18
71		29-Dec-17	8-Jan-18	9-Jan-18	9-Jan-18
72		29-Jan-18	30-Jan-18	30-Jan-18	30-Jan-18
73		18-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
74		19-Mar-18	20-Mar-18	20-Mar-18	20-Mar-18
75		20-Nov-17	22-Nov-17	4-Dec-17	4-Dec-17
76		20-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
77		6-Mar-18	7-Mar-18	7-Mar-18	7-Mar-18
78		12-Jun-18	12-Jun-18	12-Jun-18	12-Jun-18
79		18-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
80		21-Dec-17	8-Jan-18	9-Jan-18	9-Jan-18
81		19-Mar-18	20-Mar-18	20-Mar-18	20-Mar-18
82		17-Aug-18	22-Aug-18	22-Aug-18	22-Aug-18
83		24-Jan-18	29-Jan-18	29-Jan-18	29-Jan-18
84		12-Feb-18	13-Feb-18	13-Feb-18	13-Feb-18
85		6-Nov-17	9-Nov-17	27-Nov-17	27-Nov-17
86		10-Jan-18	16-Jan-18	16-Jan-18	16-Jan-18
87		20-Nov-17	22-Nov-17	4-Dec-17	4-Dec-17
88		6-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
89		28-Dec-17	9-Jan-18	9-Jan-18	9-Jan-18
90		24-Jan-18	29-Jan-18	29-Jan-18	29-Jan-18
91		9-Jan-18	30-Jan-18	30-Jan-18	30-Jan-18
92		24-Jul-19	25-Jul-19	25-Jul-19	25-Jul-19
93		3-May-18	8-May-18	8-May-18	8-May-18
94		22-Nov-17	22-Nov-17	4-Dec-17	4-Dec-17
95		21-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
96		2-Apr-18	3-Apr-18	3-Apr-18	3-Apr-18
97		19-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
98		5-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
99		22-Mar-18	23-Mar-18	23-Mar-18	23-Mar-18
100		12-Jan-18	18-Jan-18	19-Jan-18	19-Jan-18
101		17-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
102		20-Dec-17	23-Jan-18	23-Jan-18	23-Jan-18
103		9-Jan-18	23-Jan-18	23-Jan-18	23-Jan-18
104		22-Jan-18	23-Jan-18	26-Jan-18	26-Jan-18
105		17-Jan-18	31-Jan-18	1-Feb-18	1-Feb-18
106		20-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18

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107		27-Dec-17	15-Feb-18	15-Feb-18	15-Feb-18
108		19-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
109		9-Jan-18	23-Jan-18	23-Jan-18	23-Jan-18
110		20-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
111		20-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
112		9-Mar-18	12-Mar-18	12-Mar-18	12-Mar-18
113		5-Jan-18	7-Feb-18	7-Feb-18	7-Feb-18
114		8-Jan-18	10-Jan-18	16-Jan-18	16-Jan-18
115		3-Jan-18	8-Jan-18	9-Jan-18	9-Jan-18
116		26-Mar-18	27-Mar-18	27-Mar-18	27-Mar-18
117		16-Mar-18	19-Mar-18	19-Mar-18	19-Mar-18
118		28-Dec-17	23-Jan-18	23-Jan-18	23-Jan-18
119		12-Jun-18	12-Jun-18	12-Jun-18	12-Jun-18
120		11-Jan-18	18-Jan-18	19-Jan-18	19-Jan-18
121		9-Jul-18	11-Jul-18	11-Jul-18	11-Jul-18
122		17-Aug-18	22-Aug-18	22-Aug-18	22-Aug-18
123		17-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
124		26-Apr-18	27-Apr-18	27-Apr-18	27-Apr-18
125		18-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
126		28-Dec-17	8-Jan-18	9-Jan-18	9-Jan-18
127		28-Mar-18	29-Mar-18	29-Mar-18	29-Mar-18
128		10-May-18	11-May-18	11-May-18	11-May-18
129		16-Nov-17	16-Nov-17	4-Dec-17	4-Dec-17
130		7-Mar-18	8-Mar-18	8-Mar-18	8-Mar-18
131		13-Apr-18	16-Apr-18	16-Apr-18	16-Apr-18
132		2-Jan-18	23-Jan-18	23-Jan-18	23-Jan-18
133		31-Jan-18	5-Feb-18	5-Feb-18	5-Feb-18
134		19-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
135		21-Dec-17	9-Jan-18	9-Jan-18	9-Jan-18
136		19-Nov-19	21-Nov-19	21-Nov-19	21-Nov-19
137		30-Jan-18	5-Feb-18	5-Feb-18	5-Feb-18
138		8-Jan-18	10-Jan-18	10-Jan-18	10-Jan-18
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140		20-Nov-17	3-Jan-18	5-Jan-18	5-Jan-18
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143		8-Feb-18	9-Feb-18	9-Feb-18	9-Feb-18
144		8-Feb-18	9-Feb-18	9-Feb-18	9-Feb-18
145		2-Apr-18	3-Apr-18	3-Apr-18	3-Apr-18
146		30-Mar-18	2-Apr-18	2-Apr-18	2-Apr-18
147		5-Feb-18	5-Feb-18	6-Feb-18	6-Feb-18
148		16-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
149		29-Mar-18	30-Mar-18	30-Mar-18	30-Mar-18
150		18-Apr-18	19-Apr-18	19-Apr-18	19-Apr-18
151		3-Oct-18	11-Oct-18	11-Oct-18	11-Oct-18
152		21-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
153		12-Jan-18	18-Jan-18	19-Jan-18	19-Jan-18
154		22-Dec-17	8-Jan-18	9-Jan-18	9-Jan-18
155		27-Dec-17	2-Feb-18	5-Feb-18	5-Feb-18
156		13-Jun-18	18-Jun-18	18-Jun-18	18-Jun-18
157		28-Nov-17	3-Jan-18	5-Jan-18	5-Jan-18
158		14-Dec-17	8-Jan-18	9-Jan-18	9-Jan-18
159		12-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
160		14-Feb-19	15-Feb-19	15-Feb-19	15-Feb-19

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161		12-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
162		9-Jan-18	23-Jan-18	23-Jan-18	23-Jan-18
163		15-Nov-17	15-Nov-17	4-Dec-17	4-Dec-17
164		15-Nov-17	15-Nov-17	4-Dec-17	4-Dec-17
165		28-Dec-17	9-Jan-18	9-Jan-18	9-Jan-18
166		16-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
167		16-Dec-17	8-Jan-18	9-Jan-18	9-Jan-18
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169		19-Dec-17	8-Jan-18	9-Jan-18	9-Jan-18
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171		28-Dec-17	9-Jan-18	9-Jan-18	9-Jan-18
172		22-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
173		15-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
174		2-Jan-18	23-Jan-18	23-Jan-18	23-Jan-18
175		8-May-18	10-May-18	10-May-18	10-May-18
176		8-Jan-18	10-Jan-18	16-Jan-18	16-Jan-18
177		19-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
178		11-Jan-18	18-Jan-18	19-Jan-18	19-Jan-18
179		19-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
180		20-Nov-17	22-Nov-17	6-Dec-17	6-Dec-17
181		27-Jun-18	29-Jun-18	29-Jun-18	29-Jun-18
182		27-Dec-17	9-Feb-18	9-Feb-18	9-Feb-18
183		2-Jan-18	5-Feb-18	6-Feb-18	6-Feb-18
184		31-Jan-18	5-Feb-18	5-Feb-18	5-Feb-18
185		19-Dec-17	8-Jan-18	9-Jan-18	9-Jan-18
186		9-Nov-17	8-Jan-18	9-Jan-18	9-Jan-18
187		4-Jan-18	10-Jan-18	16-Jan-18	16-Jan-18
188		16-Dec-17	8-Jan-18	9-Jan-18	9-Jan-18
189		23-Apr-18	25-Apr-18	25-Apr-18	25-Apr-18
190		22-Nov-17	22-Nov-17	4-Dec-17	4-Dec-17
191		8-Jan-18	29-Jan-18	29-Jan-18	29-Jan-18
192		24-Jan-18	29-Jan-18	29-Jan-18	29-Jan-18
193		9-Jul-18	11-Jul-18	11-Jul-18	11-Jul-18
194		14-Mar-18	14-Mar-18	14-Mar-18	14-Mar-18
195		4-Jan-18	8-Jan-18	9-Jan-18	9-Jan-18
196		18-Dec-17	8-Jan-18	9-Jan-18	9-Jan-18
197		6-Nov-17	7-Nov-17	27-Nov-17	27-Nov-17
198		18-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
199		3-Apr-18	4-Apr-18	4-Apr-18	4-Apr-18
200		5-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
201		30-Jan-18	5-Feb-18	5-Feb-18	5-Feb-18
202		8-Jan-18	10-Jan-18	10-Jan-18	10-Jan-18
203		20-Nov-17	3-Jan-18	5-Jan-18	5-Jan-18
204		28-Dec-17	9-Jan-18	9-Jan-18	9-Jan-18
205		27-Dec-17	15-Feb-18	15-Feb-18	15-Feb-18
206		6-Nov-17	7-Nov-17	27-Nov-17	27-Nov-17
207		20-Nov-17	22-Nov-17	6-Dec-17	6-Dec-17
208		1-Jun-18	4-Jun-18	4-Jun-18	4-Jun-18
209		23-Jan-18	24-Jan-18	26-Jan-18	26-Jan-18
210		29-Mar-19	29-Mar-19	29-Mar-19	29-Mar-19
211		15-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
212		15-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
213		19-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
214		31-Jan-18	5-Feb-18	5-Feb-18	5-Feb-18

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215		11-Jan-18	18-Jan-18	19-Jan-18	19-Jan-18
216		22-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
217		20-Dec-17	8-Jan-18	9-Jan-18	9-Jan-18
218		20-Nov-17	3-Jan-18	5-Jan-18	5-Jan-18
219		12-Dec-17	8-Jan-18	9-Jan-18	9-Jan-18
220		23-Jan-18	24-Jan-18	26-Jan-18	26-Jan-18
221		19-Jul-18	20-Jul-18	20-Jul-18	20-Jul-18
222		8-Jan-18	23-Jan-18	24-Jan-18	24-Jan-18
223		19-Dec-17	8-Jan-18	9-Jan-18	9-Jan-18
224		20-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
225		28-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
226		4-Jan-18	8-Jan-18	9-Jan-18	9-Jan-18
227		27-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
228		6-Jun-18	12-Jun-18	12-Jun-18	12-Jun-18
229		21-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
230		17-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
231		28-Nov-17	3-Jan-18	5-Jan-18	5-Jan-18
232		22-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
233		7-Aug-18	10-Aug-18	10-Aug-18	10-Aug-18
234		8-Dec-17	8-Jan-18	9-Jan-18	9-Jan-18
235		8-Feb-18	9-Feb-18	9-Feb-18	9-Feb-18
236		3-Jan-18	16-May-18	16-May-18	16-May-18
237		20-Nov-17	27-Nov-17	6-Dec-17	6-Dec-17
238		18-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
239		8-Jan-18	29-Jan-18	29-Jan-18	29-Jan-18
240		15-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
241		18-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
242		18-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
243		22-Dec-17	8-Jan-18	9-Jan-18	9-Jan-18
244		27-Sep-18	27-Sep-18	1-Oct-18	1-Oct-18
245		27-Mar-18	28-Mar-18	28-Mar-18	28-Mar-18
246		6-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
247		28-Aug-18	19-Sep-18	19-Sep-18	19-Sep-18
248		14-Feb-18	15-Feb-18	15-Feb-18	15-Feb-18
249		22-Mar-18	23-Mar-18	23-Mar-18	23-Mar-18
250		20-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
251		29-Dec-17	9-Jan-18	9-Jan-18	9-Jan-18
252		18-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
253		24-Jan-18	29-Jan-18	29-Jan-18	29-Jan-18
254		17-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
255		15-Dec-17	8-Jan-18	9-Jan-18	9-Jan-18
256		31-Oct-17	31-Oct-17	9-Nov-17	9-Nov-17
257		21-Dec-17	8-Jan-18	9-Jan-18	9-Jan-18
258		28-Dec-17	8-Jan-18	9-Jan-18	9-Jan-18
259		5-Feb-18	7-Feb-18	7-Feb-18	7-Feb-18
260		20-Feb-18	20-Feb-18	21-Feb-18	21-Feb-18
261		19-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
262		16-Jan-18	18-Jan-18	19-Jan-18	19-Jan-18
263		28-Nov-17	3-Jan-18	5-Jan-18	5-Jan-18
264		24-Jan-18	29-Jan-18	29-Jan-18	29-Jan-18
265		29-Jan-19	29-Jan-19	29-Jan-19	29-Jan-19
266		22-Feb-18	23-Feb-18	23-Feb-18	23-Feb-18
267		16-Nov-17	16-Nov-17	4-Dec-17	4-Dec-17
268		17-Apr-18	19-Apr-18	19-Apr-18	19-Apr-18

	A	B	C	D	E
269		18-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
270		6-Mar-18	7-Mar-18	7-Mar-18	7-Mar-18
271		8-Jan-18	30-Jan-18	30-Jan-18	30-Jan-18
272		4-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
273		20-Feb-18	20-Feb-18	21-Feb-18	21-Feb-18
274		23-Mar-18	26-Mar-18	26-Mar-18	26-Mar-18
275		18-Jan-18	23-Jan-18	26-Jan-18	26-Jan-18
276		17-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
277		20-Nov-17	3-Jan-18	5-Jan-18	5-Jan-18
278		21-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
279		17-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
280		12-Jan-18	18-Jan-18	19-Jan-18	19-Jan-18
281		17-Apr-18	19-Apr-18	19-Apr-18	19-Apr-18
282		4-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
283		25-Jan-18	31-Jan-18	1-Feb-18	1-Feb-18
284		3-May-18	8-May-18	8-May-18	8-May-18
285		14-Jun-18	18-Jun-18	18-Jun-18	18-Jun-18
286		7-May-18	8-May-18	8-May-18	8-May-18
287		22-Dec-17	1-Feb-18	2-Feb-18	2-Feb-18
288		28-Aug-19	28-Aug-19	28-Aug-19	28-Aug-19
289		21-May-18	22-May-18	22-May-18	22-May-18
290		17-Aug-18	22-Aug-18	22-Aug-18	22-Aug-18
291		13-Dec-17	8-Jan-18	9-Jan-18	9-Jan-18
292		20-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
293		11-Jan-18	18-Jan-18	19-Jan-18	19-Jan-18
294		12-Feb-18	13-Feb-18	13-Feb-18	13-Feb-18
295		7-May-18	8-May-18	8-May-18	8-May-18
296		17-Jan-18	18-Jan-18	19-Jan-18	19-Jan-18
297		9-Jan-18	23-Jan-18	23-Jan-18	23-Jan-18
298		2-Jan-18	23-Jan-18	23-Jan-18	23-Jan-18
299		21-Dec-17	8-Jan-18	9-Jan-18	9-Jan-18
300		3-Jan-18	1-Mar-18	1-Mar-18	1-Mar-18
301		20-Nov-17	22-Nov-17	6-Dec-17	6-Dec-17
302		25-Apr-18	25-Apr-18	25-Apr-18	25-Apr-18
303		16-Nov-17	16-Nov-17	4-Dec-17	4-Dec-17
304		30-May-18	31-May-18	31-May-18	31-May-18
305		27-Nov-17	3-Jan-18	5-Jan-18	5-Jan-18
306		21-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
307		15-Aug-18	22-Aug-18	22-Aug-18	22-Aug-18
308		28-Dec-17	8-Jan-18	9-Jan-18	9-Jan-18
309		25-Jan-18	31-Jan-18	1-Feb-18	1-Feb-18
310		8-Nov-17	8-Nov-17	27-Nov-17	27-Nov-17
311		19-Dec-17	20-Feb-18	21-Feb-18	21-Feb-18
312		18-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
313		15-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
314		5-Feb-18	5-Feb-18	6-Feb-18	6-Feb-18
315		16-Jan-18	18-Jan-18	19-Jan-18	19-Jan-18
316		5-Feb-18	7-Feb-18	7-Feb-18	7-Feb-18
317		5-Mar-18	6-Mar-18	6-Mar-18	6-Mar-18
318		28-Feb-18	1-Mar-18	1-Mar-18	1-Mar-18
319		13-Jun-18	18-Jun-18	18-Jun-18	18-Jun-18
320		18-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
321		29-Jan-18	30-Jan-18	30-Jan-18	30-Jan-18
322		16-Apr-18	19-Apr-18	19-Apr-18	19-Apr-18

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323		20-Aug-18	22-Aug-18	22-Aug-18	22-Aug-18
324		8-Dec-17	1-Feb-18	2-Feb-18	2-Feb-18
325		27-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
326		17-Oct-19	18-Oct-19	18-Oct-19	18-Oct-19
327		3-Dec-19	3-Dec-19	3-Dec-19	3-Dec-19
328		22-Jan-18	23-Jan-18	26-Jan-18	26-Jan-18
329		17-May-18	18-May-18	18-May-18	18-May-18
330		19-Dec-17	31-Jan-18	1-Feb-18	1-Feb-18
331		18-Jan-18	31-Jan-18	1-Feb-18	1-Feb-18
332		5-Jan-18	10-Jan-18	16-Jan-18	16-Jan-18
333		27-Nov-17	8-Jan-18	9-Jan-18	9-Jan-18
334		27-Nov-17	3-Jan-18	5-Jan-18	5-Jan-18
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336		15-Feb-18	20-Feb-18	21-Feb-18	21-Feb-18
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387		1-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
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430		11-Sep-19	12-Sep-19	12-Sep-19	12-Sep-19



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433		16-Apr-18	19-Apr-18	19-Apr-18	19-Apr-18
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484		18-Sep-19	23-Sep-19	23-Sep-19	23-Sep-19

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567		1-Mar-18	5-Mar-18	5-Mar-18	5-Mar-18
568		26-Apr-18	27-Apr-18	27-Apr-18	27-Apr-18
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592		18-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18

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623		30-Apr-18	1-May-18	1-May-18	1-May-18
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637		21-Dec-17	24-Jan-18	26-Jan-18	26-Jan-18
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646		17-Jul-18	20-Jul-18	20-Jul-18	20-Jul-18

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700		31-Oct-17	31-Oct-17	3-Nov-17	3-Nov-17

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808		4-Jan-18	23-Jan-18	23-Jan-18	23-Jan-18

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836		22-Mar-18	23-Mar-18	23-Mar-18	23-Mar-18
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841		15-Dec-17	8-Jan-18	9-Jan-18	9-Jan-18
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862		16-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18



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864		18-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
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906		27-Dec-17	5-Feb-18	6-Feb-18	6-Feb-18
907		16-Jul-18	20-Jul-18	20-Jul-18	20-Jul-18
908		6-Nov-17	5-Mar-18	5-Mar-18	5-Mar-18
909		12-Jun-19	12-Jun-19	12-Jun-19	12-Jun-19
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911		28-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
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913		11-Jan-18	18-Jan-18	19-Jan-18	19-Jan-18
914		4-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
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916		29-Mar-18	30-Mar-18	30-Mar-18	30-Mar-18

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919		19-Dec-17	31-Jan-18	1-Feb-18	1-Feb-18
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923		2-Jul-18	3-Jul-18	3-Jul-18	3-Jul-18
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935		10-Jan-18	16-Jan-18	16-Jan-18	16-Jan-18
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939		9-Feb-18	9-Feb-18	9-Feb-18	9-Feb-18
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970		20-Nov-17	22-Nov-17	4-Dec-17	4-Dec-17

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1001		24-Aug-18	28-Aug-18	28-Aug-18	28-Aug-18
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1004		19-Dec-17	5-Feb-18	6-Feb-18	6-Feb-18
1005		3-Jan-18	5-Mar-18	5-Mar-18	5-Mar-18
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1007		20-Nov-17	22-Nov-17	6-Dec-17	6-Dec-17
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1100		23-Mar-18	26-Mar-18	26-Mar-18	26-Mar-18
1101		5-Dec-18	14-Dec-18	14-Dec-18	14-Dec-18
1102		5-Jan-18	10-Jan-18	16-Jan-18	16-Jan-18
1103		28-Mar-18	29-Mar-18	29-Mar-18	29-Mar-18
1104		14-Nov-17	15-Nov-17	4-Dec-17	4-Dec-17
1105		19-Jun-18	22-Jun-18	22-Jun-18	22-Jun-18
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1132		7-Mar-18	8-Mar-18	8-Mar-18	8-Mar-18

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1184		20-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
1185		14-Feb-18	15-Feb-18	15-Feb-18	15-Feb-18
1186		20-Nov-17	22-Nov-17	4-Dec-17	4-Dec-17

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1240		19-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18

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1348		9-Oct-18	11-Oct-18	11-Oct-18	11-Oct-18

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1402		21-Dec-17	12-Feb-18	12-Feb-18	12-Feb-18

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1456		18-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18

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1465		19-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
1466		16-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
1467		9-Jan-18	23-Jan-18	23-Jan-18	23-Jan-18
1468		15-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
1469		5-Feb-18	7-Feb-18	7-Feb-18	7-Feb-18
1470		18-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
1471		10-May-18	11-May-18	11-May-18	11-May-18
1472		23-Jan-18	29-Jan-18	29-Jan-18	29-Jan-18
1473		20-Mar-18	22-Mar-18	22-Mar-18	22-Mar-18
1474		15-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
1475		15-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
1476		15-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
1477		18-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
1478		14-Nov-17	15-Nov-17	4-Dec-17	4-Dec-17
1479		14-Nov-17	16-Nov-17	1-Dec-17	1-Dec-17
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1483		31-Oct-17	31-Oct-17	3-Nov-17	3-Nov-17
1484		18-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
1485		3-Dec-18	3-Dec-18	4-Dec-18	4-Dec-18
1486		2-Jan-18	23-Jan-18	23-Jan-18	23-Jan-18
1487		8-Jan-18	10-Jan-18	16-Jan-18	16-Jan-18
1488		29-Mar-18	30-Mar-18	30-Mar-18	30-Mar-18
1489		11-May-18	16-May-18	16-May-18	16-May-18
1490		19-Dec-17	23-Jan-18	26-Jan-18	26-Jan-18
1491		21-Feb-18	22-Feb-18	22-Feb-18	22-Feb-18
1492		3-Nov-17	7-Nov-17	27-Nov-17	27-Nov-17
1493		5-Feb-18	5-Feb-18	6-Feb-18	6-Feb-18
1494		9-Nov-17	9-Nov-17	27-Nov-17	27-Nov-17
1495		23-Jul-18	27-Jul-18	27-Jul-18	27-Jul-18
1496		12-Apr-18	13-Apr-18	13-Apr-18	13-Apr-18
1497		30-Jan-18	5-Feb-18	5-Feb-18	5-Feb-18
1498		3-Jan-18	24-Jan-18	26-Jan-18	26-Jan-18
1499		17-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
1500		12-Mar-18	13-Mar-18	13-Mar-18	13-Mar-18
1501		24-Jan-18	29-Jan-18	29-Jan-18	29-Jan-18
1502		17-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
1503		21-Nov-17	22-Nov-17	4-Dec-17	4-Dec-17
1504		17-Jan-18	18-Jan-18	19-Jan-18	19-Jan-18
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1506		2-Aug-19	6-Aug-19	6-Aug-19	6-Aug-19
1507		26-Dec-17	5-Mar-18	5-Mar-18	5-Mar-18
1508		21-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
1509		19-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
1510		15-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18

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1511		20-Dec-17	3-Apr-18	3-Apr-18	3-Apr-18
1512		18-Dec-17	8-Jan-18	9-Jan-18	9-Jan-18
1513		28-Dec-17	9-Jan-18	9-Jan-18	9-Jan-18
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1563		8-Jan-18	10-Jan-18	16-Jan-18	16-Jan-18
1564		12-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18

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1566		3-Jan-18	23-Mar-18	23-Mar-18	23-Mar-18
1567		6-Jan-18	30-Jan-18	30-Jan-18	30-Jan-18
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1573		3-Jan-18	23-Jan-18	23-Jan-18	23-Jan-18
1574		30-Apr-18	1-May-18	1-May-18	1-May-18
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1578		20-Nov-17	3-Jan-18	5-Jan-18	5-Jan-18
1579		26-Jan-18	30-Jan-18	30-Jan-18	30-Jan-18
1580		14-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
1581		12-Oct-18	12-Oct-18	12-Oct-18	12-Oct-18
1582		17-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
1583		23-Jan-18	24-Jan-18	26-Jan-18	26-Jan-18
1584		19-May-19	20-May-19	20-May-19	20-May-19
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1586		20-Feb-18	20-Feb-18	21-Feb-18	21-Feb-18
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1589		30-Jan-18	5-Feb-18	5-Feb-18	5-Feb-18
1590		19-Jan-18	23-Jan-18	26-Jan-18	26-Jan-18
1591		4-Jan-18	23-Jan-18	23-Jan-18	23-Jan-18
1592		8-Feb-18	9-Feb-18	9-Feb-18	9-Feb-18
1593		27-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
1594		5-Feb-18	5-Feb-18	6-Feb-18	6-Feb-18
1595		15-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
1596		6-Jun-18	12-Jun-18	12-Jun-18	12-Jun-18
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1598		19-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
1599		11-Jan-18	18-Jan-18	19-Jan-18	19-Jan-18
1600		28-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
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1616		21-Dec-17	31-Jan-18	1-Feb-18	1-Feb-18
1617		20-Nov-17	22-Nov-17	6-Dec-17	6-Dec-17
1618		24-Jan-18	29-Jan-18	29-Jan-18	29-Jan-18

	A	B	C	D	E
1619		8-Jan-18	30-Jan-18	30-Jan-18	30-Jan-18
1620		9-Nov-17	9-Nov-17	27-Nov-17	27-Nov-17
1621		4-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
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1626		4-Jan-18	23-Jan-18	23-Jan-18	23-Jan-18
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1635		12-Jan-18	18-Jan-18	19-Jan-18	19-Jan-18
1636		23-Jan-18	24-Jan-18	26-Jan-18	26-Jan-18
1637		18-Jan-18	23-Jan-18	26-Jan-18	26-Jan-18
1638		6-Nov-17	7-Nov-17	27-Nov-17	27-Nov-17
1639		3-Jan-18	23-Jan-18	23-Jan-18	23-Jan-18
1640		27-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
1641		5-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
1642		27-Dec-17	14-Sep-18	14-Sep-18	14-Sep-18
1643		19-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
1644		6-Nov-17	9-Nov-17	27-Nov-17	27-Nov-17
1645		19-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
1646		18-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
1647		19-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
1648		18-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
1649		21-Dec-17	16-Jan-18	16-Jan-18	16-Jan-18
1650		22-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
1651		11-Sep-18	11-Sep-18	13-Sep-18	13-Sep-18
1652		11-Jan-18	18-Jan-18	19-Jan-18	19-Jan-18
1653		20-Nov-17	3-Jan-18	5-Jan-18	5-Jan-18
1654		22-Nov-17	22-Nov-17	4-Dec-17	4-Dec-17
1655		4-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
1656		2-Jan-18	23-Jan-18	23-Jan-18	23-Jan-18
1657		27-Dec-17	23-Jan-18	23-Jan-18	23-Jan-18
1658		26-Jan-18	30-Jan-18	30-Jan-18	30-Jan-18
1659		7-Mar-18	8-Mar-18	8-Mar-18	8-Mar-18
1660		28-Dec-17	23-Jan-18	23-Jan-18	23-Jan-18
1661		21-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
1662		15-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
1663		28-Nov-17	3-Jan-18	5-Jan-18	5-Jan-18
1664		19-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
1665		3-Aug-18	10-Aug-18	10-Aug-18	10-Aug-18
1666		6-Nov-17	7-Nov-17	27-Nov-17	27-Nov-17
1667		26-Apr-18	27-Apr-18	27-Apr-18	27-Apr-18
1668		27-Dec-17	2-Feb-18	5-Feb-18	5-Feb-18
1669		18-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
1670		28-Feb-18	1-Mar-18	1-Mar-18	1-Mar-18
1671		21-Dec-17	12-Feb-18	12-Feb-18	12-Feb-18
1672		6-Nov-17	20-Feb-18	21-Feb-18	21-Feb-18

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1673		7-May-18	8-May-18	8-May-18	8-May-18
1674		12-Jul-18	16-Jul-18	16-Jul-18	16-Jul-18
1675		29-Mar-18	30-Mar-18	30-Mar-18	30-Mar-18
1676		7-May-18	8-May-18	8-May-18	8-May-18
1677		11-Jan-18	31-Jan-18	1-Feb-18	1-Feb-18
1678		3-Jan-18	8-Jan-18	9-Jan-18	9-Jan-18
1679		23-Jan-18	24-Jan-18	26-Jan-18	26-Jan-18
1680		16-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
1681		20-Aug-18	22-Aug-18	22-Aug-18	22-Aug-18
1682		6-Nov-17	6-Nov-17	10-Nov-17	10-Nov-17
1683		23-Jan-18	24-Jan-18	26-Jan-18	26-Jan-18
1684		20-Nov-17	3-Jan-18	5-Jan-18	5-Jan-18
1685		10-Oct-18	11-Oct-18	11-Oct-18	11-Oct-18
1686		27-Dec-17	2-Feb-18	5-Feb-18	5-Feb-18
1687		27-Feb-18	28-Feb-18	28-Feb-18	28-Feb-18
1688	,				
1689	,				



UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

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MAHLON KIRWA, et al.,	)	
	)	
Plaintiffs,	)	
	)	
v.	)	Civil Action No. 1:17-cv-01793
	)	The Honorable Ellen Segal Huvelle
UNITED STATES DEPARTMENT OF	)	
DEFENSE and MARK T. ESPER, in his	)	
official capacity as Secretary of Defense,	)	
	)	
Defendants.	)	

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**DEFENDANTS’ STATUS REPORT**

Pursuant to the Court’s June 3, 2020 Order, *see* ECF No. 229, as amended by email communications from the Court, Defendants hereby submit this status report.

A total of 1,695 N-426 requests have been submitted as of July 21, 2020, and 1,695 of these requests have been granted. Since Defendants’ last report, *see* ECF No. 227, one new request has been submitted and granted. Furthermore, as stated in the attached Declaration of Lin St. Clair, “current work focused on processing the MAVNI population has either been significantly reduced or suspended,” due to Defendants’ response to the COVID-19 pandemic. Decl. of Lin St. Clair ¶ 3. Also due to the pandemic, the U.S. Army Reserve has also suspended in-person unit battle assemblies and are instead conducting those assemblies virtually. *Id.* In addition, U.S. Army Recruiting Command has reduced personal interactions with applicants. *Id.*

Dated: July 24, 2020

Respectfully submitted,

ETHAN P. DAVIS  
Acting Assistant Attorney General, Civil Division

ANTHONY J. COPPOLINO  
Deputy Branch Director  
Federal Programs Branch

*/s/ Nathan M. Swinton*

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Washington, DC 20530  
Tel: (202) 305-7667  
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Email: Nathan.M.Swinton@usdoj.gov

*Attorneys for Defendants*

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

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MAHLON KIRWA, et al.,	)	
	)	
Plaintiffs,	)	
	)	
v.	)	Civil Action No. 1:17-cv-01793
	)	The Honorable Ellen Segal Huvelle
UNITED STATES DEPARTMENT OF	)	
DEFENSE and JAMES MATTIS, in his	)	
official capacity as Secretary of Defense,	)	
	)	
Defendants.	)	

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**DECLARATION OF LIN H. ST. CLAIR**

Pursuant to 28 U.S.C. § 1746, I hereby declare as follows:

1. I am currently the Assistant Deputy for Recruiting, Office of the Assistant Secretary of the Army (Manpower & Reserve Affairs). In this capacity, I am responsible for serving as the Senior Advisor on all matters relating to military accessions and retention for the Assistant Secretary of the Army for Manpower and Reserve Affairs, the Principal Deputy, and the Deputy Assistant Secretary of the Army for Military Personnel. I have oversight responsibilities for the Army’s officer and enlisted accessions and retention programs across all components, to include youth outreach programs (JROTC). In this capacity, I serve as the action officer oversight for non-citizen recruiting (MAVNI and Lawful Permanent Residents). I have previously submitted a declaration in this case. See ECF Nos. 41-7, 56-1, 65-1, 68-1, 73-1, 84-1 87-1, 90-1, 94-1, 96-1; 100-1; 100-2; 102-1; 104-1; 106-1; 108-1; 112-1; 115-1; 122-1; 127-1; 129-1; 131-1; 133-1; 138-1; 140-1; 142-1; 145-1; 149-1; 151-1; 153-1; 155-1; 157-1; 160-1; 163-1; 171-1; 173-1; 175-1; 180-1; 182-1; 186; 187-1; 191-1; 194-1; 196-1; 199-1; 201-1; 206; 207-1; 209-1; 212; 214-1; 216-1; 218-1; 220-1; 223-1; 226-1; 227-1.

2. On June 3, 2020, Defendants informed the Court that, as of June 2, 2020, the Army had received a total of 1,694 requests for N-426 certification and had granted 1,694 of those requests. *See* ECF No. 227-1. As of July 21, 2020, the Army has received 1,695 requests for N-426 certification and has granted 1,695 of those requests. There has been ONE new request for N-426 certification since June 3, 2020.

3. In coordination with the U.S. Government and Department of Defense response to the COVID-19 Pandemic, the Office of the Secretary of Defense, Headquarters, Department of the Army, and U.S. Army Reserve Command have mandated the maximization of telework. Despite reduced capabilities, current work focused on processing the MAVNI population has returned to near pre-COVID-19 levels. The U.S. Army Reserve has suspended in-person unit battle assemblies until further notice; all battle assemblies are being conducted virtually. Finally, whereas the U.S. Army Recruiting Command has resumed shipments to initial training, they have reduced personal interactions with applicants to primarily processing enlistment paperwork and trips to a Military Entrance Processing Stations.

4. Attached to this declaration is an updated version of the chart submitted to the Court on July 22, 2020. The names of individual MAVNI soldiers have been redacted from this chart.

I declare under penalty of perjury that the foregoing is true and correct. Executed on July 22, 2020.

  
\_\_\_\_\_  
LIN H. ST. CLAIR

N-426 Certification Status				
Soldier Name	Date of Application	Date of N-426 Certification (Approval)	Date N-426 Uploaded into AMHRR	Date Solider Notified of Certification (Approval)
	29-Dec-17	20-Feb-18	21-Feb-18	21-Feb-18
	8-Jan-18	30-Jan-18	30-Jan-18	30-Jan-18
	22-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	18-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	12-Feb-18	13-Feb-18	13-Feb-18	13-Feb-18
	29-Dec-17	8-Jan-18	9-Jan-18	9-Jan-18
	19-Jan-18	23-Jan-18	26-Jan-18	26-Jan-18
	23-Jan-18	29-Jan-18	29-Jan-18	29-Jan-18
	18-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	19-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	25-Mar-20	26-Mar-20	26-Mar-20	26-Mar-20
	6-Nov-17	7-Nov-17	27-Nov-17	27-Nov-17
	14-Nov-17	15-Nov-17	4-Dec-17	4-Dec-17
	25-Jan-18	31-Jan-18	1-Feb-18	1-Feb-18
	18-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	19-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	25-Jan-18	31-Jan-18	1-Feb-18	1-Feb-18
	27-Jul-18	2-Aug-18	3-Aug-18	3-Aug-18
	20-Nov-17	3-Jan-18	5-Jan-18	5-Jan-18
	19-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	14-Nov-17	15-Nov-17	4-Dec-17	4-Dec-17
	12-Dec-17	8-Jan-18	9-Jan-18	9-Jan-18
	21-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	28-Nov-18	3-Dec-18	4-Dec-18	4-Dec-18
	20-Nov-17	3-Jan-18	5-Jan-18	5-Jan-18
	21-Nov-17	22-Nov-17	4-Dec-17	4-Dec-17
	18-Dec-17	1-Feb-18	2-Feb-18	2-Feb-18
	28-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	2-Jan-18	31-Jan-18	1-Feb-18	1-Feb-18
	14-Nov-17	15-Nov-17	4-Dec-17	4-Dec-17
	30-Apr-18	1-May-18	1-May-18	1-May-18
	4-Jan-18	8-Jan-18	9-Jan-18	9-Jan-18
	27-Dec-17	11-Jan-18	11-Jan-18	11-Jan-18
	19-Jan-18	23-Jan-18	26-Jan-18	26-Jan-18
	17-Jan-18	18-Jan-18	19-Jan-18	19-Jan-18
	22-Feb-18	23-Feb-18	23-Feb-18	23-Feb-18
	8-Jan-18	18-Jan-18	19-Jan-18	19-Jan-18
	29-Jan-18	30-Jan-18	30-Jan-18	30-Jan-18
	22-Jan-18	23-Jan-18	26-Jan-18	26-Jan-18
	28-Dec-17	8-Jan-18	8-Jan-18	8-Jan-18
	3-Jan-18	8-Jan-18	9-Jan-18	9-Jan-18
	18-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	15-Feb-18	20-Feb-18	21-Feb-18	21-Feb-18

N-426 Certification Status				
Soldier Name	Date of Application	Date of N-426 Certification (Approval)	Date N-426 Uploaded into AMHRR	Date Solider Notified of Certification (Approval)
	19-Dec-17	8-Jan-18	9-Jan-18	9-Jan-18
	16-Nov-17	17-Nov-17	4-Dec-17	4-Dec-17
	27-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	28-Nov-17	3-Jan-18	5-Jan-18	5-Jan-18
	19-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	18-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	6-Nov-17	7-Nov-17	27-Nov-17	27-Nov-17
	8-Jan-18	10-Jan-18	10-Jan-18	10-Jan-18
	24-Jan-18	29-Jan-18	29-Jan-18	29-Jan-18
	5-Jan-18	8-Jan-18	9-Jan-18	9-Jan-18
	31-Jan-18	5-Feb-18	5-Feb-18	5-Feb-18
	18-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	16-Nov-17	16-Nov-17	4-Dec-17	4-Dec-17
	19-Dec-17	2-Feb-18	5-Feb-18	5-Feb-18
	12-Feb-18	13-Feb-18	13-Feb-18	13-Feb-18
	27-Feb-18	28-Feb-18	28-Feb-18	28-Feb-18
	15-Dec-17	18-May-18	18-May-18	18-May-18
	23-Nov-17	3-Jan-18	5-Jan-18	5-Jan-18
	11-Jan-18	18-Jan-18	19-Jan-18	19-Jan-18
	8-Jan-18	13-Feb-18	13-Feb-18	13-Feb-18
	3-Jan-18	8-Jan-18	9-Jan-18	9-Jan-18
	4-Jan-18	23-Jan-18	23-Jan-18	23-Jan-18
	7-Feb-19	7-Feb-19	8-Feb-19	8-Feb-19
	18-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	20-Nov-17	3-Jan-18	5-Jan-18	5-Jan-18
	10-Jan-18	16-Jan-18	16-Jan-18	16-Jan-18
	29-Dec-17	8-Jan-18	9-Jan-18	9-Jan-18
	29-Jan-18	30-Jan-18	30-Jan-18	30-Jan-18
	18-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	19-Mar-18	20-Mar-18	20-Mar-18	20-Mar-18
	20-Nov-17	22-Nov-17	4-Dec-17	4-Dec-17
	20-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	6-Mar-18	7-Mar-18	7-Mar-18	7-Mar-18
	12-Jun-18	12-Jun-18	12-Jun-18	12-Jun-18
	18-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	21-Dec-17	8-Jan-18	9-Jan-18	9-Jan-18
	19-Mar-18	20-Mar-18	20-Mar-18	20-Mar-18
	17-Aug-18	22-Aug-18	22-Aug-18	22-Aug-18
	24-Jan-18	29-Jan-18	29-Jan-18	29-Jan-18
	12-Feb-18	13-Feb-18	13-Feb-18	13-Feb-18
	6-Nov-17	9-Nov-17	27-Nov-17	27-Nov-17
	10-Jan-18	16-Jan-18	16-Jan-18	16-Jan-18
	20-Nov-17	22-Nov-17	4-Dec-17	4-Dec-17

N-426 Certification Status				
Soldier Name	Date of Application	Date of N-426 Certification (Approval)	Date N-426 Uploaded into AMHRR	Date Solider Notified of Certification (Approval)
	6-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	28-Dec-17	9-Jan-18	9-Jan-18	9-Jan-18
	24-Jan-18	29-Jan-18	29-Jan-18	29-Jan-18
	9-Jan-18	30-Jan-18	30-Jan-18	30-Jan-18
	24-Jul-19	25-Jul-19	25-Jul-19	25-Jul-19
	3-May-18	8-May-18	8-May-18	8-May-18
	22-Nov-17	22-Nov-17	4-Dec-17	4-Dec-17
	21-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	2-Apr-18	3-Apr-18	3-Apr-18	3-Apr-18
	19-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	5-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	22-Mar-18	23-Mar-18	23-Mar-18	23-Mar-18
	12-Jan-18	18-Jan-18	19-Jan-18	19-Jan-18
	17-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	20-Dec-17	23-Jan-18	23-Jan-18	23-Jan-18
	9-Jan-18	23-Jan-18	23-Jan-18	23-Jan-18
	22-Jan-18	23-Jan-18	26-Jan-18	26-Jan-18
	17-Jan-18	31-Jan-18	1-Feb-18	1-Feb-18
	20-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	27-Dec-17	15-Feb-18	15-Feb-18	15-Feb-18
	19-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	9-Jan-18	23-Jan-18	23-Jan-18	23-Jan-18
	20-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	20-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	9-Mar-18	12-Mar-18	12-Mar-18	12-Mar-18
	5-Jan-18	7-Feb-18	7-Feb-18	7-Feb-18
	3-Jan-18	8-Jan-18	9-Jan-18	9-Jan-18
	8-Jan-18	10-Jan-18	16-Jan-18	16-Jan-18
	16-Mar-18	19-Mar-18	19-Mar-18	19-Mar-18
	26-Mar-18	27-Mar-18	27-Mar-18	27-Mar-18
	28-Dec-17	23-Jan-18	23-Jan-18	23-Jan-18
	12-Jun-18	12-Jun-18	12-Jun-18	12-Jun-18
	11-Jan-18	18-Jan-18	19-Jan-18	19-Jan-18
	9-Jul-18	11-Jul-18	11-Jul-18	11-Jul-18
	17-Aug-18	22-Aug-18	22-Aug-18	22-Aug-18
	17-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	26-Apr-18	27-Apr-18	27-Apr-18	27-Apr-18
	18-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	28-Dec-17	8-Jan-18	9-Jan-18	9-Jan-18
	28-Mar-18	29-Mar-18	29-Mar-18	29-Mar-18
	10-May-18	11-May-18	11-May-18	11-May-18
	16-Nov-17	16-Nov-17	4-Dec-17	4-Dec-17
	7-Mar-18	8-Mar-18	8-Mar-18	8-Mar-18

N-426 Certification Status				
Soldier Name	Date of Application	Date of N-426 Certification (Approval)	Date N-426 Uploaded into AMHRR	Date Solider Notified of Certification (Approval)
	19-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	2-Jan-18	23-Jan-18	23-Jan-18	23-Jan-18
	31-Jan-18	5-Feb-18	5-Feb-18	5-Feb-18
	13-Apr-18	16-Apr-18	16-Apr-18	16-Apr-18
	21-Dec-17	9-Jan-18	9-Jan-18	9-Jan-18
	19-Nov-19	21-Nov-19	21-Nov-19	21-Nov-19
	30-Jan-18	5-Feb-18	5-Feb-18	5-Feb-18
	8-Jan-18	10-Jan-18	10-Jan-18	10-Jan-18
	20-Nov-17	3-Jan-18	5-Jan-18	5-Jan-18
	29-Dec-17	23-Jan-18	23-Jan-18	23-Jan-18
	21-Mar-18	22-Mar-18	22-Mar-18	22-Mar-18
	21-May-18	22-May-18	22-May-18	22-May-18
	8-Feb-18	9-Feb-18	9-Feb-18	9-Feb-18
	8-Feb-18	9-Feb-18	9-Feb-18	9-Feb-18
	2-Apr-18	3-Apr-18	3-Apr-18	3-Apr-18
	30-Mar-18	2-Apr-18	2-Apr-18	2-Apr-18
	5-Feb-18	5-Feb-18	6-Feb-18	6-Feb-18
	16-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	29-Mar-18	30-Mar-18	30-Mar-18	30-Mar-18
	18-Apr-18	19-Apr-18	19-Apr-18	19-Apr-18
	3-Oct-18	11-Oct-18	11-Oct-18	11-Oct-18
	21-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	12-Jan-18	18-Jan-18	19-Jan-18	19-Jan-18
	22-Dec-17	8-Jan-18	9-Jan-18	9-Jan-18
	27-Dec-17	2-Feb-18	5-Feb-18	5-Feb-18
	13-Jun-18	18-Jun-18	18-Jun-18	18-Jun-18
	28-Nov-17	3-Jan-18	5-Jan-18	5-Jan-18
	14-Dec-17	8-Jan-18	9-Jan-18	9-Jan-18
	12-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	14-Feb-19	15-Feb-19	15-Feb-19	15-Feb-19
	12-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	9-Jan-18	23-Jan-18	23-Jan-18	23-Jan-18
	15-Nov-17	15-Nov-17	4-Dec-17	4-Dec-17
	15-Nov-17	15-Nov-17	4-Dec-17	4-Dec-17
	28-Dec-17	9-Jan-18	9-Jan-18	9-Jan-18
	16-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	16-Dec-17	8-Jan-18	9-Jan-18	9-Jan-18
	8-Jan-18	10-Jan-18	16-Jan-18	16-Jan-18
	19-Dec-17	8-Jan-18	9-Jan-18	9-Jan-18
	15-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	28-Dec-17	9-Jan-18	9-Jan-18	9-Jan-18
	22-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	15-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18



N-426 Certification Status				
Soldier Name	Date of Application	Date of N-426 Certification (Approval)	Date N-426 Uploaded into AMHRR	Date Solider Notified of Certification (Approval)
	2-Jan-18	23-Jan-18	23-Jan-18	23-Jan-18
	8-May-18	10-May-18	10-May-18	10-May-18
	8-Jan-18	10-Jan-18	16-Jan-18	16-Jan-18
	19-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	20-Nov-17	22-Nov-17	6-Dec-17	6-Dec-17
	19-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	11-Jan-18	18-Jan-18	19-Jan-18	19-Jan-18
	27-Jun-18	29-Jun-18	29-Jun-18	29-Jun-18
	27-Dec-17	9-Feb-18	9-Feb-18	9-Feb-18
	2-Jan-18	5-Feb-18	6-Feb-18	6-Feb-18
	31-Jan-18	5-Feb-18	5-Feb-18	5-Feb-18
	19-Dec-17	8-Jan-18	9-Jan-18	9-Jan-18
	9-Nov-17	8-Jan-18	9-Jan-18	9-Jan-18
	4-Jan-18	10-Jan-18	16-Jan-18	16-Jan-18
	16-Dec-17	8-Jan-18	9-Jan-18	9-Jan-18
	22-Nov-17	22-Nov-17	4-Dec-17	4-Dec-17
	8-Jan-18	29-Jan-18	29-Jan-18	29-Jan-18
	23-Apr-18	25-Apr-18	25-Apr-18	25-Apr-18
	24-Jan-18	29-Jan-18	29-Jan-18	29-Jan-18
	9-Jul-18	11-Jul-18	11-Jul-18	11-Jul-18
	14-Mar-18	14-Mar-18	14-Mar-18	14-Mar-18
	4-Jan-18	8-Jan-18	9-Jan-18	9-Jan-18
	18-Dec-17	8-Jan-18	9-Jan-18	9-Jan-18
	6-Nov-17	7-Nov-17	27-Nov-17	27-Nov-17
	6-Nov-17	7-Nov-17	27-Nov-17	27-Nov-17
	20-Nov-17	3-Jan-18	5-Jan-18	5-Jan-18
	20-Nov-17	22-Nov-17	6-Dec-17	6-Dec-17
	5-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	18-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	27-Dec-17	15-Feb-18	15-Feb-18	15-Feb-18
	28-Dec-17	9-Jan-18	9-Jan-18	9-Jan-18
	8-Jan-18	10-Jan-18	10-Jan-18	10-Jan-18
	23-Jan-18	24-Jan-18	26-Jan-18	26-Jan-18
	30-Jan-18	5-Feb-18	5-Feb-18	5-Feb-18
	3-Apr-18	4-Apr-18	4-Apr-18	4-Apr-18
	1-Jun-18	4-Jun-18	4-Jun-18	4-Jun-18
	29-Mar-19	29-Mar-19	29-Mar-19	29-Mar-19
	15-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	15-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	19-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	11-Jan-18	18-Jan-18	19-Jan-18	19-Jan-18
	31-Jan-18	5-Feb-18	5-Feb-18	5-Feb-18
	22-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18

N-426 Certification Status				
Soldier Name	Date of Application	Date of N-426 Certification (Approval)	Date N-426 Uploaded into AMHRR	Date Solider Notified of Certification (Approval)
	20-Dec-17	8-Jan-18	9-Jan-18	9-Jan-18
	20-Nov-17	3-Jan-18	5-Jan-18	5-Jan-18
	12-Dec-17	8-Jan-18	9-Jan-18	9-Jan-18
	23-Jan-18	24-Jan-18	26-Jan-18	26-Jan-18
	19-Jul-18	20-Jul-18	20-Jul-18	20-Jul-18
	8-Jan-18	23-Jan-18	24-Jan-18	24-Jan-18
	19-Dec-17	8-Jan-18	9-Jan-18	9-Jan-18
	20-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	28-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	4-Jan-18	8-Jan-18	9-Jan-18	9-Jan-18
	27-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	28-Nov-17	3-Jan-18	5-Jan-18	5-Jan-18
	17-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	21-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	22-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	6-Jun-18	12-Jun-18	12-Jun-18	12-Jun-18
	20-Nov-17	27-Nov-17	6-Dec-17	6-Dec-17
	6-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	8-Dec-17	8-Jan-18	9-Jan-18	9-Jan-18
	15-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	18-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	18-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	18-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	20-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	22-Dec-17	8-Jan-18	9-Jan-18	9-Jan-18
	29-Dec-17	9-Jan-18	9-Jan-18	9-Jan-18
	3-Jan-18	16-May-18	16-May-18	16-May-18
	8-Jan-18	29-Jan-18	29-Jan-18	29-Jan-18
	8-Feb-18	9-Feb-18	9-Feb-18	9-Feb-18
	14-Feb-18	15-Feb-18	15-Feb-18	15-Feb-18
	22-Mar-18	23-Mar-18	23-Mar-18	23-Mar-18
	27-Mar-18	28-Mar-18	28-Mar-18	28-Mar-18
	7-Aug-18	10-Aug-18	10-Aug-18	10-Aug-18
	28-Aug-18	19-Sep-18	19-Sep-18	19-Sep-18
	27-Sep-18	27-Sep-18	1-Oct-18	1-Oct-18
	18-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	24-Jan-18	29-Jan-18	29-Jan-18	29-Jan-18
	17-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	15-Dec-17	8-Jan-18	9-Jan-18	9-Jan-18
	31-Oct-17	31-Oct-17	9-Nov-17	9-Nov-17
	21-Dec-17	8-Jan-18	9-Jan-18	9-Jan-18
	28-Dec-17	8-Jan-18	9-Jan-18	9-Jan-18
	19-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18

N-426 Certification Status				
Soldier Name	Date of Application	Date of N-426 Certification (Approval)	Date N-426 Uploaded into AMHRR	Date Solider Notified of Certification (Approval)
	16-Jan-18	18-Jan-18	19-Jan-18	19-Jan-18
	5-Feb-18	7-Feb-18	7-Feb-18	7-Feb-18
	20-Feb-18	20-Feb-18	21-Feb-18	21-Feb-18
	16-Nov-17	16-Nov-17	4-Dec-17	4-Dec-17
	28-Nov-17	3-Jan-18	5-Jan-18	5-Jan-18
	24-Jan-18	29-Jan-18	29-Jan-18	29-Jan-18
	22-Feb-18	23-Feb-18	23-Feb-18	23-Feb-18
	29-Jan-19	29-Jan-19	29-Jan-19	29-Jan-19
	17-Apr-18	19-Apr-18	19-Apr-18	19-Apr-18
	18-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	4-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	8-Jan-18	30-Jan-18	30-Jan-18	30-Jan-18
	18-Jan-18	23-Jan-18	26-Jan-18	26-Jan-18
	20-Feb-18	20-Feb-18	21-Feb-18	21-Feb-18
	6-Mar-18	7-Mar-18	7-Mar-18	7-Mar-18
	23-Mar-18	26-Mar-18	26-Mar-18	26-Mar-18
	20-Nov-17	3-Jan-18	5-Jan-18	5-Jan-18
	17-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	21-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	17-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	12-Jan-18	18-Jan-18	19-Jan-18	19-Jan-18
	4-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	25-Jan-18	31-Jan-18	1-Feb-18	1-Feb-18
	17-Apr-18	19-Apr-18	19-Apr-18	19-Apr-18
	3-May-18	8-May-18	8-May-18	8-May-18
	22-Dec-17	1-Feb-18	2-Feb-18	2-Feb-18
	7-May-18	8-May-18	8-May-18	8-May-18
	14-Jun-18	18-Jun-18	18-Jun-18	18-Jun-18
	28-Aug-19	28-Aug-19	28-Aug-19	28-Aug-19
	21-May-18	22-May-18	22-May-18	22-May-18
	17-Aug-18	22-Aug-18	22-Aug-18	22-Aug-18
	13-Dec-17	8-Jan-18	9-Jan-18	9-Jan-18
	20-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	11-Jan-18	18-Jan-18	19-Jan-18	19-Jan-18
	12-Feb-18	13-Feb-18	13-Feb-18	13-Feb-18
	7-May-18	8-May-18	8-May-18	8-May-18
	17-Jan-18	18-Jan-18	19-Jan-18	19-Jan-18
	9-Jan-18	23-Jan-18	23-Jan-18	23-Jan-18
	2-Jan-18	23-Jan-18	23-Jan-18	23-Jan-18
	21-Dec-17	8-Jan-18	9-Jan-18	9-Jan-18
	3-Jan-18	1-Mar-18	1-Mar-18	1-Mar-18
	16-Nov-17	16-Nov-17	4-Dec-17	4-Dec-17
	20-Nov-17	22-Nov-17	6-Dec-17	6-Dec-17

N-426 Certification Status				
Soldier Name	Date of Application	Date of N-426 Certification (Approval)	Date N-426 Uploaded into AMHRR	Date Solider Notified of Certification (Approval)
	25-Apr-18	25-Apr-18	25-Apr-18	25-Apr-18
	30-May-18	31-May-18	31-May-18	31-May-18
	27-Nov-17	3-Jan-18	5-Jan-18	5-Jan-18
	21-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	15-Aug-18	22-Aug-18	22-Aug-18	22-Aug-18
	28-Dec-17	8-Jan-18	9-Jan-18	9-Jan-18
	25-Jan-18	31-Jan-18	1-Feb-18	1-Feb-18
	8-Nov-17	8-Nov-17	27-Nov-17	27-Nov-17
	19-Dec-17	20-Feb-18	21-Feb-18	21-Feb-18
	18-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	15-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	5-Feb-18	5-Feb-18	6-Feb-18	6-Feb-18
	16-Jan-18	18-Jan-18	19-Jan-18	19-Jan-18
	5-Feb-18	7-Feb-18	7-Feb-18	7-Feb-18
	28-Feb-18	1-Mar-18	1-Mar-18	1-Mar-18
	5-Mar-18	6-Mar-18	6-Mar-18	6-Mar-18
	13-Jun-18	18-Jun-18	18-Jun-18	18-Jun-18
	18-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	29-Jan-18	30-Jan-18	30-Jan-18	30-Jan-18
	16-Apr-18	19-Apr-18	19-Apr-18	19-Apr-18
	20-Aug-18	22-Aug-18	22-Aug-18	22-Aug-18
	8-Dec-17	1-Feb-18	2-Feb-18	2-Feb-18
	27-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	17-Oct-19	18-Oct-19	18-Oct-19	18-Oct-19
	3-Dec-19	3-Dec-19	3-Dec-19	3-Dec-19
	22-Jan-18	23-Jan-18	26-Jan-18	26-Jan-18
	17-May-18	18-May-18	18-May-18	18-May-18
	19-Dec-17	31-Jan-18	1-Feb-18	1-Feb-18
	18-Jan-18	31-Jan-18	1-Feb-18	1-Feb-18
	5-Jan-18	10-Jan-18	16-Jan-18	16-Jan-18
	27-Nov-17	8-Jan-18	9-Jan-18	9-Jan-18
	27-Nov-17	3-Jan-18	5-Jan-18	5-Jan-18
	20-Aug-19	20-Aug-19	20-Aug-19	20-Aug-19
	18-Dec-17	8-Jan-18	9-Jan-18	9-Jan-18
	28-Dec-17	23-Jan-18	23-Jan-18	23-Jan-18
	9-Jan-18	23-Jan-18	23-Jan-18	23-Jan-18
	13-Feb-18	15-Feb-18	15-Feb-18	15-Feb-18
	15-Feb-18	20-Feb-18	21-Feb-18	21-Feb-18
	15-Oct-19	21-Oct-19	21-Oct-19	21-Oct-19
	20-Nov-17	22-Nov-17	6-Dec-17	6-Dec-17
	19-Mar-18	20-Mar-18	20-Mar-18	20-Mar-18
	27-Nov-17	3-Jan-18	5-Jan-18	5-Jan-18
	28-Dec-17	9-Jan-18	9-Jan-18	9-Jan-18

N-426 Certification Status				
Soldier Name	Date of Application	Date of N-426 Certification (Approval)	Date N-426 Uploaded into AMHRR	Date Solider Notified of Certification (Approval)
	3-Jan-18	8-Jan-18	9-Jan-18	9-Jan-18
	17-Apr-18	19-Apr-18	19-Apr-18	19-Apr-18
	16-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	17-Jan-18	31-Jan-18	1-Feb-18	1-Feb-18
	20-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	6-Nov-17	7-Nov-17	27-Nov-17	27-Nov-17
	17-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	5-Jan-18	8-Jan-18	9-Jan-18	9-Jan-18
	17-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	3-Oct-19	4-Oct-19	4-Oct-19	4-Oct-19
	20-Jul-18	23-Jul-18	24-Jul-18	24-Jul-18
	12-Feb-18	13-Feb-18	13-Feb-18	13-Feb-18
	20-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	23-Jan-18	24-Jan-18	26-Jan-18	26-Jan-18
	11-Jan-18	18-Jan-18	19-Jan-18	19-Jan-18
	22-Feb-18	23-Feb-18	23-Feb-18	23-Feb-18
	3-Aug-18	10-Aug-18	10-Aug-18	10-Aug-18
	15-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	30-Jan-18	5-Feb-18	5-Feb-18	5-Feb-18
	19-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	19-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	22-Dec-17	15-Feb-18	15-Feb-18	15-Feb-18
	28-Aug-18	19-Sep-18	19-Sep-18	19-Sep-18
	6-Jan-18	30-Jan-18	30-Jan-18	30-Jan-18
	20-Feb-18	20-Feb-18	21-Feb-18	21-Feb-18
	16-May-18	18-May-18	18-May-18	18-May-18
	18-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	15-Dec-17	12-Feb-18	12-Feb-18	12-Feb-18
	28-Nov-17	3-Jan-18	5-Jan-18	5-Jan-18
	9-Mar-18	12-Mar-18	12-Mar-18	12-Mar-18
	10-Jan-18	16-Jan-18	16-Jan-18	16-Jan-18
	18-Jan-18	31-Jan-18	1-Feb-18	1-Feb-18
	11-Jan-18	18-Jan-18	19-Jan-18	19-Jan-18
	3-Jan-18	23-Jan-18	23-Jan-18	23-Jan-18
	28-Dec-17	9-Jan-18	9-Jan-18	9-Jan-18
	31-May-18	31-May-18	31-May-18	31-May-18
	6-Nov-17	6-Nov-17	10-Nov-17	10-Nov-17
	29-Jan-20	31-Jan-20	31-Jan-20	31-Jan-20
	14-Feb-18	15-Feb-18	15-Feb-18	15-Feb-18
	9-Nov-17	9-Nov-17	27-Nov-17	27-Nov-17
	17-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	3-Apr-18	4-Apr-18	4-Apr-18	4-Apr-18
	1-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18

N-426 Certification Status				
Soldier Name	Date of Application	Date of N-426 Certification (Approval)	Date N-426 Uploaded into AMHRR	Date Solider Notified of Certification (Approval)
	16-Dec-17	8-Jan-18	9-Jan-18	9-Jan-18
	9-Aug-18	10-Aug-18	10-Aug-18	10-Aug-18
	28-Dec-17	9-Jan-18	9-Jan-18	9-Jan-18
	5-Apr-18	9-Apr-18	9-Apr-18	9-Apr-18
	6-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	27-Dec-17	9-Jan-18	9-Jan-18	9-Jan-18
	21-Dec-17	8-Jan-18	9-Jan-18	9-Jan-18
	18-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	7-Mar-18	8-Mar-18	8-Mar-18	8-Mar-18
	19-Mar-18	20-Mar-18	20-Mar-18	20-Mar-18
	5-Mar-18	6-Mar-18	6-Mar-18	6-Mar-18
	27-Nov-17	3-Jan-18	5-Jan-18	5-Jan-18
	5-Jan-18	10-Jan-18	16-Jan-18	16-Jan-18
	23-Apr-18	25-Apr-18	25-Apr-18	25-Apr-18
	20-Nov-17	22-Nov-17	4-Dec-17	4-Dec-17
	18-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	19-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	19-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	14-Nov-17	15-Nov-17	4-Dec-17	4-Dec-17
	18-Jan-18	31-Jan-18	1-Feb-18	1-Feb-18
	11-Jan-18	18-Jan-18	19-Jan-18	19-Jan-18
	19-Dec-17	23-Jan-18	26-Jan-18	26-Jan-18
	15-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	20-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	12-Dec-17	8-Jan-18	9-Jan-18	9-Jan-18
	15-Dec-17	8-Jan-18	9-Jan-18	9-Jan-18
	28-Feb-18	1-Mar-18	1-Mar-18	1-Mar-18
	17-Jan-18	18-Jan-18	19-Jan-18	19-Jan-18
	21-Nov-17	22-Nov-17	4-Dec-17	4-Dec-17
	21-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	26-Mar-18	27-Mar-18	27-Mar-18	27-Mar-18
	20-Nov-17	3-Jan-18	5-Jan-18	5-Jan-18
	27-Dec-17	2-Feb-18	5-Feb-18	5-Feb-18
	29-Oct-18	1-Nov-18	5-Nov-18	5-Nov-18
	3-Jan-18	10-Jan-18	16-Jan-18	16-Jan-18
	21-Feb-18	22-Feb-18	22-Feb-18	22-Feb-18
	3-Jan-18	8-Jan-18	9-Jan-18	9-Jan-18
	2-Jan-18	23-Jan-18	23-Jan-18	23-Jan-18
	15-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	17-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	8-Jan-18	10-Jan-18	10-Jan-18	10-Jan-18
	30-Jan-18	5-Feb-18	5-Feb-18	5-Feb-18
	11-Sep-19	12-Sep-19	12-Sep-19	12-Sep-19

N-426 Certification Status				
Soldier Name	Date of Application	Date of N-426 Certification (Approval)	Date N-426 Uploaded into AMHRR	Date Solider Notified of Certification (Approval)
	18-Apr-18	19-Apr-18	19-Apr-18	19-Apr-18
	16-Dec-17	1-Feb-18	2-Feb-18	2-Feb-18
	16-Apr-18	19-Apr-18	19-Apr-18	19-Apr-18
	18-Dec-17	9-Jan-18	9-Jan-18	9-Jan-18
	15-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	28-Dec-17	9-Jan-18	9-Jan-18	9-Jan-18
	23-Jan-18	24-Jan-18	26-Jan-18	26-Jan-18
	28-Feb-18	1-Mar-18	1-Mar-18	1-Mar-18
	12-Apr-18	13-Apr-18	13-Apr-18	13-Apr-18
	7-May-18	8-May-18	8-May-18	8-May-18
	11-Sep-19	11-Sep-19	11-Sep-19	11-Sep-19
	18-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	19-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	6-Jan-18	30-Jan-18	30-Jan-18	30-Jan-18
	18-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	3-Oct-18	11-Oct-18	11-Oct-18	11-Oct-18
	6-Jan-18	30-Jan-18	30-Jan-18	30-Jan-18
	6-Apr-18	9-Apr-18	9-Apr-18	9-Apr-18
	4-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	17-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	18-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	5-Jan-18	8-Jan-18	9-Jan-18	9-Jan-18
	19-Jan-18	23-Jan-18	26-Jan-18	26-Jan-18
	31-Jan-18	5-Feb-18	5-Feb-18	5-Feb-18
	25-Apr-18	26-Apr-18	26-Apr-18	26-Apr-18
	25-Jul-18	27-Jul-18	27-Jul-18	27-Jul-18
	27-Dec-17	8-Jan-18	9-Jan-18	9-Jan-18
	20-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	29-Mar-18	30-Mar-18	30-Mar-18	30-Mar-18
	18-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	20-Jun-18	22-Jun-18	22-Jun-18	22-Jun-18
	18-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	28-Dec-17	29-Mar-18	29-Mar-18	29-Mar-18
	12-Dec-17	8-Jan-18	9-Jan-18	9-Jan-18
	18-Dec-17	8-Jan-18	9-Jan-18	9-Jan-18
	28-Dec-17	9-Jan-18	9-Jan-18	9-Jan-18
	16-Jul-18	20-Jul-18	20-Jul-18	20-Jul-18
	20-Nov-17	22-Nov-17	4-Dec-17	4-Dec-17
	20-Dec-17	5-Jan-18	5-Jan-18	5-Jan-18
	8-Jan-18	10-Jan-18	10-Jan-18	10-Jan-18
	13-Dec-17	8-Jan-18	9-Jan-18	9-Jan-18
	18-Dec-17	8-Jan-18	9-Jan-18	9-Jan-18
	19-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18

N-426 Certification Status				
Soldier Name	Date of Application	Date of N-426 Certification (Approval)	Date N-426 Uploaded into AMHRR	Date Solider Notified of Certification (Approval)
	6-Nov-17	7-Nov-17	27-Nov-17	27-Nov-17
	6-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	15-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	16-Jan-18	18-Jan-18	19-Jan-18	19-Jan-18
	19-Jul-18	20-Jul-18	20-Jul-18	20-Jul-18
	14-Jan-20	14-Jan-20	14-Jan-20	14-Jan-20
	11-Dec-17	8-Jan-18	9-Jan-18	9-Jan-18
	19-Dec-17	1-Feb-18	2-Feb-18	2-Feb-18
	19-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	23-Jan-18	24-Jan-18	26-Jan-18	26-Jan-18
	30-Jan-18	5-Feb-18	5-Feb-18	5-Feb-18
	27-Feb-18	28-Feb-18	28-Feb-18	28-Feb-18
	23-Apr-18	25-Apr-18	25-Apr-18	25-Apr-18
	20-Feb-19	21-Feb-19	21-Feb-19	21-Feb-19
	18-Sep-19	23-Sep-19	23-Sep-19	23-Sep-19
	15-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	17-Jan-18	18-Jan-18	19-Jan-18	19-Jan-18
	25-Jan-18	31-Jan-18	1-Feb-18	1-Feb-18
	19-Dec-17	8-Jan-18	9-Jan-18	9-Jan-18
	20-Dec-17	23-Jan-18	23-Jan-18	23-Jan-18
	11-Jan-18	18-Jan-18	19-Jan-18	19-Jan-18
	18-Jan-18	23-Jan-18	26-Jan-18	26-Jan-18
	3-Apr-18	4-Apr-18	4-Apr-18	4-Apr-18
	17-Apr-18	19-Apr-18	19-Apr-18	19-Apr-18
	24-Jul-18	27-Jul-18	27-Jul-18	27-Jul-18
	30-Nov-18	4-Dec-18	4-Dec-18	4-Dec-18
	18-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	19-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	18-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	4-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	3-Jan-18	18-Jan-18	19-Jan-18	19-Jan-18
	14-Feb-18	15-Feb-18	15-Feb-18	15-Feb-18
	28-Dec-17	9-Jan-18	9-Jan-18	9-Jan-18
	31-Jan-18	5-Feb-18	5-Feb-18	5-Feb-18
	24-Jan-18	29-Jan-18	29-Jan-18	29-Jan-18
	2-Jan-18	23-Jan-18	23-Jan-18	23-Jan-18
	15-Nov-17	15-Nov-17	4-Dec-17	4-Dec-17
	28-Dec-17	9-Jan-18	9-Jan-18	9-Jan-18
	18-Jan-18	31-Jan-18	1-Feb-18	1-Feb-18
	27-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	28-Nov-17	3-Jan-18	5-Jan-18	5-Jan-18
	17-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	6-Mar-18	7-Mar-18	7-Mar-18	7-Mar-18



N-426 Certification Status				
Soldier Name	Date of Application	Date of N-426 Certification (Approval)	Date N-426 Uploaded into AMHRR	Date Solider Notified of Certification (Approval)
	27-Jul-18	2-Aug-18	3-Aug-18	3-Aug-18
	28-Dec-17	1-Feb-18	2-Feb-18	2-Feb-18
	6-Nov-17	7-Nov-17	27-Nov-17	27-Nov-17
	22-Nov-17	22-Nov-17	4-Dec-17	4-Dec-17
	21-Dec-17	31-May-18	31-May-18	31-May-18
	11-Jan-18	18-Jan-18	19-Jan-18	19-Jan-18
	9-Feb-18	9-Feb-18	9-Feb-18	9-Feb-18
	17-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	9-Apr-18	10-Apr-18	10-Apr-18	10-Apr-18
	20-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	22-Nov-17	22-Nov-17	4-Dec-17	4-Dec-17
	8-Feb-18	9-Feb-18	9-Feb-18	9-Feb-18
	28-Dec-17	8-Jan-18	9-Jan-18	9-Jan-18
	8-Jan-18	10-Jan-18	10-Jan-18	10-Jan-18
	29-Dec-17	23-Jan-18	23-Jan-18	23-Jan-18
	18-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	28-Dec-17	8-Jan-18	9-Jan-18	9-Jan-18
	3-Jan-18	8-Jan-18	9-Jan-18	9-Jan-18
	17-Jan-18	18-Jan-18	19-Jan-18	19-Jan-18
	19-Jan-18	23-Jan-18	26-Jan-18	26-Jan-18
	20-Nov-17	3-Jan-18	5-Jan-18	5-Jan-18
	31-Oct-17	8-Nov-17	27-Nov-17	27-Nov-17
	18-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	29-Jan-18	30-Jan-18	30-Jan-18	30-Jan-18
	29-Mar-18	30-Mar-18	30-Mar-18	30-Mar-18
	20-Nov-17	22-Nov-17	5-Dec-17	5-Dec-17
	14-Dec-17	8-Jan-18	9-Jan-18	9-Jan-18
	15-Dec-17	18-May-18	18-May-18	18-May-18
	16-Dec-17	8-Jan-18	9-Jan-18	9-Jan-18
	2-Jan-18	8-Jan-18	9-Jan-18	9-Jan-18
	4-Jan-18	23-Jan-18	26-Jan-18	26-Jan-18
	8-Jan-18	10-Jan-18	10-Jan-18	10-Jan-18
	8-Jan-18	29-Jan-18	30-Jan-18	30-Jan-18
	13-Apr-18	16-Apr-18	16-Apr-18	16-Apr-18
	20-Feb-19	21-Feb-19	21-Feb-19	21-Feb-19
	16-Jan-18	18-Jan-18	19-Jan-18	19-Jan-18
	6-Apr-18	9-Apr-18	9-Apr-18	9-Apr-18
	18-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	4-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	26-Jan-18	30-Jan-18	30-Jan-18	30-Jan-18
	19-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	11-Jan-18	18-Jan-18	19-Jan-18	19-Jan-18
	16-Apr-18	19-Apr-18	19-Apr-18	19-Apr-18

N-426 Certification Status				
Soldier Name	Date of Application	Date of N-426 Certification (Approval)	Date N-426 Uploaded into AMHRR	Date Solider Notified of Certification (Approval)
	28-Dec-17	23-Jan-18	23-Jan-18	23-Jan-18
	18-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	17-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	11-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	18-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	8-Jan-18	10-Jan-18	10-Jan-18	10-Jan-18
	29-May-18	30-May-18	30-May-18	30-May-18
	22-Dec-17	8-Jan-18	9-Jan-18	9-Jan-18
	1-Mar-18	5-Mar-18	5-Mar-18	5-Mar-18
	26-Apr-18	27-Apr-18	27-Apr-18	27-Apr-18
	9-Jan-18	30-Jan-18	30-Jan-18	30-Jan-18
	13-Jun-18	18-Jun-18	18-Jun-18	18-Jun-18
	4-Jan-18	8-Jan-18	9-Jan-18	9-Jan-18
	8-Aug-18	10-Aug-18	10-Aug-18	10-Aug-18
	21-Dec-17	8-May-18	8-May-18	8-May-18
	27-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	27-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	20-Nov-17	22-Nov-17	6-Dec-17	6-Dec-17
	8-Jan-18	10-Jan-18	16-Jan-18	16-Jan-18
	8-Jan-18	10-Jan-18	10-Jan-18	10-Jan-18
	19-Dec-17	31-Jan-18	1-Feb-18	1-Feb-18
	18-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	20-Nov-17	22-Nov-17	6-Dec-17	6-Dec-17
	18-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	9-Jan-18	23-Jan-18	23-Jan-18	23-Jan-18
	19-Jan-18	23-Jan-18	26-Jan-18	26-Jan-18
	25-Jan-18	31-Jan-18	1-Feb-18	1-Feb-18
	31-Jan-18	5-Feb-18	5-Feb-18	5-Feb-18
	6-Mar-18	7-Mar-18	7-Mar-18	7-Mar-18
	24-Apr-18	25-Apr-18	25-Apr-18	25-Apr-18
	31-May-18	4-Jun-18	4-Jun-18	4-Jun-18
	29-Jan-19	29-Jan-19	29-Jan-19	29-Jan-19
	1-Aug-19	1-Aug-19	2-Aug-19	2-Aug-19
	18-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	18-Jan-18	31-Jan-18	1-Feb-18	1-Feb-18
	9-Nov-17	9-Nov-17	27-Nov-17	27-Nov-17
	18-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	9-Nov-17	9-Nov-17	27-Nov-17	27-Nov-17
	6-Jan-18	30-Jan-18	30-Jan-18	30-Jan-18
	17-Jan-18	31-Jan-18	1-Feb-18	1-Feb-18
	28-Mar-18	29-Mar-18	29-Mar-18	29-Mar-18
	28-Dec-17	8-Jan-18	9-Jan-18	9-Jan-18
	5-Mar-18	6-Mar-18	6-Mar-18	6-Mar-18

N-426 Certification Status				
Soldier Name	Date of Application	Date of N-426 Certification (Approval)	Date N-426 Uploaded into AMHRR	Date Solider Notified of Certification (Approval)
	29-Mar-18	30-Mar-18	30-Mar-18	30-Mar-18
	18-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	27-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	6-Nov-17	9-Nov-17	27-Nov-17	27-Nov-17
	9-Jan-18	30-Jan-18	30-Jan-18	30-Jan-18
	12-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	17-Nov-17	17-Nov-17	4-Dec-17	4-Dec-17
	20-Nov-17	3-Jan-18	5-Jan-18	5-Jan-18
	16-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	2-Jan-18	30-Jan-18	30-Jan-18	30-Jan-18
	27-Feb-18	28-Feb-18	28-Feb-18	28-Feb-18
	19-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	18-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	9-Mar-18	12-Mar-18	12-Mar-18	12-Mar-18
	19-Dec-17	13-Feb-18	13-Feb-18	13-Feb-18
	26-Apr-18	27-Apr-18	27-Apr-18	27-Apr-18
	16-Jan-19	17-Jan-19	22-Jan-19	22-Jan-19
	28-Nov-17	3-Jan-18	5-Jan-18	5-Jan-18
	21-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	2-Jan-18	5-Feb-18	6-Feb-18	6-Feb-18
	6-Nov-17	9-Nov-17	27-Nov-17	27-Nov-17
	15-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	4-Jan-18	18-Jan-18	19-Jan-18	19-Jan-18
	30-Apr-18	1-May-18	1-May-18	1-May-18
	22-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	28-Nov-17	3-Jan-18	5-Jan-18	5-Jan-18
	2-Jan-18	18-Jan-18	19-Jan-18	19-Jan-18
	12-Jan-18	18-Jan-18	19-Jan-18	19-Jan-18
	1-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	18-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	27-Nov-17	3-Jan-18	5-Jan-18	5-Jan-18
	9-Feb-18	9-Feb-18	9-Feb-18	9-Feb-18
	13-Jun-18	18-Jun-18	18-Jun-18	18-Jun-18
	7-Mar-18	8-Mar-18	8-Mar-18	8-Mar-18
	7-Feb-18	7-Feb-18	7-Feb-18	7-Feb-18
	21-Dec-17	24-Jan-18	26-Jan-18	26-Jan-18
	6-Nov-17	7-Nov-17	27-Nov-17	27-Nov-17
	4-Jan-18	8-Jan-18	9-Jan-18	9-Jan-18
	6-Nov-17	6-Nov-17	10-Nov-17	10-Nov-17
	20-Nov-17	22-Nov-17	6-Dec-17	6-Dec-17
	21-Nov-17	22-Nov-17	5-Dec-17	5-Dec-17
	28-Nov-17	3-Jan-18	5-Jan-18	5-Jan-18
	28-Nov-17	3-Jan-18	5-Jan-18	5-Jan-18

N-426 Certification Status				
Soldier Name	Date of Application	Date of N-426 Certification (Approval)	Date N-426 Uploaded into AMHRR	Date Solider Notified of Certification (Approval)
	28-Nov-17	3-Jan-18	5-Jan-18	5-Jan-18
	28-Nov-17	3-Jan-18	5-Jan-18	5-Jan-18
	1-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	5-Dec-17	1-Mar-18	1-Mar-18	1-Mar-18
	6-Dec-17	8-Jan-18	9-Jan-18	9-Jan-18
	6-Dec-17	8-Jan-18	9-Jan-18	9-Jan-18
	15-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	15-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	17-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	17-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	17-Dec-17	4-Jan-18	5-Jan-18	5-Jan-18
	18-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	19-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	20-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	21-Dec-17	8-Jan-18	9-Jan-18	9-Jan-18
	27-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	28-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	28-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	28-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	28-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	3-Jan-18	8-Jan-18	9-Jan-18	9-Jan-18
	11-Jan-18	18-Jan-18	19-Jan-18	19-Jan-18
	11-Jan-18	18-Jan-18	19-Jan-18	19-Jan-18
	11-Jan-18	18-Jan-18	19-Jan-18	19-Jan-18
	25-Jan-18	31-Jan-18	1-Feb-18	1-Feb-18
	30-Jan-18	5-Feb-18	5-Feb-18	5-Feb-18
	12-Feb-18	13-Feb-18	13-Feb-18	13-Feb-18
	12-Feb-18	13-Feb-18	13-Feb-18	13-Feb-18
	28-Feb-18	1-Mar-18	1-Mar-18	1-Mar-18
	6-Mar-18	7-Mar-18	7-Mar-18	7-Mar-18
	7-Mar-18	8-Mar-18	8-Mar-18	8-Mar-18
	15-Mar-18	19-Mar-18	19-Mar-18	19-Mar-18
	19-Apr-18	20-Apr-18	20-Apr-18	20-Apr-18
	23-Apr-18	25-Apr-18	25-Apr-18	25-Apr-18
	30-Apr-18	1-May-18	1-May-18	1-May-18
	7-May-18	8-May-18	8-May-18	8-May-18
	10-May-18	11-May-18	11-May-18	11-May-18
	23-May-18	24-May-18	24-May-18	24-May-18
	29-May-18	30-May-18	30-May-18	30-May-18
	17-Jul-18	20-Jul-18	20-Jul-18	20-Jul-18
	11-Sep-18	13-Sep-18	13-Sep-18	13-Sep-18
	26-Nov-18	28-Nov-18	28-Nov-18	28-Nov-18
	11-Jan-19	11-Jan-19	11-Jan-19	11-Jan-19

N-426 Certification Status				
Soldier Name	Date of Application	Date of N-426 Certification (Approval)	Date N-426 Uploaded into AMHRR	Date Solider Notified of Certification (Approval)
	14-Jan-19	16-Jan-19	16-Jan-19	16-Jan-19
	22-Feb-19	22-Feb-19	22-Feb-19	22-Feb-19
	10-Apr-19	17-Apr-19	23-Apr-19	23-Apr-19
	3-Sep-19	5-Sep-19	5-Sep-19	5-Sep-19
	3-Sep-19	5-Sep-19	5-Sep-19	5-Sep-19
	20-Dec-17	23-Jan-18	23-Jan-18	23-Jan-18
	27-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	18-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	8-Jan-18	10-Jan-18	10-Jan-18	10-Jan-18
	20-Aug-18	22-Aug-18	22-Aug-18	22-Aug-18
	13-Jun-18	18-Jun-18	18-Jun-18	18-Jun-18
	29-Mar-18	30-Mar-18	30-Mar-18	30-Mar-18
	31-Oct-17	31-Oct-17	3-Nov-17	3-Nov-17
	20-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	19-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	19-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	17-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	22-Dec-17	8-Jan-18	9-Jan-18	9-Jan-18
	27-Apr-18	30-Apr-18	30-Apr-18	30-Apr-18
	19-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	20-Dec-17	10-Jan-18	16-Jan-18	16-Jan-18
	25-Apr-18	26-Apr-18	26-Apr-18	26-Apr-18
	20-Dec-17	8-Jan-18	9-Jan-18	9-Jan-18
	19-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	21-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	27-Nov-17	3-Jan-18	5-Jan-18	5-Jan-18
	18-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	12-Feb-18	13-Feb-18	13-Feb-18	13-Feb-18
	20-Nov-17	22-Nov-17	5-Dec-17	5-Dec-17
	21-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	6-Jan-18	30-Jan-18	30-Jan-18	30-Jan-18
	30-Jan-18	5-Feb-18	5-Feb-18	5-Feb-18
	31-Jan-18	5-Feb-18	5-Feb-18	5-Feb-18
	7-Mar-18	8-Mar-18	8-Mar-18	8-Mar-18
	19-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	28-Nov-17	3-Jan-18	5-Jan-18	5-Jan-18
	6-Nov-17	9-Nov-17	27-Nov-17	27-Nov-17
	10-Apr-18	11-Apr-18	11-Apr-18	11-Apr-18
	2-Feb-18	5-Feb-18	6-Feb-18	6-Feb-18
	25-Jan-18	31-Jan-18	1-Feb-18	1-Feb-18
	28-Dec-17	3-Jan-18	3-Jan-18	3-Jan-18
	20-Nov-17	3-Jan-18	5-Jan-18	5-Jan-18
	6-Nov-17	6-Nov-17	10-Nov-17	10-Nov-17

N-426 Certification Status				
Soldier Name	Date of Application	Date of N-426 Certification (Approval)	Date N-426 Uploaded into AMHRR	Date Solider Notified of Certification (Approval)
	28-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	20-Nov-17	27-Nov-17	4-Dec-17	4-Dec-17
	15-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	27-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	6-Mar-18	7-Mar-18	7-Mar-18	7-Mar-18
	27-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	5-Mar-18	6-Mar-18	6-Mar-18	6-Mar-18
	4-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	18-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	31-Jul-18	2-Aug-18	3-Aug-18	3-Aug-18
	20-Aug-19	20-Aug-19	20-Aug-19	20-Aug-19
	18-Dec-17	8-Jan-18	9-Jan-18	9-Jan-18
	8-Jan-18	10-Jan-18	16-Jan-18	16-Jan-18
	13-Jun-18	18-Jun-18	18-Jun-18	18-Jun-18
	11-Jan-18	18-Jan-18	19-Jan-18	19-Jan-18
	10-Dec-19	11-Dec-19	11-Dec-19	11-Dec-19
	18-Dec-17	1-Feb-18	2-Feb-18	2-Feb-18
	27-Nov-17	3-Jan-18	5-Jan-18	5-Jan-18
	28-Aug-19	28-Aug-19	28-Aug-19	28-Aug-19
	16-Dec-17	8-Jan-18	9-Jan-18	9-Jan-18
	11-Jan-18	18-Jan-18	19-Jan-18	19-Jan-18
	6-Nov-17	6-Nov-17	27-Nov-17	27-Nov-17
	16-Nov-17	16-Nov-17	4-Dec-17	4-Dec-17
	29-Nov-17	3-Jan-18	5-Jan-18	5-Jan-18
	30-Nov-17	3-Jan-18	5-Jan-18	5-Jan-18
	4-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	5-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	6-Dec-17	8-Jan-18	9-Jan-18	9-Jan-18
	13-Dec-17	8-Jan-18	9-Jan-18	9-Jan-18
	15-Dec-17	1-Mar-18	1-Mar-18	1-Mar-18
	15-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	15-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	15-Dec-17	1-Mar-18	1-Mar-18	1-Mar-18
	15-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	15-Dec-17	26-Mar-18	26-Mar-18	26-Mar-18
	18-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	19-Dec-17	31-Jan-18	1-Feb-18	1-Feb-18
	19-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	19-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	19-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	21-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	21-Dec-17	22-Aug-18	22-Aug-18	22-Aug-18
	21-Dec-17	8-Jan-18	9-Jan-18	9-Jan-18

N-426 Certification Status				
Soldier Name	Date of Application	Date of N-426 Certification (Approval)	Date N-426 Uploaded into AMHRR	Date Solider Notified of Certification (Approval)
	27-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	27-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	27-Dec-17	8-Jan-18	9-Jan-18	9-Jan-18
	28-Dec-17	9-Jan-18	9-Jan-18	9-Jan-18
	28-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	29-Dec-17	11-Jan-18	23-Jan-18	23-Jan-18
	3-Jan-18	16-Jan-18	16-Jan-18	16-Jan-18
	4-Jan-18	12-Oct-18	12-Oct-18	12-Oct-18
	4-Jan-18	23-Jan-18	23-Jan-18	23-Jan-18
	11-Jan-18	18-Jan-18	19-Jan-18	19-Jan-18
	18-Jan-18	23-Jan-18	26-Jan-18	26-Jan-18
	23-Jan-18	24-Jan-18	26-Jan-18	26-Jan-18
	24-Jan-18	29-Jan-18	29-Jan-18	29-Jan-18
	24-Jan-18	29-Jan-18	29-Jan-18	29-Jan-18
	24-Jan-18	29-Jan-18	29-Jan-18	29-Jan-18
	30-Jan-18	5-Feb-18	5-Feb-18	5-Feb-18
	6-Feb-18	7-Feb-18	7-Feb-18	7-Feb-18
	6-Feb-18	7-Feb-18	7-Feb-18	7-Feb-18
	6-Feb-18	7-Feb-18	7-Feb-18	7-Feb-18
	6-Feb-18	7-Feb-18	7-Feb-18	7-Feb-18
	12-Feb-18	13-Feb-18	13-Feb-18	13-Feb-18
	12-Feb-18	13-Feb-18	13-Feb-18	13-Feb-18
	27-Feb-18	28-Feb-18	28-Feb-18	28-Feb-18
	1-Mar-18	5-Mar-18	5-Mar-18	5-Mar-18
	5-Mar-18	6-Mar-18	6-Mar-18	6-Mar-18
	21-Mar-18	22-Mar-18	22-Mar-18	22-Mar-18
	5-Nov-18	6-Nov-18	6-Nov-18	6-Nov-18
	11-Mar-19	11-Mar-19	11-Mar-19	11-Mar-19
	13-Mar-19	13-Mar-19	13-Mar-19	13-Mar-19
	28-Mar-19	29-Mar-19	29-Mar-19	29-Mar-19
	16-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	21-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	22-Feb-18	26-Feb-18	26-Feb-18	26-Feb-18
	27-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	4-Jan-18	23-Jan-18	23-Jan-18	23-Jan-18
	12-Jan-18	18-Jan-18	19-Jan-18	19-Jan-18
	6-Nov-17	9-Nov-17	27-Nov-17	27-Nov-17
	7-Nov-17	9-Nov-17	3-Nov-17	3-Nov-17
	14-Nov-17	15-Nov-17	4-Dec-17	4-Dec-17
	4-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	5-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	15-Dec-17	5-Mar-18	5-Mar-18	5-Mar-18
	15-Dec-17	8-Jan-18	9-Jan-18	9-Jan-18

N-426 Certification Status				
Soldier Name	Date of Application	Date of N-426 Certification (Approval)	Date N-426 Uploaded into AMHRR	Date Solider Notified of Certification (Approval)
	17-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	18-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	21-Dec-17	15-Feb-18	15-Feb-18	15-Feb-18
	22-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	28-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	2-Jan-18	23-Jan-18	23-Jan-18	23-Jan-18
	3-Jan-18	8-Jan-18	9-Jan-18	9-Jan-18
	3-Jan-18	8-Jan-18	9-Jan-18	9-Jan-18
	4-Jan-18	23-Jan-18	23-Jan-18	23-Jan-18
	4-Jan-18	8-Jan-18	9-Jan-18	9-Jan-18
	5-Jan-18	18-Jun-18	18-Jun-18	18-Jun-18
	8-Jan-18	10-Jan-18	10-Jan-18	10-Jan-18
	9-Jan-18	1-Feb-18	2-Feb-18	2-Feb-18
	9-Jan-18	23-Jan-18	23-Jan-18	23-Jan-18
	11-Jan-18	18-Jan-18	19-Jan-18	19-Jan-18
	18-Jan-18	23-Jan-18	26-Jan-18	26-Jan-18
	12-Feb-18	13-Feb-18	13-Feb-18	13-Feb-18
	6-Mar-18	7-Mar-18	7-Mar-18	7-Mar-18
	22-Mar-18	23-Mar-18	23-Mar-18	23-Mar-18
	3-May-18	8-May-18	8-May-18	8-May-18
	17-May-18	18-May-18	18-May-18	18-May-18
	18-Jun-18	19-Jun-18	19-Jun-18	19-Jun-18
	19-Jun-18	22-Jun-18	22-Jun-18	22-Jun-18
	8-Aug-18	10-Aug-18	10-Aug-18	10-Aug-18
	17-Aug-18	22-Aug-18	22-Aug-18	22-Aug-18
	16-Jan-19	16-Jan-19	16-Jan-19	16-Jan-19
	20-Jul-19	25-Jul-19	25-Jul-19	25-Jul-19
	2-Nov-17	2-Nov-17	27-Nov-17	27-Nov-17
	1-Oct-18	1-Oct-18	2-Oct-18	2-Oct-18
	14-Nov-17	16-Nov-17	4-Dec-17	4-Dec-17
	18-Dec-17	12-Feb-18	12-Feb-18	12-Feb-18
	30-Jan-18	5-Feb-18	5-Feb-18	5-Feb-18
	8-Feb-18	9-Feb-18	9-Feb-18	9-Feb-18
	30-Apr-18	1-May-18	1-May-18	1-May-18
	15-Jun-18	18-Jun-18	18-Jun-18	18-Jun-18
	22-Aug-18	28-Aug-18	28-Aug-18	28-Aug-18
	12-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	6-Nov-17	1-Feb-18	2-Feb-18	2-Feb-18
	11-Dec-17	1-Feb-18	2-Feb-18	2-Feb-18
	16-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	18-Dec-17	10-Jan-18	16-Jan-18	16-Jan-18
	8-Jan-18	18-Jan-18	19-Jan-18	19-Jan-18
	8-Jan-18	10-Jan-18	16-Jan-18	16-Jan-18



N-426 Certification Status				
Soldier Name	Date of Application	Date of N-426 Certification (Approval)	Date N-426 Uploaded into AMHRR	Date Solider Notified of Certification (Approval)
	22-Jan-18	23-Jan-18	26-Jan-18	26-Jan-18
	12-Feb-18	13-Feb-18	13-Feb-18	13-Feb-18
	24-Aug-18	28-Aug-18	28-Aug-18	28-Aug-18
	19-Dec-17	20-Feb-18	21-Feb-18	21-Feb-18
	6-Nov-17	9-Nov-17	27-Nov-17	27-Nov-17
	20-Nov-17	22-Nov-17	4-Dec-17	4-Dec-17
	20-Nov-17	3-Jan-18	5-Jan-18	5-Jan-18
	20-Nov-17	3-Jan-18	5-Jan-18	5-Jan-18
	12-Dec-17	16-Jan-18	16-Jan-18	16-Jan-18
	14-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	18-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	18-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	18-Dec-17	10-Jan-18	16-Jan-18	16-Jan-18
	19-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	21-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	21-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	22-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	22-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	27-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	2-Jan-18	23-Jan-18	23-Jan-18	23-Jan-18
	11-Jan-18	18-Jan-18	19-Jan-18	19-Jan-18
	16-Jan-18	18-Jan-18	19-Jan-18	19-Jan-18
	16-Jan-18	18-Jan-18	19-Jan-18	19-Jan-18
	23-Jan-18	29-Jan-18	29-Jan-18	29-Jan-18
	23-Jan-18	24-Jan-18	26-Jan-18	26-Jan-18
	4-Apr-18	5-Apr-18	5-Apr-18	5-Apr-18
	29-May-18	30-May-18	30-May-18	30-May-18
	7-Aug-18	10-Aug-18	10-Aug-18	10-Aug-18
	18-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	19-Dec-17	16-Jul-18	16-Jul-18	16-Jul-18
	22-Dec-17	8-Jan-18	9-Jan-18	9-Jan-18
	20-Nov-17	22-Nov-17	1-Dec-17	1-Dec-17
	28-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	19-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	21-Dec-17	8-Feb-18	8-Feb-18	8-Feb-18
	21-Dec-17	8-Jan-18	9-Jan-18	9-Jan-18
	2-Jan-18	23-Jan-18	23-Jan-18	23-Jan-18
	17-Jan-18	18-Jan-18	19-Jan-18	19-Jan-18
	3-Jun-20	4-Jun-20	4-Jun-20	4-Jun-20
	20-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	30-Nov-17	3-Jan-18	5-Jan-18	5-Jan-18
	3-Jan-18	10-Jan-18	16-Jan-18	16-Jan-18
	28-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18

N-426 Certification Status				
Soldier Name	Date of Application	Date of N-426 Certification (Approval)	Date N-426 Uploaded into AMHRR	Date Solider Notified of Certification (Approval)
	6-Nov-17	5-Mar-18	5-Mar-18	5-Mar-18
	19-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	21-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	27-Dec-17	5-Feb-18	6-Feb-18	6-Feb-18
	28-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	12-Jan-18	18-Jan-18	19-Jan-18	19-Jan-18
	19-Jan-18	23-Jan-18	26-Jan-18	26-Jan-18
	25-Jan-18	30-Jan-18	30-Jan-18	30-Jan-18
	17-Apr-18	19-Apr-18	19-Apr-18	19-Apr-18
	16-Jul-18	20-Jul-18	20-Jul-18	20-Jul-18
	12-Jun-19	12-Jun-19	12-Jun-19	12-Jun-19
	16-Jan-20	17-Jan-20	17-Jan-20	17-Jan-20
	12-May-20	21-May-20	21-May-20	21-May-20
	11-Jan-18	18-Jan-18	19-Jan-18	19-Jan-18
	4-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	6-Nov-17	7-Nov-17	27-Nov-17	27-Nov-17
	29-Mar-18	30-Mar-18	30-Mar-18	30-Mar-18
	13-Nov-18	14-Nov-18	14-Nov-18	14-Nov-18
	19-Dec-17	31-Jan-18	1-Feb-18	1-Feb-18
	30-Jan-18	5-Feb-18	5-Feb-18	5-Feb-18
	30-Mar-18	2-Apr-18	2-Apr-18	2-Apr-18
	11-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	24-Jan-18	29-Jan-18	29-Jan-18	29-Jan-18
	2-Jul-18	3-Jul-18	3-Jul-18	3-Jul-18
	6-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	19-Jan-18	19-Jan-18	22-Jan-18	22-Jan-18
	12-Jan-18	18-Jan-18	19-Jan-18	19-Jan-18
	20-Feb-18	20-Feb-18	21-Feb-18	21-Feb-18
	11-Jan-18	18-Jan-18	19-Jan-18	19-Jan-18
	19-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	29-Nov-17	3-Jan-18	5-Jan-18	5-Jan-18
	15-Nov-17	15-Nov-17	4-Dec-17	4-Dec-17
	2-Jan-18	23-Jan-18	23-Jan-18	23-Jan-18
	29-Jan-18	30-Jan-18	30-Jan-18	30-Jan-18
	19-Dec-17	8-Jan-18	9-Jan-18	9-Jan-18
	10-Jan-18	16-Jan-18	16-Jan-18	16-Jan-18
	16-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	9-Jan-18	3-Jan-18	23-Jan-18	23-Jan-18
	21-Jan-18	23-Jan-18	26-Jan-18	26-Jan-18
	9-Feb-18	9-Feb-18	9-Feb-18	9-Feb-18
	30-Mar-18	2-Apr-18	2-Apr-18	2-Apr-18
	22-Dec-17	5-Mar-18	5-Mar-18	5-Mar-18
	15-Mar-18	19-Mar-18	19-Mar-18	19-Mar-18

N-426 Certification Status				
Soldier Name	Date of Application	Date of N-426 Certification (Approval)	Date N-426 Uploaded into AMHRR	Date Solider Notified of Certification (Approval)
	9-Jan-18	23-Jan-18	23-Jan-18	23-Jan-18
	19-Dec-17	28-Aug-18	28-Aug-18	28-Aug-18
	18-Dec-17	23-Feb-18	23-Feb-18	23-Feb-18
	19-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	18-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	13-Mar-18	14-Mar-18	14-Mar-18	14-Mar-18
	28-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	31-Oct-17	31-Oct-17	27-Nov-17	27-Nov-17
	13-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	24-Jul-18	27-Jul-18	27-Jul-18	27-Jul-18
	20-Nov-17	3-Jan-18	5-Jan-18	5-Jan-18
	1-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	15-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	4-Jan-18	18-Jan-18	19-Jan-18	19-Jan-18
	18-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	19-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	12-Feb-18	13-Feb-18	13-Feb-18	13-Feb-18
	23-Jan-18	24-Jan-18	26-Jan-18	26-Jan-18
	6-Nov-17	7-Nov-17	27-Nov-17	27-Nov-17
	18-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	27-Nov-17	3-Jan-18	5-Jan-18	5-Jan-18
	18-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	28-Dec-17	9-Jan-18	9-Jan-18	9-Jan-18
	17-Apr-18	19-Apr-18	19-Apr-18	19-Apr-18
	13-Mar-19	13-Mar-19	13-Mar-19	13-Mar-19
	27-Nov-17	3-Jan-18	5-Jan-18	5-Jan-18
	28-Feb-18	1-Mar-18	1-Mar-18	1-Mar-18
	20-Nov-17	22-Nov-17	4-Dec-17	4-Dec-17
	25-Jan-18	31-Jan-18	1-Feb-18	1-Feb-18
	13-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	18-Dec-17	10-Jan-18	16-Jan-18	16-Jan-18
	26-Mar-18	27-Mar-18	27-Mar-18	27-Mar-18
	1-Feb-18	2-Feb-18	5-Feb-18	5-Feb-18
	14-Nov-17	15-Nov-17	4-Dec-17	4-Dec-17
	29-Aug-18	19-Sep-18	19-Sep-18	19-Sep-18
	19-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	6-Nov-17	7-Nov-17	27-Nov-17	27-Nov-17
	8-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	19-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	9-Jan-18	23-Jan-18	23-Jan-18	23-Jan-18
	6-Nov-17	9-Nov-17	27-Nov-17	27-Nov-17
	17-Jan-18	18-Jan-18	19-Jan-18	19-Jan-18
	28-Dec-17	3-Jan-18	9-Jan-18	9-Jan-18

N-426 Certification Status				
Soldier Name	Date of Application	Date of N-426 Certification (Approval)	Date N-426 Uploaded into AMHRR	Date Solider Notified of Certification (Approval)
	19-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	11-Jul-18	16-Jul-18	16-Jul-18	16-Jul-18
	4-Jan-18	8-Jan-18	9-Jan-18	9-Jan-18
	22-Nov-17	22-Nov-17	4-Dec-17	4-Dec-17
	20-Nov-17	3-Jan-18	5-Jan-18	5-Jan-18
	4-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	14-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	12-Feb-18	13-Feb-18	13-Feb-18	13-Feb-18
	26-Dec-17	20-Mar-18	20-Mar-18	20-Mar-18
	28-Nov-17	3-Jan-18	5-Jan-18	5-Jan-18
	20-Feb-18	20-Feb-18	21-Feb-18	21-Feb-18
	8-Mar-18	9-Mar-18	9-Mar-18	9-Mar-18
	18-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	30-Jan-18	5-Feb-18	5-Feb-18	5-Feb-18
	6-Nov-17	20-Feb-18	21-Feb-18	21-Feb-18
	24-Aug-18	28-Aug-18	28-Aug-18	28-Aug-18
	19-May-19	20-May-19	20-May-19	20-May-19
	28-Dec-17	2-Feb-18	2-Feb-18	2-Feb-18
	19-Dec-17	5-Feb-18	6-Feb-18	6-Feb-18
	3-Jan-18	5-Mar-18	5-Mar-18	5-Mar-18
	19-Dec-17	8-Jan-18	9-Jan-18	9-Jan-18
	20-Nov-17	22-Nov-17	6-Dec-17	6-Dec-17
	15-Dec-17	7-Feb-18	7-Feb-18	7-Feb-18
	22-Jan-18	23-Jan-18	26-Jan-18	26-Jan-18
	29-Mar-18	30-Mar-18	30-Mar-18	30-Mar-18
	9-Jan-18	30-Jan-18	30-Jan-18	30-Jan-18
	10-Jul-18	11-Jul-18	11-Jul-18	11-Jul-18
	23-Oct-18	29-Oct-18	29-Oct-18	29-Oct-18
	14-Aug-18	22-Aug-18	22-Aug-18	22-Aug-18
	23-Jan-18	24-Jan-18	26-Jan-18	26-Jan-18
	8-Jan-18	10-Jan-18	10-Jan-18	10-Jan-18
	21-Aug-18	28-Aug-18	28-Aug-18	28-Aug-18
	7-Nov-17	8-Nov-17	27-Nov-17	27-Nov-17
	23-Jan-18	29-Jan-18	29-Jan-18	29-Jan-18
	18-Dec-17	1-Feb-18	2-Feb-18	2-Feb-18
	18-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	2-Jan-18	23-Jan-18	23-Jan-18	23-Jan-18
	17-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	8-Jan-18	10-Jan-18	10-Jan-18	10-Jan-18
	15-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	17-Aug-18	22-Aug-18	22-Aug-18	22-Aug-18
	6-Sep-19	6-Sep-19	6-Sep-19	6-Sep-19
	22-Jan-18	23-Jan-18	26-Jan-18	26-Jan-18

N-426 Certification Status				
Soldier Name	Date of Application	Date of N-426 Certification (Approval)	Date N-426 Uploaded into AMHRR	Date Solider Notified of Certification (Approval)
	18-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	19-Jun-18	22-Jun-18	22-Jun-18	22-Jun-18
	19-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	11-Jan-18	18-Jan-18	19-Jan-18	19-Jan-18
	8-Jan-18	10-Jan-18	16-Jan-18	16-Jan-18
	16-Nov-17	16-Nov-17	4-Dec-17	4-Dec-17
	2-Jan-18	23-Jan-18	23-Jan-18	23-Jan-18
	19-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	21-May-18	22-May-18	22-May-18	22-May-18
	27-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	28-Dec-17	23-Jan-18	23-Jan-18	23-Jan-18
	28-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	20-Mar-18	22-Mar-18	22-Mar-18	22-Mar-18
	28-Dec-17	18-Jan-18	19-Jan-18	19-Jan-18
	26-Feb-18	26-Feb-18	26-Feb-18	26-Feb-18
	18-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	18-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	21-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	4-Jan-18	8-Jan-18	9-Jan-18	9-Jan-18
	17-Jan-18	31-Jan-18	1-Feb-18	1-Feb-18
	15-Feb-18	20-Feb-18	21-Feb-18	21-Feb-18
	20-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	4-Jan-18	8-Jan-18	9-Jan-18	9-Jan-18
	8-Feb-18	9-Feb-18	9-Feb-18	9-Feb-18
	10-Apr-18	11-Apr-18	11-Apr-18	11-Apr-18
	19-Dec-17	13-Feb-18	13-Feb-18	13-Feb-18
	12-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	15-Feb-18	20-Feb-18	21-Feb-18	21-Feb-18
	22-Mar-18	23-Mar-18	23-Mar-18	23-Mar-18
	4-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	1-Mar-18	5-Mar-18	5-Mar-18	5-Mar-18
	25-Apr-18	26-Apr-18	26-Apr-18	26-Apr-18
	18-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	18-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	20-Nov-17	3-Jan-18	5-Jan-18	5-Jan-18
	24-Feb-20	24-Feb-20	24-Feb-20	24-Feb-20
	9-Mar-18	12-Mar-18	12-Mar-18	12-Mar-18
	31-Jan-18	5-Feb-18	5-Feb-18	5-Feb-18
	3-Jan-18	8-Jan-18	9-Jan-18	9-Jan-18
	21-Dec-17	9-Jan-18	9-Jan-18	9-Jan-18
	16-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	5-Apr-18	9-Apr-18	9-Apr-18	9-Apr-18
	11-Jan-18	18-Jan-18	19-Jan-18	19-Jan-18

N-426 Certification Status				
Soldier Name	Date of Application	Date of N-426 Certification (Approval)	Date N-426 Uploaded into AMHRR	Date Solider Notified of Certification (Approval)
	31-May-18	4-Jun-18	4-Jun-18	4-Jun-18
	31-May-18	4-Jun-18	4-Jun-18	4-Jun-18
	6-Nov-17	6-Nov-17	10-Nov-17	10-Nov-17
	8-Dec-17	8-Jan-18	9-Jan-18	9-Jan-18
	19-Apr-18	20-Apr-18	20-Apr-18	20-Apr-18
	19-Dec-17	8-Jan-18	9-Jan-18	9-Jan-18
	20-Nov-17	22-Nov-17	4-Dec-17	4-Dec-17
	16-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	5-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	24-Aug-18	28-Aug-18	28-Aug-18	28-Aug-18
	8-Jan-18	30-Jan-18	30-Jan-18	30-Jan-18
	8-Jan-18	10-Jan-18	10-Jan-18	10-Jan-18
	26-Dec-17	30-Jan-18	30-Jan-18	30-Jan-18
	27-Feb-18	28-Feb-18	28-Feb-18	28-Feb-18
	18-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	17-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	23-May-18	24-May-18	24-May-18	24-May-18
	27-Nov-17	3-Jan-18	5-Jan-18	5-Jan-18
	3-Jan-18	16-Jan-18	16-Jan-18	16-Jan-18
	28-Nov-17	1-Feb-18	2-Feb-18	2-Feb-18
	30-Apr-18	1-May-18	1-May-18	1-May-18
	5-Feb-18	5-Feb-18	6-Feb-18	6-Feb-18
	21-Dec-17	13-Sep-18	13-Sep-18	13-Sep-18
	6-Nov-17	9-Nov-17	27-Nov-17	27-Nov-17
	27-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	9-Apr-18	10-Apr-18	10-Apr-18	10-Apr-18
	21-Dec-17	8-Jan-18	9-Jan-18	9-Jan-18
	10-Apr-19	10-Apr-19	23-Apr-19	23-Apr-19
	18-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	23-Mar-18	26-Mar-18	26-Mar-18	26-Mar-18
	5-Dec-18	14-Dec-18	14-Dec-18	14-Dec-18
	5-Jan-18	10-Jan-18	16-Jan-18	16-Jan-18
	28-Mar-18	29-Mar-18	29-Mar-18	29-Mar-18
	14-Nov-17	15-Nov-17	4-Dec-17	4-Dec-17
	19-Jun-18	22-Jun-18	22-Jun-18	22-Jun-18
	2-Jan-18	23-Jan-18	23-Jan-18	23-Jan-18
	20-Nov-17	22-Nov-17	6-Dec-17	6-Dec-17
	6-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	17-Dec-17	8-Jan-18	8-Jan-18	8-Jan-18
	20-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	21-Dec-17	9-Jan-18	9-Jan-18	9-Jan-18
	22-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	27-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18

N-426 Certification Status				
Soldier Name	Date of Application	Date of N-426 Certification (Approval)	Date N-426 Uploaded into AMHRR	Date Solider Notified of Certification (Approval)
	27-Dec-17	11-May-18	11-May-18	11-May-18
	28-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	8-Jan-18	10-Jan-18	10-Jan-18	10-Jan-18
	9-Jan-18	23-Jan-18	23-Jan-18	23-Jan-18
	11-Jan-18	18-Jan-18	19-Jan-18	19-Jan-18
	12-Feb-18	13-Feb-18	13-Feb-18	13-Feb-18
	27-Apr-18	30-Apr-18	30-Apr-18	30-Apr-18
	1-May-18	3-May-18	3-May-18	3-May-18
	8-May-18	10-May-18	10-May-18	10-May-18
	27-Jul-18	2-Aug-18	3-Aug-18	3-Aug-18
	28-Nov-18	3-Dec-18	4-Dec-18	4-Dec-18
	18-Dec-17	10-Jan-18	16-Jan-18	16-Jan-18
	19-Jul-18	20-Jul-18	20-Jul-18	20-Jul-18
	1-Feb-18	2-Feb-18	5-Feb-18	5-Feb-18
	3-Jan-18	18-Jan-18	19-Jan-18	19-Jan-18
	4-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	8-Nov-17	8-Nov-17	27-Nov-17	27-Nov-17
	9-Nov-17	9-Nov-17	27-Nov-17	27-Nov-17
	28-Nov-17	3-Jan-18	5-Jan-18	5-Jan-18
	4-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	12-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	17-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	21-Dec-17	30-Jan-18	30-Jan-18	30-Jan-18
	28-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	2-Jan-18	16-Jul-18	16-Jul-18	16-Jul-18
	4-Jan-18	9-Jan-18	9-Jan-18	9-Jan-18
	8-Jan-18	10-Jan-18	10-Jan-18	10-Jan-18
	9-Jan-18	23-Jan-18	23-Jan-18	23-Jan-18
	10-Jan-18	23-Jan-18	23-Jan-18	23-Jan-18
	23-Jan-18	24-Jan-18	26-Jan-18	26-Jan-18
	24-Jan-18	29-Jan-18	29-Jan-18	29-Jan-18
	24-Jan-18	29-Jan-18	29-Jan-18	29-Jan-18
	12-Feb-18	13-Feb-18	13-Feb-18	13-Feb-18
	7-Mar-18	8-Mar-18	8-Mar-18	8-Mar-18
	7-Mar-18	8-Mar-18	8-Mar-18	8-Mar-18
	19-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	21-Dec-17	9-Jan-18	9-Jan-18	9-Jan-18
	21-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	12-Feb-18	13-Feb-18	13-Feb-18	13-Feb-18
	17-Jan-18	31-Jan-18	1-Feb-18	1-Feb-18
	19-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	16-Apr-18	19-Apr-18	19-Apr-18	19-Apr-18
	18-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18

N-426 Certification Status				
Soldier Name	Date of Application	Date of N-426 Certification (Approval)	Date N-426 Uploaded into AMHRR	Date Solider Notified of Certification (Approval)
	11-Jan-18	18-Jan-18	19-Jan-18	19-Jan-18
	2-Nov-17	2-Nov-17	9-Nov-17	9-Nov-17
	12-Feb-18	13-Feb-18	13-Feb-18	13-Feb-18
	26-Mar-18	27-Mar-18	27-Mar-18	27-Mar-18
	15-Dec-17	6-Mar-18	6-Mar-18	6-Mar-18
	21-Nov-17	22-Nov-17	4-Dec-17	4-Dec-17
	6-Feb-18	7-Feb-18	7-Feb-18	7-Feb-18
	27-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	27-Feb-18	28-Feb-18	28-Feb-18	28-Feb-18
	15-Dec-17	13-Feb-18	13-Feb-18	13-Feb-18
	9-Nov-17	9-Nov-17	27-Nov-17	27-Nov-17
	17-Jan-18	18-Jan-18	19-Jan-18	19-Jan-18
	23-Jan-18	24-Jan-18	26-Jan-18	26-Jan-18
	23-Jan-18	29-Jan-18	29-Jan-18	29-Jan-18
	11-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	29-Mar-18	30-Mar-18	30-Mar-18	30-Mar-18
	18-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	11-Jan-18	18-Jan-18	19-Jan-18	19-Jan-18
	12-Jan-18	18-Jan-18	19-Jan-18	19-Jan-18
	3-Jan-18	23-Jan-18	23-Jan-18	23-Jan-18
	14-Nov-17	15-Nov-17	4-Dec-17	4-Dec-17
	19-Dec-17	4-Jan-18	9-Jan-18	9-Jan-18
	28-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	5-Jan-18	8-Jan-18	9-Jan-18	9-Jan-18
	17-Apr-18	19-Apr-18	19-Apr-18	19-Apr-18
	23-Mar-18	26-Mar-18	26-Mar-18	26-Mar-18
	6-Nov-17	6-Nov-17	10-Nov-17	10-Nov-17
	20-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	14-Feb-18	15-Feb-18	15-Feb-18	15-Feb-18
	20-Nov-17	22-Nov-17	4-Dec-17	4-Dec-17
	14-Aug-18	22-Aug-18	22-Aug-18	22-Aug-18
	9-Nov-17	9-Nov-17	27-Nov-17	27-Nov-17
	8-Jan-18	18-Jan-18	19-Jan-18	19-Jan-18
	20-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	15-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	22-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	6-Jan-18	30-Jan-18	30-Jan-18	30-Jan-18
	19-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	21-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	22-Dec-17	8-Jan-18	9-Jan-18	9-Jan-18
	20-Nov-17	3-Jan-18	5-Jan-18	5-Jan-18
	3-Jan-18	8-Jan-18	9-Jan-18	9-Jan-18
	18-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18



N-426 Certification Status				
Soldier Name	Date of Application	Date of N-426 Certification (Approval)	Date N-426 Uploaded into AMHRR	Date Solider Notified of Certification (Approval)
	20-Nov-17	3-Jan-18	5-Jan-18	5-Jan-18
	22-Nov-17	22-Nov-17	4-Dec-17	4-Dec-17
	2-Apr-18	3-Apr-18	3-Apr-18	3-Apr-18
	19-Sep-18	19-Sep-18	19-Sep-18	19-Sep-18
	28-Feb-18	1-Mar-18	1-Mar-18	1-Mar-18
	6-Jan-18	30-Jan-18	30-Jan-18	30-Jan-18
	18-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	19-Jan-18	23-Jan-18	26-Jan-18	26-Jan-18
	30-Mar-18	2-Apr-18	2-Apr-18	2-Apr-18
	6-Jan-18	18-Jan-18	19-Jan-18	19-Jan-18
	27-Dec-17	1-Feb-18	2-Feb-18	2-Feb-18
	19-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	18-Apr-18	19-Apr-18	19-Apr-18	19-Apr-18
	18-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	4-Jun-18	6-Jun-18	6-Jun-18	6-Jun-18
	16-Dec-17	1-Feb-18	2-Feb-18	2-Feb-18
	20-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	21-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	9-Apr-18	10-Apr-18	10-Apr-18	10-Apr-18
	18-Dec-17	1-Feb-18	2-Feb-18	2-Feb-18
	19-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	4-Jan-18	10-Jan-18	16-Jan-18	16-Jan-18
	3-Jan-18	8-Jan-18	9-Jan-18	9-Jan-18
	20-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	12-Jan-18	18-Jan-18	19-Jan-18	19-Jan-18
	17-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	14-Nov-17	16-Nov-17	4-Dec-17	4-Dec-17
	21-Dec-17	16-Apr-18	16-Apr-18	16-Apr-18
	11-Jan-18	18-Jan-18	19-Jan-18	19-Jan-18
	5-Sep-18	7-Sep-18	7-Sep-18	7-Sep-18
	22-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	27-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	16-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	18-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	8-Nov-17	8-Nov-17	27-Nov-17	27-Nov-17
	6-Nov-17	9-Nov-17	27-Nov-17	27-Nov-17
	4-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	28-Nov-17	3-Jan-18	5-Jan-18	5-Jan-18
	18-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	26-Apr-18	27-Apr-18	27-Apr-18	27-Apr-18
	19-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	15-Feb-18	20-Feb-18	21-Feb-18	21-Feb-18
	3-Aug-18	10-Aug-18	10-Aug-18	10-Aug-18

N-426 Certification Status				
Soldier Name	Date of Application	Date of N-426 Certification (Approval)	Date N-426 Uploaded into AMHRR	Date Solider Notified of Certification (Approval)
	21-Nov-17	22-Nov-17	4-Dec-17	4-Dec-17
	4-Jan-18	16-Jan-18	16-Jan-18	16-Jan-18
	26-Feb-18	26-Feb-18	26-Feb-18	26-Feb-18
	21-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	11-Jan-19	11-Jan-19	11-Jan-19	11-Jan-19
	20-Aug-18	22-Aug-18	22-Aug-18	22-Aug-18
	28-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	23-Jan-18	29-Jan-18	29-Jan-18	29-Jan-18
	7-Mar-18	8-Mar-18	8-Mar-18	8-Mar-18
	24-Apr-18	25-Apr-18	25-Apr-18	25-Apr-18
	24-Jan-18	29-Jan-18	29-Jan-18	29-Jan-18
	23-Jan-18	29-Jan-18	29-Jan-18	29-Jan-18
	21-Dec-17	16-Jan-18	16-Jan-18	16-Jan-18
	27-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	15-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	3-Apr-18	4-Apr-18	4-Apr-18	4-Apr-18
	15-Jun-18	18-Jun-18	18-Jun-18	18-Jun-18
	15-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	12-Mar-18	13-Mar-18	13-Mar-18	13-Mar-18
	6-Jan-18	10-Jan-18	16-Jan-18	16-Jan-18
	8-Dec-17	8-Jan-18	9-Jan-18	9-Jan-18
	6-Nov-17	6-Nov-17	10-Nov-17	10-Nov-17
	19-Dec-17	31-Jan-18	1-Feb-18	1-Feb-18
	21-Dec-17	5-Mar-18	5-Mar-18	5-Mar-18
	3-Jan-18	1-Mar-18	1-Mar-18	1-Mar-18
	8-Jan-18	10-Jan-18	10-Jan-18	10-Jan-18
	29-Jan-18	30-Jan-18	30-Jan-18	30-Jan-18
	24-Aug-18	28-Aug-18	28-Aug-18	28-Aug-18
	18-Oct-18	18-Oct-18	18-Oct-18	18-Oct-18
	18-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	6-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	17-Jan-18	31-Jan-18	1-Feb-18	1-Feb-18
	16-Nov-17	16-Nov-17	4-Dec-17	4-Dec-17
	4-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	5-Jan-18	23-Jan-18	23-Jan-18	23-Jan-18
	22-Jan-18	23-Jan-18	26-Jan-18	26-Jan-18
	11-Jan-18	18-Jan-18	19-Jan-18	19-Jan-18
	12-Dec-17	1-Feb-18	2-Feb-18	2-Feb-18
	14-Feb-18	15-Feb-18	15-Feb-18	15-Feb-18
	9-Nov-17	9-Nov-17	27-Nov-17	27-Nov-17
	15-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	18-Dec-17	8-Jan-18	9-Jan-18	9-Jan-18
	21-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18

N-426 Certification Status				
Soldier Name	Date of Application	Date of N-426 Certification (Approval)	Date N-426 Uploaded into AMHRR	Date Solider Notified of Certification (Approval)
	21-Dec-17	7-Feb-18	7-Feb-18	7-Feb-18
	4-Jan-18	23-Jan-18	23-Jan-18	23-Jan-18
	22-Feb-18	23-Feb-18	23-Feb-18	23-Feb-18
	14-Aug-18	22-Aug-18	22-Aug-18	22-Aug-18
	20-Sep-18	20-Sep-18	20-Sep-18	20-Sep-18
	9-Jul-19	9-Jul-19	10-Jul-19	10-Jul-19
	29-Oct-18	29-Oct-18	29-Oct-18	29-Oct-18
	8-Jan-18	10-Jan-18	10-Jan-18	10-Jan-18
	3-Jan-18	8-Jan-18	9-Jan-18	9-Jan-18
	18-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	23-Jan-18	24-Jan-18	26-Jan-18	26-Jan-18
	28-Nov-17	3-Jan-18	5-Jan-18	5-Jan-18
	18-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	27-Jan-18	30-Jan-18	30-Jan-18	30-Jan-18
	23-Jul-18	27-Jul-18	27-Jul-18	27-Jul-18
	18-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	22-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	16-Apr-18	19-Apr-18	19-Apr-18	19-Apr-18
	26-Apr-18	27-Apr-18	27-Apr-18	27-Apr-18
	18-Dec-17	8-Jan-18	9-Jan-18	9-Jan-18
	6-Jan-18	10-Jan-18	16-Jan-18	16-Jan-18
	18-Dec-17	13-Feb-18	13-Feb-18	13-Feb-18
	27-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	19-Jul-18	20-Jul-18	20-Jul-18	20-Jul-18
	19-Jan-18	23-Jan-18	26-Jan-18	26-Jan-18
	27-Dec-17	27-Jul-18	27-Jul-18	27-Jul-18
	28-Dec-17	20-Feb-18	21-Feb-18	21-Feb-18
	12-Jan-18	18-Jan-18	19-Jan-18	19-Jan-18
	12-Dec-17	8-Jan-18	9-Jan-18	9-Jan-18
	7-Aug-18	10-Aug-18	10-Aug-18	10-Aug-18
	4-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	18-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	18-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	21-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	3-Jan-18	23-Jan-18	23-Jan-18	23-Jan-18
	8-Jan-18	10-Jan-18	10-Jan-18	10-Jan-18
	12-Mar-18	13-Mar-18	13-Mar-18	13-Mar-18
	18-Dec-17	10-Jan-18	16-Jan-18	16-Jan-18
	26-Dec-17	5-Mar-18	5-Mar-18	5-Mar-18
	13-Jul-18	16-Jul-18	16-Jul-18	16-Jul-18
	23-Jan-18	29-Jan-18	29-Jan-18	29-Jan-18
	29-May-18	30-May-18	30-May-18	30-May-18
	2-Apr-19	2-Apr-19	2-Apr-19	2-Apr-19

N-426 Certification Status				
Soldier Name	Date of Application	Date of N-426 Certification (Approval)	Date N-426 Uploaded into AMHRR	Date Solider Notified of Certification (Approval)
	19-Jun-18	22-Jun-18	22-Jun-18	22-Jun-18
	4-Jan-18	10-Jan-18	16-Jan-18	16-Jan-18
	28-Dec-17	23-Jan-18	23-Jan-18	23-Jan-18
	25-Jan-18	31-Jan-18	1-Feb-18	1-Feb-18
	20-Nov-17	22-Nov-17	4-Dec-17	4-Dec-17
	21-Dec-17	12-Feb-18	12-Feb-18	12-Feb-18
	16-Jan-18	18-Jan-18	19-Jan-18	19-Jan-18
	23-Apr-18	25-Apr-18	25-Apr-18	25-Apr-18
	8-Nov-18	8-Nov-18	8-Nov-18	8-Nov-18
	3-Jan-18	26-Apr-18	26-Apr-18	26-Apr-18
	3-Jan-18	16-Jan-18	16-Jan-18	16-Jan-18
	5-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	8-Nov-17	8-Nov-17	27-Nov-17	27-Nov-17
	6-Nov-17	20-Feb-18	21-Feb-18	21-Feb-18
	15-Nov-17	15-Nov-17	4-Dec-17	4-Dec-17
	20-Nov-17	3-Jan-18	5-Jan-18	5-Jan-18
	21-Nov-17	3-Jan-18	5-Jan-18	5-Jan-18
	12-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	18-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	21-Dec-17	8-Jan-18	9-Jan-18	9-Jan-18
	3-Jan-18	23-Jan-18	23-Jan-18	23-Jan-18
	4-Jan-18	16-Jan-18	16-Jan-18	16-Jan-18
	12-Jan-18	18-Jan-18	19-Jan-18	19-Jan-18
	23-Jan-18	29-Jan-18	29-Jan-18	29-Jan-18
	6-Feb-18	8-Feb-18	8-Feb-18	8-Feb-18
	18-Jun-18	19-Jun-18	19-Jun-18	19-Jun-18
	9-Oct-18	11-Oct-18	11-Oct-18	11-Oct-18
	20-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	17-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	20-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	18-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	20-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	15-Feb-18	20-Feb-18	21-Feb-18	21-Feb-18
	27-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	22-Aug-18	28-Aug-18	28-Aug-18	28-Aug-18
	1-Mar-18	5-Mar-18	5-Mar-18	5-Mar-18
	30-Nov-17	3-Jan-18	5-Jan-18	5-Jan-18
	9-Nov-17	9-Nov-17	27-Nov-17	27-Nov-17
	14-Nov-17	15-Nov-17	4-Dec-17	4-Dec-17
	20-Nov-17	22-Nov-17	4-Dec-17	4-Dec-17
	27-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	23-Jan-18	24-Jan-18	26-Jan-18	26-Jan-18
	25-Jan-18	31-Jan-18	1-Feb-18	1-Feb-18

N-426 Certification Status				
Soldier Name	Date of Application	Date of N-426 Certification (Approval)	Date N-426 Uploaded into AMHRR	Date Solider Notified of Certification (Approval)
	23-Feb-18	26-Feb-18	26-Feb-18	26-Feb-18
	9-Mar-18	12-Mar-18	12-Mar-18	12-Mar-18
	24-Apr-18	25-Apr-18	25-Apr-18	25-Apr-18
	25-Apr-18	26-Apr-18	26-Apr-18	26-Apr-18
	21-Jun-19	24-Jun-19	25-Jun-19	25-Jun-19
	18-Feb-20	18-Feb-20	18-Feb-20	18-Feb-20
	27-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	27-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	16-May-18	18-May-18	18-May-18	18-May-18
	21-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	15-Mar-18	19-Mar-18	19-Mar-18	19-Mar-18
	25-Jan-18	31-Jan-18	1-Feb-18	1-Feb-18
	3-Jul-18	6-Jul-18	6-Jul-18	6-Jul-18
	4-Apr-18	5-Apr-18	5-Apr-18	5-Apr-18
	4-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	16-Dec-17	8-Jan-18	9-Jan-18	9-Jan-18
	19-Dec-17	13-Feb-18	13-Feb-18	13-Feb-18
	9-Jan-18	23-Jan-18	23-Jan-18	23-Jan-18
	29-Jan-18	30-Jan-18	30-Jan-18	30-Jan-18
	19-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	6-Jan-18	30-Jan-18	30-Jan-18	30-Jan-18
	7-Feb-19	7-Feb-19	8-Feb-18	8-Feb-18
	19-Dec-17	15-Feb-18	15-Feb-18	15-Feb-18
	29-Dec-17	23-Jan-18	23-Jan-18	23-Jan-18
	2-Jan-18	23-Jan-18	23-Jan-18	23-Jan-18
	19-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	21-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	21-Dec-17	12-Feb-18	12-Feb-18	12-Feb-18
	27-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	8-Jan-18	18-Jan-18	19-Jan-18	19-Jan-18
	17-Jan-18	23-Jan-18	23-Jan-18	23-Jan-18
	1-Feb-18	2-Feb-18	5-Feb-18	5-Feb-18
	12-Sep-18	18-Sep-18	18-Sep-18	18-Sep-18
	9-Mar-20	10-Mar-20	30-Mar-20	10-Mar-20
	27-Nov-17	3-Jan-18	5-Jan-18	5-Jan-18
	18-Jan-18	23-Jan-18	26-Jan-18	26-Jan-18
	8-Jan-18	23-Jan-18	23-Jan-18	23-Jan-18
	21-Dec-17	16-Jan-18	16-Jan-18	16-Jan-18
	30-Jan-18	5-Feb-18	5-Feb-18	5-Feb-18
	4-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	20-Nov-17	22-Nov-17	6-Dec-17	6-Dec-17
	12-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	17-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18

N-426 Certification Status				
Soldier Name	Date of Application	Date of N-426 Certification (Approval)	Date N-426 Uploaded into AMHRR	Date Solider Notified of Certification (Approval)
	10-Jan-18	16-Jan-18	16-Jan-18	16-Jan-18
	26-Jan-18	30-Jan-18	30-Jan-18	30-Jan-18
	22-Feb-18	23-Feb-18	23-Feb-18	23-Feb-18
	23-Jan-18	24-Jan-18	26-Jan-18	26-Jan-18
	27-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	9-Nov-17	9-Nov-17	27-Nov-17	27-Nov-17
	31-Jan-18	5-Feb-18	5-Feb-18	5-Feb-18
	19-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	27-Dec-17	2-Feb-18	5-Feb-18	5-Feb-18
	27-Nov-17	3-Jan-18	5-Jan-18	5-Jan-18
	27-Dec-17	2-Feb-18	5-Feb-18	5-Feb-18
	16-Jul-18	20-Jul-18	20-Jul-18	20-Jul-18
	25-Mar-19	25-Mar-19	26-Mar-19	26-Mar-19
	28-Nov-17	3-Jan-18	5-Jan-18	5-Jan-18
	16-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	21-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	19-Jan-18	23-Jan-18	26-Jan-18	26-Jan-18
	19-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	18-Dec-17	8-Jan-18	9-Jan-18	9-Jan-18
	18-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	9-May-18	10-May-18	10-May-18	10-May-18
	28-Dec-17	8-Jan-18	9-Jan-18	9-Jan-18
	28-Dec-17	9-Jan-18	9-Jan-18	9-Jan-18
	17-Jan-18	18-Jan-18	19-Jan-18	19-Jan-18
	18-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	25-Apr-18	26-Apr-18	26-Apr-18	26-Apr-18
	22-Jul-19	25-Jul-19	25-Jul-19	25-Jul-19
	6-Nov-17	6-Nov-17	10-Nov-17	10-Nov-17
	20-Nov-17	22-Nov-17	4-Dec-17	4-Dec-17
	12-Jan-18	18-Jan-18	19-Jan-18	19-Jan-18
	20-Dec-17	12-Feb-18	12-Feb-18	12-Feb-18
	12-Jun-18	12-Jun-18	12-Jun-18	12-Jun-18
	22-Nov-17	22-Nov-17	4-Dec-17	4-Dec-17
	15-Jun-18	18-Jun-18	18-Jun-18	18-Jun-18
	24-Jan-18	29-Jan-18	29-Jan-18	29-Jan-18
	7-Mar-18	8-Mar-18	8-Mar-18	8-Mar-18
	21-Dec-17	8-Jan-18	9-Jan-18	9-Jan-18
	2-May-19	2-May-19	2-May-19	2-May-19
	20-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	19-Jun-18	22-Jun-18	22-Jun-18	22-Jun-18
	28-Dec-17	9-Jan-18	9-Jan-18	9-Jan-18
	3-May-18	8-May-18	8-May-18	8-May-18
	18-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18

N-426 Certification Status				
Soldier Name	Date of Application	Date of N-426 Certification (Approval)	Date N-426 Uploaded into AMHRR	Date Solider Notified of Certification (Approval)
	2-Jan-18	23-Jan-18	23-Jan-18	23-Jan-18
	15-Dec-17	8-Jan-18	9-Jan-18	9-Jan-18
	3-Jan-18	8-Jan-18	9-Jan-18	9-Jan-18
	22-Nov-17	22-Nov-17	4-Dec-17	4-Dec-17
	16-Apr-18	19-Apr-18	19-Apr-18	19-Apr-18
	28-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	17-Sep-18	17-Sep-18	18-Sep-18	18-Sep-18
	19-Jan-18	23-Jan-18	26-Jan-18	26-Jan-18
	20-Dec-18	21-Dec-18	26-Dec-18	26-Dec-18
	19-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	16-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	9-Jan-18	23-Jan-18	23-Jan-18	23-Jan-18
	15-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	5-Feb-18	7-Feb-18	7-Feb-18	7-Feb-18
	18-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	10-May-18	11-May-18	11-May-18	11-May-18
	23-Jan-18	29-Jan-18	29-Jan-18	29-Jan-18
	20-Mar-18	22-Mar-18	22-Mar-18	22-Mar-18
	15-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	15-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	15-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	18-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	14-Nov-17	15-Nov-17	4-Dec-17	4-Dec-17
	14-Nov-17	16-Nov-17	1-Dec-17	1-Dec-17
	20-Feb-18	20-Feb-18	21-Feb-18	21-Feb-18
	17-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	25-Jan-18	31-Jan-18	1-Feb-18	1-Feb-18
	31-Oct-17	31-Oct-17	3-Nov-17	3-Nov-17
	18-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	3-Dec-18	3-Dec-18	4-Dec-18	4-Dec-18
	2-Jan-18	23-Jan-18	23-Jan-18	23-Jan-18
	3-Nov-17	7-Nov-17	27-Nov-17	27-Nov-17
	9-Nov-17	9-Nov-17	27-Nov-17	27-Nov-17
	21-Nov-17	22-Nov-17	4-Dec-17	4-Dec-17
	17-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	17-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	19-Dec-17	23-Jan-18	26-Jan-18	26-Jan-18
	22-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	3-Jan-18	24-Jan-18	26-Jan-18	26-Jan-18
	8-Jan-18	10-Jan-18	16-Jan-18	16-Jan-18
	17-Jan-18	18-Jan-18	19-Jan-18	19-Jan-18
	24-Jan-18	29-Jan-18	29-Jan-18	29-Jan-18
	30-Jan-18	5-Feb-18	5-Feb-18	5-Feb-18

N-426 Certification Status				
Soldier Name	Date of Application	Date of N-426 Certification (Approval)	Date N-426 Uploaded into AMHRR	Date Solider Notified of Certification (Approval)
	5-Feb-18	5-Feb-18	6-Feb-18	6-Feb-18
	21-Feb-18	22-Feb-18	22-Feb-18	22-Feb-18
	12-Mar-18	13-Mar-18	13-Mar-18	13-Mar-18
	29-Mar-18	30-Mar-18	30-Mar-18	30-Mar-18
	12-Apr-18	13-Apr-18	13-Apr-18	13-Apr-18
	11-May-18	16-May-18	16-May-18	16-May-18
	23-Jul-18	27-Jul-18	27-Jul-18	27-Jul-18
	2-Aug-19	6-Aug-19	6-Aug-19	6-Aug-19
	15-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	18-Dec-17	8-Jan-18	9-Jan-18	9-Jan-18
	19-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	20-Dec-17	3-Apr-18	3-Apr-18	3-Apr-18
	21-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	26-Dec-17	5-Mar-18	5-Mar-18	5-Mar-18
	28-Dec-17	9-Jan-18	9-Jan-18	9-Jan-18
	4-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	30-Jan-18	5-Feb-18	5-Feb-18	5-Feb-18
	17-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	6-Feb-18	7-Feb-18	7-Feb-18	7-Feb-18
	28-Nov-17	3-Jan-18	5-Jan-18	5-Jan-18
	12-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	16-Apr-18	19-Apr-18	19-Apr-18	19-Apr-18
	4-Jan-19	4-Jan-19	4-Jan-19	4-Jan-19
	18-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	4-Jan-18	23-Jan-18	23-Jan-18	23-Jan-18
	6-Nov-17	7-Nov-17	27-Nov-17	27-Nov-17
	18-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	8-Jan-18	10-Jan-18	16-Jan-18	16-Jan-18
	5-Feb-18	7-Feb-18	7-Feb-18	7-Feb-18
	20-Nov-17	3-Jan-18	5-Jan-18	5-Jan-18
	20-Nov-17	22-Nov-17	6-Dec-17	6-Dec-17
	16-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	20-Dec-17	1-Feb-18	2-Feb-18	2-Feb-18
	27-Dec-17	2-Feb-18	5-Feb-18	5-Feb-18
	3-Jan-18	8-Jan-18	9-Jan-18	9-Jan-18
	21-Sep-18	27-Sep-18	1-Oct-18	1-Oct-18
	1-Feb-19	1-Feb-19	1-Feb-19	1-Feb-19
	20-Nov-17	3-Jan-18	5-Jan-18	5-Jan-18
	5-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	19-Dec-17	23-Jan-18	23-Jan-18	23-Jan-18
	22-Dec-17	23-Jan-18	23-Jan-18	23-Jan-18
	23-Jan-18	24-Jan-18	26-Jan-18	26-Jan-18
	6-Mar-18	7-Mar-18	7-Mar-18	7-Mar-18



N-426 Certification Status				
Soldier Name	Date of Application	Date of N-426 Certification (Approval)	Date N-426 Uploaded into AMHRR	Date Solider Notified of Certification (Approval)
	20-Nov-17	22-Nov-17	4-Dec-17	4-Dec-17
	13-Jul-18	16-Jul-18	16-Jul-18	16-Jul-18
	11-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	15-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	18-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	28-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	8-Feb-18	9-Feb-18	9-Feb-18	9-Feb-18
	18-Sep-19	18-Sep-19	18-Sep-19	18-Sep-19
	16-Dec-17	31-Jan-18	1-Feb-18	1-Feb-18
	8-Jan-18	10-Jan-18	10-Jan-18	10-Jan-18
	18-Dec-17	10-Jan-18	10-Jan-18	10-Jan-18
	9-Nov-17	9-Nov-17	27-Nov-17	27-Nov-17
	15-Mar-18	19-Mar-18	19-Mar-18	19-Mar-18
	19-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	28-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	8-Jan-18	10-Jan-18	10-Jan-18	10-Jan-18
	27-Aug-19	27-Aug-19	27-Aug-19	27-Aug-19
	27-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	12-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	12-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	18-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	18-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	3-Jan-18	23-Mar-18	23-Mar-18	23-Mar-18
	8-Jan-18	10-Jan-18	16-Jan-18	16-Jan-18
	11-Sep-18	11-Sep-18	13-Sep-18	13-Sep-18
	20-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	6-Jan-18	30-Jan-18	30-Jan-18	30-Jan-18
	8-Jun-18	12-Jun-18	12-Jun-18	12-Jun-18
	27-Jul-18	2-Aug-18	3-Aug-18	3-Aug-18
	26-Jan-18	30-Jan-18	30-Jan-18	30-Jan-18
	9-Nov-17	9-Nov-17	27-Nov-17	27-Nov-17
	3-Jan-18	23-Jan-18	23-Jan-18	23-Jan-18
	30-Apr-18	1-May-18	1-May-18	1-May-18
	22-Dec-17	23-Jan-18	23-Jan-18	23-Jan-18
	23-Jan-18	24-Jan-18	26-Jan-18	26-Jan-18
	20-Nov-17	3-Jan-18	5-Jan-18	5-Jan-18
	20-Nov-17	3-Jan-18	5-Jan-18	5-Jan-18
	26-Jan-18	30-Jan-18	30-Jan-18	30-Jan-18
	14-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	12-Oct-18	12-Oct-18	12-Oct-18	12-Oct-18
	17-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	23-Jan-18	24-Jan-18	26-Jan-18	26-Jan-18
	19-May-19	20-May-19	20-May-19	20-May-19

N-426 Certification Status				
Soldier Name	Date of Application	Date of N-426 Certification (Approval)	Date N-426 Uploaded into AMHRR	Date Solider Notified of Certification (Approval)
	21-Dec-17	30-Jan-18	30-Jan-18	30-Jan-18
	20-Feb-18	20-Feb-18	21-Feb-18	21-Feb-18
	18-Nov-19	21-Nov-19	21-Nov-19	21-Nov-19
	29-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	27-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	4-Jan-18	23-Jan-18	23-Jan-18	23-Jan-18
	19-Jan-18	23-Jan-18	26-Jan-18	26-Jan-18
	30-Jan-18	5-Feb-18	5-Feb-18	5-Feb-18
	5-Feb-18	5-Feb-18	6-Feb-18	6-Feb-18
	8-Feb-18	9-Feb-18	9-Feb-18	9-Feb-18
	15-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	4-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	19-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	28-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	11-Jan-18	18-Jan-18	19-Jan-18	19-Jan-18
	7-Mar-18	8-Mar-18	8-Mar-18	8-Mar-18
	6-Apr-18	9-Apr-18	9-Apr-18	9-Apr-18
	6-Jun-18	12-Jun-18	12-Jun-18	12-Jun-18
	27-Dec-17	8-Jan-18	9-Jan-18	9-Jan-18
	29-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	2-Nov-18	6-Nov-18	6-Nov-18	6-Nov-18
	26-Mar-18	27-Mar-18	27-Mar-18	27-Mar-18
	20-Nov-17	22-Nov-17	4-Dec-17	4-Dec-17
	20-Nov-17	22-Nov-17	6-Dec-17	6-Dec-17
	15-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	21-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	21-Dec-17	14-Sep-18	14-Sep-18	14-Sep-18
	28-Dec-17	9-Jan-18	9-Jan-18	9-Jan-18
	2-Oct-18	11-Oct-18	11-Oct-18	11-Oct-18
	17-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	2-Jan-18	23-Jan-18	23-Jan-18	23-Jan-18
	21-Dec-17	31-Jan-18	1-Feb-18	1-Feb-18
	20-Nov-17	22-Nov-17	6-Dec-17	6-Dec-17
	24-Jan-18	29-Jan-18	29-Jan-18	29-Jan-18
	8-Jan-18	30-Jan-18	30-Jan-18	30-Jan-18
	6-Nov-17	7-Nov-17	27-Nov-17	27-Nov-17
	6-Nov-17	9-Nov-17	27-Nov-17	27-Nov-17
	9-Nov-17	9-Nov-17	27-Nov-17	27-Nov-17
	20-Nov-17	3-Jan-18	5-Jan-18	5-Jan-18
	4-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	5-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	17-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	19-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18

N-426 Certification Status				
Soldier Name	Date of Application	Date of N-426 Certification (Approval)	Date N-426 Uploaded into AMHRR	Date Solider Notified of Certification (Approval)
	19-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	27-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	27-Dec-17	14-Sep-18	14-Sep-18	14-Sep-18
	2-Jan-18	23-Jan-18	23-Jan-18	23-Jan-18
	3-Jan-18	23-Jan-18	23-Jan-18	23-Jan-18
	4-Jan-18	23-Jan-18	23-Jan-18	23-Jan-18
	4-Jan-18	23-Jan-18	23-Jan-18	23-Jan-18
	4-Jan-18	23-Jan-18	23-Jan-18	23-Jan-18
	8-Jan-18	10-Jan-18	16-Jan-18	16-Jan-18
	12-Jan-18	18-Jan-18	19-Jan-18	19-Jan-18
	12-Jan-18	18-Jan-18	19-Jan-18	19-Jan-18
	18-Jan-18	23-Jan-18	26-Jan-18	26-Jan-18
	23-Jan-18	24-Jan-18	26-Jan-18	26-Jan-18
	23-Jan-18	24-Jan-18	26-Jan-18	26-Jan-18
	26-Feb-18	26-Feb-18	26-Feb-18	26-Feb-18
	22-Mar-18	23-Mar-18	23-Mar-18	23-Mar-18
	16-Apr-18	19-Apr-18	19-Apr-18	19-Apr-18
	30-Nov-18	4-Dec-18	4-Dec-18	4-Dec-18
	27-Feb-20	27-Feb-20	27-Feb-20	27-Feb-20
	18-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	18-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	19-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	20-Nov-17	3-Jan-18	5-Jan-18	5-Jan-18
	22-Nov-17	22-Nov-17	4-Dec-17	4-Dec-17
	4-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	21-Dec-17	16-Jan-18	16-Jan-18	16-Jan-18
	21-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	22-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	27-Dec-17	23-Jan-18	23-Jan-18	23-Jan-18
	28-Dec-17	23-Jan-18	23-Jan-18	23-Jan-18
	2-Jan-18	23-Jan-18	23-Jan-18	23-Jan-18
	11-Jan-18	18-Jan-18	19-Jan-18	19-Jan-18
	26-Jan-18	30-Jan-18	30-Jan-18	30-Jan-18
	7-Mar-18	8-Mar-18	8-Mar-18	8-Mar-18
	11-Sep-18	11-Sep-18	13-Sep-18	13-Sep-18
	15-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	28-Nov-17	3-Jan-18	5-Jan-18	5-Jan-18
	6-Nov-17	7-Nov-17	27-Nov-17	27-Nov-17
	19-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	27-Dec-17	2-Feb-18	5-Feb-18	5-Feb-18
	26-Apr-18	27-Apr-18	27-Apr-18	27-Apr-18
	3-Aug-18	10-Aug-18	10-Aug-18	10-Aug-18
	6-Nov-17	20-Feb-18	21-Feb-18	21-Feb-18

N-426 Certification Status				
Soldier Name	Date of Application	Date of N-426 Certification (Approval)	Date N-426 Uploaded into AMHRR	Date Solider Notified of Certification (Approval)
	18-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	21-Dec-17	12-Feb-18	12-Feb-18	12-Feb-18
	28-Feb-18	1-Mar-18	1-Mar-18	1-Mar-18
	29-Mar-18	30-Mar-18	30-Mar-18	30-Mar-18
	7-May-18	8-May-18	8-May-18	8-May-18
	12-Jul-18	16-Jul-18	16-Jul-18	16-Jul-18
	6-Nov-17	6-Nov-17	10-Nov-17	10-Nov-17
	16-Dec-17	3-Jan-18	5-Jan-18	5-Jan-18
	3-Jan-18	8-Jan-18	9-Jan-18	9-Jan-18
	11-Jan-18	31-Jan-18	1-Feb-18	1-Feb-18
	23-Jan-18	24-Jan-18	26-Jan-18	26-Jan-18
	7-May-18	8-May-18	8-May-18	8-May-18
	20-Aug-18	22-Aug-18	22-Aug-18	22-Aug-18
	23-Jan-18	24-Jan-18	26-Jan-18	26-Jan-18
	20-Nov-17	3-Jan-18	5-Jan-18	5-Jan-18
	10-Oct-18	11-Oct-18	11-Oct-18	11-Oct-18
	27-Dec-17	2-Feb-18	5-Feb-18	5-Feb-18
	27-Feb-18	28-Feb-18	28-Feb-18	28-Feb-18

# **Exhibit N**

to Declaration of Jennifer M. Wollenberg to  
Plaintiffs' Reply Memorandum in Support of  
Plaintiffs' Motion to Enforce Court Order

Case No.: 1:20-cv-01104-PLF

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

MAHLON KIRWA, *et al.*,

Plaintiffs,

v.

UNITED STATES DEPARTMENT OF  
DEFENSE, *et al.*,

Defendants.

Civil Action No. 17-1793 (ESH)

**ORDER**

As discussed on the video- and tele-conference that took place today, June 8, 2020, in *Nio v. United States Department of Homeland Security, et al.*, No. 17-cv-998, and *Calixto v. United States Department of the Army, et al.*, No. 18-cv-1551, it is hereby:

**ORDERED** that defendants' bi-weekly status report requirement (as required by Court Order in ECF No. 55) is **VACATED**. Defendants shall file one additional status report, in the same format as previously required, on July 27, 2020; and it is further

**ORDERED** that counsel for both parties shall next appear before the Court at a status conference on **Wednesday, August 5, 2020, at 2:00 p.m.**



*Ellen S. Huvelle*

ELLEN S. HUVELLE  
United States District Judge

Date: June 8, 2020