

EXHIBIT 5

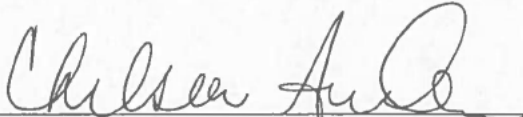
Defendants' Cross-Motion for Summary Judgment

Samma v. Esper, 20-cv-1104 (D.D.C.)

Battalion. The Special Troops Battalion is attached to the 25th Infantry Division Sustainment Brigade under the command of Colonel (COL) Landis C. Maddox.

3. I submit this declaration pursuant to Federal Rules of Evidence 902(11) as the custodian of all military personnel records that are processed by and maintained within the custody of the Special Troops Battalion personnel office.

4. Specialist Yu Min Lee is an Active Duty soldier serving at Schofield Barracks, Hawaii, and is currently assigned to Headquarters and Headquarters Company, Special Troops Battalion, 25th Infantry Division Sustainment Brigade Commander. SPC Lee has been assigned to the Special Troops Battalion since May 4, 2020. The unit maintains a local military personnel record for each of its soldiers, including for SPC Lee. The attached copy of the USCIS Form N-426, *Request for Certification of Military or Naval Service*, for SPC Yu Min Lee (Attach. A) was certified by COL Landis C. Maddox, 25th Infantry Division Sustainment Brigade Commander, the first O-6 commanding officer in the soldier's chain of command, and SPC Lee's military service was certified in accordance with the April 24, 2020, Under Secretary of Defense memorandum, subject: *Certification of Honorable Service for Purposes of Naturalization*. A copy of this certified USCIS Form N-426 is maintained in the soldier's local military personnel record under my custodial responsibility. Additionally, a copy of the form will be uploaded into the soldier's official military record—Army Military Human Resources Record (AMHRR). I declare under penalty of perjury that the foregoing is true and correct. Executed on May 15, 2020.



CHELSEA P. AUBUCHON
Second Lieutenant, U.S. Army

ATTACHMENT A

Part 2. Enlistment Information

1. Where did you enlist?

Country USA	City E1 Segundo	State CA
Province (if applicable)		

2. Where did you reside when you enlisted?

Country USA	City Hawaiian Gardens	State CA
Province (if applicable)		

3. Have you reenlisted? Yes No

4. Where did you reenlist?

Country	City	State
Province (if applicable)		

5. Where did you reside when you reenlisted?

Country	City	State
Province (if applicable)		

Part 3. Periods of Military Service (To be completed by requestor)

Provide all periods of service. If you need extra space to complete this section, use the space provided in Part 9. Additional Information.

NOTE: If you have multiple periods of military service and are separated from service, you must provide your most current DD Form 214 or NGB Form 22.

Military Service	Branch of Service	Service Start Date (mm/dd/yyyy)	Service End Date (mm/dd/yyyy)	Type of Service (include all active, reserve, and National Guard Service)
Military Service 1	Army	07/01/2016	09/18/2019	<input type="checkbox"/> Active Duty <input checked="" type="checkbox"/> Selected Reserve of the Ready Reserve
Military Service 2	Army	09/23/2019	Present	<input checked="" type="checkbox"/> Active Duty <input type="checkbox"/> Selected Reserve of the Ready Reserve
Military Service 3				<input type="checkbox"/> Active Duty <input type="checkbox"/> Selected Reserve of the Ready Reserve

Part 4. Requestor's Contact Information, Certification, and Signature

Requestor's Contact Information

- 1. Requestor's Daytime Telephone Number
- 2. Requestor's Mobile Telephone Number (if any)
- 3. Requestor's Email Address (if any)

Requestor's Certification

I authorize release of information contained in this request, in supporting documents, and in my USCIS records to other entities and persons where necessary for the administration and enforcement of U.S. immigration laws.

I certify, under penalty of perjury, that all of the information in my request and any document submitted with it were provided by me and are complete, true, and correct.

Requestor's Signature

- 4. Requestor's Signature Date of Signature (mm/dd/yyyy)

NOTE TO ALL REQUESTORS: USCIS may reject or deny your Form N-400 if you do not complete this Form N-426, or if you do not submit all required documents listed in the Instructions.

Part 5. Character of Service (To be completed by certifying official)

NOTE: For armed forces members currently serving, the certifying official **MUST** complete **AND** certify Form N-426 in Parts 5. - 8. Veterans who are no longer serving may leave Parts 5. - 8. blank, but **MUST** provide copies of their DD Form 214 or NGB Form 22 that include the character of service upon separation from service for all periods of service.

For this character of service section, the certifying official must indicate whether the requestor served honorably or is currently serving honorably for each period of military service the requestor served (refer to Part 3. Periods of Military Service). For any "No" responses, provide details in Part 7. Remarks.

- 1. Honorable Period of Military Service 1 Yes No
- 2. Honorable Period of Military Service 2 Yes No N/A
- 3. Honorable Period of Military Service 3 Yes No N/A

Part 6. Separation Information

- 1. Is the requestor separated? Yes No
 - 2. If separated, select discharge type: Honorable Other (provide details in Part 7. Remarks)
 - 3. Was the requestor discharged on account of alienage? Yes No
- If you answer "Yes," provide details in Part 7. Remarks.

Part 7. Remarks

Provide any derogatory information in your 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. If you need extra space to complete this section, use the space provided in **Part 9. Additional Information**.

It appears Part 3 was incorrectly completed; Specialist Lee has not been separated from the military and she has not served in the Selected Reserve. Notwithstanding the Part 3 error, Part 5 certifies the honorable period of service Active military service from 9/23/2019 - present.

Part 8. Certification (To be completed by certifying official)

I, ,
Full Name Rank Title

certify that I am duly authorized under the laws, regulations and policies of the Department of Defense to certify the requestor's honorable service. I have personally reviewed the requestor's service record. The information provided herein is a reflection of my findings. I certify that the information given here concerning the service of the person named on this request is correct according to the records of the

Branch of Service Component Rank

Title Full Name

Work Telephone Number Military Email Address

Official Signature (NOTE: An original ink signature or a copy of an original ink signature is acceptable. A digital signature is not acceptable.) Date (mm/dd/yyyy)

Part 9. Additional Information

If you need extra space to provide any additional information within this request, use the space below. If you need more space than what is provided, you may make copies of this page to complete and file with this request or attach a separate sheet of paper. Include your name and A-Number (if any) at the top of each sheet; indicate the Page Number, Part Number, and Item Number to which your answer refers; and sign and date each sheet.

1. Family Name (Last Name)	Given Name (First Name)	Middle Name
Lee	Yu Min	N/A

2. A-Number (if any) ▶ A- [REDACTED]

3. A. Page Number	B. Part Number	C. Item Number

D.

4. A. Page Number	B. Part Number	C. Item Number

D.

5. A. Page Number	B. Part Number	C. Item Number

D.

6. A. Page Number	B. Part Number	C. Item Number

D.

Case No. 1:20-cv-01104-ESH Document 19-6 Filed 05/22/20 Page 10 of 10

Case No. 1:20-cv-01104-ESH Document 19-6 Filed 05/22/20 Page 10 of 10

Case No. 1:20-cv-01104-ESH Document 19-6 Filed 05/22/20 Page 10 of 10

Case No. 1:20-cv-01104-ESH Document 19-6 Filed 05/22/20 Page 10 of 10

Case No. 1:20-cv-01104-ESH Document 19-6 Filed 05/22/20 Page 10 of 10

Case No. 1:20-cv-01104-ESH Document 19-6 Filed 05/22/20 Page 10 of 10

Case No. 1:20-cv-01104-ESH Document 19-6 Filed 05/22/20 Page 10 of 10

Case No. 1:20-cv-01104-ESH Document 19-6 Filed 05/22/20 Page 10 of 10

Case No. 1:20-cv-01104-ESH Document 19-6 Filed 05/22/20 Page 10 of 10

Case No. 1:20-cv-01104-ESH Document 19-6 Filed 05/22/20 Page 10 of 10

Case No. 1:20-cv-01104-ESH Document 19-6 Filed 05/22/20 Page 10 of 10

Case No. 1:20-cv-01104-ESH Document 19-6 Filed 05/22/20 Page 10 of 10

Case No. 1:20-cv-01104-ESH Document 19-6 Filed 05/22/20 Page 10 of 10

Case No. 1:20-cv-01104-ESH Document 19-6 Filed 05/22/20 Page 10 of 10