

Exhibit B

to Declaration of Jianping Liu to Plaintiffs'
Motion to Enforce Court Order

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



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

SAMR

3 SEP 2020

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: Updated Requirements for the Certification of Honorable Service for Members of the Selected Reserve of the Ready Reserve and Members of the Active Component for Purposes of Naturalization

1. References:

a. Title 8, U.S.C. § 1440, Naturalization through active-duty service in the Armed Forces during World War I, World War II, Korean hostilities, Vietnam hostilities, or other periods of military hostilities.

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

c. Memorandum, Under Secretary of Defense (Personnel and Readiness), 31 August 2020, subject: Compliance with Court Order in the Case of Ange Samma v. Department of Defense, et al., Case No. 20-01104.

d. Memorandum, Under Secretary of Defense (Personnel and Readiness), 24 April 2020, subject: Certification of Honorable Service for Purposes of Naturalization.

e. Memorandum, Secretary of the Army, 7 February 2020, subject: Certification of Honorable Service for Members of Selected Reserve of the Ready Reserve and Members of the Active Component for Purposes of Naturalization.

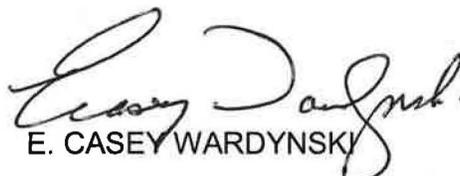
f. Memorandum, Assistant Secretary of the Army (Manpower and Reserve Affairs), 19 February 2020, subject: Delegation of Authority to Certify Honorable Service of Members of the Selected Reserve of the Ready Reserve and Members of the Active Component for Purposes of Naturalization.

2. Pursuant to reference 1.c., the screening and suitability requirements and time in service requirements in reference 1.b. are suspended. Soldiers are authorized to request certification of honorable service for purposes of naturalization immediately upon entering active duty or attending drill with their Selected Reserve unit. The approval authority must certify or deny a Soldier's certification request, and return it to the Soldier, within 30 days of submission.

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SUBJECT: Updated Requirements for the Certification of Honorable Service for Members of the Selected Reserve of the Ready Reserve and Members of the Active Component for Purposes of Naturalization

3. Except for references to time in service requirements (e.g., paragraph 5 and Enclosures 1 and 2), the provisions of reference 1.f. remain in effect.
4. The point of contact for this memorandum is Mr. Lin H. St. Clair, 703-695-4423.



E. CASEY WARDYNSKI

DISTRIBUTION:

Principal Officials of Headquarters, Department of the Army
Commander

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- U.S. Army Human Resources Command
- Superintendent, U.S. Military Academy
- Director, U.S. Army Acquisition Support Center

CF:

- Director, Army National Guard
- Commander, Eighth Army
- Commander, U.S. Army Cyber Command
- Chief, United States Army Reserve
- General Counsel

Reference 1.c.



PERSONNEL AND
READINESS

UNDER SECRETARY OF DEFENSE

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

AUG 31 2020

MEMORANDUM FOR SECRETARIES OF THE MILITARY DEPARTMENTS

SUBJECT: Compliance with Court Order in the Case of *Ange Samma v. Department of Defense, et al.*, Case No. 20-01104

The Military Departments are directed to immediately implement and comply with the attached Order issued on August 25, 2020, by the United States District Court for the District of Columbia in the subject litigation. Accordingly, application of the minimum service requirements in the attached memorandum dated October 13, 2017, "Certification of Honorable Service for Members of the Selected Reserve of the Ready Reserve and Members of Active Components of the Military or Naval Forces for the Purposes of Naturalization," specifically the requirements in Section I.3 a and I.3 b, is suspended until further notice.

Additionally, DoD is enjoined from withholding a certified USCIS Form N-426, "Request for Certification of Military or Naval Service," from any class member based on a failure to complete the Minimum Service Requirements; and DoD shall endeavor to certify or deny a submitted Form N-426 expeditiously, but in no case shall it take longer than the 30 days allowed under DoD's April 24, 2020 update to the N-426 Policy. The class is defined in the attached court order.

The Military Departments will report the status of their compliance with this direction no later than September 5, 2020. Any questions or requests for clarification should be directed to Ms. Stephanie P. Miller, Director of Accession Policy, at stephanie.p.miller.civ@mail.mil or (703) 695-5525.

A handwritten signature in black ink, appearing to read "Matthew P. Donovan".

Matthew P. Donovan

Attachments:
As stated

cc:
Chairman of the Joint Chiefs of Staff
Under Secretary of Defense for Intelligence and Security
General Counsel of the Department of Defense
Chief of the National Guard Bureau
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

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

ANGE SAMMA, *et al.*,

Plaintiffs,

v.

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

Defendants.

Civil Action No. 20-cv-1104 (ESH)

ORDER AND JUDGMENT

At issue in this case under the Administrative Procedure Act (“APA”) is the lawfulness of a Department of Defense (“DOD”) policy, set forth in a memorandum issued on October 13, 2017, on the subject of “Certification of Honorable Service for Members of the Selected Reserve of the Ready Reserve and Members of Active Components of the Military or Naval Forces for the Purposes of Naturalization” (“N-426 Policy”), specifically the requirements in Sections I.3.a and I.3.b that provide:

(1) A service member in an Active Component can only obtain a certified USCIS

Form N-426 if that service member has:

- Successfully completed the basic training requirements of the armed forces of which he/she is a member; AND
- Completed at least 180 consecutive days of active duty service, inclusive of the successful completion of basic training

and

(2) A service member in the Selected Reserve of the Ready Reserve can only obtain a certified USCIS Form N-426 if that service member has:

- Successfully completed the basic training requirements of the armed forces of which he/she is a member; AND
- Completed at least one year of satisfactory service toward non-regular retirement in accordance with [DODI] 1215.07, "Service Credit for Non-Regular Retirement," as a member of the Selected Reserve, inclusive of the member's successful completion of basic training

(See Administrative Record 6-9 ("Minimum Service Requirements").)

For the reasons stated in the accompanying Memorandum Opinion, it is hereby

ORDERED that plaintiffs' motion for summary judgment, ECF No. 4, is **GRANTED**; it is further

ORDERED that defendants' cross-motion for summary judgment, ECF No. 19, is **DENIED**; it is further

ORDERED that the Minimum Service Requirements in the N-426 Policy are **VACATED**; it is further

ORDERED that defendants are enjoined from withholding certified Form N-426s from any class member¹ based on a failure to complete the Minimum Service Requirements; and it is further

ORDERED that defendants shall endeavor to certify or deny a submitted Form N-426

¹ The Court has certified a class that consists of all individuals who:

- (a) are noncitizens serving in the U.S. military;
- (b) are subject to Section I of the October 13, 2017 N-426 Policy (AR 6) ("N-426 Policy"), as updated by DOD's April 24, 2020 Memorandum (AR 1);
- (c) have not received a certified N-426; and
- (d) are not Selected Reserve MAVNIs in the class certified in *Kirwa v. U.S. Dep't of Defense*, No. 17-cv-1793 (D.D.C. Dec. 1, 2017).

Samma v. U.S. Dep't of Def., No. 20-cv-1104, 2020 WL 4501000, at *10 (D.D.C. Aug. 4, 2020).

expeditiously, but in no case shall it take longer than the 30 days allowed under DOD's April 24, 2020 update to the N-426 Policy.

This is a final, appealable Order.



Ellen S. Huvelle

ELLEN S. HUVELLE
United States District Judge

Date: August 25, 2020



PERSONNEL AND
READINESS

OFFICE OF THE UNDER SECRETARY OF DEFENSE
4000 DEFENSE PENTAGON
WASHINGTON, D.C. 20301-4000

OCT 13 2017

MEMORANDUM FOR SECRETARIES OF THE MILITARY DEPARTMENTS
COMMANDANT OF THE COAST GUARD

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

This memorandum provides formal guidance regarding the certification of honorable service of members of the Selected Reserve of the Ready Reserve and members of the active components of the military or naval forces of the United States for the purpose of supporting Service Member applications for naturalization under section 1440 of Title 8, U.S. Code.

This guidance is effective immediately.

Background:

Federal law affords certain Service Members a statutory exception to certain naturalization requirements otherwise applicable to them, providing a much-expedited path to U.S. citizenship. To qualify for this exception, a Service Member must serve honorably during a period that the President designates, by Executive Order, as one in which the Armed Forces of the United States are or were engaged in military operations involving armed conflict with a hostile foreign force. By Executive Order 13269, dated July 3, 2002, the President designated the period of the war against terrorists of global reach, beginning September 11, 2001, as such a period. Accordingly, military service during this period may permit certain Service Members to avail themselves of a statutory exception. Once the Department of Defense certifies a member's service as honorable, the U.S. Citizenship and Immigration Services (USCIS) completes the citizenship process.

USCIS Form N-400, *Application for Naturalization*, initiates the naturalization process. USCIS Form N-426, Request for Certification of Military or Naval Service, is a necessary and indispensable part of the military naturalization application process. The USCIS Form N-426 records the determination of the Military Department as to whether a Service Member has served honorably. An individual seeking citizenship based on military service must submit a completed *original* USCIS Form N-426. Subject to, and in accordance with, the provisions in this memorandum, the Military Department concerned will determine whether a Service Member is serving or has served honorably, and as applicable, whether separation from such service was under honorable conditions. The Secretary of the Military Department concerned will make the certification. The Secretary may delegate this certification authority, in writing or by regulation, to a commissioned officer serving in the pay grade of O-6 or higher. None of the standards set forth herein as applicable to certifications of honorable service create or imply the creation of a residency or physical presence requirement for the purpose of naturalization pursuant to 8 U.S. Code § 1440.

SECTION I.

Standards and Procedures Applicable to Cases in which the Date of the Member's Enlistment or Accession was On or After the Date of this Memorandum.

Upon receipt of a Service Member's "request for certification of honorable service" (N-426), the Secretary of the Military Department concerned may certify such service as honorable only if all of the following criteria are met:

1. **Legal and Disciplinary Matters:** The Service Member is not the subject of pending disciplinary action or pending adverse administrative action or proceeding, and is not the subject of a law enforcement or command investigation; **AND**
2. **Background Investigation and Suitability Vetting:** The Service Member has completed applicable screening and suitability requirements, as follows:
 - a. Persons enlisted or accessed under the Military Accessions Vital to the National Interest (MAVNI) Pilot Program are the subject of a completed National Intelligence Agency Check (NIAC); Tier 3 or Tier 5 Background Investigation, as applicable; counterintelligence-focused security review; counterintelligence interview; and a Military Service Suitability Determination (MSSD), favorably adjudicated in accordance with Office of the Under Secretary of Defense for Personnel and Readiness (OUSD(P&R)) memorandum of September 30, 2016, *Military Accessions Vital to the National Interest Pilot Program Extension*, and OUSD(P&R) memorandum of October 13, 2017, *Military Accessions Vital to the National Interest Pilot Program*; **OR**
 - b. Persons accessed under 10 U.S. Code §§ 504(b)(1)(B)¹ and (b)(1)(C)² who have met prescribed screening requirements set forth in Department of Defense Instruction 1304.26, "Qualification Standards for Enlistment, Appointment and Induction," and other applicable DoD or Military Department policy, and are the subject of a favorably adjudicated MSSD; **AND**
3. **Military Training and Required Service:** The Service Member has served in a capacity, for a period of time, and in a manner that permits an informed determination as to whether the member served honorably, as set forth below.
 - a. ***For Service Members in an Active Component:***
 - Successfully completed the basic training requirements of the armed force of which he/she is a member; **AND**
 - Completed at least 180 consecutive days of active duty service, inclusive of the successful completion of basic training; **AND**
 - The characterization of the member's service is honorable, as determined by the Secretary of the Military Department concerned.

¹ An alien lawfully admitted for permanent residence.

² Persons described in the Compact of Free Association between the Federated States of Micronesia and the United States; the Compact of Free Association between the Republic of the Marshall Islands and the United States; and the Compact of Free Association between Palau and the United States.

b. For Service Members in the Selected Reserve of the Ready Reserve:

- Successfully completed the basic training requirements of the armed force of which he/she is a member; **AND**
- Completed at least one year of satisfactory service towards non-regular retirement in accordance with Department of Defense Instruction 1215.07, "Service Credit for Non-Regular Retirement," as a member of the Selected Reserve, inclusive of the member's successful completion of basic training; **AND**
- The characterization of the member's service is honorable, as determined by the Secretary of the Military Department concerned.

c. For Service Members in an Active Component, or in the Selected Reserve of the Ready Reserve, who have served in an active duty status in a hazardous duty area:

- Successfully completed the basic training requirements of the armed force of which he/she is a member; **AND**
- Satisfactorily served at least one day of active duty service in a location designated as a combat zone, a qualified hazardous duty area, or an area where service in the area has been designated to be in direct support of a combat zone, and which also qualifies the member for hostile fire or imminent danger pay under sections 310 or 351(a)(1) or (3) of Title 37, U.S. Code; **AND**
- The characterization of the member's service is honorable, as determined by the Secretary of the Military Department concerned.

SECTION II.

Standards and Procedures Applicable to Cases in which the Date of the Member's Enlistment or Accession in either the Active or Reserve Component was Prior to the Date of this Memorandum.

The Military Department concerned may certify such a Service Member's service as honorable for purposes of supporting the member's naturalization application only if all of the following criteria are met:

1. **Legal and Disciplinary Matters:** The Service Member is not the subject of pending disciplinary action or pending adverse administrative action or proceeding, and is not the subject of a law enforcement or command, investigation; **AND**
2. **Background Investigation and Suitability Vetting:** The Service Member has completed all applicable screening and suitability requirements as set forth in Section 1, paragraph 2 above; **AND**
3. **Military Training and Required Service:** The Service Member has served in a capacity, for a period of time, and in a manner that permits an informed determination that the member has served honorably as a member of the Selected Reserve of the Ready Reserve or member of an active component of a military or naval force of the United States, as determined by the Secretary of the Military Department concerned.

SECTION III.

Decertification and Recertification.

The Military Department concerned will recall and de-certify the Form N-426 for a Service Member described below:

1. The Service Member's accession was prior to the date of this memorandum; **AND**
2. The Service Member has submitted to the USCIS a complete application for naturalization that includes both a Form N-400 and a Form N-426, certifying the member's honorable service for purposes of naturalization, signed by a representative of the Military Department concerned, and USCIS has not adjudicated such application or, if USCIS has granted such application, the member has not yet naturalized; **AND**
3. The Service Member has *not* completed all applicable screening and suitability requirements as set forth in Section 1, paragraph 2 above.

The Military Department concerned will subsequently certify a new Form N-426 and advise the USCIS within five business days of the date on which the affected Service Member is determined to meet the criteria set forth in Section I, paragraph 2, above. The Service Member is responsible for submitting the new Form N-426 to USCIS in support of his/her application for naturalization.

SECTION IV.

Exceptions or Clarifications. Exceptions to, or clarifications of, the standards, policies, or procedures set forth in this memorandum, may be requested from the OUSD(P&R). A written response to a request for exception or clarification must be received in advance of any action by or for the requester that is not clearly in accord with the standards, policies, and procedures set forth herein.



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
Under Secretary of Defense for Personnel and Readiness
Chief of the National Guard Bureau
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

Reference 1.f.



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

SAMR

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: Delegation of Authority to Certify Honorable Service of Members of the Selected Reserve of the Ready Reserve and Members of the Active Component for Purposes of Naturalization

1. References:

a. Title 8, U.S.C. § 1440, Naturalization through active-duty service in the Armed Forces during World War I, World War II, Korean hostilities, Vietnam hostilities, or other periods of military hostilities.

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

c. Memorandum, Secretary of the Army, 7 February 2020, subject: Certification of Honorable Service for Members of Selected Reserve of the Ready Reserve and Members of the Active Component for Purposes of Naturalization.

d. Memorandum, Assistant Secretary of the Army (Manpower & Reserve Affairs), 14 December 2017, subject: Injunction Compliance and Immigration Status Support for Members of the Delayed Training Program (DTP) Recruited through the Military Accessions Vital to National Interest (MAVNI) Program.

2. Pursuant to paragraph 3 of reference 1.c., I hereby delegate the authority to certify honorable service for purposes of naturalization, of members of the Selected Reserve of the Ready Reserve and members of the Active Component regardless of recruitment program, to any commanding Army officer serving in the grade of colonel or higher. These commanders may re-delegate certification authority to officers serving under their direct supervision in the grade of colonel or the civilian equivalent.

3. This delegation does not extend to certifications executed pursuant to reference 1.d.

4. Certifications executed pursuant to this delegation will comply with the requirements of reference 1.b and the enclosed implementing guidance. Any contrary guidance is rescinded. The Commanding General, Human Resources Command will update Soldier informational materials accordingly.

5. A certification must summarize all periods of service. Enclosure 1 describes the requirements for certification of honorable service that was rendered beginning on or

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SUBJECT: Delegation of Authority to Certify Honorable Service of Members of the Selected Reserve of the Ready Reserve and Members of the Active Component for Purposes of Naturalization

after 13 October 2017. Enclosure 2 describes the requirements for certification of honorable service in cases in which the service was rendered in part or completely prior to 13 October 2017.

6. A copy of the certification will be filed in the Soldier's Army Military Human Resource Record or component equivalent.

7. The Deputy Assistant Secretary of the Army (Military Personnel & Quality of Life), Office of the ASA (M&RA) is the point of contact for this delegation.

8. This delegation is effective immediately and remains in effect until rescinded or modified by me or my successor.

WARDYNSKI.EUG
ENE.CASEY.JR.10
28912320

Digitally signed by
WARDYNSKI.EUGENE CASEY.J
R.1028912320
Date: 2020.02.19 15:52:55 -0500

2 Encls

E. CASEY WARDYNSKI

DISTRIBUTION:

Principal Officials of Headquarters, Department of the Army
Commander

- U.S. Army Forces Command
- U.S. Army Training and Doctrine Command
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- U.S. Army South
- U.S. Army Africa/Southern European Task Force
- U.S. Army Special Operations Command
- Military Surface Deployment and Distribution Command
- U.S. Army Space and Missile Defense Command/Army Strategic Command
- U.S. Army Cyber Command
- U.S. Army Medical Command
- U.S. Army Intelligence and Security Command
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(CONT)

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SUBJECT: Delegation of Authority to Certify Honorable Service of Members of the Selected Reserve of the Ready Reserve and Members of the Active Component for Purposes of Naturalization

DISTRIBUTION: (CONT)

Superintendent, U.S. Military Academy

Director, U.S. Army Acquisition Support Center

Superintendent, Arlington National Cemetery

Commandant, U.S. Army War College

Director, U.S. Army Civilian Human Resources Agency

CF:

Director, Business Transformation

Commander, Eighth Army

ENCLOSURE 1

CERTIFICATION OF HONORABLE SERVICE FOR SOLDIERS WHOSE ENLISTMENT OR ACCESSION WAS ON OR AFTER 13 OCTOBER 2017

1. Purpose: This enclosure describes the standards and procedures applicable to certifications of honorable service for purposes of naturalization made pursuant to this delegation for Soldiers whose service began on or after October 13th, 2017.

2. Instructions: Upon receipt of a Soldier's "request for certification of honorable service" (N-426), the designated official may certify such service as honorable only if all of the following criteria are met:

a. Legal and Disciplinary Matters: The Soldier is not the subject of a pending disciplinary action or pending adverse administrative action or proceeding, and is not the subject of a law enforcement or command investigation; and

b. Background Investigation and Suitability: The Soldier has completed applicable screening and suitability requirements as follows:

1) Persons enlisted or accessed under the Military Accessions Vital to the National Interest (MAVNI) Pilot Program are the subject of a completed National Intelligence Agency Check (NIAC); Tier 3 or Tier 5 Background Investigation, as applicable; counterintelligence-focused security review counterintelligence interview; and a Military Service Suitability Determination (MSSD), favorably adjudicated in accordance with Office of the Under Secretary of Defense for Personnel and Readiness (OUSD(P&R)) memorandum of September 30, 2016, *Military Accessions Vital to the National Interest Pilot Program Extension*, and OUSD(P&R) memorandum of October 13, 2017, *Military Accessions Vital to the National Interest Pilot Program*; or

2) Persons enlisted or accessed under Title 10, U.S.C. § 504(b)(1)(B) and 504(b)(1)(C) have met prescribed screening requirements set forth in Department of Defense Instruction 1304.26, "Qualification Standards for Enlistment, Appointment and Induction," and other applicable DoD or Army policy, and are subject of a favorable adjudicated MSSD; and

c. Military Training and Required Service: The Soldier honorably served as set forth below.

1) For Soldiers in the Regular Army:

- Successfully completed initial entry training; and
- Completed at least 180 consecutive days of active duty service, inclusive of the successful completion of initial entry training.

2) For Soldiers in the Army National Guard or United States Army Reserve (Selected Reserve of the Ready Reserve):

- Successfully completed initial entry training; and
- Completed at least one year of satisfactory service towards non-regular retirement in accordance with the Department of Defense 1215.07, "Service Credit for Non-Regular Retirement," as a member of the Selected Reserve, inclusive of the member's successful completion of basic training.

3) For Soldiers in any Component who have served in an active duty status in a hazardous duty area:

- Successfully completed initial entry training; and
- Satisfactorily served at least one day of active duty service in a location designated as a combat zone, a qualified hazardous duty area, or an area where service in the area has been designated to be in direct support of a combat zone and which also qualifies the member for hostile fire or imminent danger pay under sections 310 or 351(a)(1) or (3) of Title 37, U.S. Code.

ENCLOSURE 2

CERTIFICATION OF HONORABLE SERVICE FOR SOLDIERS WHOSE ENLISTMENT OR ACCESSION WAS PRIOR TO 13 OCTOBER 2017

1. Purpose: This enclosure describes the standards and procedures applicable to certifications made pursuant to this delegation for Soldiers who performed any service prior to October 13th, 2017.

2. Instructions: Upon receipt of a Soldier's "request for certification of honorable service" (N-426), the designated official may certify such service as honorable only if all of the following criteria are met:

a. Legal and Disciplinary Matters: The Soldier is not the subject of a pending disciplinary action or pending adverse administrative action or proceeding, and is not the subject of a law enforcement or command investigation; and

b. Background Investigation and Suitability Vetting: The Soldier has completed applicable screening and suitability requirements as follows:

1) Persons enlisted or accessed under the Military Accessions Vital to the National Interest (MAVNI) Pilot Program are the subject of a completed National Intelligence Agency Check (NIAC); Tier 3 or Tier 5 Background Investigation, as applicable; counterintelligence-focused security review counterintelligence interview; and a Military Service Suitability Determination (MSSD), favorably adjudicated in accordance with Office of the Under Secretary of Defense for Personnel and Readiness (OUSD(P&R)) memorandum of September 30, 2016, *Military Accessions Vital to the National Interest Pilot Program Extension*, and OUSD(P&R) memorandum of October 13, 2017, *Military Accessions Vital to the National Interest Pilot Program*; or

2) Persons enlisted or accessed under Title 10, U.S.C. § 504(b)(1)(B)¹ and 504(b)(1)(C)² who have met prescribed screening requirements set forth in Department of Defense Instruction 1304.26, "Qualification Standards for Enlistment, Appointment and Induction," and other applicable DoD or Army policy, and are subject of a favorable adjudicated MSSD; and

c. Required Service: The Soldier honorably served in the Selected Reserve of the Ready Reserve or the Regular Army.

¹An alien lawfully admitted for permanent residence

²Persons described in the Compact of Free Association between the Federated States of Micronesia and the U. S.; the Compact of Free Association between the Republic of the Marshall Islands and the U.S.; and the compact of Free Association between Palau and the U.S.