

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

ANGE SAMMA *et al.*, on behalf of
themselves and others similarly situated,

Plaintiffs,

v.

UNITED STATES DEPARTMENT OF
DEFENSE *et al.*,

Defendants.

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

DECLARATION OF JIANPING LIU

I, Jianping Liu, hereby declare as follows:

1. I am a 34-year-old native and citizen of China.
2. On February 17, 2011, I entered the United States on an F-2 visa.
3. On September 4, 2019, I obtained my Permanent Resident Card (Green Card).
4. In 2018, I enlisted in the U.S. Army's Delayed Entry Program.
5. On September 14, 2020, I re-enlisted in the United States Army Reserve. On that day, I signed an eight-year enlistment contract and took the oath of enlistment. This included four years of Active Duty Obligation and four years in the Reserve Component of the Service.
6. I currently serve on active duty as a Specialist (E-4) and my military occupational specialty is 82C, Field Artillery Surveyor.
7. In April 2020, I requested assistance from Attorney Margaret Stock with obtaining my certification of honorable service ("N-426 certification").
8. On April 16, 2020, Attorney Stock initially requested my N-426 certification from a Captain ("CPT") at U.S. Army Reserve Headquarters via email stating that I was applying

for naturalization under INA section 328. Attached as Exhibit A is a true and correct copy of the email chain between Attorney Stock and the CPT.

9. On May 4, 2020, the CPT refused to help me obtain the N-426 certification and stated that “The U.S. Army Office of the General Counsel and U.S. Army Legal Services Agency have advised our office that Delayed Entry Program (DEP) Ready Reserve Soldiers who have not performed any duty/service in a Select Reserve/TPU unit are not entitled to a certified USCIS Form N-426. Subject to your questions and concerns, your request for certification of Jianping Liu's N-426 is now closed within our HQ.” See Exhibit A.
10. On October 26, 2020, Attorney Stock emailed the CPT again after I re-enlisted in the Army’s Delayed Entry Program. See Exhibit A.
11. On October 27, 2020, a Colonel (“COL”) contacted Attorney Stock and stated that I was a soldier in the Regular Army DEP, and that he could not certify my N-426. The COL then stated I could request certification through my chain of command within U.S. Army Recruiting Command (“USAREC”) because the “U.S. Army Reserve has no ability to certify honorable service for an individual in the DEP who has not shipped to training. As the individual is shipping to training in December, current Army policy requires that this N-426 be signed immediately.” Attached as Exhibit B is a true and correct copy of the Army policy provided by the COL.
12. I shipped to basic combat training (“BCT”) at Fort Jackson, South Carolina on December 29, 2020, and completed BCT on March 11, 2021. I completed advanced individual training (“AIT”), also at Fort Jackson, on May 11, 2021.
13. On April 10, 2021, Attorney Stock’s office contacted the main line for the Office of the Staff Judge Advocate (“OSJA”) for Fort Jackson, where I was then attending AIT, to speak with one of the officers about certifying my N-426 form. A staff member of the

OSJA answered the phone and insisted that OSJA does not assist with N-426 certification. Attorney Stock's staff requested the email address of my commanding officer, COL, and the OSJA staff member insisted that I would have that information. Attorney Stock's staff attempted to explain further the need for that email address but the OSJA staff member hung up the phone.

14. On May 10, 2021, I called Attorney Stock's office and told them there would be a COL present on May 12, 2021 and asked if I could have that COL certify my N-246. Attorney Stock stated I should ask any COL that I could find at that time.
15. On May 11, 2021, I emailed Attorney Stock's office and informed them that my drill sergeant stated that my AIT unit would not be able to sign my N-426 form because they are following the active duty 180-day rule.
16. On May 12, 2021, I shipped to my duty station in Fort Bragg, North Carolina where I currently serve on active duty with the 369th Adjutant General Battalion.
17. On June 1, 2021, my Sergeant asked for my naturalization application and told me that I must provide the application and all my supporting documents before a COL will certify my N-426. The process my current unit is requesting may take weeks or months to complete. In my opinion, the Army does not have clear instructions for immigrant soldiers to naturalize.
18. Because I have not received a completed N-426 certification from the Army, I cannot apply for naturalization with United States Citizenship and Immigration Services ("USCIS").
19. It has been nearly six months, based on my ship date of December 29, 2020, since I began serving in an active duty status.
20. It has been over a year since I first requested my N-426 certification.

21. I have served honorably at all times since entering service.

22. I am not aware of any legitimate reason that would prevent the Army from certifying my honorable service.

23. I am not aware of any legitimate reason that would prevent USCIS from granting my naturalization application.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on June 22, 2021.

A handwritten signature in black ink, appearing to be 'Jianping Liu', written over a horizontal line.

Jianping Liu