

**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.

No. 20-cv-1104-PLF

**DECLARATION OF TAE HUN YI**

I, Tae Hun Yi, hereby declare as follows:

1. I am a 42-year-old native and citizen of South Korea.
2. In January 2017, I entered the United States on an immigrant visa and obtained my Permanent Green Card.
3. On February 7, 2020, I enlisted in the New York Army National Guard. On that day, I signed an eight-year enlistment contract and took the oath of enlistment.
4. I currently serve as a Specialist (E-4) in the Virginia Army National Guard, which is part of the Selected Reserve of the Ready Reserve. My military occupational specialty is Motor Transport Operator (88M).
5. I began drilling with the Recruiting and Retention Battalion of the New York Army National Guard in New York, New York in March 2020. I attended drill on March 7-8, 2020 and the Army compensated me for this drill.
6. I shipped to basic combat training (“BCT”) at Fort Jackson, South Carolina on March 23, 2020 and completed BCT on June 18, 2020.
7. I shipped to advanced individual training (“AIT”) at Fort Leonard Wood, Missouri on

June 22, 2020 and completed AIT on August 7, 2020.

8. In August 2020, I transferred from the New York Army National Guard to the North Carolina Army National Guard.
9. I began drilling with the 1452nd Combat Heavy Equipment Transporter Transportation Company of the North Carolina Army National Guard in Winston-Salem, North Carolina in October 2020. I attended drill on October 17-18, 2020; November 6-8, 2020; and December 5-6, 2020. The Army compensated me for these drills.
10. In January 2021, I transferred from the North Carolina Army National Guard to the Virginia Army National Guard.
11. I began drilling with the Recruiting and Retention Battalion RSP 5 of the Virginia Army National Guard in Leesburg, Virginia in January 2021. I attended drill on January 23-24, 2021; February 20-21, 2021; March 20-21, 2021; April 16-18, 2021; May 1-2, 2021; June 12-13, 2021; and July 17-18, 2021. The Army compensated me for these drills.
12. On January 9, 2021, I requested my certification of honorable service (“N-426 certification”) by submitting my N-426 form to my chain of command.
13. On or about February 23, 2021, I requested an update on the status of my N-426 certification from my chain of command. My chain of command did not respond to this request.
14. On or about April 10, 2021, I spoke to my brigade chaplain and requested assistance with obtaining my N-426 certification. My brigade chaplain spoke to my chain of command, which informed him that my N-426 form had been sent to an officer of O-6 pay grade for review.
15. On May 24, 2021, I sent an email to usarmy.usarc.usarc.-hq.mbx.mavni-usarc-g1-action@mail.mil to request assistance with my N-426 certification. I received a response


to my email stating “Message not delivered” and “Contact the remote server administrator for details.”

16. On June 23, 2021, I sent another email to usarmy.usarc.usarc.-hq.mbx.mavni-usarc-g1-action@mail.mil to request assistance with my N-426 certification. I again received a response to my email stating “Message not delivered” and “Contact the remote server administrator for details.” Attached as Exhibit A is a true and correct copy of the email response I received.
17. On July 27, 2021, I finally received my N-426 certification.
18. On July 31, 2021, I applied for naturalization with United States Citizenship and Immigration Services (“USCIS”).
19. On August 5, 2021, I received a Request for Evidence from USCIS stating that my N-426 form was not properly certified because the certifying official had made errors in part 8 and requesting a new, properly certified N-426 form.
20. On August 9, 2021, class counsel at the American Civil Liberties Union contacted the O-6 officer who certified my N-426 form on my behalf to obtain a new, properly certified N-426 form.
21. On August 10, 2021, the O-6 officer sent class counsel a properly certified N-426 form.
22. Until I received a properly certified N-426 form from the Army, I could not apply for naturalization with USCIS.
23. At the time I received a properly certified N-426 form, it had been over 17 months since I began my service in the Army by attending drill.
24. At the time I received a properly certified N-426 form, it had been over seven months since I first requested my N-426 certification.
25. I have served honorably at all times since entering service.

26. 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 August 12, 2021.



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Tae Hun Yi