

**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 YIYI YU**

I, Yiyi Yu, hereby declare as follows:

1. I am a 26-year-old native and citizen of China.
2. In June 2012, I entered the United States on an F-1 student visa.
3. On January 14, 2016, I enlisted in the United States Army through the Military Accessions Vital to the National Interest (“MAVNI”) recruitment program. On that day, I signed an eight-year enlistment contract and took the oath of enlistment.
4. On February 12, 2021, I signed a statement of enlistment following the completion of extra background checks and military service suitability determinations that became required for MAVNI recruits after my original enlistment date.
5. I currently serve on active duty as a Specialist (E-4) and my military occupational specialty is Automated Logistical Specialist (92A).
6. I shipped to basic combat training (“BCT”) at Fort Jackson, South Carolina on March 1, 2021 and completed BCT on June 10, 2021.
7. Prior to shipping to basic training, my counsel helped me prepare to seek my certification

of honorable service (“N-426 certification”) by providing me with an N-426 form, with my sections completed. She also provided me with copies of (1) the August 25, 2020 Order and Judgment in this case (“*Samma* Order”); (2) the August 31, 2020 memorandum from then-Under Secretary of Defense for Personnel and Readiness, Matthew P. Donovan, ordering compliance with the *Samma* Order; and (3) the September 3, 2020 memorandum from then-Assistant Secretary of the Army for Manpower & Reserve Affairs, E. Casey Wardynski, on compliance with the *Samma* Order.

8. On or about March 10, 2021, I asked my second lieutenant to help me obtain my N-426 certification. Specialist HemaLatha Lingamaneni and I went together to speak with the second lieutenant because we were both in the same company at that time. The second lieutenant said he would ask up the chain of command regarding our N-426 certifications. Later that day, he took us both to see the company commander, where we requested assistance with our N-426 certifications. The company commander told us that he was informed by his chain of command that we could not receive our N-426 certifications until we had completed BCT and advanced individual training (“AIT”).
9. I was subsequently assigned to a new company at BCT, due to a COVID-19 pandemic-related reorganization. Following this assignment, I again tried to obtain my N-426 certification by giving my N-426 paperwork to my first sergeant. The first sergeant held my paperwork for over 30 days and then gave it back to me unsigned.
10. At the beginning of June, I tried one more time to obtain my N-426 certification before embarking on the five-day “Forge,” a final training exercise that is necessary to complete BCT. The company commander took my N-426 paperwork from me just before I embarked on the Forge.
11. On June 8, 2021, the day after the Forge ended, I received my N-426 certification.

12. On June 11, 2021, I shipped to advanced individual training (“AIT”) at Fort Lee, Virginia.
13. Until I received my N-426 certification from the Army, I could not apply for naturalization with United States Citizenship and Immigration Services (“USCIS”).
14. By the time I received my N-426 certification, it had been over three months since I began serving in an active duty status by shipping to BCT.
15. By the time I received my N-426 certification, it had been approximately three months since I first requested my N-426 certification.
16. I have served the military honorably at all times since entering military service.
17. I am not aware of any legitimate reason that should prevent USCIS from granting my naturalization application.

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

Executed on June 23 2021.



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Yiyi Yu