

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

ANGE SAMMA , <i>et al.</i> ,)	
)	
Plaintiffs,)	
v.)	Civil Action No. 20-cv-01104-PLF
)	
UNITED STATES DEPARTMENT OF)	
DEFENSE, <i>et al.</i> ,)	
)	
Defendants.)	
_____)	

DECLARATION OF LEKISHA N. HOGG

I, Staff Sergeant Lekisha N. Hogg, U.S. Army, do hereby declare as follows:

1. I am the Senior Paralegal Noncommissioned Officer for 193d Infantry Brigade at Fort Jackson, South Carolina and have been in this duty position since February 4, 2020. Prior to this position, I was assigned to 1st Armored Division Combat Aviation Brigade located at Fort Bliss, Texas and served in that position for 21 months. My current duties include providing legal support to Commanders within 193d Infantry Brigade, oversight of military justice actions, and assistance with ad hoc projects requiring legal support within the Brigade. This unit includes six (6) Battalions responsible for Initial Entry Training for new Soldiers, which consists of Basic Combat Training (BCT).

2. I am aware of the general substance concerning the above-entitled litigation and am aware of the court's August 25, 2020 Order, concerning the processing of USCIS Forms N-426. On May 14, 2021, I was made aware of allegations concerning alleged deficiencies in the processing of these forms. I make this declaration based on my personal knowledge, observation, and investigation of the matters set forth herein, as well as on information available to me in the course of my official duties.

3. On or about May 25, 2021, I became aware of incorrect information being provided to trainees on fliers that were posted at the Reception Battalion. The fliers incorrectly stated that six (6) months of time in service was required for naturalization. The 193d legal office worked with the Command Teams and the Reception Battalion to remove these fliers.

4. The 193d legal office provided the Court Order vacating the time in service requirement, along with other documentation to the Brigade, Battalion, and Company Command Teams in June 2021.

5. In mid-July 2021, after determining the current processing procedures were not working effectively, the 193d legal office assumed the responsibility of tracking and ensuring timely completion of all N-426s for trainees undergoing BCT in the Brigade. As an exercise of discretion, I established a tracker and Battalions were instructed to identify all trainees seeking naturalization on the basis of military service within 72 hours of arrival within the respective unit. This tracker includes information such as the Soldier's name, current unit in BCT, the date of arrival at Fort Jackson, the date the N-426 was signed, the date the Battalion legal office received the N-426, the date the N-426 was sent to the intelligence/security section (S2) for background check, the date the N-426 was sent to the Brigade Commander, and the date it was returned to the Soldier.

6. We have ensured that all N-426s are routed through legal channels from the Battalion to the Brigade Commander at Fort Jackson, facilitating a faster turnaround time. Each Battalion is required to provide the 193d legal office with a spreadsheet listing the names of all Soldiers seeking naturalization within the first week of BCT. Once received, I coordinate with each unit to provide a briefing to these Soldiers to ensure proper completion and receipt of the

required documentation. During the briefing, each trainee is provided with a blank N-426 to complete. If the trainee already has an executed N-426, I still have that trainee sit through the briefing to ensure everything is properly filled out. I, along with my Battalion legal assistants, go line-by-line on the N-426 to instruct how to properly fill out the document. The trainee completes the N-426 during the briefing and it is collected by me or one of the Battalion legal assistants that works with the 193d legal office.

7. At this briefing, I also provide each trainee with an information packet that I compiled. It consists of the following documents: Application for Naturalization (Form N-400), Information about Creating an Online Account, Naturalization Information for Military Personnel, 10 Steps to Naturalization, Document Checklist, Instructions for Application for Naturalization, and USCIS mailing address for military personnel. These documents are meant to assist the trainee with the follow-on process for his or her naturalization.

8. Following this briefing, the 193d legal office personally routes all N-426 forms to the Brigade Commander for O-6 signature. Once signed, the original N-426 is handed directly to the Soldier and the Soldier signs for receipt of the document. A copy of the acknowledgement and signed N-426 is kept on file for record keeping purposes.

9. Since July 2021 when the 193d legal office began tracking all N-426 forms, we have identified and processed over 362 requests with 50 currently pending.

10. On June 1, 2021, the prior FRAGO was disseminated by our office to all Brigade and Battalion Commanders and Command Sergeants Major. On July 16, 2021, Fort Jackson leadership provided the prior FRAGO to the Brigade Commander. The Brigade Commander acknowledged receipt of guidance and disseminated it to the Battalion Commanders and Command Sergeants Major.

Pursuant to 28 U.S.C. § 1746(2), I declare under the penalty of perjury that the foregoing is true and correct.

Executed on OCTOBER 13, 2021



Lekisha N. Hogg