

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

ANGE SAMMA , *et al.*, )  
)  
Plaintiffs, )  
v. ) Civil Action No. 20-cv-01104-PLF  
)  
UNITED STATES DEPARTMENT OF )  
DEFENSE, *et al.*, )  
)  
Defendants. )  
\_\_\_\_\_ )

**DECLARATION OF MICHAEL F. TREMBLAY, COLONEL, U.S. ARMY**

I, Colonel Michael F. Tremblay, U.S. Army, do hereby declare as follows:

1. I am the Chief of Staff for the U.S. Army Maneuver Center of Excellence (MCOE), Fort Benning, Georgia, and have been in this duty position since 01 July 2021. Prior to this, I was the Commander of U.S. Army Garrison Humphreys in the Republic of Korea. I served in that position for two years. My duties include coordinating activities of the General Staff and assisting the Commanding General with providing oversight and direction to the subordinate and tenant units of Ft. Benning. On average, Ft. Benning trains over 64,000 military personnel, annually. The initial entry training activity at Ft. Benning includes One Station Unit Training for Armor, Cavalry, and Infantry Soldiers, Officer Candidate School, Infantry Basic Officer Leader Course, Armor Basic Officer Leader Course, and the Direct Commission Course. The training brigades at Ft. Benning responsible for initial entry training of Soldiers and officers include the 194th Armored Brigade, 197th Infantry Brigade, 198th Infantry Brigade, and the 199th Infantry Brigade.

2. I am aware of the allegations and claims raised in the above-entitled litigation and the court's August 25, 2020 Order, concerning the processing of USCIS Forms N-426. I make this declaration based on my personal knowledge, observation, and investigation of the matters set forth herein.

3. On or about 10 September 2020, MCOE published an order notifying commanders at Fort Benning of the Army's Memorandum, dated 03 September 2020, directing certifying officials to comply with the Court's final order.

4. On or about 27 July 2021, MCOE published an order informing commanders to certify a soldier's N-426 within 30 Days of Submission. In this order, Brigade Commanders in the grade of O-6 or higher were notified that they are authorized to certify U.S. Citizenship and Immigration Services (USCIS) Form N-426 "Request for Certification of Military or Naval Service" for members of selected Reserve of the Ready Reserve and members of the Active Component regardless of recruitment program and must be certified within 30 calendar days of submission.

5. On or about 27 August 2021, I published FRAGO 2 and FRAGO 3 to HQDA EXORD 219-20 "Certification of Honorable Service" directly to all MCOE Brigade Commanders. To date, all applicable MCOE Brigade Commanders report that they have complied with para. 3.A.3. & para. 3.A.4. of HQDA EXORD 219-20 (FRAGO 2). To date, all applicable MCOE Brigade Commanders report that their company and battalion command teams have read and understand their obligations in accordance with FRAGO 3, para. 3.A.5. To date, all applicable MCOE Brigade Commanders report that their subordinate commanders have affirmatively acknowledged their responsibilities in accordance with FRAGO 3, para. 3.A.6.

6. Based on the foregoing, I do not believe any commander at MCOE is imposing time-in-service requirements, or any other unauthorized requirements, before processing N-426s. Nor am I aware of any commander refusing to process any N-426. Although there are occasional N-426 applications, on average, these appear to be infrequent. In the unlikely event that a soldier encounters a problem obtaining an N-426 from the chain of command at MCOE, the Soldier can utilize the open door policy that all commanders at MCOE maintain. Basic training Soldiers may utilize the open door policy for grievances and drill sergeants may not prohibit Soldiers from utilizing open door policies. Also, the MCOE Office of the Inspector General is available to all Soldiers who have a grievance with their leadership.

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

Executed on: 15 OCT 21

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MICHAEL F. TREMBLAY  
COLONEL, US ARMY  
CHIEF OF STAFF, MCOE