

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

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|--|---|-----------------------------------|
| ANGE SAMMA, et al., |) | |
| |) | |
| Plaintiffs, |) | |
| |) | |
| v. |) | Civil Action No. 1:20-cv-01104 |
| |) | The Honorable Ellen Segal Huvelle |
| UNITED STATES DEPARTMENT OF |) | |
| DEFENSE and MARK ESPER, in his |) | |
| official capacity as Secretary of Defense, |) | |
| |) | |
| Defendants. |) | |
| |) | |

CERTIFICATION OF THE INDEX OF THE ADMINISTRATIVE RECORD

I, Christopher P. Arendt, do hereby declare as follows:

1. I am the Deputy Director, Accession Policy Directorate, in the Office of the Under Secretary of Defense for Personnel and Readiness (“USD(P&R)”), in Washington, D.C. In this capacity, I have oversight for developing, reviewing, and analyzing policies, resource levels, and budgets for enlisted recruiting and officer-commissioning programs. My duties include oversight of the Military Accessions Vital to the National Interest (“MAVNI”) Pilot Program as well as oversight of accessions for service members who seek to naturalize on the basis of their service.

2. I am the primary employee responsible for the compilation of the Administrative Record in the above-captioned case. Therefore, I have personal knowledge of the actions and activities carried out by the various employees who were assigned to review and compile the documents contained in the Administrative Record.

3. I certify that, to the best of my knowledge, the attached index is a true and accurate list of all non-privileged information that was considered, directly or indirectly, in

connection with USD(P&R)'s issuance of the challenged sections of the October 13, 2017 Memorandum concerning certification of honorable service for purposes of naturalization, as well as the non-privileged information that was considered, directly or indirectly, in connection with USD(P&R)'s issuance of the challenged sections of the April 24, 2020 Memorandum updating the October 13, 2017 Memorandum.

4. In 2017, officials within USD(P&R) undertook a review of approximately 700 Forms N-426 that were certified in 2016 or 2017. Defendants considered these materials when issuing the challenged policies in this case. Due to their voluminous nature, Defendants have included a sample of these materials in the Administrative Record at SAMMA_0169-210. The complete set of Forms N-426 that were reviewed can be made available upon request.

5. The Administrative Record has been redacted to remove personally identifying information.

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

Executed on May 22, 2020

CHRISTOPHER P. ARENDT