

**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.

Civil Action No. \_\_\_\_\_

**DECLARATION OF SUMIN PARK**

I, Sumin Park, hereby declare as follows:

1. I am a 21-year-old native and citizen of South Korea.
2. In March 2012, I entered the United States on a B-2 visa.
3. In September 2015, I received a Two-Year Green Card, which expired in September 2017. In 2017, I filed a petition to remove the conditions on my permanent resident status and obtain a Permanent Green Card.
4. On January 6, 2017, I enlisted in the United States Army. On that day, I signed an eight-year enlistment contract and took the oath of enlistment. I have reviewed the enlistment contract attached to the Motion as Exhibit 1 and believe that the main terms of my contract are substantially the same as those in that exhibit.
5. I currently serve on active duty as a Private Second Class (E-2).
6. I shipped to basic combat training ("BCT") at Fort Jackson, South Carolina in June 2019 and completed BCT in August 2019. I wanted to ship to BCT earlier but because I was a green card holder, I was required to complete my background check before I could ship

to BCT.

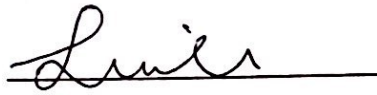
7. I shipped to advanced individual training (“AIT”) at Fort Lee, Virginia in August 2019 and completed AIT in October 2019.
8. On or about September or October 2019, I asked my drill sergeant at AIT for my certification of honorable service (“N-426”). He refused to help me obtain the certification and told me that I should request it when I get to my duty station because seeking a signature from an officer of O-6 pay grade would take longer than nine weeks, which was the length of my training at AIT.
9. I shipped to my duty station at Joint Base Elmendorf-Richardson in Alaska on November 7, 2019, where I currently serve on active duty with the 2nd Battalion, 377th Parachute Field Artillery Regiment.
10. In February 2020, I asked my platoon sergeant for my N-426 certification. My platoon sergeant told me that he would have to send the N-426 up his chain of command for certification but that he anticipated it would take a long time for the N-426 to reach an officer of O-6 pay grade. He could not give me an estimate of how long it would take for me to receive my N-426 certification.
11. In March 2020, my platoon sergeant returned my uncompleted N-426 to me and told me that his chain of command had informed him that I would have to serve one year in active duty before I would be eligible for the N-426 certification.
12. I understand that the Army is refusing to complete N-426 certifications for active duty soldiers, like me, until they serve 180 days. However, my platoon sergeant told me that I would have to serve one year in active duty before I could get my N-426 certification.
13. I also understand that the Army is requiring that an officer of O-6 pay grade or higher designated by the Secretary of the Army complete N-426 certifications.

14. Because I have not received a completed N-426 certification from the Army, I cannot submit my naturalization application to United States Citizenship and Immigration Services (“USCIS”).
15. It has been ten months since I began serving in an active duty status by shipping to BCT.
16. I have served honorably at all times since entering service.
17. I am not aware of any legitimate reason that would prevent the Army from certifying my honorable service.
18. I am not aware of any legitimate reason that would prevent USCIS from granting my naturalization application.
19. I am missing out on the benefits that come with U.S. citizenship, including the right to vote, right to sponsor immediate family members, and right to travel with a U.S. passport.
20. I applied to remove the conditions on my permanent resident status and obtain a Permanent Green Card in 2017, the same year I enlisted in the military. On or about January 2019, I received a notice from USCIS informing me that my interview for my application to remove the conditions on my permanent resident status was scheduled for March 2019. In February 2019, I received my date to ship to BCT, which was in June 2019, from the Army. When I received my date to ship to BCT, I spoke to my recruiter and asked whether I should attend the USCIS interview. He told me that I did not have to attend the interview and that I would obtain my citizenship through the military. In reliance on my recruiter’s statement and in expectation of naturalizing through the military, I did not attend the USCIS interview.
21. Because I did not pursue my application to remove the conditions on my permanent resident status but I am unable to apply for naturalization based on my military service since I have not received my N-426 certification, I live in

fear that the government will initiate removal proceedings against me and that I may be deported. Attaining U.S. citizenship through my military service would afford me protection from removal proceedings and deportation.

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

Executed on April 19, 2020.

A handwritten signature in black ink, appearing to read "Sumin Park", is written over a solid horizontal line.

Sumin Park