

[NOT SCHEDULED FOR ORAL ARGUMENT]

**IN THE UNITED STATES COURT OF APPEALS
FOR THE DISTRICT OF COLUMBIA CIRCUIT**

ANGE SAMMA, *et al.*,

Plaintiff-Appellees,

v.

UNITED STATES DEPARTMENT OF
DEFENSE, *et al.*,

Defendants-Appellants,

No. 20-5320

STATEMENT OF POTENTIAL ISSUES TO BE RAISED

Potential issues on appeal include:

1. Whether the Department of Defense has statutory authority to promulgate time-in-service requirements for certifying honorable service for purposes of 8 U.S.C. § 1440, which provides an expedited path to naturalization for certain noncitizens who have served honorably in the armed forces.
2. Whether the time-in-service regulation promulgated by the Department of Defense in October 2017 complies with the Administrative Procedure Act's requirements of reasoned decisionmaking.

Respectfully submitted,

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