

District Judge Marsha J. Pechman

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UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

ROSHANAK ROSHANDEL; VAFA  
GHAZI-MOGHADDDAM; HAWO  
AHMED; and LIN HUANG, individually and  
on behalf of all others similarly situated,

Plaintiffs,

v.

MICHAEL CHERTOFF, Secretary, United  
States Department of Homeland Security;  
EMILIO GONZALEZ, Director, United  
States Citizenship and Immigration Services;  
ANN CORSANO, Director, District 20,  
United States Citizenship and Immigration  
Services; JULIA HARRISON, Director,  
Seattle Field Office, United States Citizenship  
and Immigration Services; MICHAEL B.  
MUKASEY,<sup>1</sup> Attorney General, United  
States Department of Justice; ROBERT S.  
MUELLER, III, Director, Federal Bureau of  
Investigation; and the UNITED STATES OF  
AMERICA,

Defendants.

Case No. C07-1739-MJP

DECLARATION OF SUSAN  
WALK

<sup>1</sup>Pursuant to Rule 25(d) of the Federal Rules of Civil Procedure, Attorney  
General Michael B. Mukasey has been substituted as a defendant in this action in place  
of his predecessor.

1 I, Susan Walk, declare as follows:

2 1. I am employed by the Department of Homeland Security ("DHS") as a  
3 Senior Adjudications Officer at the Seattle Field Office of the United States Citizenship  
4 and Immigration Services ("USCIS"), formerly known as the Immigration and  
5 Naturalization Service ("INS"). I have been employed by the Department of Homeland  
6 Security (formerly Department of Justice) since May of 1991. During that time I have  
7 worked as an Applications Clerk, Congressional Liaison, Special Assistant to the  
8 District Director, Adjudications Officer, and Senior Adjudications Officer.

9 2. I make this declaration based upon my personal knowledge and  
10 information made available to me in the course of my professional duties and  
11 responsibilities.

12 3. I have reviewed the administrative file of plaintiff Roshanak Roshandel,  
13 and thus am familiar with the facts and circumstances of the case. The file reflects that  
14 Ms. Roshandel's fingerprint check and FBI name check are now complete.  
15 USCIS will be prepared to adjudicate Ms. Roshandel's citizenship application within  
16 thirty days of this case being remanded from the district court.

17 4. I have reviewed the administrative file of plaintiff Vafa Ghazi-Moghaddam,  
18 and thus am familiar with the facts and circumstances of the case. The file reflects that  
19 Mr. Ghazi-Moghaddam's fingerprint check and FBI name check are now complete.  
20 USCIS will be prepared to adjudicate Mr. Ghazi-Moghaddam's citizenship application  
21 within thirty days of this case being remanded from the district court.

22 5. I have reviewed the administrative file of plaintiff Hawo Ahmed, and thus  
23 am familiar with the facts and circumstances of the case. The file reflects that Ms.  
24 Ahmed's fingerprint check and FBI name check are now complete. USCIS will be  
25 prepared to adjudicate Ms. Ahmed's citizenship application within thirty days of this case being  
26 remanded from the district court.

27 6. I have reviewed the administrative file of plaintiff Lin Huang, and thus am  
28 familiar with the facts and circumstances of the case. The file reflects that Ms. Huang's

1 fingerprint check and FBI name check are now complete. USCIS will be prepared to  
2 adjudicate Ms. Huang's citizenship application within thirty days of this case being remanded  
3 from the district court.

4 7. Attached as Exhibit 1 is a true and correct copy of a USCIS memo dated January  
5 14, 2005, from Terrance M. O'Reilly, Director of Field Operations, to the Regional and District  
6 Directors of USCIS.

7 8. Attached as Exhibit 2 is a true and correct copy of the Form N-652 currently used  
8 by USCIS with revision date 1/14/05.

9 9. Attached as Exhibit 3 is a true and correct copy of the Policy Memorandum No.  
10 62 issued by William R. Yates, then INS Deputy Executive Associate Commissioner, Office of  
11 Field Operations, on December 7, 1999.

12 10. Attached as Exhibit 4 is a true and correct copy of the Form N-652 previously  
13 used by legacy INS with revision date 12/7/99.

14 11. Attached as Exhibit 5 is a true and correct copy of the Form N-652 from plaintiff  
15 Ahmed's A-file.

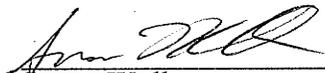
16 12. Attached as Exhibit 6 is a true and correct copy of the Form N-652 from plaintiff  
17 Ghazi-Moghaddam's A-file.

18 13. Attached as Exhibit 7 is a true and correct copy of the Form N-652 from plaintiff  
19 Huang's A-file.

20 14. Attached as Exhibit 8 is a true and correct copy of the July 2004 Citizenship  
21 Notice (WR-821) given to plaintiff Roshandel.

22 I declare under penalty of perjury that the foregoing is correct to the best of my  
23 knowledge and belief.

24 Executed this 8<sup>th</sup> day of January, 2008.

25  
26  
27   
28 Susan Walk

**CERTIFICATE OF SERVICE**

I hereby certify that on this date, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to the following CM/ECF participants:

Aaron H. Caplan  
E-mail: [caplan@aclu-wa.org](mailto:caplan@aclu-wa.org)

Alfred Arthur Day  
E-mail: [aaday@stoel.com](mailto:aaday@stoel.com)

Christopher Strawn  
E-mail: [chris@nwirp.org](mailto:chris@nwirp.org)

Margarita V. Latsinova  
E-mail: [chris@nwirp.org](mailto:chris@nwirp.org)

Matt Adams  
E-mail: [matt@nwirp.org](mailto:matt@nwirp.org)

Sarah A Dunne  
E-mail: [dunne@aclu-wa.org](mailto:dunne@aclu-wa.org)

I further certify that I have mailed by USPS, postage pre-paid, the foregoing document to the following non-CM/ECF participant, addressed as follows:

- 0 -

DATED this 8th day of January, 2008.

/s/ Rebecca S. Cohen  
REBECCA S. COHEN  
United States Attorney's Office  
700 Stewart Street, Suite 5220  
Seattle, Washington 98101-1271  
Phone: 206-553-7970  
Fax: 206-553-4073

# **Exhibit 1**

U.S. Department of Homeland Security  
20 Massachusetts Avenue, NW  
Washington, DC 20529



U.S. Citizenship  
and Immigration  
Services

## Interoffice Memorandum

To: Regional Directors  
District Directors, Including Overseas Officers In Charge  
Director, International Affairs

From: Terrance M. O'Reilly/s/  
Director, Field Operations  
U.S. Citizenship and Immigration Services

Date: January 14, 2005

Re: Implementation of revised N-652, Naturalization Interview Results

This will notify field offices of the issuance of an amended edition of Form N-652, Naturalization Interview Results. The new edition, bearing a revision date of January 14, 2005, includes explicit notice of applicant's rights under section 336 of the Immigration and Nationality Act in the event that the application should be denied or that a decision on the case should not be completed within 120 days of the interview.

Effective February 7, 2005, field offices may issue only the new edition of Form N-652 Notice of Interview, bearing the revision date of January 14, 2005. Prior to the implementation date each USCIS field office will have received an initial stock of the January 14, 2005 edition from Forms Center West. Additional supplies of the revised Form N-652 may be obtained from Forms Center West by the normal requisition process. Offices having the capacity to print limited runs of the N-652 for local use will be able to obtain it for that purpose in electronic file format from the USCIS intranet.

Note the code "N" on the revision date line of the new Form N-652, indicating that use of previous editions is not permitted. In order to prevent the accidental issuance of any obsolete Form N-652, any existing stocks of those forms must be destroyed not later than February 7, 2005.

Field offices are reminded that whenever an N-652 notice is issued, a duplicate must be placed in the applicant's record file. Such copies constitute an official record of the content of the notice issued to the applicant and they enable USCIS to verify that record when necessary.

Questions concerning the contents of this memorandum may be directed, through channels, to Gerard Casale, Office of Field Operations.

# **Exhibit 2**

Department of Homeland Security  
 U.S. Citizenship and Immigration Services

**N-652, Naturalization Interview Results**

A#: \_\_\_\_\_

On \_\_\_\_\_, you were interviewed by USCIS officer \_\_\_\_\_.

- You passed the tests of English and U.S. history and government.
- You passed the tests of U.S. history and government and the English language requirement was waived.
- USCIS has accepted your request for a Disability Exception. You are exempted from the requirement to demonstrate English language ability and/or a knowledge of U.S. history and government.
- You will be given another opportunity to be tested on your ability to \_\_\_\_\_ speak/\_\_\_\_\_ read/\_\_\_\_\_ write \_\_\_\_\_ English.
- You will be given another opportunity to be tested on your knowledge of U.S. history and government.
- Please follow the instructions on Form N-14.
- USCIS will send you a written decision about your application.
- You did not pass the second and final test of your \_\_\_\_\_ English ability/ \_\_\_\_\_ knowledge of U.S. history and government. You will not be rescheduled for another interview for this Form N-400. USCIS will send you a written decision about your application.

A) \_\_\_\_\_ **Congratulations! Your application has been recommended for approval.** At this time it appears that you have established your eligibility for naturalization. If final approval is granted, you will be notified when and where to report for the Oath Ceremony.

B) \_\_\_\_\_ **A decision cannot yet be made about your application.**

**It is very important that you:**

- Notify USCIS if you change your address
- Come to any scheduled interview.
- Submit all requested documents.
- Send any questions about this application in writing to the officer named above. Include your full name, Alien Registration Number (A#,) and a copy of this paper.
- Go to any Oath Ceremony that you are scheduled to attend.
- Notify USCIS as soon as possible in writing if you cannot come to any scheduled interview or Oath Ceremony. Include a copy of this paper and a copy of the scheduling notice.

**NOTE:** Please be advised that under section 336 of the Immigration and Nationality Act, you have the right to request a hearing before an immigration officer if your application is denied, or before the U.S. district court if USCIS had not made a determination on your application within 120 days of the date of your examination.

# Exhibit 3

**IMMIGRATION SERVICES**  
**DIVISION, FIELD OPERATIONS**



**POLICY MEMORANDUM NO. 62**

**SUBJECT: Use of Revised N-652**



U.S. Department of Justice  
Immigration and Naturalization Service

425 J Street NW  
Washington, DC 20536

DEC - 7 1999

MEMORANDUM FOR REGIONAL DIRECTORS  
DISTRICT DIRECTORS  
OFFICERS-IN-CHARGE  
SERVICE CENTER DIRECTORS

FROM:

*William R. Yates*  
William R. Yates  
Deputy Executive Associate Commissioner  
Office of Field Operations  
Immigration Services Division

SUBJECT: Use of Revised N-652

Since January 1998, Form N-652 has been issued at each N-400 interview. This form has been revised to provide more information to applicants about the outcome of the interview. The important information contained in the earlier version will be included in A Guide to Naturalization.

As of the date of this memorandum, officers should issue this version of Form N-652 (Rev. 12/7/99)Y to each N-400 applicant at the conclusion of each interview.

Either A) \_\_\_\_\_ or B) \_\_\_\_\_ must be checked. Other items should be checked, as appropriate. Officers are not required to issue an N-652 if they present a Denial notice to the applicant before the applicant leaves.

Offices may use existing stock of the prior version of Form N-652.

If you have any questions about this memorandum, please contact Richard Sheridan, Office of Field Operations, Immigration Services Division at (202) 616-0583.

# **Exhibit 4**

**Naturalization Interview Results**

U.S. Department of Justice  
Immigration and Naturalization Service

A#: \_\_\_\_\_

On \_\_\_\_\_, you were interviewed by INS Officer \_\_\_\_\_

- You passed the tests of English and U.S. history and government.
- You passed the test of U.S. history and government and the English language requirement was waived.
- The Service has accepted your request for a Disability Exception. You are exempted from the requirement to demonstrate English language ability and/or a knowledge of U.S. history and government.
- You will be given another opportunity to be tested on your ability to \_\_\_\_\_ speak / \_\_\_\_\_ read / \_\_\_\_\_ / write English.
- You will be given another opportunity to be tested on your knowledge of U.S. history and government.
- Please follow the instructions on the Form N-14.
- INS will send you a written decision about your application.
- You did not pass the second and final test of your \_\_\_\_\_ English ability / \_\_\_\_\_ knowledge of U.S. history and government. You will not be rescheduled for another interview for this N-400. INS will send you a written decision about your application.

A) \_\_\_\_\_ Congratulations! Your application has been recommended for approval. At this time, it appears that you have established your eligibility for naturalization. If final approval is granted, you will be notified when and where to report for the Oath Ceremony.

B) \_\_\_\_\_ A decision cannot yet be made about your application.

**It is very important that you:**

- ✓ Notify INS if you change your address.
- ✓ Come to any scheduled interview.
- ✓ Submit all requested documents.
- ✓ Send any questions about this application in writing to the officer named above. Include your full name, A-number, and a copy of this paper.
- ✓ Go to any oath ceremony that you are scheduled to attend.
- ✓ Notify INS as soon as possible in writing if you cannot come to any scheduled interview or oath ceremony. Include a copy of this paper and a copy of the scheduling notice.

N-652 (Rev. 12/1/97)X

# Exhibit 5

Department of Homeland Security  
U.S. Citizenship and Immigration Services

**N-652, Naturalization Interview Results**

A#: 77602505

On 11/17/05, you were interviewed by USCIS officer 819

- You passed the tests of English and U.S. history and government.
- You passed the tests of U.S. history and government and the English language requirement was waived.
- USCIS has accepted your request for a Disability Exception. You are exempted from the requirement to demonstrate English language ability and/or a knowledge of U.S. history and government.
- You will be given another opportunity to be tested on your ability to \_\_\_\_\_ speak/\_\_\_\_\_ read/\_\_\_\_\_ write \_\_\_\_\_ English.
- You will be given another opportunity to be tested on your knowledge of U.S. history and government.
- Please follow the instructions on Form N-14.
- USCIS will send you a written decision about your application.
- You did not pass the second and final test of your \_\_\_\_\_ English ability/ \_\_\_\_\_ knowledge of U.S. history and government. You will not be rescheduled for another interview for this Form N-400. USCIS will send you a written decision about your application.

A) \_\_\_\_\_ **Congratulations! Your application has been recommended for approval.** At this time it appears that you have established your eligibility for naturalization. If final approval is granted, you will be notified when and where to report for the Oath Ceremony.

B)  **A decision cannot yet be made about your application.**

It is very important that you:

- Notify USCIS if you change your address
- Come to any scheduled interview.
- Submit all requested documents.
- Send any questions about this application in writing to the officer named above. Include your full name, Alien Registration Number (A#), and a copy of this paper.
- Go to any Oath Ceremony that you are scheduled to attend.
- Notify USCIS as soon as possible in writing if you cannot come to any scheduled interview or Oath Ceremony. Include a copy of this paper and a copy of the scheduling notice.

**NOTE:** Please be advised that under section 336 of the Immigration and Nationality Act, you have the right to request a hearing before an immigration officer if your application is denied, or before the U.S. district court if USCIS had not made a determination on your application within 120 days of the date of your examination.

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# **Exhibit 6**

U.S. Department of Justice.  
Immigration and Naturalization Service

### Naturalization Interview Results

A# 77 158 040

Sixto Domine

On OCT 25 2004, you were interviewed by an INS Officer District Adjudications Officer  
Seattle, Washington

- You passed the test of English and U. S. history and government.
  - You passed the test of U. S. history and government and the English language requirement was waived.
  - The Service has accepted your request for a Disability Exemption. You are exempted from the requirement to demonstrate English language ability and/or knowledge of U. S. history and government.
  - You will be given another opportunity to be tested on your ability to  speak /  read /  write English.
  - You will be given another opportunity to be tested on your knowledge of U. S. history and government.
  - Please follow the instruction on the Form N-14.
  - INS will send you a written decision about your application.
  - You did not pass the second and final test of your  English ability /  knowledge of U. S. history and government. You will not be rescheduled for an another interview for this N-400. INS will send you a written decision about your application.
- A)  **Congratulation! Your application has been recommended for approval.** At this time, it appears that you have established your eligibility for naturalization. If final approval is granted, your will be notified when and where to report for the Oath Ceremony.
- B)  A decision can not yet be made about your application.

It is very important that you:

- o Notify INS if you change your address.
- o Come to any scheduled interview.
- o Submit all requested documents.
- o Send any questions about this application in writing to the officer named above. Include your full name, A-number, and a copy of this paper.
- o Go to any oath ceremony that you are scheduled to attend.
- o Notify INS as soon as possible in writing if you can not come to any scheduled interview or oath ceremony. Include a copy of this paper and a copy of the scheduling notice.

# **Exhibit 7**

Department of Homeland Security  
U.S. Citizenship and Immigration Services

**N-652, Naturalization Interview Results**

A#: 45 721 018

On 9-20-05, you were interviewed by USCIS officer O'Kelley

- You passed the tests of English and U.S. history and government.
- You passed the tests of U.S. history and government and the English language requirement was waived.
- USCIS has accepted your request for a Disability Exception. You are exempted from the requirement to demonstrate English language ability and/or a knowledge of U.S. history and government.
- You will be given another opportunity to be tested on your ability to \_\_\_\_\_ speak/\_\_\_\_\_ read/\_\_\_\_\_ write \_\_\_\_\_ English.
- You will be given another opportunity to be tested on your knowledge of U.S. history and government.
- Please follow the instructions on Form N-14.
- USCIS will send you a written decision about your application.
- You did not pass the second and final test of your \_\_\_\_\_ English ability/ \_\_\_\_\_ knowledge of U.S. history and government. You will not be rescheduled for another interview for this Form N-400. USCIS will send you a written decision about your application.

A) \_\_\_\_\_ **Congratulations! Your application has been recommended for approval.** At this time it appears that you have established your eligibility for naturalization. If final approval is granted, you will be notified when and where to report for the Oath Ceremony.

B)  **A decision cannot yet be made about your application.**

*IP Pending*

**It is very important that you:**

- Notify USCIS if you change your address
- Come to any scheduled interview.
- Submit all requested documents.
- Send any questions about this application in writing to the officer named above. Include your full name, Alien Registration Number (A#), and a copy of this paper.
- Go to any Oath Ceremony that you are scheduled to attend.
- Notify USCIS as soon as possible in writing if you cannot come to any scheduled interview or Oath Ceremony. Include a copy of this paper and a copy of the scheduling notice.

**NOTE:** Please be advised that under section 336 of the Immigration and Nationality Act, you have the right to request a hearing before an immigration officer if your application is denied, or before the U.S. district court if USCIS had not made a determination on your application within 120 days of the date of your examination.

*L-42*

# **Exhibit 8**



U.S. Department of Justice  
Immigration and Naturalization Service

CITIZENSHIP NOTICE

ROSHANAK ROSHANDEL  
340 N ORANGE GROVE BLVD  
PASADENA CA 91103

File No.: AN7 293 965  
Date: JUL 22 2004  
Officer: F. Mendez

Dear Naturalization Applicant:

Your application has been continued for the following reason(s):

Reexamination on ability to \_\_\_\_\_ read, \_\_\_\_\_ write, \_\_\_\_\_ speak, or \_\_\_\_\_ understand English; or \_\_\_\_\_ knowledge of U.S. history and government. You will be notified by mail regarding the date and time of your next interview.

A more in-depth interview regarding the issue(s) of: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

You will be notified by mail regarding the date and time of your next interview.

Another interview regarding your eligibility for exception(s) to the requirement(s) of Section 312 of the I.N.A. You will be notified by mail regarding the date and time of your next interview.

Form N-648 is required to establish your eligibility for exception(s) to the requirements of Section 312, INA. Please refer to attachment N-648A for more information.

The Form N-648 that you submitted lacks certain required information. Please refer to attachment N-648B for more instructions.

No further action on your part is required at this time. Upon receipt of the below checked boxes, your application can be acted upon:

Your permanent immigrant file.

Your fingerprint background clearance from the FBI.

Your military clearance and/or verification of your military service.

Other: UPON COMPLETION OF  
Pending Review

If you have not received a response after 120 days from the date of this notice, you may mail an inquiry to the following address: **Immigration & Naturalization Service, P.O. Box 5208, El Monte, CA 91734.** Please send a copy of this notice with your inquiry.

If you have a change of address, please complete and mail the attached change of address form. R. 95

Please bring the following information and/or documents to your next interview: *Failure to do so may result in the denial of your application.*

**NOTE: ALL DOCUMENTS MUST BE ORIGINAL OR CERTIFIED COPIES.**

*Any documents in a foreign language must be accompanied by a translation in English. The translator must certify that he/she is competent to translate and that the translation is accurate.*

- Complete arrest report(s), court disposition(s), and probation report(s) (if applicable) for the following:

<u>Arrest Date</u>	<u>Arresting Agency</u>	<u>Place</u>	<u>Case Number</u>

(All court dispositions MUST be certified by the court issuing the record. If a record is no longer available, you must submit documentation from the appropriate agency as to its unavailability. If a record has been sealed or expunged, court records showing such must be submitted.)

- Police clearance(s) from the local law enforcement agency(ies), from all jurisdictions where you have resided for the years: \_\_\_\_\_
- Birth certificate of \_\_\_\_\_
- Marriage certificate of \_\_\_\_\_
- Divorce decree (interlocutory and final decree) of \_\_\_\_\_
- Death certificate of \_\_\_\_\_
- Your written statement, as well as a letter from your church, signed by a church official, explaining how your religious beliefs prevent you from taking the full oath.
- Evidence of bona fide marriage - bring any documents which would assist in establishing the validity of your marriage such as (but not limited to) lease agreements or home ownership documents, joint bank and credit accounts, joint tax returns, proof of joint ownership of other property such as investments, automobiles, life insurance, health insurance.
- Proof that your spouse has been a U.S. citizen for more than three years, such as birth certificate, naturalization certificate, certificate of citizenship, or U.S. passport.
- Proof of child support for \_\_\_\_\_  
(Bring evidence of your payment of financial support, such as cancelled checks, money order receipts and bank drafts showing your payment record, along with copies of any court or government orders relating to the required payment.)
- Copies of tax returns for tax year(s) \_\_\_\_\_  
(Bring copies of any correspondence relating to payment arrangements, and copies of any returns for which you claimed to be a non-resident.)
- Verification of tax compliance from the Internal Revenue Service (I.R.S.) for tax years: \_\_\_\_\_
- Proof of Selective Service registration. (Selective Service System telephone number: 1-847-688-6888). Note: If you failed to register with the Selective Service System before you reached age 26, you must contact Selective Service System and request a status information or advisory letter regarding your failure to register. Please submit this as well as any other correspondence that you receive from the Selective Service System to the I.N.S.
- Your passport(s) and any travel documents issued by the I.N.S.
- Proof of physical presence in the United States during the years \_\_\_\_\_
- Other: \_\_\_\_\_

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