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SOUTHERN DISTRICT OF NEW YORK
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UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

AMERICAN ACADEMY OF RELIGION; AMERICAN)
ASSOCIATION OF UNIVERSITY PROFESSORS;)
PEN AMERICAN CENTER; TARIQ RAMADAN,)
)
Plaintiffs,)

06 Civ. 588 (PAC)

v.)

MICHAEL CHERTOFF, in his official capacity as)
Secretary of the Department of Homeland Security;)
CONDOLEEZZA RICE, in her official capacity as)
Secretary of State,)

Defendants.)

I, Christopher K Derrick, declare and state as follows:

1. I am a Consular Officer at the U.S. Embassy in Bern, Switzerland. My responsibilities include adjudicating visa applications. I have been a Foreign Service Officer with the Department of State since March 13, 2000. I make the following statements based upon my personal knowledge, on information provided to me in my official capacity, and on my evaluation of that information.

2. On September 16, 2005, Mr. Ramadan submitted a visa application at the United States Embassy in Bern, Switzerland. On September 16th, 2005, the visa was administratively refused, in accordance with Department procedures, pursuant to the provisions of INA § 221(g), because the application was preceded by a prudential revocation of a prior visa and in that situation, Department procedures required me to obtain a Security Advisory Opinion ("SAO") from Washington. Once the SAO response is received, I expect to make a final adjudication regarding Mr. Ramadan's visa eligibility.

3. We have conducted two interviews of Mr. Ramadan to obtain additional information and clarify certain issues relating to admissibility. The first interview was held in September 2005; the second interview was held on December 20th 2005.

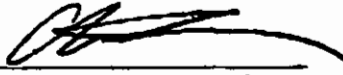
4. It is impossible to predict the time required to complete processing of a complicated visa application. While simple non-immigrant visa applications may be processed in a matter of days, complicated cases that may raise issues under certain provisions of INA § 212(a)(3)(B) may take significantly longer.

5. Following the interview on December 20th, 2005, Mr. Ramadan asked how long we expected the visa to take. I told him that in my experience the shortest time was, in one case, two days, and that we had another case that took two years, so I would expect that it would take at least two days but no more than two years.

6. My comment to Mr. Ramadan was intended to convey two things, firstly, that I have no idea how long it will take, and secondly, that Dr. Ramadan is not the only one whose visa processing takes a long time.

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

Executed this 24th day of April, 2006, in Bern, Switzerland.


Christopher K. Derrick
Consular Officer