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UNITED STATES DISTRICT COURT

DISTRICT OF OREGON

AYMAN LATIF, et al., <i>Plaintiffs,</i>	Case 3:10-cv-00750-BR
v. ERIC H. HOLDER, JR., et al., <i>Defendants.</i>	DECLARATION OF SHARON M. RAYA

DECLARATION OF SHARON M. RAYA

I, Sharon M. Raya, pursuant to 28 U.S.C. § 1746, declare the following under penalty of perjury:

1. I am a Paralegal Specialist with the Federal Programs Branch of the Civil Division of the United States Department of Justice. I have held this position since March 2010. As part

of my duties as a paralegal specialist, I am authorized to conduct research in connection to civil litigation.

2. I have been assigned to the above-captioned matter since July 2010. Since that time, I have conducted extensive internet research and contacted various travel agencies to analyze the ability of U.S. citizens to return to the United States from abroad by means other than flying through United States airspace. I compiled materials on how to travel by cruise ship, cargo ship, and freighter, and I recorded such information as ports of call, types of ships, amenities, travel requirements and restrictions, fares, and document requirements.
3. In searching for itineraries, I learned that transatlantic cargo ships regularly carry between six and twelve passengers each. Ships that carry passengers provide them quarters in single- or double- occupancy rooms that typically feature private bathrooms and showers, refrigerators, and electronic entertainment devices such as televisions and stereos. *E.g.* Maris Freighter Cruise & Travel Club Int'l, Q&A Freighter Guide, http://www.freightercruises.com/q_a_freighter_cruise_guide.php (last accessed Aug. 24, 2010). Most passenger-carrying transatlantic cargo ships are equipped with exercise rooms and pools, and passengers often dine with the crew of the ship. *See, e.g.*, TravLtips Cruise & Freighter Ass'n, Charleston to Northern Europe (June 24, 2010), *available at* http://www.travltips.com/NSB_Northern_Europe.pdf.
4. After calling the number that the website of the freighter travel agency TravLtips advertised, I spoke with an individual who introduced himself as "Mike" in the reservations department on July 16, 2010. Mike told me that passengers are strongly encouraged to book passage through a booking agency, which completes the necessary

traveling paperwork in advance of the travel date. Mike explained the usual booking process: passengers request a potential departure date and place, and the booking agency finds the cargo company with the closest match. During the same conversation, Mike noted that final itinerary details depend on the timeframe in which a vessel completes a roundtrip voyage, the number of passengers that a vessel can accommodate, and the length of the voyage. He also explained that one-way fares, calculated on a per-person, per-day rate, tend to be much less than the advertised prices of round-trip voyages.

5. Mike and I spoke again on August 5, 2010. During this conversation, I received more specific information about particular two transatlantic itineraries. The first itinerary we discussed leaves biweekly from Antwerp, Belgium, and stops in Liverpool, England; Chester, Pennsylvania; and Wilmington, Delaware. I was informed that U.S. citizens can book one-way passage from Liverpool to Chester; U.S. citizens disembarking in the U.S. need not present proof of onward passage. The base fare for passage from Liverpool to Chester costs \$1,175, plus \$402 for trip insurance and \$203 for port charges. The approximate total for the Liverpool trip is \$1780. *See* TravLTips Cruise & Freighter Ass'n, *Transatlantic Cruise to Northern Europe (April 16, 2010)*, available at <http://www.travltips.com/Independent.pdf>. *See* Attachments.

6. The second itinerary that Mike and I discussed leaves regularly from Bremerhaven, Germany, and stops in Felixstowe, England; Rotterdam, Holland; Antwerp, Belgium; LeHavre, France; Boston, Massachusetts; New York, New York; Philadelphia, Pennsylvania; Baltimore, Maryland; and Norfolk, Virginia. As with the first itinerary, I was informed that one-way passengers may request one-way passage to a port in the United States, and U.S. citizens disembarking in the U.S. need not present proof of

onward passage. According to Mike, the cost for a one-way passage would be calculated on a per-person, per-day rate at approximately \$100-\$140. The base fare for a one-way trip on the Bremerhaven voyage at half the trip length (approximately 16 days) and \$100 per-day the voyage, costs \$1600, plus \$289 for port taxes and trip insurance and \$12.50 for U.S. Customs and Immigrations fees. The approximate total for the Bremerhaven trip is \$1901.50. *See* TravLtips Cruse & Freighter Ass'n, Europe to North Atlantic (May 19, 2010), *available at* <http://www.travltips.com/Tanzania.pdf>. *See* Attachments.

7. I also researched and compiled information on airfare from Yemen and Saudi Arabia to the countries from which the freighters described above depart. Searching airfares offered by various travel websites yielded the following quotes for one-way flights using the travel date November 17, 2010:

- a. From Yemen to Germany for \$564-644;
- b. From Saudi Arabia to Germany for \$663-3749;
- c. From Yemen to England for \$316-4138;
- d. From Saudi Arabia to England for \$544-3978.
- e. From Yemen to New York \$514-2360
- f. From Saudi Arabia to New York \$730-1556

8. To the best of my knowledge, there are currently no direct commercial flights available from Yemen to the United States.

9. In addition to researching freighter passage and airfares, I compiled entry and exit requirements on each country through which an individual would travel under one of the itineraries discussed above. To collect visa information, I visited the U.S. Department of State website and the website of certain countries' respective tourism bureaus. I also

discussed entry and exit requirements with representatives of local embassies and travel agencies with whom I had previously been in contact.

10. In the course of my research, I was informed that the following countries require that U.S. citizens need only produce a valid U.S. passport for one-way travel: Belgium, France, Germany, Italy, and the Netherlands (having ratified the Schengen Agreement and allowing US citizens entry for a total of 90 days as tourists without a visa); England (requiring only a valid U.S. passport), Colombia (allowing U.S. citizens to enter and remain for 60 days without a visa but requiring proof of onward travel); Panama (allowing U.S. citizens to enter and remain for up to 90 days on a valid US passport without a visa and not requiring sea travelers remaining aboard a ship to present a visa, report to customs, or pay any fees); Peru (allowing U.S. citizens to enter and remain up to 90 days on a valid U.S. passport without a visa); Mexico (allowing U.S. citizens with valid U.S. passport to enter and remain up to 180 days).

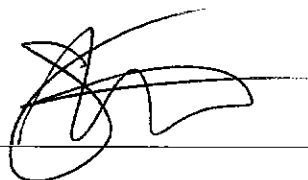
11. I visited the following sources for information:

Site	Date Most Recently Visited
Kayak.com	November 8, 2010
Travltips.com	November 8, 2010
Cruisepeople.co.uk	July 15, 2010
Travelersnotebook.com	July 16, 2010
Seaplus.com	July 16, 2010

Freightertrips.com	July 16, 2010
Hapag-Lloyd Kreuzfahrten(hlkf.com)	July 16, 2010
Freightercruises.com (Maris)	November 8, 2010
Freighter-travel.com	July 15, 2010
Travel.state.gov	November 8, 2010
State.gov (foreign embassy website)	November 8, 2010
Fly.com	November 8, 2010

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

Executed this 16 day of November, 2010



SHARON M. RAYA

DECLARATION OF SHARON RAYA
ATTACHMENTS



TravLTips
 Cruise & Freighter Travel Association
 CST 2022354-40
 For additional information and reservations, contact:
 TravLTips Cruise & Freighter Travel Association
 P.O. Box 580188 Flushing, New York, 11358
 Toll Free in the U.S. and Canada: (800) 372-8564
 E-mail: info@travltips.com

Independent Container Line

Transatlantic Cruise to Northern Europe

Anticipated 28-Day Itinerary

Antwerp Belgium
 Liverpool England
 Philadelphia (Chester)* Pennsylvania
 Wilmington North Carolina
 Antwerp Belgium

***U.S. Embarkation at Wilmington Only**

Containership ports may be located some distance from normal tourist areas and ground transportation will have to be arranged at additional cost.

Independent Container Line offers 4 ships year-round on a popular itinerary calling into Antwerp, Liverpool, Chester, Pennsylvania (adjacent to Philadelphia), and Wilmington. The lead officers are usually German. Usual boarding times: Tuesdays (evening) in Antwerp, Fridays in Liverpool, and Thursdays from Wilmington, NC. Please note that passengers cannot be accepted between Dec. 1 and March 31. Menus usually reflect the tastes of the officers, and food may be different from what you are accustomed. Special diets cannot be accommodated. Age limit is 80. Medical certificate signed by passenger's physician is required for those age 65 and over.

The *mv Independent Pursuit*, *mv Independent Venture*, *mv Independent Accord*, and *ms Independent Concept* were built in 1991/2005. The vessels have air-conditioning, a lounge with video and TV monitor, ping-pong and fitness room, *The mv Venture* has an outdoor swimming pool. Passengers must be able to negotiate several flights of stairs daily. Currency on board is U.S. dollar.

Double Bed/Owner's Suite(starboard side/port side): Location according to vessel, D deck or E deck. Both directly under captains deck. The suites are carpeted with round sofa, writing desk, refrigerator and bathroom with shower. There is a double bed approx. 160 x 200 cm. View to the front is restricted but open to the side.

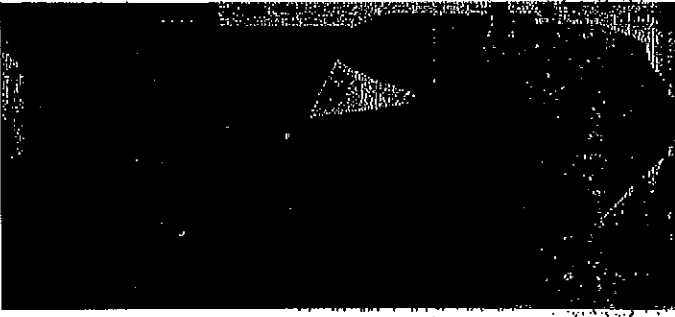
Twin Bed Suite #1: Cabins are carpeted with single beds, couch, refrigerator and bathroom with shower. The cabin is port side and the view to the front is restricted but open to the side.

Twin Bed Suite #2/3: Cabins are carpeted with single beds, couch, refrigerator and bathroom with shower. The cabin is port side midships and the view is restricted by cargo.

Double Bed Cabin "Double Cabin Front": Cabins are carpeted with single beds, couch, refrigerator and bathroom with shower. This cabin is situated at starboard side midships and the view is restricted by cargo.

Fares*	Approx. Duration	Suites/Dbl. Cabin Double Bed/Two Bed	Suites/Dbl. Cabin Solo occ.	Dbl. Bed Cabin Front Twin Beds	Sole Occ. Dbl. Cabin Front Twin Beds
Round trip	28 days	about \$3,742 pp (€ 2772 pp)	about \$4,498 pp (€ 3332 pp)	about \$3,289 pp (€ 2436 pp)	about \$3,969 pp (€ 2940 pp)
Liverpool/ to Chester	10 days	about \$1,337 pp (€ 990 pp)	about \$1,607 pp (€ 1190 pp)	about \$1,175 pp (€ 870 pp)	about \$1,418 pp (€ 1050 pp)

* Plus an additional about \$402 pp (Euro 298 pp) for deviation insurance; plus about \$203 pp (Euro 150 pp) for port charges. The fares are established in Euros by the Shipping Line, and therefore must be paid to the Line in Euros. The estimated U.S. \$ fares are based on a currency exchange rate of Euro 1.00 to US \$1.35. The final U.S. dollar fare will be based on the exchange rate at the time the currency is purchased. Any decrease in the final fare from that quoted above will be refunded, and any increase will be collected. Durations can be longer or shorter by several days.



One-Way Passengers Please Note: Proof of "Onward Passage" is an immigration requirement world-wide. Many nations have had this requirement for some time, but did not strictly enforce it. Most nations are now enforcing it and it is expected all countries will do so. Therefore all one-way passengers must present such proof before tickets will be issued. Due to increased security concerns, their related requirements and costs, TravLTips will not handle any freighter passage less than one full month from projected departure date.

Note this route involves several different climates and passengers should be appropriately prepared.

Deposit of 25% per person is due within ten days of confirmation of reservation. Final payment is due 60 days prior to forecasted departure date. Cancellation fee schedule: If reservations are cancelled, the following penalties plus an additional \$60.00 per person administration fee shall apply: after deposit is received and up to 120 days prior to forecasted departure: Euro 100 per person; 119 days to 60 days prior to forecasted departure: 12.5% of the passage fare (but no less than Euro 100); 59 days to 30 days prior to forecasted departure: 50% of the passage fare; 29 days to 7 days prior to forecasted departure: 65% of the passage fare; 6 days or less prior to forecasted departure: 95% of the passage fare. Booking changes made up to 60 days prior to forecasted departure will have a Euro 100 per person change fee charged. Booking changes made after that will constitute a new booking and cancellation fees may apply to original booking. **Health/accident and emergency medical evacuation insurance is mandatory. Cancellation policy is subject to revision by the Shipping Company.**

Visa waivers are not acceptable for any freighter travel. If a traveler's nationality results in a visa requirement, it must be a full paper visa in their passport. Vessel, itinerary - including projected ports of embarkation/disembarkation - and sailing date are subject to change. Visa requirements (subject to change): None. Inoculations required (subject to change): None. Passport must be valid for a minimum of six months after completion of voyage.

This flyer is not a promotional brochure nor is it an offer of space. All information contained on the flyer, including rates, is subject to change and correction. Space is always based on current availability at time of booking.

ATTN: SHARON RAYA FAX 202-616-8470

605/19/10



TravLTips
 (CST 2022354-10)
Cruise & Freighter Travel Association
 For additional information and reservations, contact:
 TravLTips Cruise & Freighter Travel Association
 P.O. Box 580188 Flushing, New York, 11358
 Toll Free in the U.S. and Canada: (800) 872-8584
 E-mail: info@travltips.com

Reederel R. Laeisz, G.m.b.H.

Europe to U.S. North Atlantic

Anticipated 33 Day Itinerary

Bremerhaven.....	Germany
Felixstowe.....	England
Rotterdam.....	Holland
Antwerp.....	Belgium
LeHavre.....	France
Boston.....	Massachusetts
New York.....	New York
Philadelphia.....	Pennsylvania
Baltimore.....	Maryland
Norfolk.....	Virginia
New York (2nd Call).....	New York
Bremerhaven.....	Germany

*One Way Sailing May be Requested

Please understand that many containership facilities are located some distance from normal tourist areas and ground transportation will have to be arranged.

Reederel R. Laeisz, G.m.b.H. offers a 33 day service from Europe to the U.S. North Atlantic.

The *MSC Tanzania* (ex *Pudong Senator*) offers four very nice cabins that can accommodate a maximum of eight passengers. All cabins are carpeted, air-conditioned two-room suites that are outside-facing and have private facilities. The large living room in each cabin has a sofa, love seat, chair, large writing desk and chair, mini-refrigerator and bar, and electronics that include a multsystem VCR (which accepts U.S. video tapes), tape deck, radio, and CD player. Each bedroom is also equipped with a wardrobe, small chest of drawers, and a large wall mirror. The bedrooms have two twin beds in cabins 1, 2 and 3, and the bedroom in cabin 4 has one double bed against the wall. The dining room is shared with the officers, as is the lounge, indoor pool, sauna, and recreation room, which is equipped with a ping pong table, stationary bicycle, and multi-training machine. Menus usually reflect the tastes of the officers, and food may be different from what you are accustomed. Special diets cannot be accommodated. The lead officers are German with an international crew. The ship does not have an elevator. Passengers must be able to negotiate several flights of stairs daily. Medical certificate signed by the passenger's physician is required for those age 65 and over. German Ownership/Registry. Age limit 79. Built in 1997, the vessel is 965 feet in length and 63,645 DWT, and is designed to cruise at 24 knots.

The ship does not have an elevator. Passengers must be able to negotiate several flights of stairs daily. Medical certificate signed by the passenger's physician is required for those age 65 and over. German Ownership/Registry. Age limit 79. Built in 1997, the vessel is 965 feet in length and 63,645 DWT, and is designed to cruise at 24 knots.

MSC Tanzania Fares*	Approximate No. of Days	Double Occupancy	Sole Occupancy
Roundtrip from Bremerhaven	33	about \$3,960 pp (Euro 2,640 pp)	about \$4,208 (Euro 2,805)

* Plus an additional about \$289 pp (Euro 193 pp) for port taxes and deviation insurance, plus \$12.50 pp for U.S. Customs and Immigration fees for passengers disembarking in the U.S. The fares are established in Euros by the Shipping Line, and therefore must be paid to the Line in Euros. The estimated U.S. fares are based on a currency exchange rate of Euro 1.00 to US \$1.50. The final U.S. dollar fare will be based on the exchange rate at the time the currency is purchased. Any decrease in the final fare from that quoted above will be refunded, and any increase will be collected.



One-Way Passengers Please Note: Proof of "Onward Passage" is an immigration requirement world-wide. Many nations have had this requirement for some time, but did not strictly enforce it. Most nations are now enforcing it and it is expected all countries will do so. Therefore all one-way passengers must present such proof before tickets will be issued. Due to increased security concerns, their related requirements and costs, TravLTips will not handle any freighter passage less than one full month from projected departure date.

Visa waivers are not acceptable for any freighter travel. If a freighter traveler's nationality results in a visa requirement, it must be a full paper visa in their passport.

Deposit of 25% of fare is due within ten days of confirmation of reservation. Full payment is due 63 days prior to forecasted departure date. Cancellation fee schedule: If reservations are cancelled, transferred, or re-booked after deposit is received and up to 31 days prior to embarkation: 10% of passage fare, not to exceed Euro 255.65. 30 days prior to embarkation and after, there will be no refund except the amount saved in relation to meals. However, if the cabin is re-filled only the processing fee of 10% of passage fare will be levied. Rates based on the Euro and subject to currency fluctuation. Health/accident and emergency medical evacuation insurance is mandatory. Vessel Itinerary - including projected ports of embarkation/disembarkation - and sailing date are subject to change. Cancellation policy is subject to revision by the Shipping Company. Visa and inoculation requirements to be advised.

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