

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

ELECTRONIC PRIVACY INFORMATION CENTER

Plaintiff,

v.

NATIONAL SECURITY COMMISSION ON
ARTIFICIAL INTELLIGENCE, et al.

Defendants.

Civ. Action No. 19-2906-TNM

DECLARATION OF JOHN L. DAVISSON

I, John Louis Davisson, do hereby state and declare as follows:

1. I am Counsel at the Electronic Privacy Information Center (“EPIC”).
2. On the morning of Tuesday, September 24, 2019, I met with staff members of the National Security Commission on Artificial Intelligence (“AI Commission”).
3. The meeting was held at the AI Commission’s offices in Arlington, Virginia.
4. In attendance at the meeting were Ylli Bajraktari, Executive Director of the AI Commission; Michael Gable, Chief of Staff of the AI Commission; Michael Lueptow, General Counsel of the AI Commission; and several other members of the AI Commission’s staff.
5. Also in attendance at the meeting were Marc Rotenberg, EPIC President and Executive Director; and Ben Winters, EPIC Equal Justice Works Fellow.
6. At the meeting, the staff of the AI Commission described the structure, operations, and substantive areas of focus of the AI Commission.

7. During the meeting, I asked the staff of the AI Commission about the employment status of the Commission's members.

8. Michael Gable, Chief of Staff of the AI Commission, stated that the members of the Commission were employed in "excepted service appointments on an intermittent basis."

9. These terms are defined, respectively, in 5 U.S.C. § 2103 ("The excepted service") and 5 CFR § 340.403 ("Intermittent employment").

10. I memorialized Mr. Gable's statement in my contemporaneous notes of the meeting, which I have reviewed in composing this Declaration.

11. I declare under penalty of perjury that the foregoing is true and correct. Executed on March 6, 2020 in Washington, DC.



John Louis Davisson
EPIC Counsel

Dated: March 6, 2020