

# **Exhibit 11**

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

ELECTRONIC PRIVACY INFORMATION CENTER,

Plaintiff,

v.

UNITED STATES DEPARTMENT OF COMMERCE,  
et al.,

Defendants.

Civ. Action No. 18-2711

**DECLARATION OF BRUCE SCHNEIER**

I, Bruce Schneier, declare as follows:

1. My name is Bruce Schneier. I am over 18 years old. The information in this declaration is based on my personal knowledge.
2. I reside in Minneapolis, Minnesota, United States of America.
3. I am a Special Advisor to IBM Security. I am a fellow and lecturer at the Harvard Kennedy School. I am also an author and speaker on security and privacy topics.
4. The Electronic Privacy Information Center (“EPIC”) is a non-profit, public interest research center established in 1994 to focus public attention on emerging privacy and civil liberties issues. Central to EPIC’s mission is oversight of government activities that impact individual privacy, free expression, and democratic values. EPIC has a particular interest in preserving legal privacy protections for personal data, including the obligation of federal agencies to conduct privacy impact assessments.
5. I am a member of EPIC. EPIC’s members are distinguished experts in law, technology, and public policy. As a member of EPIC, I serve on the EPIC Advisory Board, participate

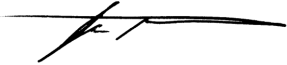
in the activities of EPIC, help finance the activities of EPIC, and provide leadership for EPIC. I also pay annual membership dues, as required by the amended EPIC bylaws.

6. I became an EPIC member because I am concerned about protecting privacy, freedom of expression, and democratic values in the information age. As someone who thinks, works, and writes about digital privacy, EPIC's work on these issues is of special importance to me.
7. EPIC works on my behalf to protect my privacy rights, and I rely on EPIC to obtain and disseminate information about government activities that threaten my privacy.
8. As a resident of the United States, I understand that the Census Bureau intends to ask for my citizenship status on the 2020 Census. By law, I am required to provide a truthful response to such a question.
9. The Census Bureau has indicated that it may disclose my citizenship status to other federal agencies, including for criminal law enforcement purposes.
10. The imminent collection and possible disclosure of my citizenship status by means of the 2020 Census is an unwarranted invasion of my privacy and would cause me irreparable harm by exposing my personal information. I do not consent to the collection or disclosure of my citizenship status.
11. The Census Bureau is required to produce and publish a comprehensive Privacy Impact Assessment ("PIA") when it begins to develop a new collection of personal data, such as the citizenship status of every person in the United States.
12. I understand that the Census Bureau intends to collect, process, and store personal data concerning citizenship status using five separate Bureau systems: CEN05, CEN08, CEN11, CEN13, and CEN18.

13. On my behalf, EPIC sought the five required Privacy Impact Assessments analyzing the collection, processing, and storage of personal data concerning citizenship status. I also sought the five required Privacy Impact Assessments myself by visiting the webpage where Census Bureau PIAs are published.<sup>1</sup>
14. For each of the five CEN systems, the Census Bureau failed to publish a Privacy Impact Assessment that adequately analyzed the collection, processing, and storage of personal data concerning citizenship status. I have therefore been denied information to which I am legally entitled concerning the privacy implications of the Census Bureau's citizenship question.
15. Moreover, I have been irreparably harmed by the Census Bureau's unlawful failure to publish the required Privacy Impact Assessments. I am unable to determine whether the Census Bureau has fully considered or addressed the risks to my privacy, even as the Bureau begins to develop a new collection of personal data that will contain my citizenship status.

I declare under penalty of perjury that, to the best of my knowledge, the foregoing is true and correct.

Executed on November 30, 2018



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Bruce Schneier

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<sup>1</sup> <http://www.osec.doc.gov/opog/privacy/Census-pias.html>.