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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

DANIEL J. BERNSTEIN,

Plaintiff,

v.

UNITED STATES DEPARTMENT
OF COMMERCE, et al.,

Defendants.

C 95-00582 MHP

**DECLARATION OF
DANIEL J. BERNSTEIN
RE CONFERENCES**

Date: October 7, 2002

Time: 2:00 p.m.

Place: Courtroom 15, 18th Floor

I, DANIEL J. BERNSTEIN, hereby declare:

1. I am the plaintiff in the above-entitled action. I currently reside in Berkeley, California. Except as expressly stated below, I have personal knowledge of the facts stated herein. If called upon to testify, I would competently testify to these facts.

2. In a previous declaration, I discussed the Elliptic-Curve Cryptography (“ECC 2001”) conference that took place in Canada at the end of October 2001. This declaration adds more details on the difficulty of connecting a laptop computer to the Internet at that conference. (I do not mean to suggest that this is the only difficulty in complying with the government’s notification requirement at conferences.)

1 3. ECC 2001 was held in Federation Hall at the University of Waterloo. The inside
2 of Federation Hall was a single large auditorium. Participants sat at tables in the auditorium to
3 listen to lectures and to work between lectures.

4 4. I did not see or hear about any publicly accessible Ethernet jacks or phone jacks
5 near the tables, or anywhere else in Federation Hall, or anywhere else on the University of
6 Waterloo campus, despite asking the organizers about Internet access several weeks before the
7 conference, shortly before the conference, and again at the conference.

8 5. I did not own a cell phone until this year. Furthermore, my cell phone has no way
9 to physically connect to my laptop computer. Even with those problems solved, I would not
10 be willing to pay hundreds of dollars per work day in roaming charges.

11 6. I did not, and do not, have a wireless Internet card for my laptop computer.
12 Furthermore, to my knowledge, there was no wireless Internet service in Federation Hall.

13 7. Conference participants were authorized to use a small computer lab on the
14 University of Waterloo campus to check their email. However, without an Ethernet
15 connection, the fastest way for me to transfer documents from my laptop computer to another
16 computer, in order to send them by email, would have been to retype the documents.
17 Furthermore, that lab was in a building several minutes away from the conference activity in
18 Federation Hall. I was so busy at the conference that I never even saw the lab.

19 8. Similar comments apply to the other conferences that I have attended. There is,
20 in general, no Internet access in the conference rooms. A rare exception was the USENIX
21 Security Symposium this year: the conference organizers provided wireless Internet service in
22 some of the conference rooms (although a rogue computer disabled service in one room), and
23 loaned wireless Internet cards to conference participants.

24 I declare under penalty of perjury under the laws of the United States that the foregoing
25 is true and correct and that this declaration was executed on this 3rd day of September, 2002.

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DANIEL J. BERNSTEIN