

Civil Action No. 1:12-cv-00327 (ABJ)

EXHIBIT C

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

ELECTRONIC PRIVACY INFORMATION	)	
CENTER, <i>et al.</i> ,	)	
	)	
Plaintiffs,	)	
	)	
v.	)	Civil Action No. 1:12-cv-00327 (ABJ)
	)	
THE UNITED STATES DEPARTMENT	)	
OF EDUCATION,	)	
	)	
Defendant.	)	

**DECLARATION OF PLAINTIFF PETER G. NEUMANN**

I, PETER G. NEUMANN, of full age, hereby declare to the best of my knowledge and belief:

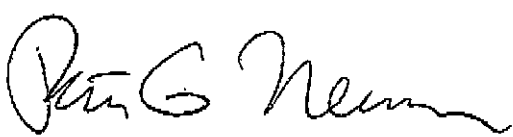
1. My name is Peter G. Neumann. I reside in Palo Alto, California. I am a plaintiff in this case.
2. I am a computer scientist at SRI International. In this capacity, I focus on computer systems and networks, security, reliability, survivability, safety, and many risks-related issues such as voting-system integrity, crypto policy, social implications, and human needs including privacy. I also moderate the ACM Risks Forum, edit CACM's monthly Inside Risks column, chair the ACM Committee on Computers and Public Policy, and co-chair the ACM Advisory Committee on Security and Privacy. I co-founded People For Internet Responsibility (PFIR).
3. I am a member of the Board of Directors of the Electronic Privacy Information Center.
4. I received my A.B. in 1954, my S.M. in 1955, and my PhD in 1961 from Harvard University in Cambridge, Massachusetts.
5. Harvard is subject to the statutory requirements under the FERPA because it receives

federal funding.

6. Harvard continues to maintain education records about me.
7. I object to any disclosure of my education records that arise from the 2011 FERPA regulations.
8. In particular, I do not want the information I disclosed to Harvard to be re-disclosed to non-governmental actors for purposes I cannot discern, without my authorization.
9. I believe I am adversely affected by the 2011 FERPA regulations because they permit Harvard to disclose sensitive personal information about me without my consent. It may be incorporated, for example, in databases that are used for employee background checks. By matching my Harvard education records to other records, a non-educational institution with which I have no personal connection would be able to create a detailed dossier about me for reasons I cannot discern.
10. My Harvard education records, if released inappropriately, may be used in part for the purpose of computing my credit score. My credit score is important, not only for borrowing money, but for an increasing number of ordinary transactions. Prospective employers, landlords, and many others look at credit scores. A troubling recent use of the credit score is by insurance companies to establish rates. It has been documented that insurers may raise an individual's rates or even deny coverage based on the credit score. For example, the credit record can cause one's auto insurance premiums to increase, even if one has a perfect driving record.
11. My Harvard education records, if obtained by commercial institutions, may be used for consumer profiling and "dynamic pricing." It has been documented that financial institutions use consumer profiling to restrict choices, and mislead or exclude consumers.

- 12. Since accountability and oversight are lacking for commercial databases, I do not want my Harvard education records to be used as input to any commercial database. I rely on FERPA to ensure the confidentiality of the information I disclosed to Harvard University.

I declare under penalty of perjury that the foregoing is true and correct and that this declaration is executed in Menlo Park, California on January 16, 2013.



PETER G. NEUMANN  
Member,  
EPIC Advisory Board  
EPIC Board of Directors

16 Jan 2013