

EXHIBIT 4

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

GHASSAN ALASAAD, NADIA)
ALASAAD, SUHAIB ALLABABIDI, SIDD)
BIKKANNAVAR, JÉRÉMIE DUPIN,)
AARON GACH, ISMAIL ABDEL-RASOUL)
AKA ISMA'IL KUSHKUSH, DIANE)
MAYE, ZAINAB MERCHANT,)
MOHAMMED AKRAM SHIBLY, AND)
MATTHEW WRIGHT,)

Plaintiffs,)

v.)

KIRSTJEN NIELSEN, SECRETARY OF)
THE U.S. DEPARTMENT OF HOMELAND)
SECURITY, IN HER OFFICIAL)
CAPACITY; KEVIN MCALEENAN,)
COMMISSIONER OF U.S. CUSTOMS AND)
BORDER PROTECTION, IN HIS)
OFFICIAL CAPACITY; AND RONALD)
VITIELLO, ACTING DIRECTOR OF U.S.)
IMMIGRATION AND CUSTOMS)
ENFORCEMENT, IN HIS OFFICIAL)
CAPACITY,)

Defendants.)

Civil Action No. 17-cv-11730-DJC

Hon. Denise J. Casper

DECLARATION OF PLAINTIFF SIDD BIKKANNAVAR

1. I am an optical engineer at NASA’s Jet Propulsion Laboratory (“JPL”).
2. I am a U.S. citizen.
3. I reside in California.
4. On January 31, 2017, I flew into Houston, Texas, from Santiago, Chile, where I had been on vacation. I traveled with a locked smartphone, a Samsung Galaxy Note 5.

5. At the passport control area of the George Bush Intercontinental Airport in Houston, a U.S. Customs and Border Protection (“CBP”) officer escorted me to a secondary inspection area.

6. After approximately a 30-45 minute wait, another CBP officer led me to an interview room, where the officer handed me a form titled “Inspection of Electronic Devices.” It stated in part: “All persons, baggage, and merchandise . . . are subject to inspection, search and detention. . . . [Y]our electronic device(s) has been detained for further examination, which may include copying. . . . CBP may retain documents or information Consequences of failure to provide information: Collection of this information is mandatory Failure to provide information to assist CBP or ICE in the copying of information from the electronic device may result in its detention and/or seizure.”

7. The CBP officer asked if I was traveling with a phone and asked to examine it. I provided my phone. Upon seeing that it was locked, the officer asked for the password. I explained that I could not share the password because it was a JPL phone, but the officer repeated his order that I disclose the phone’s password.

8. I was in danger of missing my connecting flight from Houston to Los Angeles.

9. I eventually provided the password to the officer because I felt that I had no choice. I understood the form titled “Inspection of Electronic Devices” to mean that CBP was asserting a legal prerogative to search the contents of my phone, and that if I refused to disclose my phone password, CBP would respond by seizing my device and copying my information.

10. I was coerced into disclosing my phone’s password.

11. When I disclosed my phone password, the officer wrote it down and took the password and the phone to another room.

12. After about 30 minutes, the officer returned the phone to me and informed me that officers had used “algorithms” to search the contents of the phone, which I understood to mean that they used one or more forensic tools.

13. The officer also informed me that officers had not found any “derogatory” information about me.

14. A CBP officer then escorted me out of secondary screening and allowed me to continue my travel.

15. I felt these searches violated my privacy. It felt like CBP pried into both my professional and personal life. I felt nervous and unwelcome in my own country.

16. I regularly travel internationally for personal reasons and carry electronic devices with me when I do so.

17. To the best of my knowledge, since the start of 2013, I have taken at least 36 trips leaving and returning to the United States.

18. At the current time, I intend to continue traveling internationally for personal reasons.

19. At the current time, I intend to make the following trips outside the United States:

- a. On or about June 2019, I intend to travel to Suzuka, Japan to participate in activities related to a solar car race.
- b. On or about August 2019, I intend to travel to Suzuka, Japan to participate in a solar car race
- c. On or about September 2019, I intend to travel to Marrakech, Morocco to participate in a solar car race.

- d. On or about October 9, 2019, I intend to travel from Los Angeles to Darwin, Australia to participate in a solar car race.
- e. On or about October 21, 2019, I intend to travel from Adelaide, Australia to Los Angeles.
- f. On or about May 2020, I intend to travel to Albi, France to participate in a solar car race.
- g. On or about June 2020, I intend to travel to Suzuka, Japan to participate in activities related to a solar car race.
- h. On or about August 2020, I intend to travel to Suzuka, Japan to participate in a solar car race.
- i. On or about September 2020, I intend to travel to Zolder, Belgium to participate in a solar car race.

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

Dated: April 14, 2019



Sidd Bikkannavar