

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

AMERICAN EDUCATIONAL RESEARCH
ASSOCIATION, INC., AMERICAN PSYCHOLOGICAL
ASSOCIATION, INC., and NATIONAL COUNCIL ON
MEASUREMENT IN EDUCATION, INC.,

Plaintiff-Counterdefendants,

v.

PUBLIC.RESOURCE.ORG., INC.,

Defendant-Counterclaimant.

Case No. 1:14-cv-00857 (TSC)

**DECLARATION OF CARL MALAMUD IN OPPOSITION TO [134] PLAINTIFFS'
MOTION FOR SUMMARY JUDGMENT AND IN SUPPORT OF DEFENDANT
PUBLIC.RESOURCE.ORG., INC.'S CROSS MOTION FOR SUMMARY JUDGMENT**

1. Since 2007, I have been the President and Founder of Public.Resource.Org (“Public Resource”), a nonprofit corporation incorporated in California which operates solely for educational and charitable purposes and is registered under Section 501(c)(3) of the Internal Revenue Code. I have personal knowledge of the matters stated in this declaration and could competently testify to them if called as a witness.

2. In this declaration, I address: (I) Some background on my previous work; and (II) my motivation and practices concerning the issues currently before the Court.

**I. CONTRIBUTIONS TO GOVERNMENT AND TO THE PUBLIC, AND EFFORTS
TO MAKE GOVERNMENT AND LEGAL INFORMATION FREELY
AVAILABLE**

3. I completed my doctoral coursework in Economics at the Indiana University School of Business, with a focus on antitrust and regulation. I dropped out of that program to work for the Indiana University computing center, where I worked on early relational database

programs and computer networking, managed a large computer literacy program for business students, and assisted the computing center in connecting our university to the Internet.

4. In 1984, I was part of a small team at the Board of Governors of the Federal Reserve System that substantially changed how the Board used computers. We created a distributed architecture for the Research Division, installed Unix workstations and a computer network, and provided economists tools that led to substantial improvements in key indicators such as forecasts of the money supply.

5. I spent the rest of the 1980s as a computer consultant to the Argonne and Lawrence Livermore National Laboratories and the Department of Defense, as well as teaching advanced seminars in relational databases and computer networks. During that time, I shifted my focus to writing, authoring six books including a three-volume professional series on computer networks and one of the earliest books on relational databases. I also wrote extensively for the press as a featured columnist for publications such as Data Communications, Communications Week, and the Bangkok Post.

6. In the 1990s, I began to shift my focus exclusively to the global Internet, and in 1993 I founded the first radio station on the Internet, which I ran as a 501(c)(3) nonprofit public station. My weekly radio program “Geek of the Week” is considered the first “podcast.” We live-streamed all the luncheon addresses from the National Press Club, and I helped put the club on-line. **Exhibit 1** is a copy I obtained of an article about my work in this matter: John Markoff, “Turning the Desktop PC Into a Talk Radio Medium,” New York Times, March 4, 1993.

7. In January 1994, I began efforts to make government materials, and especially legal materials, more widely available on the Internet. I used a National Science Foundation grant to purchase all electronic filings submitted by corporations to the Securities and Exchange

Commission and made the Electronic Data Gathering and Retrieval (known as “EDGAR”) service available for free on the Internet. **Exhibit 2** is a copy of an article about my work in this matter: John Markoff, “Plan Opens More Data To Public,” New York Times, October 22, 1993.

8. In August 1995, I donated computers and software to the Securities and Exchange Commission so that it was were able to take over the EDGAR service. It ran the service on the Internet for several years using software we developed. **Exhibit 3** is a letter from the Securities and Exchange Commission to me on August 31, 1995 , stating in part: “Looking forward to your support as we continue down the road you’ve paved.” The SEC is still running this popular service today (now using their own software), making SEC filings available to the public at no cost, here: <https://www.sec.gov/edgar.shtml>.

9. In 1994, I obtained the first “new media” credentials from the Radio-TV Gallery of the U.S. House of Representatives and started live-streaming all proceedings from the floors of the House and Senate. **Exhibit 4** is a copy of an article written about my work in this matter: John Schwartz, “Superhighway Routed Through Capitol Hill,” Washington Post, September 9, 1994.

10. In 1995, I assisted the Joint Economic Committee in doing the first congressional hearing on the Internet, including live-streaming of the proceedings and questions received for the witnesses from viewers on the Internet. **Exhibit 5** is a letter from Senator Connie Mack to me on June 16, 1995, concerning the hearing.

11. In 1996, I led a team of colleagues from around the world to create the first World’s Fair on the Internet. The fair attracted 5 million unique visitors, and included real-world events throughout the globe in locations such as Japan, Taiwan, the Netherlands, India, and Kazakhstan. The fair received letters of support from numerous heads of state including

Presidents William J. Clinton and Boris Yeltsin; and my book on the world's fair, published by MIT Press, included a foreword from His Holiness the Dalai Lama. **Exhibit 6** is a copy of an article about my work in this matter: Katie Hafner, "The Man With Ideas: The Robert Moses of Cyberspace Plans a 1996 World's Fair," Newsweek, July 24, 1995. **Exhibit 7** is a copy of the foreword from my book: "Foreword by His Holiness the Dalai Lama," A World's Fair for the Information Age, MIT Press (1997).

12. In 1994, I purchased feeds of all U.S. patents and made them available for free on the Internet. I sought to convince the U.S. Patent and Trademark Office to provide this service instead of me, and in 1998 I engaged in a successful campaign to have the government make this information directly available to the public without charge. **Exhibit 8** is a copy of an article about my work in this matter: John Schwartz, "Ideas Whose Time for Free Access Has Come," Washington Post, June 29, 1998. **Exhibit 9** is a copy of another article about my work in this matter: John Markoff, "U.S. to Release Patent Data On a World Wide Web Site," New York Times, June 25, 1998.

13. In 2005 and 2006, I was the Chief Technology Officer for the non-profit education organization Center for American Progress. While there, I spent considerable time developing a plan that would make all congressional hearings available to the public in high-resolution video. The plan generated considerable interest throughout government. After I left the Center, I continued to pursue this idea. **Exhibit 10** is a letter to me from the Public Printer of the United States on July 27, 2006 supporting my proposal. **Exhibit 11** is a letter to me from Hon. Nancy Pelosi, the Speaker of the House of Representatives, on April 17, 2008, supporting my "FedFlix" initiative, in which she stated: "I thank you for your work to increase public discourse on technology, public domain, and transparency issues and look forward to continuing

to work with you.”

14. In 2007, I created Public.Resource.Org. One of the first intensive projects Public Resource undertook was to make congressional hearings more broadly available. After C-SPAN asserted copyright over the broadcast feed of the Speaker testifying before the House, I intervened and the result was broader availability of congressional hearings. As part of that effort, I purchased hundreds of DVDs of congressional hearings, with C-SPAN’s blessing, and posted them for free access on the net. **Exhibit 12** is a copy of an article about my work in this matter: James Fallows, “Another Win for Carl Malamud,” Atlantic Monthly, March 9, 2007.

15. In 2011, in one of his first acts upon taking office, Speaker John Boehner, together with Representative Darrell Issa, chair of the House Committee on Oversight and Government Reform, asked me to assist the U.S. House of Representatives in making congressional video more broadly available. As part of that effort, I helped make the Committee on Oversight and Government Reform the first committee to provide closed-captioning of video, and over the course of the project I posted over 14,000 hours of congressional video spanning a decade, and assisted committees in posting some of these videos on their own web sites. That effort was later recognized on the floor of the House. **Exhibit 13** is a letter from Speaker Boehner and Chairman Issa to me, on January 5, 2011, stating in part: “We’re writing today to thank you for your nearly two decades of work to increase the availability of public data, and more recently your efforts to publish proceedings of the House Oversight and Government Reform Committee in their entirety.” **Exhibit 14** is a correct copy of the Remarks of Congressman Issa titled “Commemorating the Tenth Anniversary of Public.Resource.Org,” Congressional Record, Page E285, March 7, 2017.

16. From 2007 to 2015, Public Resource purchased and processed over 2,000 DVDs

from the Internal Revenue Service containing the tax returns of non-profit organizations. In the course of that work, I found and redacted over 450,000 social security numbers and other privacy violations and submitted numerous reports to the IRS until it made substantial changes in its regulations to provide for the redaction of personal information. I also pressed the IRS to release e-file versions of non-profit tax returns and pursued a successful Freedom of Information suit in the U.S. District Court which resulted in the release of over 1.5 million e-file returns and substantial changes in IRS policy. *Public.Resource.org v. U.S. Internal Revenue Serv.*, 78 F. Supp. 3d 1262 (N.D. Cal. 2015). The data I processed forms the basis for the non-profit journalism organization ProPublica's free search service for non-profit returns. **Exhibit 15** is a copy of an article about my work in this matter: Suzanne Perry, "IRS Plans to Begin Releasing Electronic Nonprofit Tax Forms Next Year," *Chronicle of Philanthropy*, June 30, 2015.

17. In 2007, Public Resource made available for the first time historical opinions of all circuits of the U.S. Court of Appeals for free access on the Internet.

18. In the process of posting the Court of Appeals opinions, I found numerous Social Security Numbers in the opinions, some of which were visible on court web sites. I informed the Clerks of all the Circuits of this so that they were able to redact this information. **Exhibit 16** is a copy of an article about my work in this matter: Robert Ambrogi, "1.8M Pages of Federal Case Law To Go Public," *Law Sites*, November 14, 2007. **Exhibit 17** is a copy of a letter to me from the Hon. Lee H. Rosenthal, Chair of the Committee on Rules of Practice and Procedure of the Judicial Conference of the United States, on July 16, 2008, thanking me for the information I provided and stating "[i]t is enormously helpful to have the benefit of the empirical research that you have done."

19. In 2008, I discovered thousands of documents with privacy violations in the

PACER database of federal court filings after a colleague downloaded documents from a public access site of the Administrative Office of the U.S. Courts. I informed chief judges of 32 U.S. district courts about these issues, and many of them responded by ensuring that the documents were properly redacted. I also briefed congressional officials and, at the request of that court's Chief Judge, the U.S. Court of Appeals for the Ninth Circuit. **Exhibit 18** is a copy of a letter to me from Chief Judge Royce C. Lamberth, U.S. District Court for the District of Columbia, on January 28, 2009, thanking me for my work and stating that the documents I had identified with social security numbers would be replaced with partially redacted versions. **Exhibit 19** is a copy of a letter from U.S. Senator Joseph I. Lieberman to Hon. Lee H. Rosenthal, on February 27, 2009, addressing my work and the need to better ensure redactions of sensitive personal data. **Exhibit 20** is a copy of my prepared statement before the U.S. Court of Appeals for the Ninth Circuit on June 23, 2010.

20. In April 2009, I signed Agreement No. NTIS-1832 with the National Technical Information Service, a part of the Department of Commerce, to start the FedFlix project I created to post decades of films and videos produced by the federal government. As part of that effort, NTIS sent me several hundred videos in various old formats. I digitized those videos and returned them to NTIS along with a disk drive of the digitized videos. I then posted the videos on YouTube and the Internet Archive.

21. In 2010, I met with the Honorable David Ferriero, Archivist of the United States, and he agreed to let me send volunteers into the National Archives along with DVD duplicators. The volunteers, whom we called the "International Amateur Scanning League," reproduced over 5,000 videos. Those were added to the YouTube and Internet Archive sites. The YouTube FedFlix channel has over 186,000 subscribers and has had over 74 million views. It can be

accessed at <https://www.youtube.com/user/PublicResourceOrg>. The Internet Archive FedFlix collection has had close to 18 million views and can be accessed at <https://archive.org/details/FedFlix>.

22. In January 2009, President Obama's transition effort asked me to develop plans for transforming the Federal Register. Those plans were adopted, and this resulted in making source code for the Federal Register available to the public at no charge. This code was then used by a number of open source programmers in California to create a vastly better version of the Federal Register, and this new version was subsequently adopted by the Office of the Federal Register as its official web site. I assisted the Office of the Federal Register and the White House throughout this process. I nominated the Office of the Federal Register for the first-ever Walter Gellhorn Award for innovation in government services by the Administrative Conference of the United States, of which I was a member, and was delighted that they won. The Archivist of the United States subsequently recognized my efforts. **Exhibit 21** is a copy of my submission to the Presidential Transition Effort ("Change.Gov"), titled "Federal Register 2.0," on January 5, 2009. **Exhibit 22** is a copy of a letter from the Hon. David Ferriero, Archivist of the United States to me, on April 2, 2019, describing Public Resource's "long-term commitment to public access," mentioning receipt of the Walter Gellhorn Award, and stating in closing: "Our Founding Fathers believed that an informed and involved citizenry was key to our democracy and Public Resource helps us make[] this true."

23. A number of organizations have recognized my efforts to make government information more accessible. In 2008, Harvard University presented me the Berkman Award for "outstanding contributions to the Internet's impact on society." In 2008 and 2016, the Society of Professional Journalists presented me the James Madison Award for Freedom of Information. In

2009, the First Amendment Coalition presented me the Bill Farr Award for furthering the principles of free speech, free press, and public access to government. In 2009, the Electronic Frontier Foundation, an organization with a mission to protect and promote privacy, civil liberties, and free expression (and one of the lead *pro bono* counsel for Public.Resource.Org in this case), presented me the Pioneer Award. In 2019, the American Association of Law Libraries presented me the Public Access to Government Information award.

II. PUBLIC RESOURCE'S EFFORTS TO MAKE THE LAW FREELY AVAILABLE

24. My efforts to make the law available began with the judicial branch, but I was also keenly interested in state statutes. After the State of Oregon objected to Public Resource's posting of the Oregon Revised Statutes, I was invited to appear before the Legislative Counsel Committee, a joint committee of the Oregon Legislature chaired by the Speaker of the House and the Senate President. After hearing from a number of witnesses, including the Legislative Counsel, the committee voted to waive all assertions of copyright over the Oregon Revised Statutes. **Exhibit 23** is a copy of my prepared statement before the Oregon State Legislature Legislative Counsel Committee on June 19, 2008.

25. In 2012, a similar situation occurred regarding the posting of the official Code of the District of Columbia. After the General Counsel of the District of Columbia studied the situation, he actively encouraged a number of my colleagues in the open source community to work with the code, and the results were a spectacularly better web site for public access to the laws of the District of Columbia. The software is maintained by the non-profit Open Law Library and can be seen at <https://code.dccouncil.us/>.

26. Not all states have been as welcoming to such efforts. The States of Georgia and Mississippi both objected strenuously to efforts to make their state laws more broadly accessible, and the State of Georgia sued Public.Resource.Org. That case is now before the U.S. Supreme

Court, and it has attracted widespread attention from a number of amici and commentators. *State of Georgia et. al. v. Public.Resource.Org*, U.S. Supreme Court Docket 18-1150. **Exhibit 24** is a copy of an article about my work in this matter: The Editorial Board, “The Law©?,” New York Times, June 25, 2019.

27. Because of my long-standing interest in administrative law and my interaction with groups such as the Office of the Federal Register, I was naturally drawn to the regulations of my home state, California. I spent considerable effort converting the California Code of Regulations into HTML (hypertext markup language), including conversion of all the diagrams to the open “SVG” (scalable vector graphics) standard, which allows high-quality diagrams to be resized and coded the formulas to the open “MathML” standard, which makes the mathematical expressions accessible to the visually impaired.

28. Although most portions of the California Code of Regulations are freely available online, a notable gap in the California Code of Regulations is Title 24, which are the public safety codes of California, including the building, fire, electrical, plumbing, mechanical, and other state-wide public safety codes. The codes are developed and released on a triennial cycle which includes numerous public hearings coordinated by the Building Standards Commission with the strong participation of 13 additional state agencies. The process results in a triennial release of heavily amended versions of model codes, versions that are issued under the authority of the State of California and must be enforced by all municipalities and counties in the state.

29. After deep study of the mechanics of this process of adoption, and reading legal decisions relevant to the question, such as the *Veck* decision of the Fifth Circuit, I began purchasing and posting Title 24 of the California Code of Regulations in 2008. I then carefully examined other state statutes and regulations looking for explicit and deliberate incorporation by

reference of other codes that had binding effect in state laws and regulations.

30. In 2010, I wrote to Ms. Maureen Brodoff, General Counsel of NFPA, and asked for a meeting with Mr. James Shannon, then the President of the organization. In June 2011, I met with Ms. Brodoff and Mr. Shannon. They requested that the meeting be governed by a Non-Disclosure Agreement so I am not able to discuss the details, but I can say the meeting was cordial and informative. In 2012, NFPA asked if I could come to Boston to discuss issues with its technical staff and offered to pay for my plane ticket.

31. Based on my frequent interactions with the Government Printing Office and the Office of the Federal Register and my membership in the Administrative Conference of the United States, I was quite familiar with the Code of Federal Regulations and the process of incorporation by reference. In 2012, I made a careful study of the Code of Federal Regulations and purchased a number of standards that it had incorporated. I made copies of those standards, added additional materials including a number of letters addressed to government officials, and sent these packets to 10 standards bodies and a number of government agencies. In those packets, I set out my thoughts as to why these materials were binding law and should be made available to the general public. I asked for comments from the standards bodies, but not one responded. **Exhibit 25** is a correct copy of a document I sent in these mailings, with the title “Notice of Incorporation,” dated March 15, 2012.

32. After waiting 45 days for comments (and sending notes to organizations such as NFPA to make sure they had received the packets), I began posting standards that the federal government had incorporated by reference into the Code of Federal Regulations. I heard nothing from standards bodies, with the exception of two take-down notices, one in November 2012 from the American Petroleum Institute and one in December 2012 from the National Standard

Plumbing Code Committee. In each case I responded with a letter stating why I believed these documents were properly incorporated into law, and in both cases I did not hear back from the organizations.

33. In January 2013, I was contacted by the Sheet Metal and Air Conditioning Contractors National Association (SMACNA) concerning the posting of the “HVAC Air Duct Leakage Test Manual” which was incorporated by reference into 10 CFR § 434.403 as well into state regulations. I responded to SMACNA stating my reasons for posting the document in question. **Exhibit 26** is a copy of my response to SMACNA, on January 11, 2013.

34. After SMACNA continued to object and threatened suit, Public Resource sued for declaratory relief in the U.S. District Court for the Northern District of California, *Public.Resource.Org v. Sheet Metal and Air Conditioning Contractors' National Association, Inc.*, Case No. 3:13-cv-00815. On July 9, 2013 SMACNA agreed to a stipulated judgment in which it agreed no longer to threaten Public Resource or other parties for the posting of 4 standards explicitly incorporated into the CFR, not to assert copyright in those documents, and to pay Public Resource a token one dollar. **Exhibit 27** is a correct copy of the Stipulation and Judgment resolving that lawsuit.

35. Throughout the six years this lawsuit has been ongoing, I have been driven by one key fact, one that is uncontested: standards incorporated by reference into the U.S. Code of Federal Regulations have the force of law. As S. Joe Bhatia, the President of the American National Standards Institute, has said, “A standard that has been incorporated by reference does have the force of law, and it should be available.” He stated this when ANSI and other standards bodies, including the plaintiffs in the present action, announced they were making standards available for the first time for public viewing in a carefully controlled “reading room.” This

action was a direct response to my posting of standards in 2012 and occurred in conjunction with the filing of this lawsuit. **Exhibit 28** is a copy I of an article from the ANSI website, titled “ANSI Launches Online Portal for Standards Incorporated by Reference,” dated October 28, 2013.

36. I applaud the action of ANSI and the plaintiffs in the current action in finally taking a step to make their documents available, if only for limited reading. This is a step forward and is certainly different from their posture before my initiative in 2012. But it is not enough in terms of promulgating the law widely. I believe the issue is whether citizens have the right to speak the law in a way that allows others to better understand their rights and obligations. I am inspired by the example of John B. West, who created the National Reporter System, an action that would not have been possible if state and federal courts had asserted copyright over the opinions of the judges. I presented this view before the House of Delegates of the American Bar Association. **Exhibit 29** is a copy of my prepared remarks before the ABA House of Delegates on August 9, 2016. **Exhibit 30** is a copy of an article about my work in this matter: Lorelei Laird, “After debate, ABA House calls for publication of privately drafted standards used in legislation,” ABA Journal, August 9, 2016.

37. I have also been inspired by the story of the Hot Oil case, where a case reached the U.S. Supreme Court in which nobody knew what the law really was. *Panama Refining Co. v. Ryan*, 293 U.S. 388 (1935). This led Justice Brandeis to reach out to Felix Frankfurter, who drafted a young professor named Erwin Griswold to write a seminal article in the Harvard Law Review resulting in the passage of the Administrative Procedures Act and the creation of the Federal Register. This story was told on the 70th Anniversary of the Federal Register and then again on the 75th Anniversary when the Office of the Federal Register formally released an

official “Federal Register 2.0,” which I helped create. **Exhibit 31** is a correct copy of an article about that event: Hon. David Ferriero, “Federal Register 2.0,” The White House Blog, July 26, 2010. **Exhibit 32** is a copy of a document commemorating this event: History of the Federal Register, March 14, 2006.

38. My focus has been *the law*. I realize that, in this lawsuit, the works at issue are the standards published by the plaintiffs. But for me the *work at issue* has always been the Code of Federal Regulations and state codes such as Title 24 of the California Code of Regulations. My goal has always been to create an unabridged version of the law, one that is able to better inform my fellow citizens about their rights and obligations. Because of the lawsuit, Public Resource’s work on making the unabridged CFR available has been greatly hampered, but we are continuing our efforts to improve access to the CFR. For example, Public Resource has been assisting the Cornell Legal Information Institute by redrawing the diagrams in the CFR into SVG, coding the mathematics, and taking the forms and tables that are often included as bitmap images into valid HTML code. The Cornell version of the CFR is far more accessible than the government versions, and I believe that the Cornell version is also used far more often by citizens. **Exhibit 33** is a copy of an article about my work with the Cornell Legal Information Institute: Cornell Legal Information Institute, “Worth A Thousand Words: We’re Upping Our Game for Images,” April 4, 2019.

39. In twelve years of studying standards incorporated by reference, I am struck by the fact that I have never once come across an instance of a standards body objecting to a standard being incorporated by reference into law (except where it objects to having an older edition incorporated into law, preferring a newer edition). Indeed, in the vast majority of the instances, incorporation into law is an explicit goal of the standards organizations. I realize that a

great deal of material is incorporated by reference; indeed, in many instances I believe that regulators and standards bodies are too quick to make the law more voluminous than it should be. But it is not my place to second-guess the regulators.

40. I have exercised great care in trying to only post materials that have been made into law, including having numerous conversations with the Office of the Federal Register to understand exactly what has been incorporated. For example, **Exhibit 34** is a copy of an email exchange on March 1, 2016, that I had with Amy Bunk, Director of Legal Affairs and Policy at the Office of the Federal Register, in which she stated: “Our regulations require that agencies specifically identify the materials they wish to incorporate by reference, whether it is an entire publication or sections of a publication. If an agency hasn't identified a specific section of a publication, they have incorporated the entire publication.” The fact that a standards body coordinated a document, often with the participation and encouragement of numerous government agencies among the actual authors, strikes me no different than the fact that numerous lobbyists on K Street assist the Congress and regulators by coordinating (and often writing) draft legislative texts that become laws and regulations. The true authors of the law, once it is promulgated, are the people of the United States, and thus no claim of copyright can prevent or constrain citizens from speaking their own laws.

41. I do not believe I am unique in my passion for making the law available. In a democracy, promulgation is a key aspect of the rule of law. It is the key to our democratic system of government. I am inspired and often quote the words of John Adams in his seminal “A Dissertation on the Canon and Feudal Law.” He said: “liberty cannot be preserved without a general knowledge among the people, who have a right, from the frame of their nature, to knowledge ... they have a right ... to that most dreaded and envied kind of knowledge, I mean, of

the characters and conduct of their rulers. Rulers are no more than attorneys, agents, and trustees for the people. ... let the public disputations become researches into the grounds and nature and ends of government, and the means of preserving the good and demolishing the evil. ... In a word, let every sluice of knowledge be opened and set a-flowing.” **Exhibit 35** is a copy of John Adams’ “Dissertation on the Canon and Feudal Law.”

42. I am aware that in its opinion for *Bellwether Properties, LLC, v. Duke Energy Indiana, Inc.*, 87 N.E.3d 462, 468–69 (Ind. 2017), the Indiana Supreme Court stated that the only way it was able to access a version of the 2002 version of the National Electrical Safety Code (NESC), which the Institute of Electrical and Electronic Engineers (IEEE) had promulgated, was by finding it online on the Internet Archive, at <https://ia600704.us.archive.org/16/items/gov.law.ieee.c2.2002/ieee.c2.2002.pdf>. I am the person who posted that 2002 version of the NESC to that location on the Internet Archive, in the course of my efforts to make the law freely available. The metadata page for this document indicates that it was “Uploaded by Public.Resource.Org,” *see* <https://archive.org/details/gov.law.ieee.c2.2002> and https://ia600704.us.archive.org/16/items/gov.law.ieee.c2.2002/ieee.c2.2002.pdf_meta.txt.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct. Executed this 7th day of November, 2019 at New Delhi, India.



Carl Malamud