

*The Zhong Lun Declaration on the Obligations of Huawei and Other Chinese Companies
under Chinese Law*

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I. INTRODUCTION

1. This memorandum analyzes a declaration dated May 27, 2018 on issues of Chinese law made by two Chinese attorneys from the law firm Zhong Lun (the “Zhong Lun Declaration” or the “Declaration”).¹ The Zhong Lun Declaration was submitted to the Federal Communications Commission (the “FCC”) in the course of FCC proceedings concerning Huawei Technologies Co. Ltd. (“Huawei”). The purpose of the Declaration is to support Huawei’s assertions with respect to two questions:

Question One: “Whether under Chinese law, telecommunication equipment manufacturers such as Huawei are obligated to cooperate with any request by the Chinese government to use their systems or access them for malicious purposes (including any malicious purposes from the perspective of the United States) under the guise of state security”;² and

Question Two: “[W]hether Chinese laws authorize the Chinese government to order manufacturers to hack into products they make to spy on or disable communications”.³

2. Huawei has in both cases asserted that the answer is “No.” This memorandum will analyze whether that answer is accurate and supported by the Declaration.

II. SUMMARY

3. The Declaration is both misleading and in places inaccurate.
 - a. It is misleading because it misstates the key question of concern to the United States and other governments. That question is not what Chinese *law* says about the ability of the Chinese government to tell companies like Huawei what to do. The question is what the Chinese government can *actually do*, regardless of what the law might say. The Declaration does not address the key issue of whether the Chinese government is meaningfully constrained by Chinese law.

¹ The attorneys in question are Jihong Chen and Jianwei Fang. This declaration has often been referred to as a legal opinion. Technically, it is not. A legal opinion is a statement of an attorney’s view of a particular issue. A declaration is a sworn statement made by a witness in official proceedings under penalty of perjury. Nevertheless, the Zhong Lun Declaration sets forth its authors’ views on certain legal matters in the same way a legal opinion would.

² Declaration, ¶ 6(a).

³ Declaration, ¶ 6(b).

- b. It is misleading because even its legal analysis focuses entirely on statutory law passed by the National People's Congress and its Standing Committee. It does not look at lower-level regulations at all.
 - c. It is inaccurate because in many places its analysis of the relevant laws attaches tremendous significance to a simple boilerplate statements such as that only "relevant" organizations are subject to the law, or that the "legitimate rights and interests" of citizens shall be respected. It interprets the latter statement as granting a powerful and wide-ranging right to regulated parties to reject Chinese government demands for cooperation. This reading of the law is unrealistic.
4. In summary, the Declaration's legal analysis does not dispel the concern that under Chinese law, Chinese companies are required to cooperate with the Chinese government for national security purposes. Still less does it dispel, or even address, the concern that regardless of what the law says, Chinese companies can be required to cooperate.

III. BACKGROUND

5. The Zhong Lun Declaration was apparently first produced for submission to the FCC in May, 2018. Later, the British law firm Clifford Chance was retained by Huawei to issue a legal opinion on the Zhong Lun Declaration, presumably to affirm its soundness. It did so, with a few very minor qualifications, in a legal opinion dated Nov. 8, 2018 (the "Clifford Chance Opinion" or the "Opinion").
6. Since that time, Huawei representatives have been sending a document packet to officials of various governments around the world in support of Huawei's position that it poses no national security threat. The document packet includes the Zhong Lun Declaration, the Clifford Chance Opinion, and a cover memo from Huawei in which it asks that the materials be kept confidential and not disclosed without Huawei's prior written consent.⁴
7. To the best of my knowledge, the Clifford Chance Opinion has not yet been publicly disclosed; only the Zhong Lun Declaration is publicly available.⁵

IV. ANALYSIS

8. The Zhong Lun Declaration sets forth the questions it intends to address, provides summary answers, and then examines four particular statutes in detail: the Counterespionage Law (the successor statute to the State Security Law), the Anti-Terrorism Law, the Cybersecurity Law, and the National Intelligence Law.

⁴ Although the Zhong Lun Declaration was submitted to the FCC in May, 2018, to the best of my knowledge the first public discussion of it, as well as of the Clifford Chance Opinion, is that of Sinopsis & Jichang Lulu, *Lawfare by Proxy: Huawei Touts "Independent" Legal Advice by a CCP Member*, Sinopsis, Feb. 8, 2019, <https://sinopsis.cz/en/lawfare-by-proxy-huawei-touts-independent-legal-advice-by-a-ccp-member/> [<https://perma.cc/K884-Y35L>]; see also the following Twitter thread: <https://twitter.com/jichanglulu/status/1093993916863533057> [<https://perma.cc/XC9M-XW4E>]. Views of various experts on Chinese law are briefly canvassed in Yuan Yang, *Is Huawei Compelled by Chinese Law to Help with Espionage?*, Financial Times, March 4, 2019.

⁵ The Zhong Lun Declaration can be found at <http://bit.ly/fcc-huawei> ("Exhibit E: Declaration of Jihong Chen and Jianwei Fang") [<https://perma.cc/L9BF-4JNY>].

9. The Declaration's discussion of applicable laws is quite limited. It states that it will discuss only the Counterespionage Law for the purposes of addressing Question One, and only the Anti-Terrorism Law, the Cybersecurity Law, and the National Intelligence Law for the purposes of addressing Question Two.
10. This part of the memorandum will comment on the Declaration's questions (Section A) and on its analysis of the statutes (Section C). Because many of the issues addressed in its analysis of particular statutes are common to all, a separate section of this part will address those (Section B).

A. Questions Addressed

11. As noted in the Introduction, the questions addressed by the Declaration are limited to those of Chinese law. This is inadequate in three respects. First, the questions are only about statutory law passed by the National People's Congress and its Standing Committee. The Declaration does not look at lower-level regulations at all. This is like attempting to understand U.S. securities law by looking only at congressional statutes and ignoring SEC rulemaking. Even if everything the Declaration says about "law" is accurate, it is important to understand that it is talking about only a limited subset of mandatory rules and ignoring a vast universe of other mandatory rules.
12. Second, it assumes—even asserts quite explicitly in several places—that if a citizen or organization believes its legal rights under law have been violated, it has an effective remedy available through the court system or via some other kind of administrative review. Particularly in the realm of state security, this belief is unjustified and in no way reflects Chinese reality. Many rights exist only on paper. In particular, rights that are vaguely and tautologically stated—for example, that a citizen's "legitimate rights and interests" shall be protected—are meaningless for practical purposes, since among other things they leave unsaid what rights and interests shall count as legitimate.
13. Third, even if the Declaration did look at the entire universe of mandatory rules in China, it would still fail to address the key question of concern to the United States and other governments. That question is not what Chinese *law* says about the ability of the Chinese government to tell companies like Huawei what to do. The question is what the Chinese government can *actually do*, regardless of what the law might say. The Declaration does not address the key issue of whether the Chinese government is meaningfully constrained by Chinese law.
14. It is not. The Chinese political system is essentially Leninist, and recognizes no limits on government power, even as a matter of form. The Chinese Party/state is not meaningfully constrained by Chinese law.⁶ This is particularly so in matters deemed relevant to national security. The current incarceration of approximately one million Uyghurs in "education and rehabilitation centers" is a prime example: it lacks the required statutory basis *under China's own law*, and yet proceeds unimpeded. The notion, advanced several times in the Declaration, that Chinese companies, if asked to do things by the Chinese security agencies for which those agencies had no legal mandate, could politely decline, and perhaps even bring lawsuits

⁶ See, e.g., Susan Lawrence & Michael F. Martin, *Understanding China's Political System*, Congressional Research Service, March 20, 2013, available at <https://fas.org/sgp/crs/row/R41007.pdf>. Obviously, many other sources could be cited.

against the security agencies, is fanciful. The Declaration cites no examples of anyone in China ever having done this successfully.

15. In an important sense, then, the entire Zhong Lun Declaration and the accompanying Clifford Chance Opinion are beside the point, because they fail to address the question that matters: the actual capacity of the Chinese government to do various things. Nevertheless, this memorandum will examine the legal arguments as well.

B. General Issues

Extraterritorial Application

16. **Claim:** The Declaration in many places asserts that various statutes regulate only Chinese entities and do not apply to Huawei's overseas subsidiaries.⁷
17. **Response:** This is in a sense true, but also misleading. The statutes do not purport to directly regulate companies organized outside of China. But they do regulate Huawei. If Huawei is obliged to do something under Chinese law, it is obliged to do so to the best of its ability. Thus, the fact that a U.S. subsidiary is not subject to Chinese law is irrelevant. The relevant fact is that it is subject to the control of its parent corporation. If Huawei exercises control over an overseas subsidiary (for example, a wholly-owned subsidiary), it is obligated to cause the subsidiary to act. Huawei chooses for business reasons to operate outside of China through subsidiaries with a separate corporate existence, as opposed to divisions or branches that have no separate corporate existence. It is undisputed that such divisions or branches, being part of Huawei itself, would enjoy no exemption from Huawei's obligations. It is inconceivable that Chinese law would allow organizations to manipulate their obligations simply by choosing to organize their overseas operations in one way as opposed to another.

Availability of Effective Remedies for Abuse of Government Power

18. **Claim:** In each of its statutory analyses, the Declaration confidently asserts that any abuses of power by state security authorities or individual agents could be successfully challenged and remedied—sometimes through internal bureaucratic review, sometimes through administrative litigation, and sometimes through civil or criminal actions.⁸
19. **Response:** The regime of strict accountability to law described in the Declaration is fictional.
 - a. Chinese state security authorities generally operate beyond the law. They are rarely punished for exceeding their authority. The Declaration's assertion⁹ that they would be punished for exceeding their authority under the Counterespionage Law, for example, in the same way they would be punished for extorting a confession by

⁷ Declaration, ¶¶ 19, 33, 38, 60-61, 73-74.

⁸ Declaration, ¶¶ 22-23, 45-47, 66-67, 82-83. Presumably the point of listing the remedies is to suggest that they could be successfully used. If they cannot be successfully used, then listing them does not support the conclusion of the Declaration.

⁹ Declaration, ¶ 22.

torture does not inspire confidence, since it is conceded even by the Chinese authorities that a great deal of official torture still goes unpunished.¹⁰

- b. Similarly, the notion that affected parties could successfully sue the state security authorities in administrative proceedings is naive. Chinese courts will not defy state security authorities.
- c. Nor is it remotely conceivable, as suggested in the Declaration,¹¹ that individuals and organizations could successfully bring administrative review proceedings to challenge their designation as terroristic.
- d. The only way the Declaration could substantiate its claim that its list of remedies are actually effective would be to provide examples of where they have worked in the past. It provides none.

C. *Statutes*

Counterespionage Law

- 20. **Claim:** The Declaration argues that the Counterespionage Law applies only to acts of espionage, which it claims are clearly defined in Art. 38, and that law enforcement authorities must have “explicit counterespionage purposes, and clear and specific goals or targets of counterespionage, such as the need to handle a specific case, rather than uncertain and general goals to protect state security.”¹²
- 21. **Response:** “Espionage” is *not* clearly defined. The definition includes the catch-all term “other activities of espionage.” The claim that law enforcement authorities must have explicit purposes and clear and specific goals is not supported in the text of the law. And as always, any claim that a legal standard is meaningful must be accompanied by an explanation of which institutions exist to make it meaningful. As noted above,¹³ the Declaration’s repeated statements that affected parties may go to court to vindicate whatever rights the various statutes examined in the Declaration may give them are fanciful and not reflective of actual Chinese reality.
- 22. **Claim:** By its term, the law governs only “relevant” organizations and individuals, not all organizations and individuals (citing Art. 13). Huawei is not a “relevant” organization.¹⁴
- 23. **Response:** This is putting far more weight on an unimportant term—“relevant”—than it can bear. Whether an organization is relevant or not is decided by the authorities. A company approached by the government with a request to cooperate is for that very reason “relevant.” The Declaration provides no examples of cases in which parties escaped the

¹⁰ See, e.g., Wu Danhong, *Dependence on Confessions Persists Despite Legal Reforms*, Global Times, Aug. 20, 2012, available at <http://bit.ly/1uIOaRe> (“Forced confessions are a tumor in the justice system.”). The Global Times is part of China’s state-controlled media.

¹¹ Declaration, ¶ 29.

¹² Declaration, ¶ 17.

¹³ See ¶¶ 18-19.

¹⁴ Declaration, ¶ 18.

jurisdiction of a Chinese government agency on the grounds that the applicable statute covered only “relevant” parties and that they were not relevant.

24. **Claim:** The authority of state security authorities under the Counterespionage Law is restricted to “checking,” and that that term does not include ordering companies to plant backdoors, eavesdropping devices, or spyware, or doing so themselves.¹⁵
25. **Response:** Even if the Declaration were correct in its restrictive reading of “checking” and its confidence that that reading would be upheld by Chinese courts against the wishes of the security services, it is mistaken in asserting that “checking” is all that the security authorities are entitled to do. Article 22 of the law states that when security agencies are *investigating espionage activities and collecting evidence*, organizations and individuals may not refuse to provide it. It is not difficult to read into this language an obligation to implant spyware or engage in similar activities.
26. **Claim:** State security agents who exceed their authority under the law will be subject to punishment, including criminal sanctions.¹⁶
27. **Response:** Misleading or wrong. See Paragraphs 18-19 above.
28. **Claim:** If state security authorities attempt to compel Chinese companies such as Huawei to do things they have no authority to compel, such companies can seek relief through administrative litigation in China’s courts.¹⁷
29. **Response:** Misleading or wrong. See Paragraphs 18-19 above.
30. **Claim:** “Relevant organizations and individuals” in Article 13 means only those within the territory of the People’s Republic of China, and therefore does not cover “[c]ompanies established and managed by Huawei and their subsidiaries, distributors and agency partners outside Chinese territory.”¹⁸
31. **Response:** Misleading or wrong. See Paragraphs 16-17 above.

Anti-Terrorism Law

32. The Declaration’s analysis of the Anti-Terrorism Law focuses on the significance of Article 18 for Question Two. Article 18 states:

Telecommunications business operators and Internet service providers shall provide technical interfaces, decryption and other technical support and assistance for public security organs and State security organs to prevent and investigate terrorist activities in accordance with the law.
33. **Claim:** The Anti-Terrorism Law clearly defines terrorism in Article 3.¹⁹

¹⁵ Note that in spite of the Declaration’s declared intention to analyze the significance of the Counterespionage Law for Question One, it is here discussing its significance for Question Two.

¹⁶ Declaration, ¶ 22.

¹⁷ Declaration, ¶ 23.

¹⁸ Declaration, ¶ 19.

¹⁹ Declaration, ¶ 28.

34. **Response:** It does not. Like the Counterespionage Law, the definition of terrorism includes a vague catch-all clause: “other terrorist activities.”
35. **Claim:** The potential expansiveness of the language “other terrorist activities” should not be a concern. The potential for abuse of power by the Chinese government “does not exist.” Organizations or individuals designated as terrorist organizations or terrorists may apply for review of the decision by the authorities. “It can be seen that through procedures such as publication and review procedures the Anti-Terrorism Law limits the law enforcement powers of the relevant authorities of the Chinese government to determine terrorist organizations and individuals so that they will not abuse the law enforcement power in the name of counterterrorism.”²⁰
36. **Response:** First, the claim above does not address the question of the expansive term “other terrorist *activities*.” It addresses only the question of whether the Chinese government would abuse its power through overly broad and unjustified classifications of terrorist groups and individuals. Second, it addresses that question by making the profoundly unrealistic claim that individuals and groups designated as terroristic can simply apply for administrative review and have their claims heard fairly by an institution with the will and capacity to restrain the state security authorities.
37. **Claim:** The law applies only to telecommunications operators and internet service providers. As Huawei is neither, it has no obligations under the law.²¹
38. **Response:** This claim appears to be accurate. I note, however, that the Declaration states that Huawei is not obligated under the law “where it acts as a manufacturer and seller of telecommunication equipment”, implying that there may be times where it acts *other than* as a manufacturer and seller of telecommunications equipment and is therefore subject to the law.
39. **Claim:** The law does not obligate Huawei to do anything because the scope of legal obligations is limited to the provision of technical support and assistance in the prevention and investigation of terrorist activities (citing Article 18). The authorities cannot ask citizens and organizations to provide assistance and support beyond the objectives of a specific case being investigated. Therefore, their power does not extend to asking companies to plant backdoors, eavesdropping equipment, or spyware in equipment they produce, and Huawei has no obligation to comply with any such request.²²
40. **Response:** The Declaration does not cite a clear basis for its view that “terrorist activities” must refer to a specific case and cannot refer to general measures designed to deal with what the state chooses to define as terrorism. Thus, its assertion that the scope of legal obligation is limited is valid only if one believes that there are limits on the Chinese government’s ability to define what counts as “terrorist activities” and what counts as “assistance and support.” But there are no such limits.²³

²⁰ Declaration, ¶ 29.

²¹ Declaration, ¶¶ 34-37.

²² Declaration, ¶¶ 40-41.

²³ See paragraphs 11-14 above.

41. **Claim:** If the authorities abuse the law, citizens and organizations can bring legal proceedings against them for redress.²⁴
42. **Response:** Misleading or wrong. See Paragraphs 18-19 above.
43. **Claim:** Huawei's subsidiaries outside of China are not affected by the law.²⁵
44. **Response:** Misleading or wrong. See Paragraphs 16-17 above.

Cybersecurity Law

45. The Declaration's analysis of the Cybersecurity Law focuses on the significance of Article 28 for Question Two. Article 18 states:

Network operators shall provide technical support and assistance to the public security organs and the state security organs in the activities of protecting national security and investigating crimes in accordance with the law.

46. **Claim:** The purpose of the law is to protect China's cybersecurity, not to threaten the cybersecurity of any other country. Therefore, the authorities could not use the law for any purpose beyond this scope.²⁶
47. **Response:** The premise is correct, but the conclusion does not follow. The Chinese government is not limited by law. There is no institution in China that could determine that the state security agencies had overstepped the bounds of the Cybersecurity Law and provide an effective remedy.
48. **Claim:** When Huawei, as a manufacturer of telecommunications equipment, engages in R&D and production and sale of telecommunication equipment, it is not a "network operator" and is therefore not obliged to provide support under Article 28.
49. **Response:** This statement, subject to its prefatory qualification, may be correct. But the qualification is important.
- a. "Network" is not clearly defined in the Cybersecurity Law, and therefore "network operator" is not clearly defined. There is little question that the term extends beyond ordinary internet service providers. Chinese banks have argued in overseas legal proceedings that it covers them as well, since they store data in internal networks. To the extent Huawei's internal networks are less accessible to the public than those of banks, it is plausible to argue that it is not a "network operator." Nevertheless, the question is not clear. There is sufficient ambiguity that if the state security authorities wished to deem Huawei a network operator on the basis of its internal networks, it is hard to see how they could be prevented from doing so.
 - b. Note, however, the statement's qualification: "[w]hen Huawei, as a manufacturer of telecommunication equipment, engages in R&D and production and sale of telecommunication equipment" This of course implies that Huawei *could* be considered a network operator for other reasons. If so, it would be subject to the

²⁴ Declaration, ¶¶ 45-47.

²⁵ Declaration, ¶ 33, 38.

²⁶ Declaration, ¶ 52.

law. Consequently, the fact that it is not a network operator for one set of reasons is not particularly relevant.

50. **Claim:** The “technical support and assistance” that the law obliges Chinese companies to render does not include planting backdoors, eavesdropping devices, or spyware in equipment manufactured by those companies.²⁷
51. **Response:** The Declaration provides no support for its assertion that the broad term “technical support and assistance” does not include the specific actions it mentions. It is simply declares this to be true. Without more, the bare assertion is not credible. In the Chinese legal system, vagueness and ambiguity are interpreted in favor of the authorities, not against them.²⁸
52. **Claim:** If the state security authorities abuse their power under the Cybersecurity Law, they will be punished, including under the Criminal Law.²⁹
53. **Response:** Misleading or wrong. See Paragraphs 18-19 above.
54. **Claim:** Any abuse of power by the state security authorities can be remedied by a lawsuit under the Administrative Litigation Law.³⁰
55. **Response:** Misleading or wrong. See Paragraphs 18-19 above.
56. **Claim:** Any obligations Huawei might have under the Cybersecurity Law do not extend to its overseas subsidiaries.³¹
57. **Response:** Misleading or wrong. See Paragraphs 16-17 above.

National Intelligence Law

58. The Declaration’s analysis of the National Intelligence Law focuses on the significance of Articles 7 and 14 for Question Two. They read as follows:

Article 7: Any organization or citizen shall, in accordance with the law, support, assist and cooperate with national intelligence work, and keep confidential the secrets of national intelligence work that come to its or his/her knowledge.

The state shall protect individuals and organizations that support, assist and cooperate with national intelligence work.

Article 14: A National Intelligence Work Agency may, when carrying out intelligence work pursuant to the law, require relevant organs, organizations and citizens to provide necessary support, assistance and cooperation.
59. **Claim:** Huawei is not obligated to cooperate under Articles 7 or 14. The law by its terms protects the “legitimate rights and interests” of citizens and organizations, and planting

²⁷ Declaration, ¶¶ 63-65.

²⁸ In recent years, for example, several targets of government repression have been convicted of the crime of “picking quarrels and stirring up trouble.”

²⁹ Declaration, ¶ 66.

³⁰ Declaration, ¶ 67.

³¹ Declaration, ¶¶ 60-61.

backdoors, eavesdropping equipment, or spyware in its equipment is contrary to Huawei's legitimate business interests. Moreover, such acts could lead to punishment under foreign law. Therefore, Huawei need not cooperate.³²

60. **Response:** This is one of the most preposterous claims of the Declaration. Language in Chinese statutes about protecting “legitimate rights and interests” is essentially meaningless boilerplate. Among other things, it leaves unanswered the question of which rights and interests count as legitimate. It is inconceivable that a Great Wall of resistance to Chinese state authority could be built upon such a flimsy linguistic foundation. No Chinese authority to my knowledge has ever acknowledged that the interest of Chinese companies and individuals in doing business and making money trumps the state's interest in national security. Furthermore, it is impossible to believe that the Chinese state would consider the prospect of punishment under foreign law as a valid reason for refusing an otherwise valid demand to cooperate. The United States recognizes no such general exemption;³³ still less does China. That would be to allow foreign governments the power to constrain the regulatory authority of the Chinese government over Chinese parties in China, and that would clearly be unacceptable.
61. **Claim:** Chinese subsidiaries of non-Chinese companies (for example, joint ventures and wholly foreign-owned enterprises) are as much subject to the National Intelligence Law as are Huawei and other wholly Chinese companies.³⁴
62. **Response:** This is correct.
63. **Claim:** Requests for cooperation under the law may not include requests to plant backdoors, eavesdropping equipment, or spyware because the law requires that requests be “in accordance with law,” and there is no law explicitly authorizing this kind of request.³⁵
64. **Response:** This is another preposterous claim. “In accordance with law” is another example of essentially meaningless boilerplate. It is incorrect to suggest that every type of request for cooperation must have a specific basis in law. There is no law explicitly authorizing the state security authorities to do *anything* specific when they request cooperation, and yet nobody supposes that they are therefore crippled. Chinese laws are highly general and simply do not get into specifics like this. It might equally be observed that there is no law specifically authorizing the state intelligence agencies to make cooperation requests on a Tuesday, but nobody doubts they have the power to do so.
65. **Claim:** Requiring Huawei to plant backdoors, eavesdropping devices, or spyware would violate the Constitution.³⁶
66. **Response:** Even if this claim were true—which it is not—the Constitution is not part of the enforceable legal system of China. Chinese courts do not have the power to invalidate

³² Declaration, ¶¶ 71-72.

³³ In various types of proceedings, U.S. courts do take into account the fact that parties may be subject to conflicting legal obligations, but there is no *per se* rule.

³⁴ Declaration, ¶¶ 76-77.

³⁵ Declaration, ¶ 78.

³⁶ Declaration, ¶¶ 79-80.

government actions on constitutional grounds, even in the unlikely event that a particular judge should be inclined to do so. Thus, constitutional arguments are simply irrelevant here. In any case, the claim is not true. The section of the Constitution cited in the Declaration (Article 40) is about protecting the privacy of Chinese citizens. The concern of the U.S. and other governments is about Huawei being required to infringe on the privacy of *non*-Chinese persons and organizations. Huawei could do that without infringing on the privacy of Chinese citizens.

- 67. **Claim:** State security organizations and their personnel would be punished for overstepping the bounds of their authority.³⁷
- 68. **Response:** Misleading or wrong. See Paragraphs 18-19 above.
- 69. **Claim:** Any obligations Huawei might have under the National Intelligence Law do not extend to its overseas subsidiaries.³⁸
- 70. **Response:** Misleading or wrong. See Paragraphs 16-17 above.

[End]

³⁷ Declaration, ¶¶ 82-83.

³⁸ Declaration, ¶¶ 73-74.