BEFORE THE
THE UNITED STATES DISTRICT COURT
FOR THE
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND, CA

RENEWED NOTICE CONCERNING
REVISION OF
CIVIL LOCAL RULE 77-3

77-3. Photography and Public Broadcasting

COMMENTS OF THE NATIONAL PRESS PHOTOGRAPHERS ASSOCIATION

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Summary

As both staff photographers and freelance photojournalists, members of the National Press Photographers Association (NPPA) occupy a central role in still and audio-visual coverage of our nation's courts. The technological advances in the size, quality, unobtrusiveness and capabilities of photographic and audio equipment over the past fifty (50) years has made the objections used to support a continuing ban on such coverage as obsolete as the equipment of that era. The widespread proliferation of television and the Internet have truly made those medium more "commonplace an affair in the daily life of the average person"[1] than Justice Harlan could have ever imagined 45 years ago when he opined upon the day when all reasonable doubt would be "dissipated" about the "likelihood that its use in courtrooms [would] disparage the judicial process."[2]

Justice Stewart could not have been more prescient in his dissent in *Estes* when he spoke of the "continuous and unforeseeable change [in] the techniques of public communication."[3] Unfortunately, the *Estes* court deed not heed his wariness in "imposing any per se rule which, in the light of future technology, might serve to stifle or abridge true First Amendment rights"[4] but instead imposed upon those "medium of communications the burden of justifying [their] presence."[5]

When it came to cameras in the court over the past half century rather than a First Amendment presumption of openness there was just the opposite. Why it has taken so long to implement the freedom given to the states to experiment by the *Chandler* Court is most probably reflected in Justice Souter's comment that "the day you see a camera come into our courtroom

[1] *Estes v. Texas*, 381 U.S. 532 at 595-596(1965).
[2] *Id.*
[3] *Id*. at 603-604 (Stewart, J., dissenting).
[4] *Id*.
[5] *Id*. at 614-615.

it's going to roll over my dead body."[6]

But it is not enough for our organization to say that the day for still and audio-visual coverage of federal court proceedings has arrived. We clearly must justify our presence in federal court in the same manner as was done in state courts. There is no better way to that than with a pilot or other authorized project that is subject to the standards set by the Judicial Counsel of the Ninth Circuit and (hopefully) the discretion of the trial court judges in whose courtrooms the "experiment" will take place. If it is to be like the other such tests that have occurred in countless state courts over the past thirty (30) years we can only hope for eventual adoption of rules permitting still and audio-visual coverage of court proceedings on a permanent basis.

It is to that end that the NPPA submits this comment supporting the approval of the revision of Civil Local Rule 77-3 adding the language "or for participation in a pilot or other project authorized by the Judicial Council of the Ninth Circuit" as an exception to the current prohibition against the taking of photographs, public broadcasting or televising, or recording in connection with any judicial proceeding in the courtroom or its environs. Additionally, the NPPA offers the service and vast expertise of its members should the Judicial Council wish any additional input and advice for the implementation of the pilot/project and/or its oversight during the trial period.

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6 *Commerce/Justice/State Appropriations,1996: Hearings on Supreme Court Budget for 1997 Before the* Subcomm. On Appropriations,104th Cong. 1st Sess. [page unavailable online] (statement of David H. Souter, U.S. Supreme Court Justice).

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Comments of the National Press Photographers Association

Introduction

Founded in 1946, the National Press Photographers Association (NPPA) is a 501(c)(6) non-profit professional organization dedicated to the advancement of photojournalism, its creation, editing and distribution in all news media. NPPA encourages photojournalists to reflect high standards of quality in their professional performance, in their business practices and in their personal code of ethics. NPPA vigorously promotes freedom of the press in all its forms. Its more than 8,000 members include still and television photographers, editors, students and representatives of businesses that serve the photojournalism industry.

The NPPA submits this comment supporting the approval of the revision of Civil Local Rule 77-3 adding the language "or for participation in a pilot or other project authorized by the Judicial Council of the Ninth Circuit" as an exception to the current

prohibition against the taking of photographs, public broadcasting or televising, or recording in connection with any judicial proceeding in the courtroom or its environs.

We believe that this revision is a necessary first step in permitting still and audio-visual coverage of any judicial proceeding in the Ninth Circuit. In light of the recent *Per Curiam* decision in *Hollingsworth v. Perry*, 130 S. Ct.705 (2010) it is extremely important to move beyond the procedural stay upheld by the High Court so that a pilot or other project can be formally implemented to determine the substantive merits of allowing still and audio-visual coverage in the Northern District of California Courts.

I. A Pilot or Other Authorized Project Should be Permitting To Allow Still and Audio-Visual Coverage of Federal Court Proceedings in the Northern District of California Courts.

The time has come to open federal courthouse doors to audio-visual coverage, be it print, broadcast, cable or Internet. The authorization of a pilot/project permitting still and audio-visual coverage would result in increased transparency in the judicial system, accountability for trial participants and the media and the fostering of a better informed citizenry more capable of fulfilling its constitutional role in self-governance. It would also provide intrinsic safeguards that address the concerns of critics of such coverage, who have argued — in ways that the NPPA finds unconvincing — that such coverage will likely disrupt proceedings. Leaving the decision whether to permit such coverage to the oversight of the Judicial Council of the Ninth Circuit and the discretion of the trial judge would provide safeguards for litigants, witnesses and jurors. Those safeguards should be maintained by well established guidelines and standards under which still and audio-visual coverage would be permitted and would provide an appropriate balance between the free speech rights of the public/press and fair trial rights of the litigants/defendants.

Permitting still and audio-visual coverage of court proceedings is a governing principle whose time has long since passed, having today gained broad acceptance by 42 States and two Federal District Courts, which in varying degree give judges the discretion to broadcast judicial proceedings[7] In an age when it is no longer

[7] *See* Media Law Resource Center, MEDIA PRIVACY AND RELATED LAW 2009–10

practical for all members of the community to pack into the courthouse and personally take in "court day," the media act as public surrogates, transmitting court proceedings to a vast public audience and enabling the public to satisfy its civic duty in monitoring the government.

The benefits of allowing such coverage are numerous and significant: it will bring transparency to the federal judicial system, provide increased accountability from litigants, judges, and the press; and educate citizens about the judicial process. Coverage will allow the public to ensure that proceedings are conducted fairly, and, by extension, that government systems are working correctly. We expect that the watchful eye of the public will demand increased accountability from all courtroom actors, each of whom may feel an increased responsibility to conduct themselves in a manner appropriate to their role in trial, thereby diminishing the risk of rogue actors and other wayward judicial actions potentially harmful to the interests of justice. The written press, for its part, will also feel the weight of increased accountability, as it will no longer be the only source of information about the courts, and claims of sensationalistic or inaccurate reporting will be readily verifiable by a public able to view the underlying proceedings for itself.

Providing public access to court proceedings through widely available still and audio-visual mediums will also have a tremendous effect in educating the public, not only about the workings of the judicial system, but also about the societal issues and problems

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(2009) (collecting state statutes and rules); Civ. Rule 1.8 (SDNY 2009); Civ. Rule 1.8 (EDNY 2009).

that come before the courts. As one of the New York State studies established to review the feasibility of audio-visual coverage in the courts found, "television coverage has drawn the public's attention to major societal problems, such as domestic violence and child abuse, and has served a cathartic purpose for the families of some homicide victims."[8] Additionally, "the educational value provided from televised court proceedings works to correct public misperception about the criminal justice system as a whole, fostering increased public understanding and confidence in the judiciary."[9] By helping to create a citizenry better informed about governmental functions and major societal issues, this proposed rule change helps serve the democratic ideals upon which the Nation was founded.

Although some critics of audio-visual coverage have asserted that such coverage will likely impede the fair administration of justice, we believe these concerns to be unfounded. Critics have argued against cameras in the courtroom on numerous grounds: because they claim that cameras and other hardware are disruptive of trials, that increased public scrutiny frequently leads to grandstanding and lawyers trying their case in the press, and that the sensationalistic nature of televised coverage will infringe upon the privacy of participants and create public misperceptions about the judiciary. Each of these concerns, however, has either been specifically refuted by New York's prior

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[8] John D. Feerick et al., Report of the Committee to Review Audio-Visual Coverage of Court Proceedings, reprinted in An Open Courtroom: Cameras in New York Courts 70 (Fordham Univ. Press 1997) [hereinafter "Feerick Report"].

experiments with audio-visual coverage in the courts, or can be expressly addressed by enacting intrinsic safeguards to complement judicial trial court discretion.

II. The New York Experiments with Audio-Visual Coverage of Trials

Beginning in 1987 and continuing through 1997, the New York State legislature passed a series of legislative enactments permitting audio-visual coverage of New York trials on an experimental basis. During this period, four studies by distinguished experts were conducted to judge the effect of such coverage on the rights of defendants to a fair trial, as well as the educational value to the general public from such coverage. The studies were extremely thorough, taking into account thousands of evaluations submitted by trial judges and attorneys throughout the state, complaints from members of bar associations, studies and experiences from other jurisdictions, multiple public hearings at which nearly 100 witnesses testified, and written submissions from other interested parties.[10] Ultimately, each of the studies concluded that audio-visual coverage of trials, with certain statutory restrictions, should be made permanent.

The studies specifically refuted virtually all of the arguments that have been raised against permitting audio-visual coverage of court proceedings. For example, in response to the argument that the "bright lights, large cameras and other noisy equipment" intrude upon the court proceedings and create an "atmosphere unsuited to

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[9] *See* Audrey Maness, *Does the First Amendment's "Right of Access" Require Court Proceedings to be Televised? A Constitutional and Practical Discussion*, 34 Pepp. L. Rev. 123, 162 (2006). *See* Hon. Burton Roberts et al., Report of the Committee on Audio-Visual Coverage of Court

calm deliberation and impartial decision making,"[11] the studies instead found that improvements in technology had "rendered cameras no more, and possibly less, conspicuous than the newspaper reporter with pencil and notebook and the courtroom artist with crayon and sketch pad."[12]

Responding to criticisms that electronic media coverage would sensationalize court proceedings, the studies found that while "it is simply not true that the media have sought to cover only 'sensational' proceedings . . . , [c]overage of those cases reveals the reality of the courtroom as distinctly as does the coverage of other cases."[13] The truth of the matter is that, as Supreme Court Justice Anthony Kennedy aptly stated in testimony before Congress, the "most rational, the most dispassionate, the most orderly presentation of the issue is in the courtroom,"[14] and it makes little sense to have a system in which the vast majority of public information about a trial is to come solely through the editorialized interpretation of the media or other interested persons, rather than allowing the public a chance to view the proceeding itself and make its own judgments. Indeed, "it seems somewhat perverse to exclude television from the area in which the most orderly presentation of the evidence takes place."[15]

Proceedings at 20–21(1994) [hereinafter "Roberts Report"]; Feerick Report, supra note 8, at 5–8. Act of June 15, 1987, ch. 113, § 1, 1987 N.Y. Laws 231 (McKinney).

[12] See Roberts Report, supra note 10, at vii.

[13] *Id*. at 89.

[14] Hearing Before the Subcomm. on the Dep'ts of Commerce, Justice, and State, the Judiciary, and Related Agencies, 104th Cong. 30 (1996) (statement of Supreme Court Justice Anthony Kennedy).

[15] *Id*.

The studies also suggested that the behavior of trial participants may well be more likely to "improve rather than worsen in the presence of cameras."[16] In short, concerns expressed by some critics that coverage might lead courtroom actors to change their behavior, either by grandstanding or politicizing their comments, are not supported by the experience of the New York courts. Nor is the charge of some critics that the presence of cameras in courtrooms will intimidate witnesses and jurors. The Feerick Report, for instance, noted that:

> (i) "[M]any judges believe that witnesses' testimony is unchanged in the presence of cameras."[17]
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> (ii) "[W]itness intimidation is neither borne out by the record in New York nor sufficiently strong to warrant barring cameras from the courtroom across-the-board. Such witness concerns are adequately addressed, in our view, by all of the current safeguards in Section 218 and in the implementing rules."[18]
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> (iii) Claims that jurors will watch and be influenced by televised coverage of their case or that jurors will be reluctant to reach an unpopular decision given their knowledge that the public is watching are unsupported. In any event, judges are "capable of taking these factors into account when they consider whether to grant or deny an application for camera coverage in a particular case."[19]
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> (iv) "[M]ost judges felt that compared to similar cases covered only by the print media, lawyers made about the same number of motions, objections and arguments in camera-

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16 Feerick Report, *supra* note 8, at 80.
17 *Id*. at 77.
18 *Id*. at 78.
19 *Id*. at 76–77.

covered cases and presented about the same amount of evidence and witnesses."[20]

(v) "[W]e have no basis from our review to conclude that lawyers in camera-covered cases in New York State have failed to serve their clients and the public responsibly. The evidence from the record before this Committee is that they have met their professional obligations."[21]

(vi) "There was ample testimony and public comment that cameras raised some judges' performance and had a positive impact on judicial demeanor."[22]

(vii) "In the end, we are left with a record heavily weighted with opinions which suggest that judicial conduct may improve rather than worsen in the presence of cameras. There is no basis in this record to conclude that judges will not faithfully discharge their responsibilities if courtrooms are open to cameras. The evidence before this Committee is that they have met their obligations with a high degree of competence."[23]

The Feerick Report went on to find that audio-visual coverage "respects the public value of openness, the public nature of a trial, and the constitutional principle of a fair trial,"[24] and that any negative consequences could be adequately addressed by appropriate statutory restrictions. Notably, all four of the studies concerning the effect of

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[20] *Id.* at 79.
[21] *Id.*
[22] *Id.*
[23] *Id.* at 80.
[24] *Id.* at xxi.

cameras on New York courts concluded that audio-visual coverage of courtroom proceedings should be permanently implemented.[25]

Promulgating rules that govern still and audio-visual coverage can address any legitimate concerns that cameras in the courtroom would pose a threat to a defendant's right to a fair trial. One such measure could provide the presiding trial judge with sole discretion to limit or deny coverage to protect the welfare of a minor or any other trial participant. It also could require judges, in considering such requests to balance whether the coverage is likely to cause harm to any of the participants in the trial or interfere with the fair administration of justice against the public right to know. Another measure could expressly prohibit coverage of conferences in chambers, of jury selection, and of the jury itself. Coverage of sensitive testimony could be limited to instances in which the witness permits such coverage. These safeguards help ensure that the coverage will not compromise the fair administration of justice.

Such coverage will also enable the public to see and hear what actually goes on in a courtroom, rather than having to rely on the statements of attorneys on the courtroom steps, or on the fictions of the many courtroom "reality" shows and law enforcement

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[25] Despite the recommendation of all four studies to permit audio-visual coverage of trial proceedings, the State legislature failed to permanently adopt Section 218 of the Judiciary Law, which served as the statutory underpinning of the four New York experiments. The dispute centered chiefly around a proffered amendment to Section 218 — one not proposed by the studies — to permit any witness, including parties, to veto all coverage of their own testimony. The present Bill does not have a similar provision. *See* Gary Spencer, *Effort on Cameras in Court Dies*, N.Y.L.J., July 16, 1997, at 1.

dramas. The ability of the public to view actual courtroom trials should not be trivialized. It touches on an important right, which goes well beyond the mere satisfaction of a viewer's curiosity. That right, advanced by cameras in the courtroom, is the right of the people to monitor the official functions of their government, including that of the judicial system. Nothing is more fundamental to the democratic system of governance than this right of the people to know how their government is functioning on their behalf.

Finally, the Internet has enabled gavel-to-gavel audio-visual coverage of courtroom proceedings because of its intrinsic capacity to permit unlimited content rather than be bound by the time constraints of traditional broadcast and cable media. Additionally, newspaper websites have made it possible for the print media to also provide audio-visual coverage where they previously were relegated to still images and written words. Websites carrying news and information have the capacity to convey and archive video of full trial proceedings to be accessed at anytime. Public understanding of the federal judiciary has the potential of expanding exponentially through all of these means. The news media must first be able to engage in still and audio-visual coverage of trials through a pilot or other project, however, before these exciting developments can take place.

III. Reviewing the Historical Trend Towards Allowing Still and Audio-Visual Coverage of Trials

These suggestions are just one part of a broad movement towards permitting still and audio-visual coverage of trial procedures. Maintaining a *per se* ban on all still and audio-visual coverage of trial court proceedings, under all circumstances, in any case is a relic of the past; adopted during a period in which media technology was often crude and the public was still reeling from the sensationalized coverage that had prejudiced the Bruno Hauptmann (Lindbergh baby) trial in 1935. At the time, still and audio-visual coverage of court proceedings faced broad resistance, having been prohibited by nearly every state, the Supreme Court, and the American Bar Association (the "ABA").[26] Indeed, the rationale for banning cameras is now clearly outdated. The day is long gone when "[b]atteries of cameras, microphones, and glaring lights," along with their "attendant excitement, distractions and the potential for improper exploitation and intolerable subversion of the rights of witnesses" carried the risk of turning official proceedings into "indecorous spectacles."[27]

The intervening years have seen tremendous advancements in media technology, the prominence of television in American society, and First Amendment jurisprudence encouraging public access to the courts. The "cameras, microphones, and glaring lights"

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26 See Daniel Stepniak, A Comparative Analysis of First Amendment Rights and the Televising of Court Proceedings, 40 Idaho L. Rev. 315, 320 (2004) (discussing the ABA's adoption of Judicial Canon 35, which rejected the use of audio-visual coverage during sessions of court).

27 Message of the Governor, reprinted in 1952 N.Y. Legis. Ann. 366 (1952).

that were of such concern in 1952 are no longer an issue. As a result, there has been an across-the-board shift in attitudes towards audio-visual coverage of trials.

United States Supreme Court case law is illustrative of that shift in thinking. The Court initially banned audio-visual coverage of criminal trials in 1965 in its decision in *Estes*.[28] Its opinion, however, recognized that its holding relied upon the then-existing state of technology, and included the prophetic warning that, "when the advances in [technology] permit reporting by . . . television without [the] present hazards to a fair trial we will have another case."[29] As promised, the Court revisited the issue in 1981 in *Chandler* v. *Florida*, holding that, though not a constitutionally mandated right, audio-visual coverage of trials is constitutionally permissible.[30] In addition to relying on dramatic changes in both television technology and its prominence in American society since its decision in *Estes*, the Court's change in jurisprudence was also bolstered by a series of intervening constitutional decisions that reaffirmed and strengthened the broad First Amendment rights possessed by the public and the press to attend and observe a variety of judicial proceedings.[31]

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28 *See Estes*, 381 U.S. 532.

29 *Id*. at 540; see also Joseph Teresi, Perspective, 63 Alb. L. Rev. 1051, 1054 (2000).

30 *See Chandler v. Florida*, 449 U.S. 560 (1981).

31 *See, e.g.*, *N.Y. Times Co.* v. *Sullivan*, 376 U.S. 254 (1964); *Nebraska Press Ass'n* v. *Stuart*, 427 U.S. 539 (1976) (upholding the right of the press to report matters revealed in open court); *Richmond Newspapers, Inc.* v. *Virginia*, 448 U.S. 555 (1980) (press and public possess First Amendment right to attend and observe criminal trial).

The ABA, for its part, has also changed its position. Indeed, the organization that led the initial charge against audio-visual coverage as the drafter of the highly influential Judicial Canon 35 reversed its course in the early 1980's, and "has since been an advocate for media broadcasts, particularly with regard to appellate and Supreme Court proceedings."[32] The ABA has now championed the drive for the federal courts to open proceedings to audio-visual coverage, recently noting in a letter to Congress that, "[c]ourts that conduct their business openly and under public scrutiny protect the integrity of the federal judicial system by guaranteeing accountability to the people they serve. Court proceedings that are accessible and visible benefit the public because of the invaluable civic education that results when citizens witness federal courts in action."[33]

Finally, and perhaps most indicative of the shifting sentiment towards the use of still and audio-visual coverage, is the change in the attitudes of the states. In the 1950's, still and audio-visual coverage of court proceedings was prohibited by nearly every state. Today, however, the federal judiciary finds itself in the distinct minority, as forty-two other states now permit audio-visual coverage of courtroom proceedings.[34] It is time for the federal courts to join with the states in embracing modern technology as a minimally intrusive way to open the courts to the greater public.

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[32] Maness, *supra* note 9, at 151–52.

[33] *Id*. at 152 (citing Letter from Robert D. Evans, Director, Governmental Affairs Office of the American Bar Association, to the Hon. Charles E. Grassley, United States Senator in the 106th Congress (Sept. 25, 2000)).

[34] *See* Media Privacy and Related Law

In *Courtroom Television Network v. New York*[35] the New York State Court of Appeals decided, unanimously, that New York's prohibition on audio-visual coverage (still photographic coverage was never banned) did not violate either the federal or state constitutions. The Court emphasized that "[i]n New York State, the decision whether or not to permit cameras in the courtroom is a legislative prerogative."[36] Thus, the New York courts have deferred to the legislature. Here, as in many states, the rules governing audio-visual coverage are promulgated by the judiciary itself.

IV. Implications of *Hollingsworth v. Perry*[37]

In addition to limiting its opinion to the rule-making procedures that it found improper, the Supreme Court did not ban the presence of cameras outright, even in the Hollingsworth case itself. By allowing "real-time streaming. . . to other rooms within the confines of the courthouse in which the trial is to be held,"[38] the Court permitted the presence of audio visual equipment. This indicates that even among the majority, which later approved the permanent stay of the broadcast, the concern for "irreparable harm" was not related to the presence of audio-visual equipment but rather to the dissemination

35 5 N.Y.3d 222 (2005).
36 *Id.* at 233.
37 *Hollingsworth v. Perry*, 130 S. Ct. 705, (2010)
38 *Hollingsworth v. Perry*, 175 L. Ed. 2d 878 (2010)

of the video to the public at large. Banning the dissemination of "information which is already publicly available" has been rejected repeatedly by the Court.[39]

In its discussion in *Hollingsworth* the High Court recognized the difficulty in analyzing "whether a witness would testify differently"[40] if there were still and audio-visual coverage of the court proceeding. This is the very reason why a pilot/project is so important. As shown above, it should provide exactly the type of empirical data and analysis as the Feerick Report. The NPPA hopes that during any future pilot/project the Supreme Court refrains from imposing its judgment on what is and is not "a good one for a pilot program,"[41] especially when ostensibly making a ruling on procedural grounds. Rather than create a parade of speculative horribles, the NPPA hopes that the Court embraces a "fair balancing of the equities"[42] by using the empirical data gathered during the pilot/project to establish whether or not "the mere presence of the broadcast media inherently has an adverse effect on [the judicial] process."[43]

V. Conclusion

Today, forty-two states permit still and audio-visual coverage of their courtroom proceedings, with most of these states granting broad discretion to the presiding trial

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39 *Fla. Star v. B. J. F.*, 491 U.S. 524, 535 (1989); *see also Neb. Press Ass'n v. Stuart*, 427 U.S. 539 (1976);

40 *Id*. at 13.

41 *Id*. at 16.

42 *Hollingsworth* Dissent at 9. (Breyer dissenting with Stevens, Ginsburg and Sotomayor)

43 *Hollingsworth* Dissent at 7, *quoting Chandler v. Florida* (449 U.S. 560 (1981), citation omitted, brackets in the original).

judge in permitting such coverage.[44] It is time for the federal judiciary to join the majority of states and permit still and audio-visual coverage of trial court proceedings.

As has been frequently pointed out by proponents of such courtroom coverage – it is insufficient merely to assert that trials are already open to the public – when the public may in fact be miles and miles away from the courtroom. While federal and state constitutional law requires that courts be open;[45] still and audio-visual coverage of news are now as everyday a part of society as is the written word and should not be barred.

Finally, modern technology has long since transcended the difficulties that led to bans on such coverage. There are no more whirling, noisy cameras. There are no more glaring lights. Nor does a thundering herd of technicians have to go in and out of the courtroom to set up and tear down their gear. Modern still and audio-visual equipment is barely audible, requires no flashes or extra lights, and can be operated by a limited number of trained professionals, from remote locations (if necessary). With very minimal change the general public will have the opportunity to see for itself the fair administration of justice. The courtroom trial has been a fixture of justice and fairness throughout our nation's history. Modern technology can foster and enhance this tradition, if allowed to do so by permitting the taking of photographs, public broadcasting or televising, or

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[44] *See* Media Privacy and Related Law

[45] *See, e.g.*, *Nebraska Press*, 427 U.S. 539 (upholding the right of the press to report matters revealed in open court); *Richmond Newspapers*, 448 U.S. 555 (press and public possess First Amendment right to attend and observe criminal trial); *Courtroom Television Network*, 5 N.Y.3d at 231 ("In New York, the press, like the public, has a right of access to criminal proceedings.").

recording for the purpose of participation in a pilot or other project authorized by the Judicial Council of the Ninth Circuit.

The NPPA appreciates the Court's attention to this important topic, and looks forward to the implementation of the pilot/project.

Respectfully submitted,
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