Advisory Committee on Evidence Rules

Minutes of the Meeting of October 27, 2023
University of St. Thomas, School of Law
Minneapolis, Minnesota

The Judicial Conference Advisory Committee on the Federal Rules of Evidence (the "Committee") met on October 27, 2023 at the University of St. Thomas School of Law in Minneapolis, Minnesota.

The following members of the Committee were present:
Hon. Patrick J. Schiltz, Chair
Hon. Valerie E. Caproni
Hon. Mark S. Massa
Hon. Edmund A. Sargus, Jr.
Hon. Richard J. Sullivan
James P. Cooney III, Esq.
John S. Siffert, Esq.
Rene Valladares, Esq., Federal Public Defender
Elizabeth J. Shapiro, Esq., Department of Justice

Also present were:
Hon. John D. Bates, Chair of the Committee on Rules of Practice and Procedure
Professor Catherine T. Struve, Reporter to the Standing Committee
Hon. Edward M. Mansfield, Liaison from the Standing Committee
Professor Daniel J. Capra, Reporter to the Committee
Professor Liesa L. Richter, Academic Consultant to the Committee
Timothy L. Lau, Esq., Federal Judicial Center
Bridget M. Healy, Esq., Administrative Office of the U.S. Courts
Allison A. Bruff, Esq., Administrative Office of the U.S. Courts
Zachary Hawari, Esq., Rules Clerk
Professor Paul W. Grimm
Professor Maura R. Grossman
Professor Jeffrey Bellin
Professor Hillel J. Bavli
Professor Erin E. Murphy
Susan Steinman, Esq., American Association for Justice

Present Via Microsoft Teams
Professor Daniel R. Coquillette, Consultant to the Standing Committee
Hon. M. Hannah Lauck, Liaison from the Civil Rules Committee
Professor Edward J. Imwinkelried
Professor Andrea Roth
Shelly Cox, Management Analyst, Administrative Office of the U.S. Courts
John G. McCarthy, Esq., Smith Gambrell & Russel LLP
John Hawkinson, Journalist
Ted Fowles

Jamel Gross-Cassel, Esq., Smith Gambrell & Russel LLP
Kaiya Lyons, Esq., American Association for Justice
Sara Merken, Reuters
Afton Pavletic
Rebekah Petroff, Supreme Court Fellow, Federal Judicial Center
Daniel Steen, Esq., Lawyers for Civil Justice
Jacqueline Thomsen, Bloomberg
Jessica Tyler, Delaware Supreme Court
David White, Delaware Supreme Court
Avalon Zoppo, National Law Journal
Angela Brown, Court Reporter
Scott Myers, Esq., Administrative Office of the U.S. Courts
Tim Reagan, Esq., Federal Judicial Center

I. Opening Business

Judge Schiltz opened the meeting by welcoming everyone to Minneapolis and to the St. Thomas School of Law. He noted that it was wonderful to host the Committee in his home city and in the law school he helped to found. He explained that the Dean of St. Thomas was unavailable and that the Associate Dean (Judge Schiltz's wife) was also unable to personally welcome the Committee, but that both had asked Judge Schiltz to welcome the Committee to St. Thomas on their behalf.

The Chair then introduced and welcomed three new distinguished members of the Committee: Judge Valerie Caproni, Judge Edmund Sargus, and John Siffert, Esq. The Chair also welcomed Justice Edward Mansfield, the new liaison from the Standing Committee, and Zachary Hawari, the new Rules Law Clerk.

The Chair opened the morning session with an overview of the meeting agenda. He explained that the work of the Advisory Committee is cyclical in nature and that two Rules packages had recently made their way through the Committee process. One package, including a proposal to amend Federal Rule of Evidence 702, is scheduled to take effect on December 1, 2023. A second package of amendment proposals has been approved by the Judicial Conference and sent to the Supreme Court and is scheduled to take effect on December 1, 2024, pending necessary approval. Because the Advisory Committee had recently completed consideration of these amendment packages and cleared most of its agenda, the Chair stated that this meeting would be a "thinking" meeting rather than an "acting" meeting. He explained that the Reporter had invited several top Evidence scholars to make presentations to the Committee regarding amendments they would like to see made to the Evidence Rules, and that he also invited Maura Grossman and Paul Grimm to make a separate presentation on the problems posed by deepfakes. Following all these presentations, the Committee would hold its meeting in the afternoon, to discuss the proposals and to plan the upcoming work of the Committee.

II. Evidence Scholars Presentations

Professor Jeffrey Bellin of the William & Mary Law School gave a presentation urging the abrogation or narrowing of Federal Rule of Evidence 609.

Professor Ed Imwinkelried of the UC Davis School of Law gave a presentation urging clarifications to Federal Rule of Evidence 608(b).

Professor Hillel Bavli of the SMU Dedman School of Law gave a presentation urging amendments to Federal Rule of Evidence 404(b)(2) to curb the admission of other-act evidence where its probative value is based upon character reasoning.

Professor Erin Murphy of the NYU School of Law gave a presentation on the admissibility of evidence of prior false accusations, suggesting amendments to bring clarity and uniformity to the admission of such evidence.

Professor Andrea Roth of the UC Berkeley School of Law gave a presentation on machine-generated evidence and the need for evidentiary protections to ensure the reliability of such evidence presented at trial.

Judge Grimm, Director of the Bolch Judicial Institute at Duke Law, and Professor Grossman of the University of Waterloo, gave a presentation on machine learning and artificial intelligence and on the need for authentication standards that account for deepfakes.

A transcript of all of these presentations has been prepared and will be published in the Fordham Law Review in Spring, 2024.

III. Committee Meeting

A. Approval of Minutes

The Chair opened the afternoon session by asking for approval of the minutes of the Spring 2023 meeting of the Evidence Advisory Committee. The minutes were unanimously approved.

B. Standing Committee Report

The Chair then gave a report on the June 2023 meeting of the Standing Committee. He explained that all amendments proposed by the Evidence Advisory Committee had been approved by the Standing Committee with very minor tweaks to either rule or Committee note language. The Chair informed the Committee that the amendment creating Rule 107, covering the use of illustrative aids, had received the most attention from the Standing Committee. He noted that discussion revolved around concerns regarding a notice requirement for illustrative aids. The Chair reminded the Committee that it had removed any notice requirement from the text of proposed Rule 107 before sending it to Standing, but that the Standing Committee had continuing concerns regarding the discussion of notice in the proposed Advisory Committee note. He explained that

the note had been revised as reflected on page 285 of the Agenda materials to remain neutral with respect to providing advance notice of illustrative aids. The Chair also noted that there was some discussion about the improper use of illustrative aids to get inadmissible evidence before a jury. He explained that it is impossible to write a rule to address this concern where the whole point of illustrative aids is that they are not admissible evidence. He also pointed out that judges already have ample tools for preventing juries from being tainted by inadmissible evidence --- tools that judges already use in almost every trial. The Chair noted that, notwithstanding this discussion, Rule 107 and all other proposed amendments had been approved by the Standing Committee and then later by the Judicial Conference.

C. Discussion of Scholar Presentations

The Chair next raised the topic of the scholar presentations, noting that they had all been fantastic and had made for a very interesting morning. The Chair applauded Judge Grimm and Professor Grossman for delivering a very helpful presentation on AI that was pitched at an accessible level. He expressed his view that the topic of machine-generated evidence merits closer attention and a day-long seminar where there could be an even fuller airing of the hearsay, expert testimony, and authentication issues that it presents. The Chair proposed that the Committee host a full-day seminar on machine generated evidence, including deepfakes and authentication, at its Fall 2024 meeting. He noted that this would give the Reporter a full year to plan the seminar and that the Fall 2024 meeting will be the first for the next Committee Chair. The Committee unanimously agreed to a day-long seminar on machine generated evidence and deepfakes in Fall 2024, with several members expressing interest in potential amendments that would address AI and machine-generated information. The Reporter thanked Judge Grimm and Professor Grossman for their excellent presentation and promised to stay in touch with them regarding potential amendments to address AI. Mr. Lau informed the Committee that a new edition of the *Reference Manual on Scientific Evidence*, including a chapter on the admissibility of artificial intelligence, would be forthcoming in 2024 and may be a valuable resource for the Committee's consideration.

The Chair then asked the Committee members whether there were other proposals presented by the scholars that would merit further attention from the Committee.

1. Rule 404(b) Proposal

The Federal Public Defender noted that Rules 404(b) and 609 are both critical to defense lawyers and said that the proposed amendments to those rules should be considered. The Committee first discussed the possibility of studying Rule 404(b) with an eye toward an amendment. The Reporter reminded the Committee that Rule 404(b) had been amended in 2020 to add a new notice provision, which requires the prosecution in a criminal case to articulate the non-character reasoning supporting other-acts evidence. He also noted that substantive changes to Rule 404(b) to curb the admissibility of other-acts evidence were considered over a multi-year amendment process and that the Committee had ultimately rejected those substantive changes in favor of the amended notice provision. Ms. Shapiro noted that the issues raised by Professor Bavli's presentation were the same ones that caused the Committee to study and amend Rule 404(b) back in 2020. She reminded Committee members that the Rule 404(b) project lasted for several years and raised many substantive amendment proposals that were rejected in favor of a

new notice provision. She further opined that the notice amendment is still too new for the Committee to consider yet another amendment to Rule 404(b). The Reporter suggested that the Committee may want to consider a substantive amendment to Rule 404(b) if the notice amendment has not succeeded in reining in other-acts evidence. Ms. Shapiro noted that Professor Imwinkelried had suggested in his morning presentation to the Committee that federal courts are "tightening" their application of Rule 404(b).

The Federal Public Defender opined that the Rule 404(b) notice provision is helpful, but that lawyers are not seeing a change in the substantive admissibility of other-acts evidence. The Chair agreed that no substantive contraction in the admission of other-acts evidence was apparent in the federal cases. The Reporter noted that the Third and Seventh Circuit Courts of Appeal were restricting admissibility of other-acts evidence *before* the 2020 amendment to Rule 404(b), which prompted the Committee's consideration of the provision. Ms. Shapiro noted that the Advisory Committee's note to the Rule 404(b) notice provision already tracks the language of the Seventh Circuit requiring non-propensity reasoning to support the admission of other-acts evidence. Another Committee member stated that the presentation and discussion had opened his eyes to concerns regarding other-acts evidence and that he would welcome an examination of Rule 404(b). Another Committee member opined that the Committee had already made recent changes to Rule 404(b) and that it should focus on topics like deepfakes for now and wait to see how Rule 404(b) precedent evolves following the 2020 amendment. Two other Committee members opined that the language of Rule 404(b) was not the problem with the provision; rather it is judicial applications of the text that create concerns. One Committee member suggested that adding a requirement that the defendant "actively contest" a point for which other-acts evidence is offered could be beneficial. The Reporter noted that the Committee had explored an "active contest" requirement in considering the 2020 amendment and had rejected it as unworkable.

The Chair expressed reluctance to take up potential amendments to Rule 404(b) at this time. He stated that he agreed that the Rule is misused but that he is not sure it is a problem of misunderstanding. The Chair noted that it made sense to amend Rule 702 to clarify the application of the preponderance standard because lawyers and judges had to travel through Rule 104(a), the *Bourjaily* case, and the Advisory Committee's notes to find the preponderance standard prior to the most recent Rule 702 amendment. He opined that it was not worth another Rule 404(b) project just to offer modest clarifications, suggesting that it would invite a great deal of controversy for very little return. The Chair suggested that he could envision more substantive changes, such as adding a "primary purpose" test to Rule 404(b)(2), but that such significant changes could pose insurmountable rulemaking obstacles. The Federal Public Defender suggested that the Committee could study Rule 404(b) cases to better understand why the provision is misused. The Reporter noted that he had prepared many research memoranda regarding the application of Rule 404(b) in connection with the 2020 amendment and offered to prepare an overview of the caselaw since the 2020 amendment. In the end, the Committee determined that it would monitor Rule 404(b) case law but would not at this time proceed with any amendment to the rule.

2. Rule 609 Proposal

Several Committee members expressed an interest in examining Rule 609. One Committee member opined that it is important to collect data about how often the possibility of prior-

conviction impeachment actually causes criminal defendants to plead guilty or to decline to testify at trial when they otherwise would. Ms. Shapiro noted that she would be reluctant to consider an amendment to Rule 609. She noted that she was not speaking for the Department on the issue at this preliminary juncture and that she personally supports the ability of a person to move on with his or her life after serving a sentence for a criminal act. That said, she expressed doubt as to whether an amendment to Rule 609 is justified. Specifically, Ms. Shapiro explained that she had doubts about Professor Bellin's assertion that jurors presume that a criminal defendant is guilty when he takes the stand, opining that jurors understand the presumption of innocence. The Reporter responded that Professor Bellin was not suggesting that jurors presume a criminal defendant's guilt of the charged offense. Rather, he was noting that a criminal defendant takes the stand *already impeached* by his inherent bias to avoid conviction, thereby reducing the need for prior-conviction impeachment. The Reporter analogized it to a defendant's impeachment with a prior inconsistent statement, explaining that there would be less need for prior-conviction impeachment if the defendant had already been impeached with a prior inconsistency. According to Professor Bellin, a criminal defendant takes the stand *pre-impeached*, thus reducing the prosecution's need to impeach him further with prior convictions.

Another Committee member noted that there are constituencies that would oppose the complete abrogation of Rule 609 as suggested by Professor Bellin. The Committee member explained that there are some types of prior-conviction impeachment that could be fine-tuned to create fairer and more consistent results across cases. For example, he noted a trial in which a jury was informed that a plaintiff in a civil case had "spent a substantial amount of time in jail" instead of being told that the witness had a prior murder conviction. He suggested that the Committee could explore amendment possibilities to fine-tune Rule 609, rather than eliminate it altogether. Another Committee member agreed that he would like to examine Rule 609 with an eye toward tempering it rather than eliminating it. Another Committee member expressed reluctance to consider Rule 609 at all.

The Reporter outlined three possibilities for amending Rule 609. "Plan A" would be to "burn it down" and eliminate Rule 609 altogether as proposed by Professor Bellin. A "Plan B" would be to eliminate Rule 609(a)(1) felony impeachment for *all* witnesses, preserving automatic impeachment under Rule 609(a)(2) for crimes of dishonesty as to all witnesses, including criminal defendants. A "Plan C" could be to fine-tune the balancing test applicable to criminal defendants under Rule 609(a)(1)(B) to eliminate problematic applications that admit prior convictions very similar to the charged offense. The Reporter suggested that the "Plan A" "burn it down" option would not be workable. The Chair opined that there would be no point in the Committee proposing the elimination of Rule 609 because it would never get through the rulemaking process. He suggested that the Rule is misused because it is a credibility provision that is often used to admit convictions that are tangential to credibility. He further noted the high cost of misuse of the Rule when it prevents a defendant from taking the stand in his own defense. The Chair suggested that it might be possible to narrow Rule 609 to admit only convictions that truly bear on character for truthfulness.

Ms. Shapiro inquired about the direction of the Committee's examination of Rule 609, asking whether complete elimination of Rule 609 was being "taken off the table" and whether any proposal would apply to all witnesses or just to criminal defendants who testify. The Chair opined

that any proposed amendment limiting Rule 609 should apply to all witnesses, as it would be unfair to completely protect the criminal defendant from impeachment while allowing the government witnesses to be freely impeached. The Reporter clarified that a "Plan C" that would tweak the balancing test applicable to criminal defendants under Rule 609(a)(1)(B) would apply to criminal defendants only because that test is reserved for them exclusively. In the end the Committee resolved to consider a possible amendment affecting Rule 609(a)(1) at the next meeting, while retaining Rule 609(a)(2).

3. Prior False Accusations Evidence

Several Committee members expressed an interest in exploring potential amendments to address the admissibility of a victim's prior false accusations as discussed by Professor Erin Murphy. The Reporter stated that it would be important to determine how frequently such evidence is proffered. He also opined that prior false accusations evidence would be better addressed by an amendment to Article IV, such as a new Rule 416, rather than an amendment to Rule 608(b) because victims may not be testifying witnesses subject to Rule 608. He suggested that a new Rule 416 governing evidence of prior false accusations might simplify the admissibility standards for such evidence. Several Committee members agreed that such an amendment could serve to make trials cleaner and easier and expressed a strong interest in pursuing the project. The Chair agreed that it would be worthwhile to study potential amendments to clarify the admissibility of prior false accusations. He opined that a workable rule could prove difficult to draft, however. Still, he suggested that any amendment belonged in Article IV rather than Article VI and was worth pursuing. In the end the Committee resolved to consider an amendment that would add a new Rule 416 to cover the admissibility of evidence of false accusations.

D. Discussion of Other Potential Amendment Projects

1. Prior Statements of Testifying Witnesses

The Reporter next directed the Committee's attention to Tab 5 of the Agenda materials and the problems with treating the prior statements of testifying witnesses as hearsay. The Chair explained that this issue had always been his pet peeve. He noted that he used to teach Evidence and that students never could understand why the statements made by witnesses who show up to testify are treated as hearsay. He said that students would ask: "don't we exclude hearsay because the declarant cannot be tested through cross-examination? If a declarant shows up and testifies under oath, he is subject to cross-examination about his prior statements, so why treat them as hearsay at all?" The Chair noted that it was difficult to explain why all prior witness statements should be classified as hearsay. The Chair said that he understood why a trial judge would not want to admit all the prior statements a defendant had made to his family professing his innocence, for example, but noted that Rule 403 would keep out the prior statements that do nothing but bolster the witness.

The Reporter directed the Committee's attention to pages 365-367 of the Agenda materials and to amendment proposals that would allow *all* prior witness statements to be admitted over a hearsay objection. He explained that one possibility would be to modify the definition of hearsay

to remove witness statements from its ambit. Another possibility would be to retain the current definition of hearsay but exempt all witness statements from the rule in Rule 801(d)(1).

The Reporter noted that both options would permit all *prior consistent statements* made by testifying witnesses to be admitted for their truth. He explained that the substantive admissibility of prior consistent statements is currently tied to rehabilitation under Rule 801(d)(1)(B). If a prior consistent statement will serve to rehabilitate a witness after an impeaching attack by an adversary, it may come in – not only to rehabilitate, but also for its truth. The idea behind the existing exception for prior consistent statements is that they should be admitted substantively when they will be given to the jury to help evaluate credibility in any event. The Reporter explained that the original rule had allowed the substantive use of prior consistent statements in only one narrow circumstance, and that Rule 801(d)(1)(B) had been expanded in 2014 to reach all prior consistent statements that serve to rehabilitate. He suggested that existing Rule 801(d)(1)(B) may be the optimal way to treat prior consistent statements.

The Reporter opined that the real problem with prior witness statements is with the treatment of *prior inconsistent statements* under Rule 801(d)(1)(A). He noted that one potential amendment to Rule 801(d)(1)(A) might allow *all prior inconsistent* witness statements to be admitted for their truth. He noted, however, that cross-examination of the witness at trial is the safeguard justifying admissibility of the prior statement and that some have argued that concerns arise in cases where the witness testifies that he never made the prior inconsistent statement. He explained that Congress added the "under oath" and "prior proceeding" requirements to Rule 801(d)(1)(A), in part, to ensure that the prior inconsistent was *actually made*. If the Committee is concerned about ensuring that the statement was made, it could consider amendment proposals that would expand the methods for ensuring that the statement was actually made akin to the drafts on pages 369-370 of the Agenda materials. An amendment might permit substantive admissibility of a prior inconsistent statement when a witness acknowledges making it or when the statement was recorded in some way, in addition to when it is made under oath in a proceeding.

The Chair opined that whether the witness acknowledges the prior statement should not be a concern. He noted that witnesses deny things all the time and that lawyers have tools to address such denials. The Chair explained that prior inconsistent statements are no different from other types of evidence in that respect. A Committee member agreed that when a witness falsely denies making a prior inconsistent statement, cross-examination can be very effective.

The Reporter noted that the cleanest amendment alternative would be one that allows substantive admission of all witness prior inconsistent statements. The Chair stated that he would support such an amendment but that the question is whether the Committee thinks such an amendment is worth pursuing. The Reporter stated that if he had been asked to make a presentation, like the evidence scholars, about the number one rule that needs fixing, he would have chosen Rule 801(d)(1)(A).

Committee members unanimously agreed that they would be interested in considering an amendment that would make all prior inconsistent statements of testifying witnesses substantively admissible. One Committee member expressed support for an amendment that would make all prior witness statements (consistent or inconsistent) substantively admissible. The Chair noted that

making all witness statements admissible would eliminate the need for the rehabilitation inquiry under Rule 801(d)(1)(B). The Reporter agreed to write up two potential amendment alternatives for the spring meeting – one akin to the draft on page 367 of the Agenda materials that would make *all* prior witness statements admissible – and one akin to the draft on page 369 that would make all prior *inconsistent* statements admissible.

2. Statements Made for Purposes of Medical Treatment or Diagnosis

Professor Richter directed the Committee's attention to Tab 6 of the Agenda materials and a memorandum regarding the admissibility of statements made for purposes of medical treatment or diagnosis under Federal Rule of Evidence 803(4). She explained that a recent law review article in the *Boston College Law Review* had pointed out some anomalies in the admissibility of hearsay statements under the exception. First, she explained that the exception had been expanded beyond the common law when it was enacted as part of the original Evidence Rules to encompass statements made to testifying medical experts to secure a medical diagnosis for trial. Professor Richter noted that the recent law review article had pointed out the inherent unreliability of such statements made in anticipation of litigation. She explained that the original Advisory Committee had broadened Rule 803(4) to include such unreliable statements made in anticipation of litigation because it assumed that those patient statements would be revealed to the jury at trial as the basis for the testimony of the medical expert. The Advisory Committee's notes reason that such statements might as well be admissible for their truth if they are going to be disclosed to the jury in any event. Professor Richter explained that the subsequent 2000 amendment to Rule 703 governing the disclosure of the basis for an expert opinion undermined that assumption, because it prohibits the disclosure of otherwise inadmissible basis unless a stringent balancing test is satisfied. She explained that the Committee could consider amending Rule 803(4) to prevent the admission of unreliable hearsay statements made to a testifying medical expert to obtain an opinion for trial, in light of that change to Rule 703. Professor Richter explained that the law review article had also criticized federal decisions uniformly excluding statements made *by medical providers* to one another or to their patients even when those statements otherwise satisfy the requirements of Rule 803(4). She noted that the Committee could consider clarifying amendments to Rule 803(4) to authorize admissibility of provider statements that satisfy Rule 803(4)'s requirements.

Professor Richter directed the Committee's attention to several potential amendments to Rule 803(4) on pages 387-393 of the Agenda materials, including a draft that would require statements to be made for the "primary purpose" of obtaining medical treatment or medical diagnosis in contemplation of treatment. She noted that such an amendment would eliminate statements made primarily to obtain an expert diagnosis for trial and would also dovetail with the Sixth Amendment standard in criminal cases, ensuring that statements admitted through Rule 803(4) are nontestimonial by definition.

The Reporter opined that the "primary purpose" amendment alternative would be the best option given its consistency with the Sixth Amendment standard. A Committee member expressed ambivalence about an amendment to Rule 803(4) to cover statements by providers, opining that doctors are not entitled to their own hearsay exception. The Chair added that it would be difficult to amend Rule 803(4) to restate its existing requirements with respect to statements made by medical providers. He also noted that the issue of which patient statements are pertinent to a

psychological diagnosis can be particularly vexing but that lawyers are handling such issues. He opined that a "primary purpose" amendment would be the best route but that it could create new litigation problems of determining when the purpose for litigation was primary. In sum, he concluded that an amendment to Rule 803(4) would not be worth pursuing. A Committee member concluded that if the statement to the doctor is made solely or primarily for litigation, that fact will be brought out on cross-examining the doctor, and the jury will be able to discount the patient's statement in light of the litigation motivation. Another Committee member noted that the evidence rules in many states track the Federal Rules and that states are handling these issues well under their existing rules. He expressed concern that an amendment to Federal Rule of Evidence 803(4) could disrupt state practice. Another Committee member expressed some interest in thinking about the admissibility of provider statements under the exception, noting that medical professionals practice in teams and communicate in the course of providing care. Still, he stated that he was sensitive to the concerns about creating special rules for doctors. The Chair voiced concerns that admitting such chains of provider hearsay could result in fewer trial witnesses on important topics.

In light of these concerns and issues, the Committee concluded that it would not pursue potential amendments to Rule 803(4).

IV. Closing Matters

The Chair concluded the meeting by explaining that the Committee will consider potential amendments to Rule 609 and Rule 801(d)(1) at the Spring 2024 meeting, as well as a potential new Evidence Rule governing prior false accusations by a victim. He noted that Rule 404(b) and Rule 803(4) will not be on the Committee's Spring agenda and that the Reporter will plan a symposium on artificial intelligence and machine generated evidence for the Fall 2024 Committee meeting. The Chair thanked the Committee for a productive day and informed the Committee that the Spring 2024 meeting will be on April 19, 2024 in Washington DC. The meeting was then adjourned.

Respectfully Submitted,
Liesa L. Richter
Daniel J. Capra