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Keynote Remarks

Exploring Options Overcoming Barriers to Comprehensive Federal Privacy Legislation

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* The views expressed in these remarks are my own and do not necessarily reflect the views of the Federal Trade Commission or any other Commissioner. Many thanks to my Attorney Advisor, Robin Rosen Spector, for assisting in the preparation of these remarks.

I. Introduction

Many thanks to Dan Caprio for his kind introduction. By way of background, Dan is the person who first introduced me to Professor Hoffman, so he indirectly had a hand in helping launch this project. Many thanks also to Dean Kelley and Professor David Hoffman for their remarks, and to the Duke University Sanford School of Public Policy for hosting this event.

This evening's proceedings are the culmination of a months-long project. My office and I have worked closely with Professor David Hoffman and students at both the Duke University Law School and Sanford School of Public Policy. I'd like to give special thanks to my attorney advisor, Robin Rosen Spector, who spearheaded this project for my office. She brought to this initiative the same breadth of knowledge, dedication, and analytical prowess that she brings each day to our work at the FTC. Without her, this project would not have been possible.

David and I launched this project because preemption and private rights of action have been identified as key impasses on the road to federal privacy legislation. Our goal has been to identify and examine the different approaches that Congress has employed with respect to these issues in other legislation, including but not limited to privacy laws. Our student researchers analyzed the preemption provisions in ten U.S. statutes and the General Data Protection Regulation (GDPR), and the private right of action and remedy provisions in six U.S. statutes and the GDPR. Their scope of research encompassed not only the statutes, but also relevant case law, law review articles, and a significant body of scholarship on preemption and private rights of action.

Duke has made the results of this comprehensive research publicly available on a Duke-hosted website to serve as a resource for legislators, as well as for privacy professionals and scholars. We hope this extensive compilation will demonstrate that preemption and private rights

of action can be addressed constructively in the context of federal privacy legislation. I want to thank the students at Duke, and my summer law clerk Elizabeth Americo, for their excellent work on this important project.

Before going further, I must add the traditional disclaimer that the remarks I deliver today are my own and do not necessarily reflect the views of the Commission or any other Commissioner. With that caveat out of the way, let me give you some context for my interest in this project.

During my tenure as a Commissioner, I have advocated for federal privacy legislation.[1] I am a strong believer in free markets and deregulation, so my advocacy in the privacy arena has come as a surprise to some observers. As you may imagine, I did not arrive at this conclusion lightly. I talked with a wide variety of stakeholders, and read case law, empirical studies, law review articles, sector-specific privacy legislation, drafts of comprehensive privacy legislation, books, and news reports. Ultimately, I concluded that significant information asymmetries exist between consumers and the entities that collect, monetize, and share consumer data.

[1] *See, e.g.,* Oral Statement of Commissioner Christine S. Wilson, FTC, Before the U.S. House Committee on Energy and Commerce Subcommittee on Consumer Protection and Commerce (July 28, 2021), https://www.ftc.gov/system/files/documents/public_statements/1592954/2021-07-28_commr_wilson_house_ec_opening_statement_final.pdf; Christine Wilson, Op-Ed, *Coronavirus Demands a Privacy Law*, WALL ST. J., May 13 2020, *available at* https://www.wsj.com/articles/congress-needs-to-pass-a-coronavirus-privacy-law-11589410686; Oral Statement of Commissioner Christine S. Wilson, FTC, Before the U.S. Senate Committee on Commerce, Science, and Transportation (April 20, 2021), https://www.ftc.gov/system/files/documents/public_statements/1589180/opening_statement_final_for_postingrevd.pdf; Christine Wilson, Privacy in the Time of Covid-19, TRUTH ON THE MARKET (Apr. 15, 2020), https://truthonthemarket.com/author/christinewilsonicle/; Christine S. Wilson, A Defining Moment for Privacy: The Time is Ripe for Federal Privacy Legislation, Remarks at the Future of Privacy Forum (Feb. 6, 2020), https://www.ftc.gov/system/files/documents/public_statements/1566337/commissioner_wilson_privacy_forum_speech_02-06-2020.pdf; Oral Statement of Commissioner Christine S. Wilson Before the U.S. House Committee on Energy and Commerce Subcommittee on Consumer Protection and Commerce (May 8, 2019), https://www.ftc.gov/system/files/documents/public_statements/1519254/commissioner_wilson_may_2019_ec_opening.pdf; Oral Statement of Commissioner Christine S. Wilson, FTC, Before the U.S. Senate Committee on Commerce, Science, and Transportation Subcommittee on Consumer Protection, Product Safety, Insurance, and Data Security (Nov. 27, 2018), https://www.ftc.gov/system/files/documents/public_statements/1423979/commissioner_wilson_nov_2018_testimony.pdf.

These significant information asymmetries create a market failure. Consumers do not fully understand how their data is collected, shared, and monetized. Without this information, they cannot analyze the costs and benefits of using different products and services. And the risks to consumers from the unchecked collection of their data have intensified in recent years. Gaps in existing sectoral laws have created inconsistent privacy protections that continue to widen.[2] The health care arena is a good example: information collected in traditional medical settings is protected by Health Information Portability and Accountability Act (HIPAA) but information collected through websites, apps, or wearables is not.[3] The COVID-19 pandemic exacerbated this issue.[4] And the concern extends beyond consumer privacy: certain uses of consumer data also have serious implications for civil liberties, including our protections under the Fourth Amendment.[5] These concerns also intensified during the pandemic.[6]

My concerns begin, but do not end, with consumers and individuals. Federal privacy legislation is necessary to give businesses guidance on the rules of the road. The need becomes more pronounced as additional states consider and pass privacy legislation. From a business

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[2] *See* Oral Statement of Commissioner Christine S. Wilson Before the U.S. House Committee on Energy and Commerce Subcommittee on Consumer Protection and Commerce (May 8, 2019), https://www ftc.gov/system/files/documents/public_statements/1519254/commissioner_wilson_may_2019_ec_opening.pdf

[3] *Id.*

[4] Christine Wilson, Privacy in the Time of Covid-19, TRUTH ON THE MARKET (Apr. 15, 2020), https://truthonthemarket.com/author/christinewilsonicle/; Christine S. Wilson, A Defining Moment for Privacy: The Time is Ripe for Federal Privacy Legislation, Remarks at the Future of Privacy Forum (Feb. 6, 2020), https://www ftc.gov/system/files/documents/public_statements/1566337/commissioner_wilson_privacy_forum_speech_02-06-2020.pdf; Christine S. Wilson, Privacy and Public/Private Partnerships in a Pandemic, Keynote Remarks Privacy + Security Forum (May 7, 2020), https://www.ftc.gov/system/files/documents/public_statements/1574938/wilson_-_remarks_at_privacy_security_academy_5-7-20.pdf.

[5] *Id.*; *see also* Letter from Christine S. Wilson, Comm'r, Fed. Trade Comm'n to Senator Ron Wyden on the Fourth Amendment is Not For Sale Act (May 21, 2021), https://www ftc.gov/system/files/documents/public_statements/1590440/wilson-fourth-amendment-wyden.pdf; Paul Ohm, The Many Revolutions of *Carpenter*, 32 HARV. J. L. & TECH. 357, 362 (2019). Ohm argues that the "reasonable expectation of privacy" test should be replaced by the rules outlined in *Carpenter*, allowing courts to respond "flexibly and rapidly to the insistent challenges of new technology on privacy."

[6] Christine Wilson, Privacy in the Time of Covid-19, TRUTH ON THE MARKET (Apr. 15, 2020), https://truthonthemarket.com/author/christinewilsonicle/.

perspective, complying with myriad and potentially conflicting state laws is costly, at best; at worst, it is impossible. The adoption of divergent privacy regimes by other jurisdictions further compounds the patchwork phenomenon.

The bottom line is that federal privacy legislation is long overdue. But two key gating issues must be resolved before privacy legislation becomes a reality. That stubborn fact brings us to the topic at hand: possible avenues to address preemption and private rights of action.

II. Preemption

Let's turn first to preemption. When I have spoken on this issue previously, I have said that preemption is necessary.[7] Businesses need the predictability of a federal standard; moreover, the growing patchwork of state laws will impose costs and erect barriers to entry that ultimately will harm consumers and competition. I am a strong believer in federalism and the benefits that flow from having our states serve as laboratories of democracy. But there are some areas where a federal interest takes precedence.

The research the students amassed on preemption revealed several interesting findings. First, federal statutes that preempt an entire field of law are rare. It is more common for statutes to establish a federal floor and allow states to pass more stringent laws. In other words, the federal law creates a minimum standard. HIPAA[8] and the Clean Water Act[9] are structured in this way. In other instances, statutes employ conflict preemption – the federal and state laws can co-exist

[7] Christine S. Wilson, Privacy and Public/Private Partnerships in a Pandemic, Keynote Remarks at Privacy + Security Academy (May 7, 2020), https://www ftc.gov/system/files/documents/public_statements/1574938/wilson_-_remarks_at_privacy_security_academy_5-7-20.pdf; Christine S. Wilson, "A Defining Moment for Privacy: The Time is Ripe for Federal Privacy Legislation," Remarks at the Future of Privacy Forum, Washington, DC, (Feb. 6, 2020), https://www ftc.gov/system/files/documents/public_statements/1566337/commissioner_wilson_privacy_forum_speech_02-06-2020.pdf.

[8] 42 U.S.C. §1320d-7(a)(1).

[9] 33 U.S.C. §1370.

as long as there is no conflict but if one arises, the federal law prevails. The Civil Rights Act relies on this approach.[10]

Second, even scholars who do not support preemption acknowledge that there are circumstances under which federal consolidation has benefits. For example, Paul Schwartz, in an article arguing *against* preemption in federal privacy legislation, explains that preemption facilitates the avoidance of inconsistent regulations in areas with high costs and little policy payoff (e.g., data breach laws with conflicting disclosure requirements) and through the establishment of what he calls "field definitions" that can lower compliance costs (e.g., the definition of a credit report in the Fair Credit Reporting Act).[11]

Another scholar, Patricia Bellia, notes that if a federal privacy law establishes only a baseline standard that allows states to promulgate more robust regulations, the most stringent state law could become the *de facto* federal standard.[12] This is indeed the situation in which we now find ourselves with the California Consumer Privacy Act (CCPA). Consequently, Professor Bellia writes that preemption may be necessary to displace a law that may have national consequences but that has not been subject to the national political process.[13] This point resonates with me. I have said repeatedly that the elected members of Congress are best situated to make the policy decisions and value judgments needed to promulgate national privacy standards. In addition, Professor Bellia argues that a federal law that establishes carefully crafted minimum privacy standards that apply across sectors, but that permits states to fill gaps, may be a plausible solution.[14] This approach merits discussion.

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[10] 42 U.S.C. §2000h-4.
[11] Paul Schwartz, *Preemption and Privacy,* 118 YALE LAW J. 902, 941 (2009)
[12] Patricia Bellia, *Federalization in Information Privacy Law*, 118 YALE L. JOURNAL 868, 894-95 (2009).
[13] *Id.* at 899.
[14] *Id.* at 873.

Professor Schwartz argues, however, that full field preemption carries a risk that a statute, over time, may become inflexible or ossified.[15] This concern is valid, particularly within the context of the rapidly evolving privacy landscape. A law written today, by its very nature, can only address the practices and harms we know about today. For this reason, I support vesting the FTC with carefully tailored rulemaking authority under the Administrative Procedures Act to facilitate updating key definitions and provisions over time. The Children's Online Privacy Protection Act (COPPA) provides a good model in this regard.[16] But I will be the first to admit that rulemaking is not always a model of efficiency.[17] Another option would be to include in the legislation sunset provisions or other opportunities for reevaluation, as Cam Kerry has proposed.[18]

Others have observed that at the state level, regulatory innovation may flourish but that innovation then may be stifled with the passage of preemptive federal legislation.[19] I agree that facilitating laboratories of democracy can help promote a variety of regulatory options. At the same time, uncertainty can be particularly challenging for innovation in fields like transportation, financial services, and the Internet that transcend state and national borders. Case studies in other

[15] Schwartz, 118 Yale L. Journal at 924.
[16] 15 U.S.C. §§ 6501-05.
[17] *See* Christine S. Wilson, Hey, I've Seen This One: Warnings for Competition Rulemaking at the FTC, Remarks for the Federalist Society "The Future of Rulemaking at the FTC" Event at 4-5 (June 9, 2021), https://www ftc.gov/system/files/documents/public_statements/1591666/wilson_statement_back_to_the_future_of_rulemaking.pdf (explaining that the Commission's process to revise the Contact Lens Rule took five years to complete).
[18] Cameron F. Kerry, et al., Bridging the Gap: A path forward to federal privacy legislation (June 2020), https://www.brookings.edu/wp-content/uploads/2020/06/Bridging-the-gaps_a-path-forward-to-federal-privacy-legislation.pdf.
[19] *See, e.g.,* Elizabeth D. De Armond, *Preventing Preemption: Finding Space for States to Regulate Consumers' Credit Reports*, 2016 B.Y.U.L. REV. 365 (2016) (discussing ways in which states might be able to innovate and create legislation despite the strong preemptive provisions in the Fair Credit Reporting Act).

industries have shown the value of national standards and the costs of a stratified, potentially conflicting regulatory environment.[20]

The GDPR experience is also instructive on questions of preemption. In June 2020, the European Commission published a two-year report on the application of GDPR.[21] One aspect of the report examines examples of fragmentation across Member States, including age limits for when children may provide consent in connection with information society services and protections around the processing and sharing of health and research information. In these margin areas, the Commission noted that the divergent policies have created difficulties for businesses working across borders.[22]

It is worth noting that the subject at hand – consumer privacy, particularly online – is far more complex and nuanced than the subject areas at issue in some of the sector-specific statutes

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[20] *See, e.g.,* Jennifer Huddleston, *Gray Areas in States and Local Tech Regulation*, THE BRIDGE (2018), https://www mercatus.org/bridge/commentary/gray-areas-states-and-local-tech-regulation ("For example, autonomous vehicle regulation has been done primarily by states and even local governments, which could create a patchwork problem with negative impacts on further development or widespread deployment. While there have been attempts at federal legislation on the matter, even the most mundane bills have tended to stall out in the process. Critics of continuing to allow states to largely control autonomous vehicle policy point to the fact that Audi refused to deploy its most advanced driver assistance technology in the United States due to its concerns over the lack of clarity and uncertainty of current regulations."); Ian Adams, Nick Zaiac & Caden Rosenbaum, Barriers to Innovation and Automation in Railway Regulation, R Street Policy Study No. 175 (2019), https://www.rstreet.org/wp-content/uploads/2019/06/RSTREET175.pdf (discussing railroad regulations of crew sizes that hindered innovation); ALAN MCQUINN & DANIEL CASTRO, *The Case for a U.S. Digital Single Market and Why Federal Preemption Is Key* 4 (2019), https://itif.org/sites/default/files/2019-dsm-preemption.pdf; Brian Knight, *Federalism and FinTech*, in HERITAGE FOUND., PROSPERITY UNLEASHED: SMARTER FINANCIAL REGULATION 336 (2017), https://www.heritage.org/sites/default/files/2017-02/22_ProsperityUnleashed_Chapter22.pdf (finding that state-by-state regulations may have hampered efficiency, competitive parity, and political equity in FinTech); The Safer Affordable Fuel-Efficient (SAFE) Vehicles Rule Part One: One National Program, 84 Fed. Reg. 51,310, 51311–12 (Sept. 27, 2019), https://www.govinfo.gov/content/pkg/FR-2019-09-27/pdf/2019-20672.pdf ("This is also why the notion of national applicability and preemption of State or local laws or regulations related to fuel economy standards is so critical. Allowing State or local governments to establish their own fuel economy standards, or standards related to fuel economy, would provide for a universe in which automakers are placed in the untenable situation of having to expend resources to comply not only with Federal standards, but also meet separate State requirements.").

[21] European Commission: Communication from the Commission to the European Parliament and the Council, Data protection as a pillar of citizens' empowerment and the EU's approach to the digital transition – two years of application of the General Data Protection Regulation (June 24, 2020), https://ec.europa.eu/commission/presscorner/detail/en/ip_20_1163.

[22] *Id.* at 6-8 (reporting that nine Member States apply an age limit of 16 years, eight opted for 13 years, six for 14 years, and three for 15 years).

we researched. Online privacy issues affect virtually every business that has an Internet presence. Further, as previously noted, the very nature of the Internet makes it likely that the most stringent state standard will become the *de facto* national standard. Granted, some stakeholders may prefer that outcome because they believe their state standard is optimal.

Preemption may succeed, though, if the federal standards created for businesses – in conjunction with the rights and remedies established for individuals – are robust enough. As a practical matter, businesses have a significant influence on the debate, and they are unlikely to support federal privacy legislation that does not include strong preemption. Conversely, consumer advocates currently do not support preemption. And as a practical matter, it is likely not feasible for a federal privacy law to cover the entire landscape. Existing state and federal laws have provided, and will continue to provide, important privacy protections. New legislation will need to acknowledge, and accommodate, this reality.

In approaching this project, we determined that our primary focus, at least in the first instance, should *not* be on how to satisfy all relevant stakeholders. Instead, we concluded that the primary focus should be on ascertaining the best policy for consumers and competition. How can we craft a law that provides individuals with privacy protections, reduces the information asymmetries that currently exist, and provides consistent standards for business that maintain competition and incentives for innovation? We believe the starting point is to isolate the goals and primary regulatory objectives of federal privacy legislation.

I believe the goal of federal privacy legislation is to create baseline privacy rights for consumers and consistent standards for business. Legislation that simply provides a floor and allows states to enact more stringent laws may establish baseline rights, but it will not create consistent standards for businesses. In my view, this outcome is suboptimal. If the law provides

strong rights and imposes appropriate standards and obligations on businesses, as well as robust and accessible remedies, more stringent state laws should not be necessary. This conclusion leads us to our second topic, remedies and private rights of action.

III. Private Right of Action/Remedies

As a starting point, we sought to analyze the goals of those who advocate for a private right of action. One frequently stated rationale points to under-resourced enforcement agencies like the FTC and concludes that private rights of action are necessary to provide incremental deterrence for businesses and remedies for consumers.[23] Of course, a strong privacy law that includes sufficient funding for the FTC could obviate this need. As you may have seen, the Energy & Commerce Committee of the House of Representatives last week proposed giving the FTC $1 billion over 10 years for a bureau to address privacy, data security, identity theft, and data abuses.[24] This kind of investment would put the FTC, and the U.S., on more equal footing with the dedicated DPAs of foreign jurisdictions. Ideally, this money would be tied to passage of federal privacy legislation that establishes the boundaries for the work of that new bureau.

Turning back to the private right of action, studies of private rights of actions and the tort system have shown that abusive class action practices increase costs for businesses – while providing little in the way of redress for consumers, changed business practices, and deterrence.[25] Even if one were to give class actions the benefit of the doubt, the research

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[23] *See, e.g.,* Alec Wheatley, *Do-It-Yourself Privacy: The Need for Comprehensive Federal Privacy Legislation with a Private Right of Action,* 45 Golden Gate U. Law Rev. 265 (2015)

[24] H.R. O-S00145, 117th Cong. § 31501 (2021), https://docs.house.gov/meetings/IF/IF00/20210913/114039/BILLS-117-O-S001145-Amdt-1.pdf.

[25] *E.g.,* U.S. Chamber Institute for Legal Reform, *Ill-Suited: Private Rights of Action and Privacy Claims* (July 2019), https://instituteforlegalreform.com/research/ill-suited-private-rights-of-action-and-privacy-claims/ (discussing how a private right of action in the Telephone Consumer Protection Act has become a juggernaut that threatens annihilation for companies with the allure of $500 penalty *per* call, text, or fax and uncapped statutory damages. Many large companies settle these lawsuits early on, for millions of dollars, rather than risk the fight.); Timothy St. George, et al., *A Practical Approach to Defending Fair Credit Report Act Class Actions in Federal*

conducted during this project has led me to conclude that we need to broaden the conversation. Specifically, the discussion should not be limited to the question of whether federal privacy legislation should have a private right of action. Instead, the discussion should focus on establishing a constructive remedial framework. To do this, legislators should consider the policy goals of the regulatory regime, how best to accomplish those goals, and how best to create appropriate levels of deterrence.

This analysis is drawn from a compelling article by Jim Dempsey, Chris Hoofnagle, Ira Rubinstein, and Katherine Strandburg titled "Breaking the Privacy Gridlock: A Broader Look at Remedies."[26] The authors, including one of our panelists, created a matrix – a highly useful set of questions that we believe regulators could use to map the remedies landscape for privacy. Their analysis highlights three key points: first, remedies should be tied to policy goals; second, no one remedy can successfully promote even a simple goal and therefore an effective law should include *multiple remedies*; and third, intermediaries and third-parties play a powerful role.[27]

The article analyzes the Telephone Consumer Protection Act (TCPA), noting that although this statute does contain a private right of action, it also includes other enforcement mechanisms. For example, intermediaries will refuse to do business with companies violating the law because the intermediaries themselves will face liability.[28] Using this article's framework, our Duke

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Court ABA (Aug. 2017), https://www.americanbar.org/groups/business_law/publications/blt/2017/08/04_anthony/ (noting that the FCRA is "a dangerous statute for defendants" because it allows for statutory damages and award of attorneys' fees, which makes the suits "costless" for consumers).

[26] James Dempsey, et al., *Breaking the Privacy Gridlock: A Broader Look at Remedies,* Berkeley Center for Law & Technology, N.Y.U Information Law Inst. (April 2021), https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3839711.

[27] *Id.* at 25.

[28] *Id.* at 25-29.

student researchers have prepared matrix analyses of numerous statutes. We hope these analyses, which are posted on the website, will be a useful resource for regulators.

Rory Van Loo, another one of our panelists, has written about several additional remedial avenues beyond private rights of action. These possibilities include enforcement through a supervisory authority, and through third-party intermediaries, which may better serve the policy goals of privacy legislation than class actions.[29]

When viewing remedies through this broader lens, it becomes clear that an "all or nothing" approach will not serve the goals of privacy legislation. Cam Kerry, another panelist from whom we'll hear today, has proposed privacy legislation that envisions a private right of action in limited circumstances. Cam's proposal includes several substantive and procedural limits. [30] Others have proposed alternative, similarly nuanced approaches. Proposals from IAPP[31] and IAF[32] contemplate a private right of action for specific, highly sensitive types of data; the American Action Forum has suggested a private right of action only for injunctive relief.[33]

Ideally, the remedies contained in privacy legislation will turn on the kinds of injuries consumers may suffer. I believe there are significant, cognizable harms that can result from many online privacy practices. But the Supreme Court's recent decision in *Transunion*,[34] which our remedies panel will discuss, may have drastically changed the landscape. Even if Congress

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[29] Rory Van Loo, *The New Gatekeepers: Private Firms as Public Enforcers*, 106 Virginia Law Rev. 467 (2020); Rory Van Loo, *Regulatory Monitors: Policing Firms in the Compliance Era*, 119 Columbia Law Rev. 369 (2019); Rory Van Loo, *The Rise of the Digital Regulator*, 66 Duke Law J. 1267 (2017).

[30] Cameron F. Kerry, et al., Bridging the Gap: A path forward to federal privacy legislation (June 2020), https://www.brookings.edu/wp-content/uploads/2020/06/Bridging-the-gaps_a-path-forward-to-federal-privacy-legislation.pdf.

[31] Joseph Jerome, Private right of action shouldn't be a yes-no proposition in federal privacy legislation, IAPP (Oct. 3, 2019), https://iapp.org/news/a/private-right-of-action-shouldnt-be-a-yes-no-proposition-in-federal-privacy-legislation/.

[32] Fair Processing Legislative Model, IAF, https://informationaccountability.org/initiatives/.

[33] Jennifer Huddleston, A Primer on Data Privacy Enforcement Options, American Action Forum (May 4, 2020), https://www.americanactionforum.org/insight/a-primer-on-data-privacy-enforcement-options/.

[34] Transunion, LLC v. Ramirez, 594 U.S. __ (2021), https://www.supremecourt.gov/opinions/20pdf/20-297_4g25.pdf

were to pass legislation creating a right and providing a remedy, would it survive the standing test in *Transunion*? In my view, this development highlights the importance of carefully considering other remedies and enforcement mechanisms in federal privacy legislation.

IV. Conclusion

As I hope my remarks have illustrated, these issues are complex and fascinating, and the research we have collected is robust. I hope our compendium will serve as a useful resource for regulators, scholars, and others. Following this event, I will be writing an article with Professor Hoffman and my attorney advisor Robin Spector that delves further into the research and also draws on the conversation our panelists will have this evening. I look forward to your reactions!

In closing, I'd like to reiterate my thanks to Duke University and the students who worked on this project with us. And I'd like to thank our panelists for what I know will be an interesting and engaging discussion.

I now turn the "virtual" podium over to the first panel.

Thank you.